

COMPARATIVE SUMMARY

THE ASSESSMENT REPORT OF THE COURTS OF LAW IN THE REPUBLIC OF MOLDOVA

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Comparative summary

This comparative summary describes the changes related to infrastructure, automation, workload, human resources, public service and budget for the Moldovan courts that have occurred between 2012 and 2015. These issues were initially described and evaluated in the 2012 *“Assessment Report for the Courts of Law in the Republic of Moldova Courts”* and repeated in the *“Assessment Report for the Courts of Law in the Republic of Moldova Courts, September 2015.”*

Regarding infrastructure, between 2012 and 2015, in **26** of the **49** courts evaluated, one or more elements of infrastructure have improved.

In terms of court automation, the following positive changes have occurred: an increased number of courts using an increased number of ICMS features (see *Figure 10*); the number of courts that scan paper documents increased from **34** courts in 2012 to **42** in 2015; **44** courts now have server rooms, compared with **31** courts that had server rooms in 2012. Thus far, **33** courts have contracted an IT specialist, compared with **18** courts that had such specialists in 2012.

A significant breakthrough in audio recording of court proceedings has occurred. In 2015, **48** assessed courts are audio recording court hearings using the audio recording system of “SRS Femida” or using digital voice recorders donated by USAID ROLISP to the judiciary in 2013. In comparison, in 2012 only **25** courts used audio recording of hearings (**6** courts audio recorded all hearings and **19** courts audio recorded only some hearings).

In 2015, **48** of the **49** assessed courts have increased the number of equipment units compared to the number of units available in 2012.

Regarding the work of the courts within the assessment period, all courts of appeals increased the number of registered files. In **25** courts of the first instance, the number of registered files has increased and in **19** courts the number of such files has decreased. Evolution of the number of files/materials examined has increased in all courts of appeals. In **20** district courts, the number of files/materials examined increased, while in **24** courts, this number has declined. The settlement rate of the files/materials in **2** courts of appeals has increased, and in the other **2** courts has decreased. The settlement rate of the files/materials increased in **16** district courts and decreased in **28** such courts.

Except for the Balti Court of Appeals in all courts of appeals the number of registers used in 2015 has increased compared to the number of registers used in 2012, thus exceeding the number recommended in the “Instructions for the Activity of Record Keeping and Procedural Documentation in Courts and Courts of Appeals”. In 2015, in **29** courts, the number of registers used increased compared to the number of registers used in 2012, while in **15** courts, this number has declined.

In general, the condition of the archives has improved. Thus, in 2015, only **4** courts have archives rated as “unsatisfactory” compared with **9** courts in 2012. In 2015, the condition of the archives was “very good” in **9** courts, compared to **4** courts in 2012. In 2015, the condition of the archives in **23** courts has been assessed as “good” compared to **19** courts in 2012.

In terms of human resources in 2015, **46** courts have hired public relations specialists, compared to **31** courts in 2012.

In the area of public service, the number of courts which have a monitor available to inform individuals about the schedule of hearings increased significantly from **1** court in 2012 to **47** courts in 2015. In 2015, **27** courts have information desks available, compared to **12** courts in 2012.

The number of courts where applications for file documents are approved by the chairman of the court increased from **14** courts in 2012 to **18** courts in 2015.

In terms of budget and procurement, the average cost per case in the entire system grew by about **34%**. Of the total number of courts, **13** courts had an average cost per case examined below or equal to the national average, in **6** courts the average cost per case slightly exceeded the national average, while in the remaining **28** courts the average cost significantly exceeded the average cost per case in the judiciary.

Essential progress has been made in the automation of accounting in the courts. Thus, in 2012, **21** courts did not use any software for accounting, which was performed manually. In 2015, courts were provided with 1C budget software and accounting officers of these courts were trained in using that software. Unfortunately, however, **9** courts do not use 1C budget software for accounting purposes (**7** courts use other software than 1C, and **2** courts continue to keep accounting records manually).

The information presented below will identify and prioritize the courts, where remedial actions on a national scale could be undertaken on various aspects of court activity.

I. INFRASTRUCTURE

Technical and material condition of courthouses has psychological implications for the court users and the public. When courthouses are solemn, well-maintained, and well-managed, this inspires the confidence of citizens that in such a building true justice can be sought. Thus, the design of a court building may contribute to the achievement of the goals and objectives of justice or endanger them. For example, public access to judges' offices facilitates inappropriate communication between judges and litigants and the deplorable condition of the interior of courts spoils the image that the judiciary should have.

In Moldova, courthouses typically fall into two basic categories: old buildings, built according to Soviet standards of design in the 1970s and buildings that were not designed to serve as courts but subsequently were made available for this purpose. There are, however, several courts that were built in the last five to six years and designed in accordance with modern court standards.

In general, the infrastructure of many Moldovan courts is in poor condition. Sometimes, the design of buildings does not allow a separation of spaces reserved for the public, court staff, and prisoners. In many courts there are not enough hearing rooms, resulting in cases being examined in judges' offices. This has a negative impact on the working environment of the staff, the work of the courts, and the process of justice. Physical modernization of courthouses is an important step in the endeavor to reform the justice sector and improve the quality of justice.

Below is detailed information on the condition of the infrastructure, disaggregated by courts. In particular the condition of such elements of court infrastructure as the exterior facade, water supply systems, electricity, sewage, heating, fire-detection systems, the interior, and the roof are evaluated. The condition of these elements is assessed using ratings from 1 to 4 (1 being "very good" and 4 being "unsatisfactory").

Table 1. Evaluation of courts' infrastructure¹

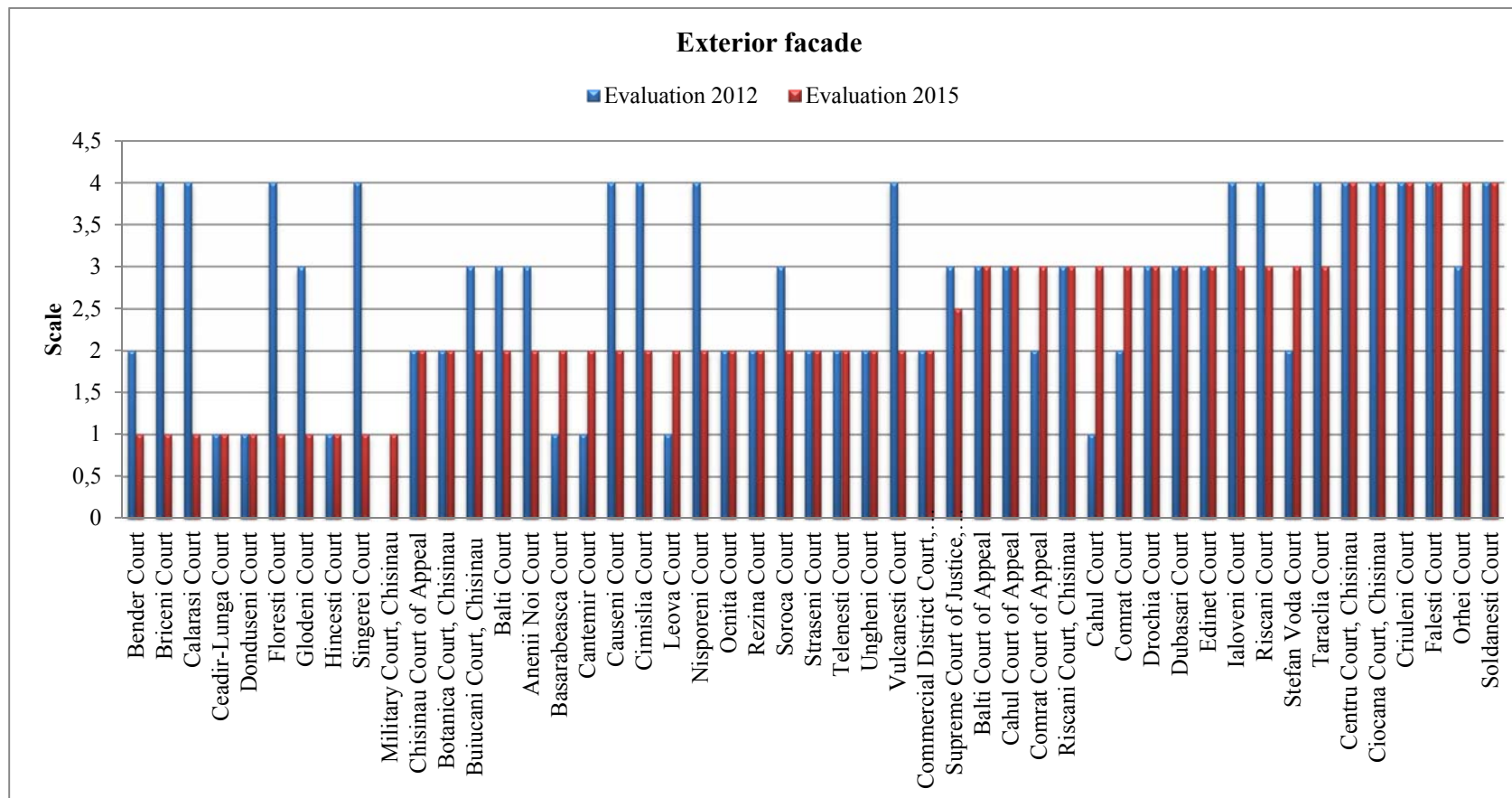
No.	Name of the court	Facade		Water supply		Electricity supply		Sewage system		Heating system		Fire-detection system		Roof		Interior	
		2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015
1	Supreme Court of Justice, Chisinau	3	3	2	3	3	3	3	4	2	3	-	-	3	2	3	2
2	Chisinau Court of Appeal	2	2	3	3	3	4	3	2	2	1	3	3	3	1	3	2
3	Balti Court of Appeal	3	3	2	1	3	1	2	3	2	1	1	1	1	3	3	1
4	Cahul Court of Appeal	3	3	2	2	3	3	2	3	2	2	1	1	2	2	3	3
5	Comrat Court of Appeal	2	3	3	2	1	1	2	2	1	1	1	1	1	1	1	1
6	Botanica Court, Chisinau	2	2	4	4	1	2	4	4	4	4	-	2	-	1	3	2
7	Buiucani Court, Chisinau	3	2	4	4	4	4	4	2	2	2	-	-	3	2	3	2
8	Centru Court, Chisinau	4	4	4	2	2	2	4	1	4	4	-	-	4	4	3	3
9	Ciocana Court, Chisinau	4	4	4	4	4	2	4	4	3	3	4	-	4	3	4	2
10	Riscani Court, Chisinau	3	3	2	3	1	3	2	4	2	3	-	3	2	1	2	3
11	Balti Court	3	2	2	2	3	2	2	2	1	2	-	-	3	4	3	2
12	Bender Court	2	1	1	1	2	1	1	1	2	1	1	1	2	1	1	1
13	Anenii Noi Court	3	2	2	2	4	4	2	2	2	2	-	-	2	4	3	2
14	Basarabeasca Court	1	2	2	2	1	1	2	2	1	1	2	1	2	1	1	1
15	Briceni Court	4	1	2	2	1	2	1	2	1	2	-	1	3	1	4	1
16	Cahul Court	1	3	2	3	2	3	2	3	1	2	2	3	2	2	2	3
17	Cantemir Court	1	2	1	1	1	1	1	1	1	1	1	2	1	1	1	2
18	Calarasi Court	4	1	1	1	1	1	1	1	2	2	-	-	1	1	-	1
19	Causeni Court	4	2	4	4	4	3	4	4	4	4	-	-	4	1	3	2
20	Ceadir-Lunga Court	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
21	Cimislia Court	4	2	4	2	4	3	4	2	3	2	-	-	4	2	4	2
22	Comrat Court	2	3	2	2	2	2	2	2	2	2	-	-	2	2	2	2
23	Criuleni Court	4	4	1	1	3	2	4	2	4	2	-	-	3	3	3	2
24	Donduseni Court	1	1	1	1	3	2	4	1	1	1	-	-	3	1	1	1
25	Drochia Court	3	3	2	2	4	2	4	1	1	2	-	-	3	4	4	1
26	Dubasari Court	3	3	-	-	2	1	-	-	2	1	-	2	3	1	3	1
27	Edinet Court	3	3	3	2	4	3	3	2	3	3	-	-	3	3	2	2
28	Falesti Court	4	4	3	1	3	2	1	2	2	2	-	-	4	4	4	3
29	Floresti Court	4	1	2	2	4	1	2	1	1	1	-	-	2	2	4	3
30	Glodeni Court	3	1	1	1	2	1	1	1	2	2	-	-	2	1	3	1

¹ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

31	Hincesti Court	1	1	1	1	3	2	1	2	3	3	-	-	1	1	3	1
32	Ialoveni Court	4	3	2	2	4	1	2	2	4	2	-	-	2	2	3	1
33	Leova Court	1	2	1	1	2	2	1	1	2	2	-	2	4	1	1	1
34	Nisporeni Court	4	2	2	2	2	3	2	3	2	3	2	2	4	1	1	2
35	Ocnita Court	2	2	2	2	3	1	2	2	3	1	-	3	2	2	3	2
36	Orhei Court	3	4	1	1	4	4	4	4	1	3	-	1	4	4	4	4
37	Rezina Court	2	2	2	2	1	2	2	2	2	2	-	-	1	2	1	2
38	Riscani Court	4	3	2	2	2	2	2	2	2	2	-	1	4	1	2	2
39	Singerei Court	4	1	2	2	2	2	2	2	2	1	-	-	3	4	2	2
40	Soroca Court	3	2	2	2	1	2	4	2	3	2	-	3	1	3	2	3
41	Straseni Court	2	2	2	2	2	2	3	3	4	3	-	-	2	2	1	2
42	Soldanesti Court	4	4	4	4	4	1	-	-	1	1	-	1	3	4	4	1
43	Stefan Voda Court	2	3	3	3	3	2	3	3	1	2	-	2	2	3	4	1
44	Taraclia Court	4	3	4	1	4	1	4	1	4	2	-	2	4	1	4	2
45	Telenesti Court	2	2	2	2	1	1	1	2	1	1	-	2	2	2	1	2
46	Ungheni Court	2	2	2	2	2	3	2	3	2	2	-	2	2	2	2	2
47	Vulcanesti Court	4	2	3	1	3	1	3	1	1	1	-	1	1	1	3	1
48	Military Court, Chisinau	-	1	-	2	-	3	-	2	-	2	-	-	-	1	-	3
49	Commercial District Court, Chisinau	2	2	3	3	4	4	3	3	4	2	-	-	-	-	4	3

Figure 1 shows the assessment made in 2015 of the condition of the facade of court buildings, grouped by ratings from 1 to 4. The facade of **10** buildings is in very good condition. Another **19** court buildings have the facade in good condition. In **14** courts the facade was deemed to be in satisfactory condition, while the facade of the other **6** buildings is in unsatisfactory condition. The condition of the facade of the two premises of the SCJ, one was assessed as good and the other as satisfactory; the average score obtained is 2.5. Analysis of trends in the period from 2012 to 2015 shows that in **18** courts, the condition of the facade has improved. In **22** courts, the condition of the facade remained unchanged during the three years and in **8** courts the condition has worsened.

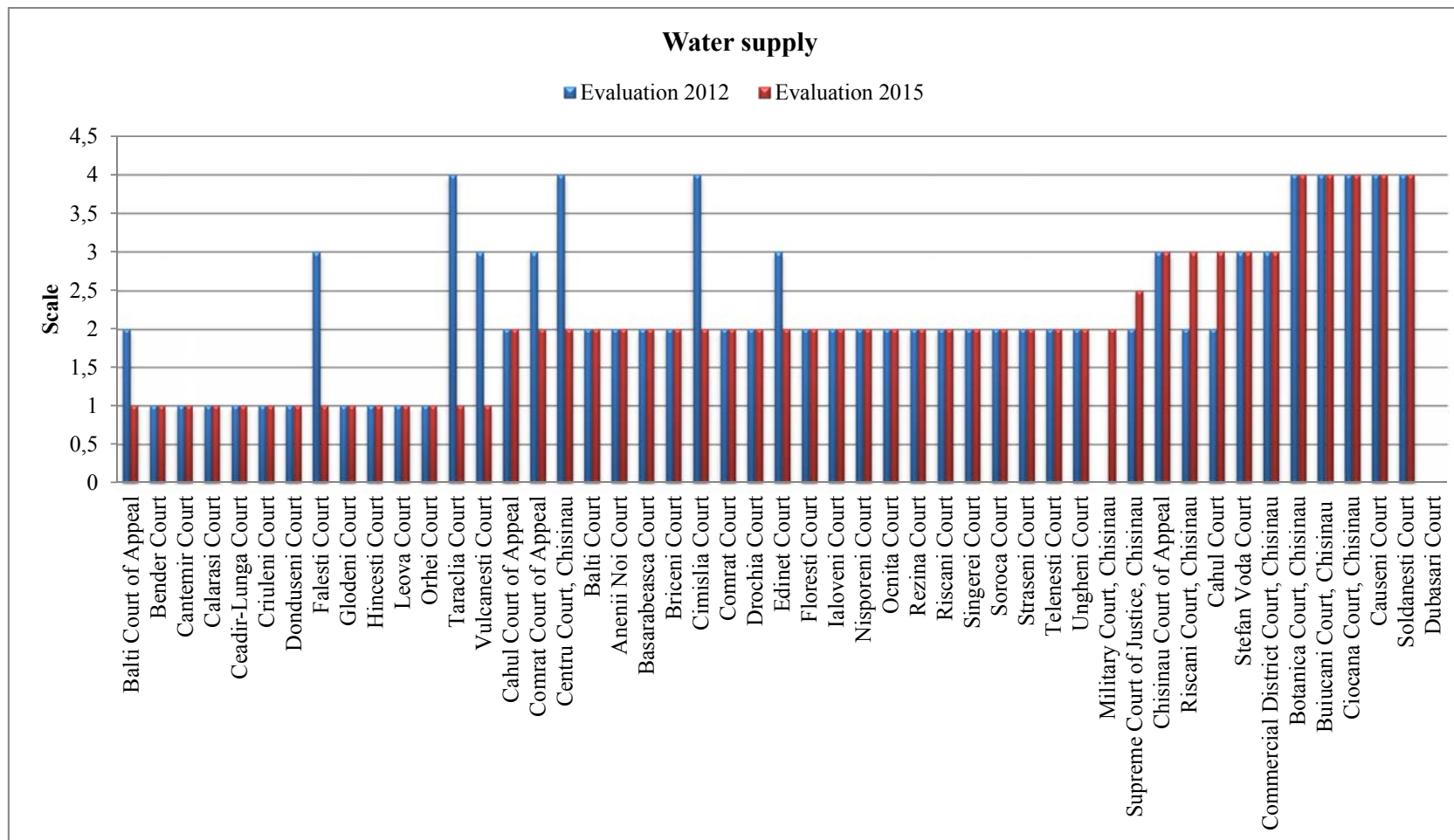
Figure 1. Evaluation of the condition of the facade of courts²



² 1 – Very good, 2 – Good, 3 – Satisfactory, 4 – Unsatisfactory

Figure 2 reflects the condition of the water supply system in court buildings. Based on the information presented in Figure 2, we can conclude that **14** courts enjoy a very good water supply system. In **23** courts the water supply system is in good condition and in **5** courts it is in satisfactory condition. The condition of the water supply systems in the two buildings of the SCJ was assessed as good in one and satisfactory in the other with an average rating of 2.5. Five buildings that are connected to water supply systems are in an unsatisfactory condition. Dubasari Court has no centralized water supply system. An analysis of trends in the period from 2012 to 2015 shows that in **8** courts the condition of the water supply system has improved in 2015. In **36** courts the condition of the water supply remained unchanged, and in **3** courts the condition has worsened.

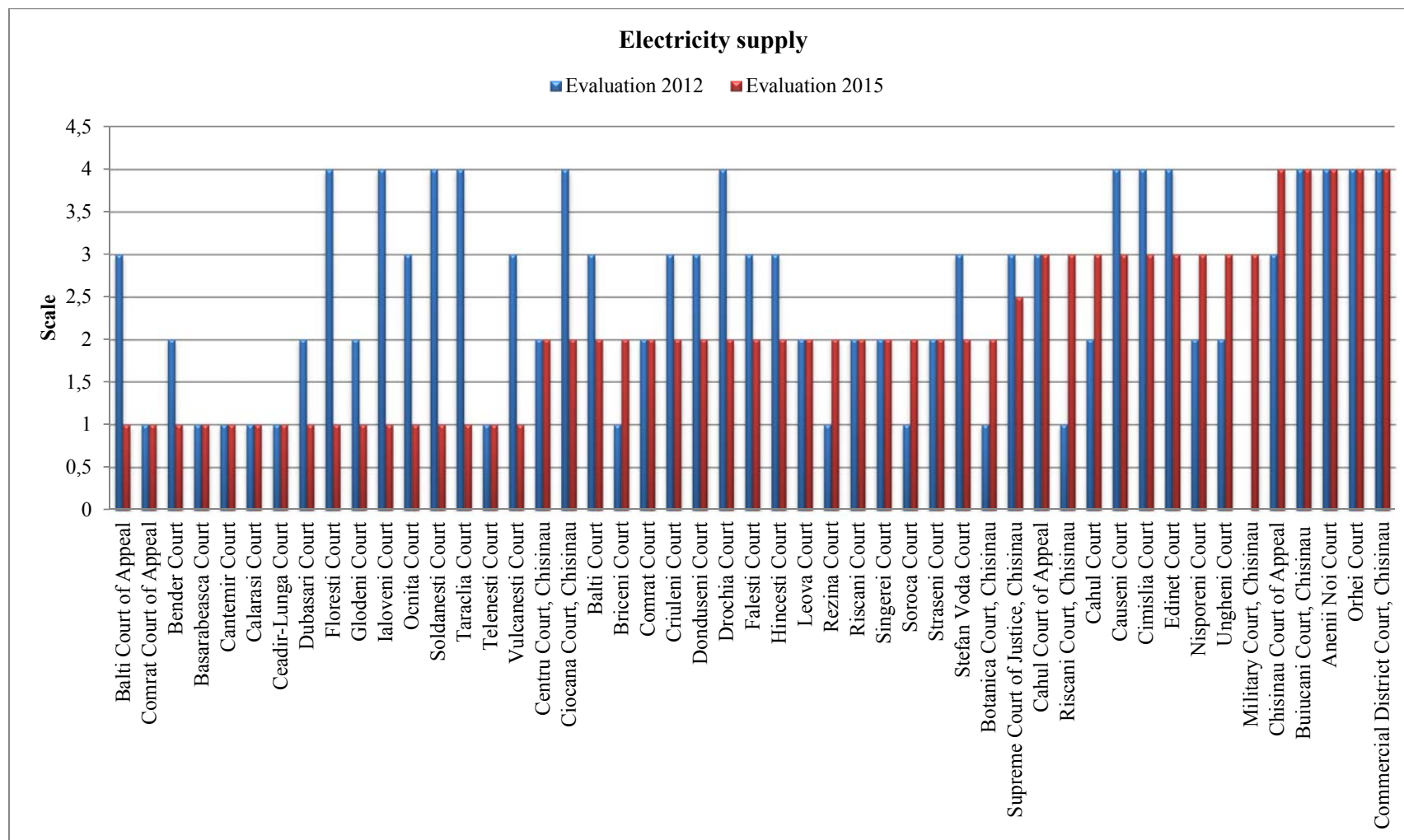
Figure 2. Assessment of the condition of water supply system³



³ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Figure 3 shows the assessment of electricity networks in courthouses. The condition of the electricity networks is very good in 16 courts and good in 17 courts. In 10 courts the condition of electricity network is satisfactory and unsatisfactory in 5 courts. The condition of electricity networks in the two buildings of SCJ was assessed as good in one and satisfactory in the other; the average rating obtained was 2.5. An analysis of the trend in the period from 2012 to 2015 shows that in 22 courts the condition of the electrical supply system has improved, in 17 courts the condition of electrical supply system remained unchanged and in 9 courts its condition has worsened.

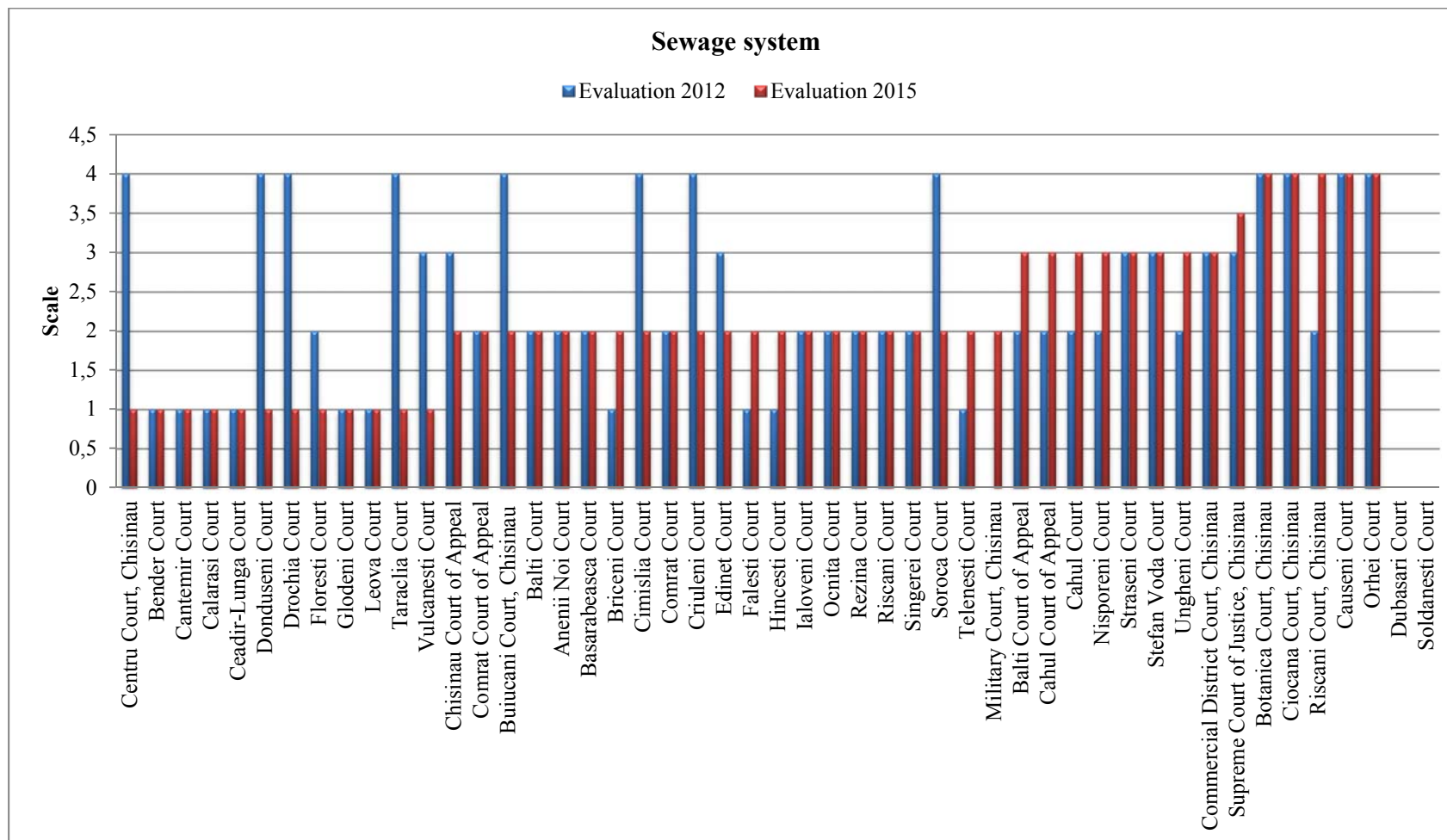
Figure 3. Electricity networks assessment ⁴



⁴ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Figure 4 presents the evaluation of the sewage system condition in courts. The sewage system condition in **12** courts is very good and good in **21** additional courts. **8** courts have a sewage system in satisfactory condition, while in the other **5** courts the sewage system is in unsatisfactory condition. The sewage system condition in the two buildings of the SCJ was assessed as satisfactory in one and unsatisfactory in the other for an average rating of 3.5. The Dubasari and Soldanesti courts do not have a sewage system. An analysis of the trend in the period between 2012 and 2015 shows that in **12** courts the condition of the sewage system was improved in 2015. In **23** courts the condition of sewage system remained unchanged, and in **11** courts the condition worsened.

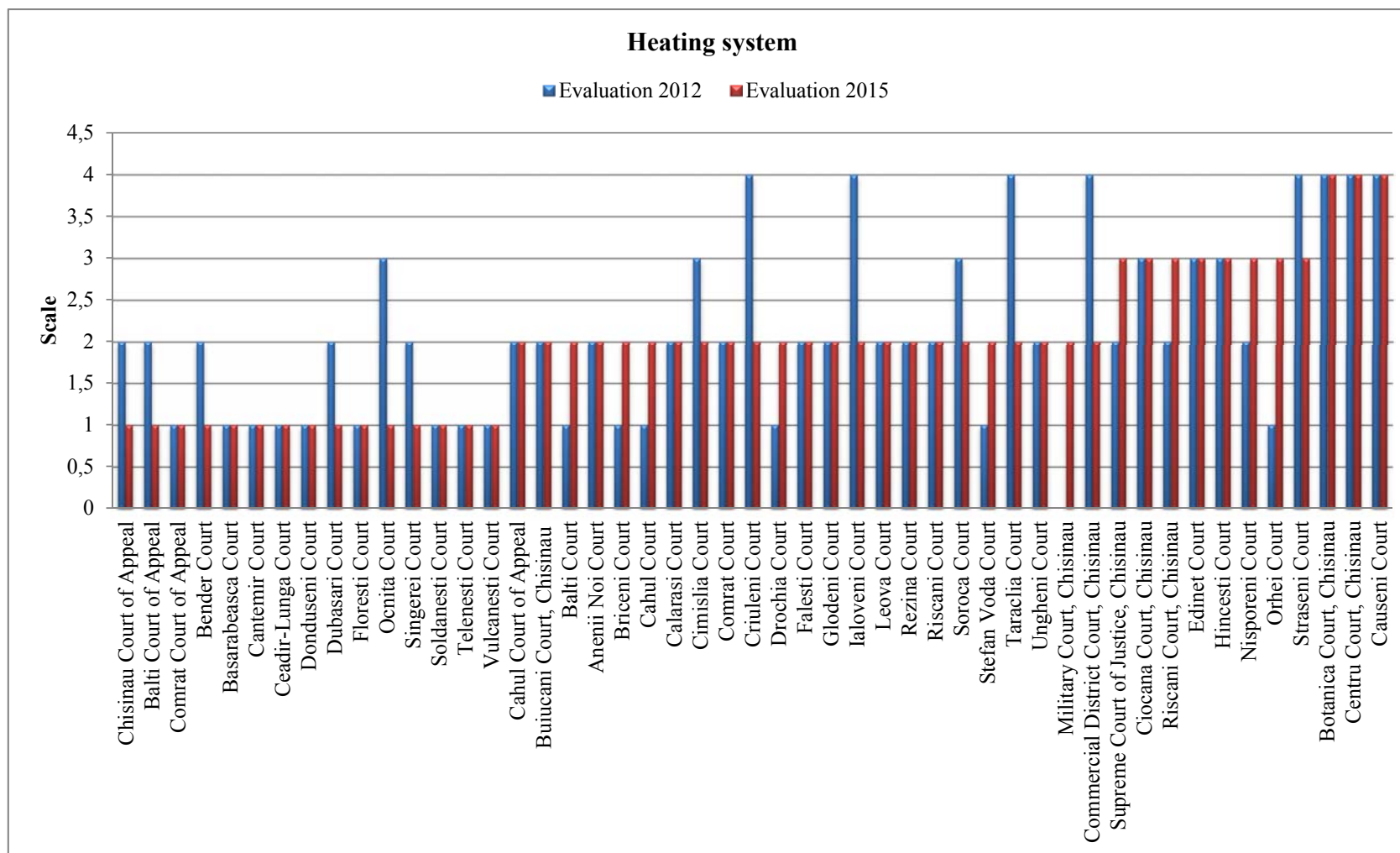
Figure 4. Sewage system assessment⁵



⁵ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Figure 5 shows the condition of the heating system in the courthouses. According to the chart, in **15** buildings the condition of the heating system is very good, and in **23** courts its condition is good. **8** courts have a heating system in satisfactory condition, and in the other **3** courts the condition is unsatisfactory. Analysis of the trend in the period from 2012 to 2015 shows that in **13** courts the condition of the heating system has improved. In **26** courts the condition of the heating system remained unchanged and in **9** courts the condition has worsened.

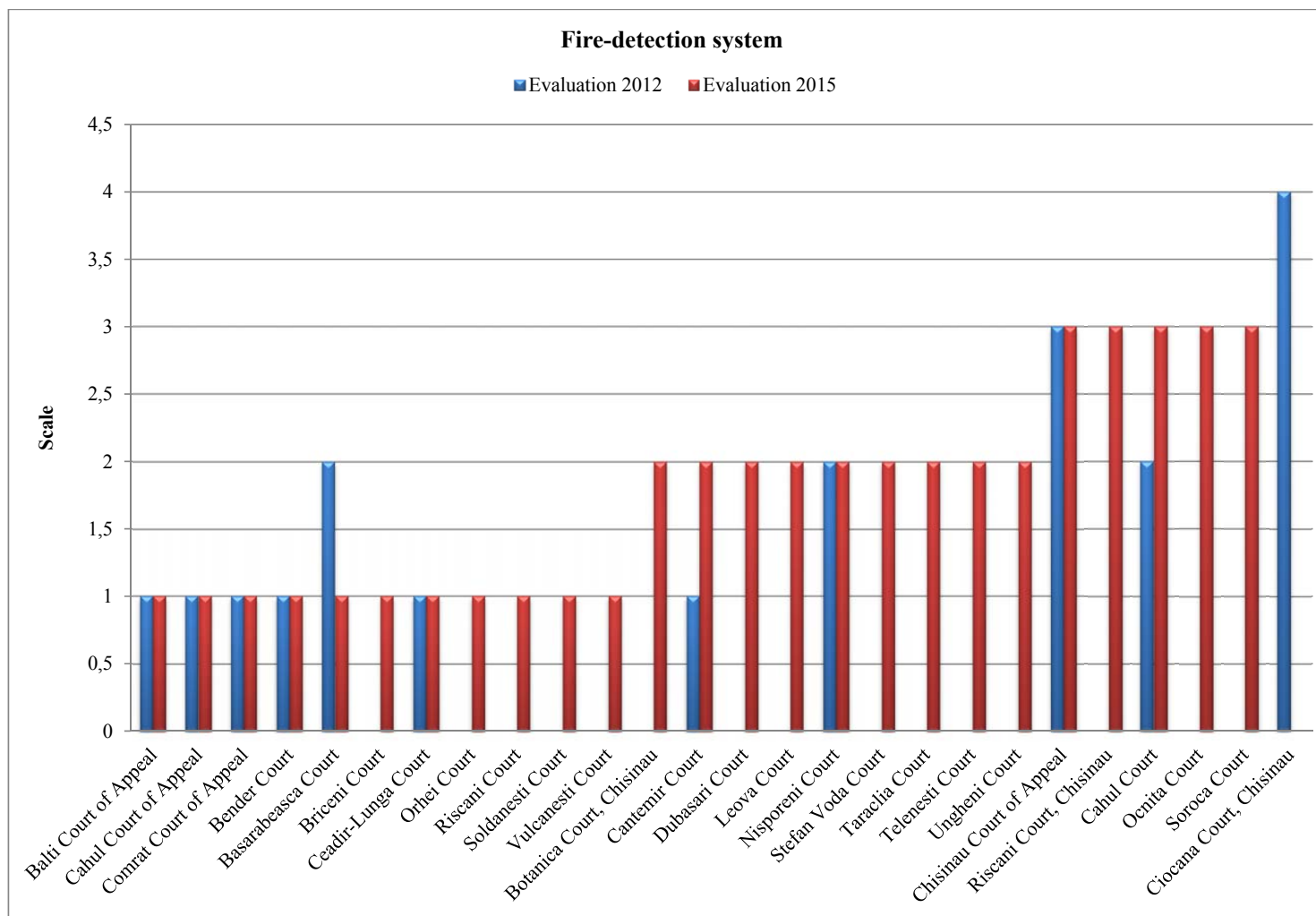
Figure 5. Heating system condition assessment⁶



⁶ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Figure 6 shows that in 11 courts the fire detection system condition is very good. The fire detection system condition in 9 courts is good. In 5 courts the fire detection system was described as being in satisfactory condition. 24 of the courts are not equipped with a fire detection system. The analysis of the trend from 2012 to 2015 shows that in 2015 the fire detection system in only one court is improved. In the case of 7 courts the fire detection system condition remained unchanged during the three years, and in 2 courts the condition worsened. 15 courts have failed to install new fire detection systems.

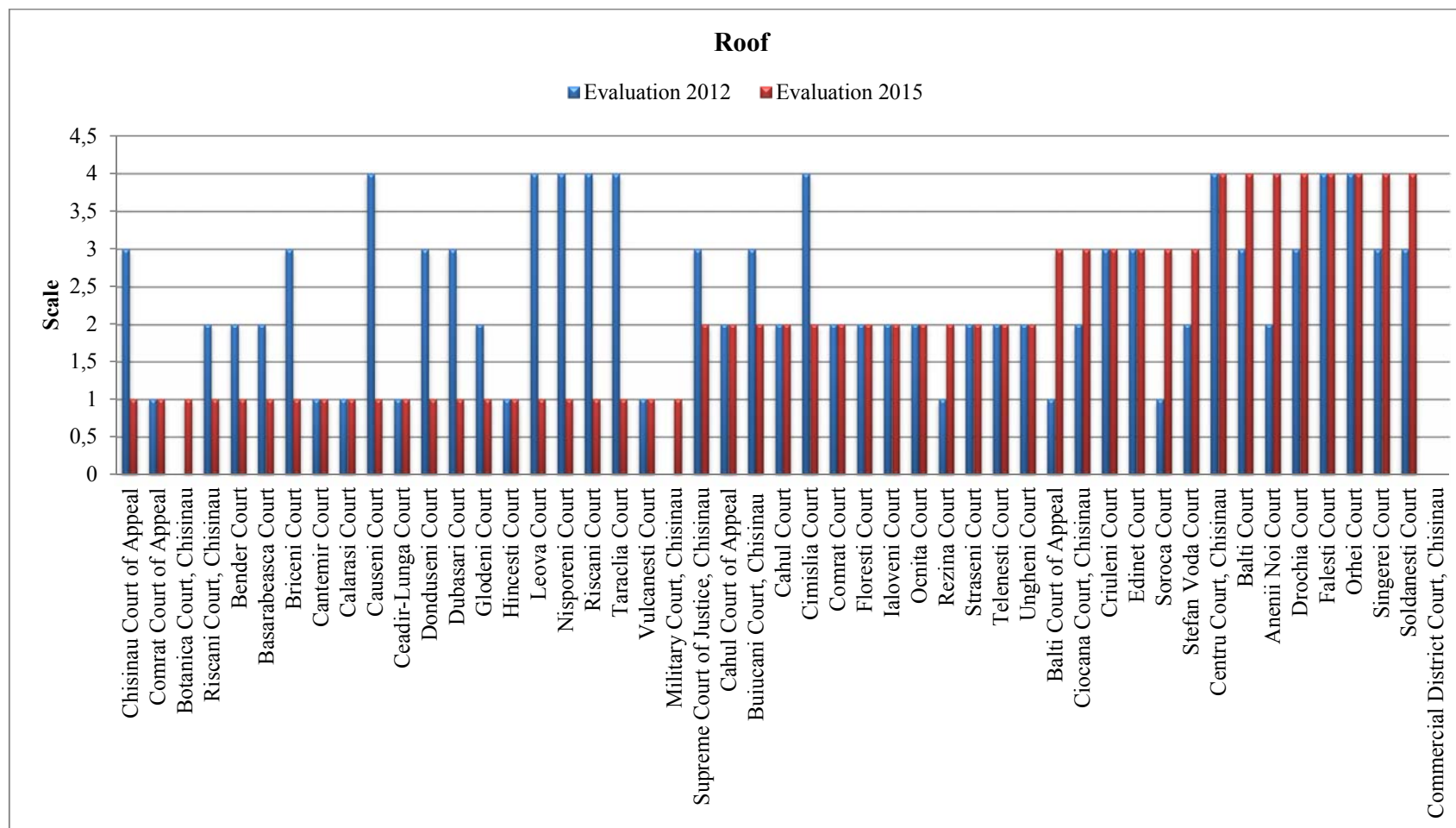
Figure 6. Fire detection condition assessment⁷



⁷ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Figure 7 shows that in **21** courts, the roof condition is very good. The roof condition in **13** courts is good. In **6** courts the roof was judged to be in satisfactory condition, while in the other **8** courts the condition is satisfactory. The Commercial District Court is located on the second floor of a building with three floors. An analysis of the trend in the period from 2012 to 2015 shows that in **17** courts roof conditions were improved in 2015. For **20** courts, roof conditions remained unchanged and for **9** courts the condition worsened.

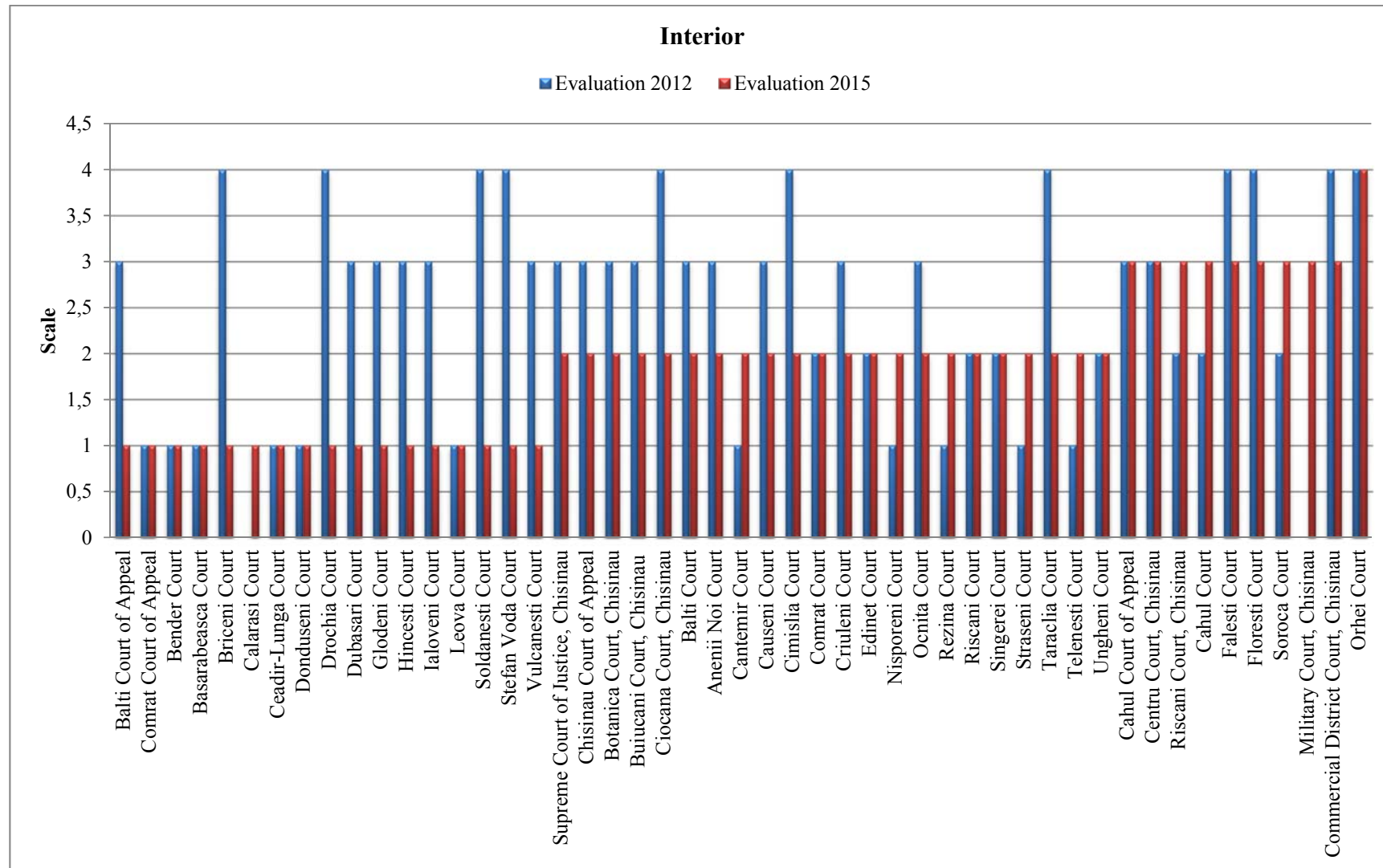
Figure 7. Roof condition assessment⁸



⁸ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

The data presented in Figure 8 shows that in **17** courts, the building interior is very good. In **22** buildings, the interior is in good condition. In **9** courts the interior of the buildings was assessed as satisfactory and in **1** court as unsatisfactory. An analysis of the trend in the period from 2012 to 2015 shows that in **26** courts the interior condition was improved. In **14** courts, the interior condition remained unchanged and in **8** courts the condition worsened.

Figure 8. Interior condition assessment⁹



⁹ 1 – Very good, 2 – Good, 3 – Satisfactory, 4 - Unsatisfactory

Conclusions

- A large number of district courts and courts of appeals in Moldova are located in buildings that are not generally suitable for the efficient operation of a modern court.
- The facade of 12.2% of the total number of court buildings is regarded as being in unsatisfactory condition, 30.6% in satisfactory condition, 38.8% in good condition and 18.4% in very good condition.
- The condition of 10.2% of the total number of buildings connected to the water supply system is assessed as unsatisfactory, 12.2% satisfactory, 46.9% good and 28.6% very good. One of the courts (Dubasari Court) does not have a water supply system.
- Electricity supply is unsatisfactory in 10.2% of the buildings, satisfactory in 22.4%, good in 34.7% and very good in 32.7%.
- The sewage system is unsatisfactory in 12.2% of the buildings, satisfactory in 16.3%, good in 42.9% and very good in 24.5%. Two buildings (Soldanesti Court and Dubasari Court) are not connected to a centralized sewage system.
- Twenty four courts lack fire detection systems. In 10.2% of courts the fire detection system condition is satisfactory, good in 18.4% and very good in 22.4%.
- 6.1% of the total number of buildings have unsatisfactory heating systems, while 16.3% are in satisfactory condition, 46.9% in good condition and 30.6% in very good condition.
- Roof condition was considered unsatisfactory in 16.3% of the buildings, satisfactory in 12.2%, good in 26.5% and very good in 42.9%.
- The interior of court premises is assessed as unsatisfactory in 2% of courts, satisfactory in 18.4% good in 44.9% and very good in 34.7%.

Analysis of the Implementation of the 2012 Recommendations

The comparative summary of the 2012 “Assessment Report of the Courts of Law in the Republic of Moldova,” under “Infrastructure” included four recommendations to improve the infrastructure, only one of which was implemented by 2015, as shown in Table 2 below.

Table 2. *Analysis for Implementation of the 2012 Recommendations*

Implemented	Not Implemented
<p>Development of uniform design standards to improve the functionality of the courts. The following recommendations may serve as examples:</p> <ul style="list-style-type: none"> ✓ The general design of a courthouse should promote respect for the process of justice. Architectural structure should be a source of pride and contribute to the architecture of the community. National symbols and the national flag should be typical exterior elements. ✓ Ensuring security measures is of major importance for the courts. The main security measures include secure entry to the court, secure entry into courtrooms and judges’ chambers, trained personnel and mechanical devices such as metal detectors installed at the entrance to the courts. <p>The court must be divided into three areas: public, restricted, and secure. The public area begins at the entrance to the court and is limited to the space that is not declared restricted or secure. Restricted area includes spaces inside the building for judges and court employees. Secure areas include the car park used by judges, detention cells and the space in the immediate vicinity of the detention cells, such as corridors and stairways used for escorting prisoners to courtrooms.</p>	<p>To adopt practices for determining the number and size of courts depending on the number of cases received for examination in court.</p> <p>Implementing a program to improve the infrastructure in order to increase the number of courts that meet minimum standards of design, safety, hygiene, and comfort for a court.</p> <p>To develop a policy on security of buildings and employees of the courts and to define minimum standards for security in the courts.</p>

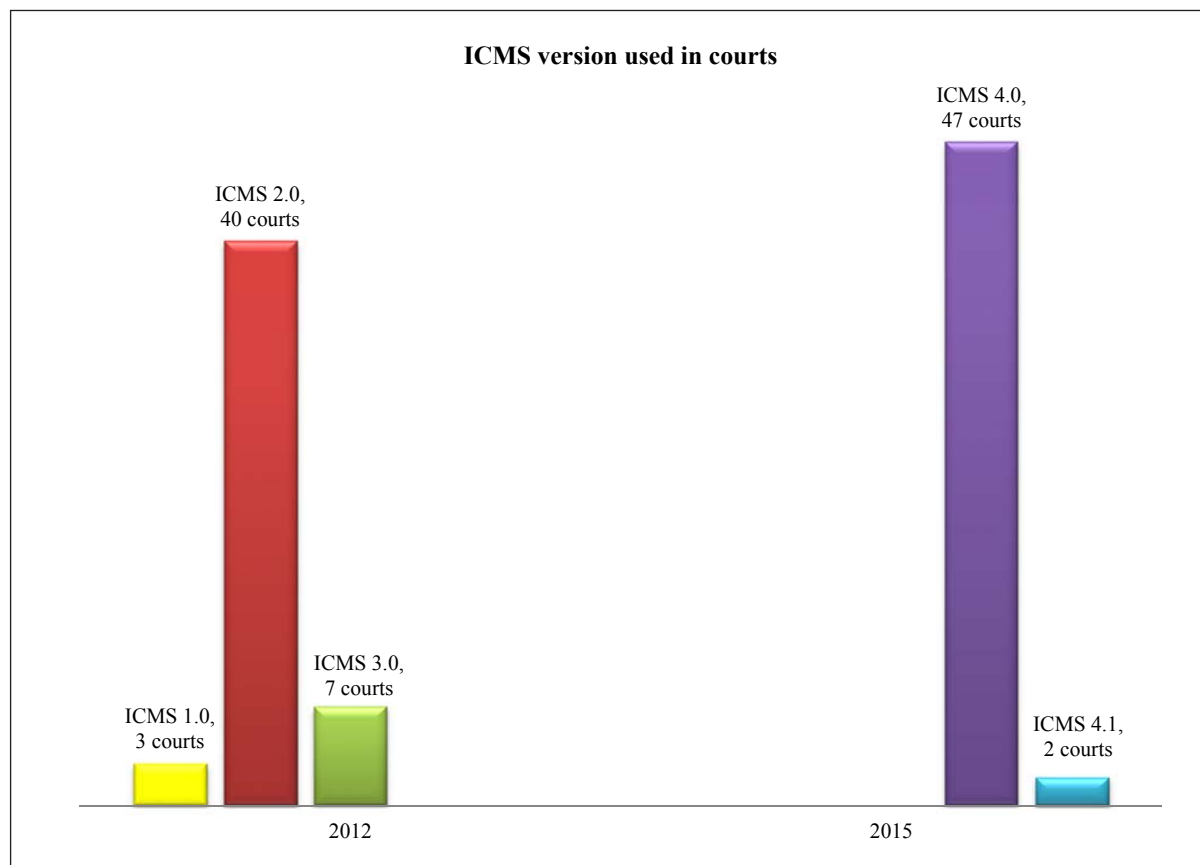
II. COURT AUTOMATION

2.1 INTEGRATED CASE MANAGEMENT SOFTWARE (ICMS)

Automation of court functions is an element which should help both judges and citizens, thereby contributing to strengthening judicial independence, ensuring transparency in the work of courts, and enhancing the quality of justice.

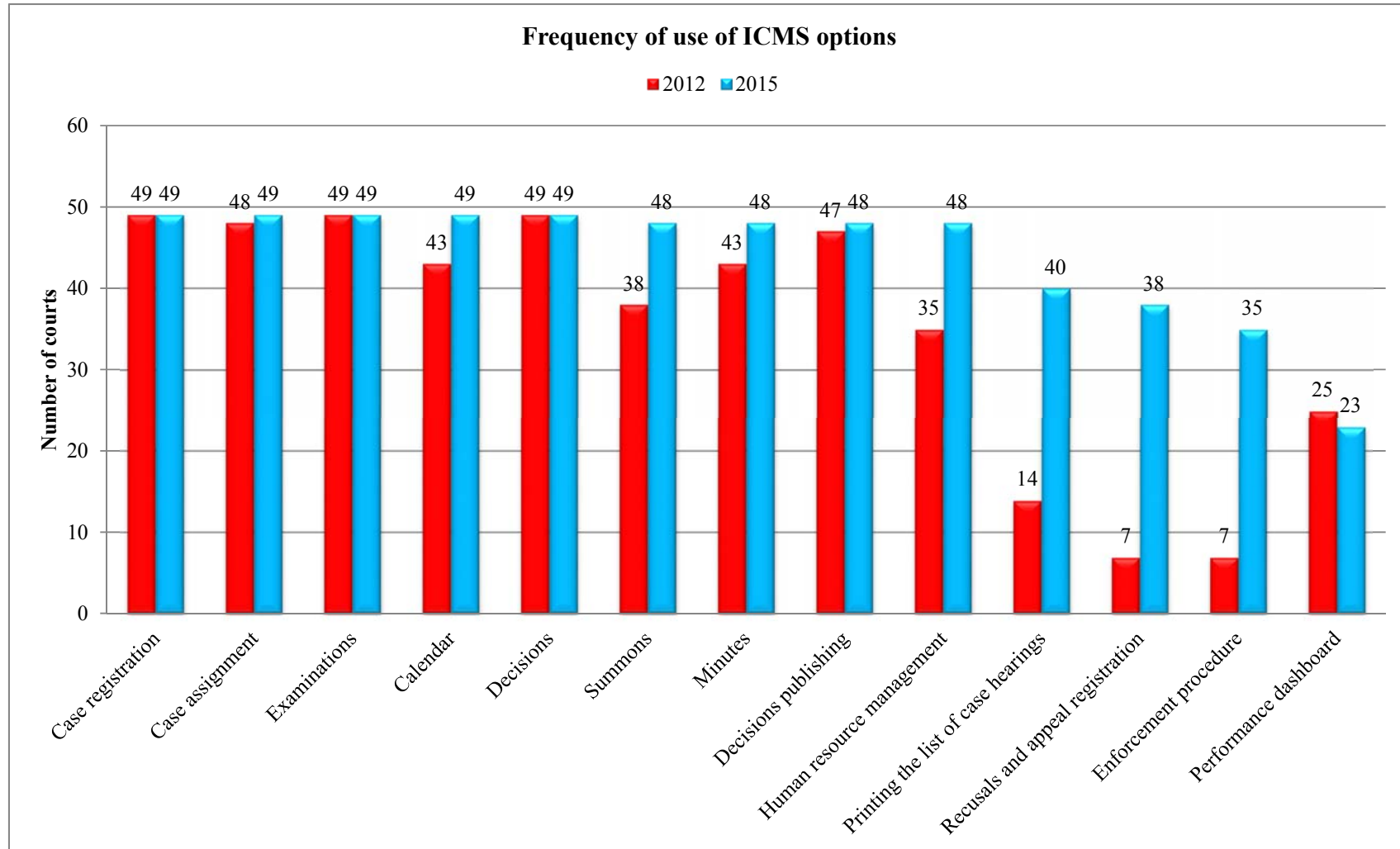
As a result of the evaluation visits it was found that all courts in Moldova are using ICMS. Between September and November 2013, ICMS Version 4.0 was installed in all courts. In November 2014, the Chisinau Court of Appeals and the Botanica District Court started testing and piloting Version 4.1 of ICMS. Thus, during the evaluation in May-June 2015, Version 4.1 was installed in two courts, while 47 courts were using the Version 4.0 of ICMS (*Figure 9*).

Figure 9. ICMS version used in courts



During the evaluation visit it was found that not all ICMS features were used in full measure. Thus, the features for registration of cases, reception procedure, saving of rulings, and calendar of hearings are most commonly used. There was a considerable improvement of the use of ICMS modules compared to 2012, especially those related to the enforcement proceedings, registration of appeals and recourses, printing the list of cases scheduled for trial and performance measures (Figure 10).

Figure 10. Rate of ICMS features used



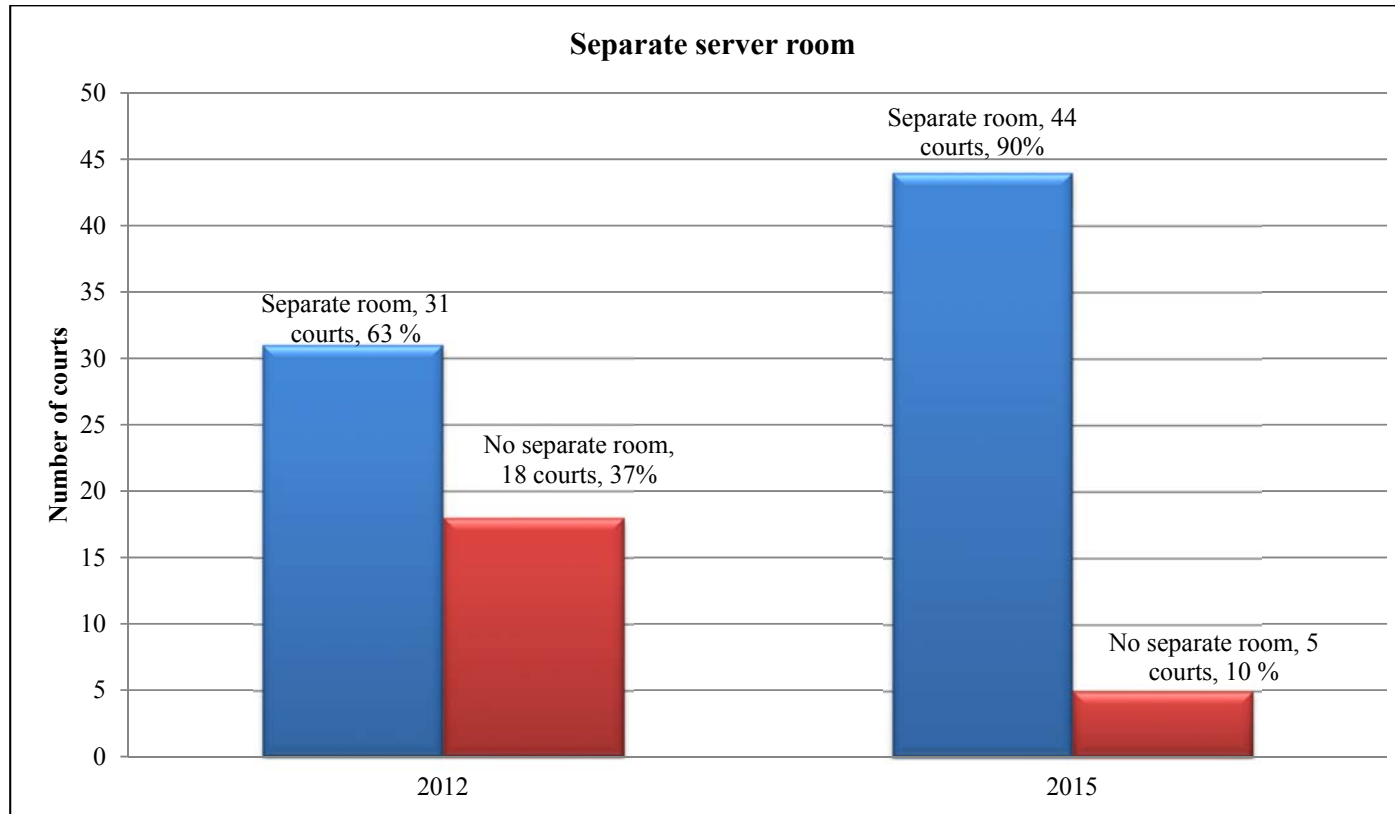
ICMS use involves the creation of electronic files. An electronic file is created by scanning paper documents from the file. During the evaluation visits it was found that most courts have introduced the practice of scanning documents from the file, but do not scan the entire file, copying only a few documents from it instead. Compared with 2012, when **32%** of the total number of courts did not use the practice of scanning documents from the file, in 2015 only **14%** of courts do not use the practice of scanning the documents (*Figure 11*).

Figure 11. Percentage of using the practice of scanning documents



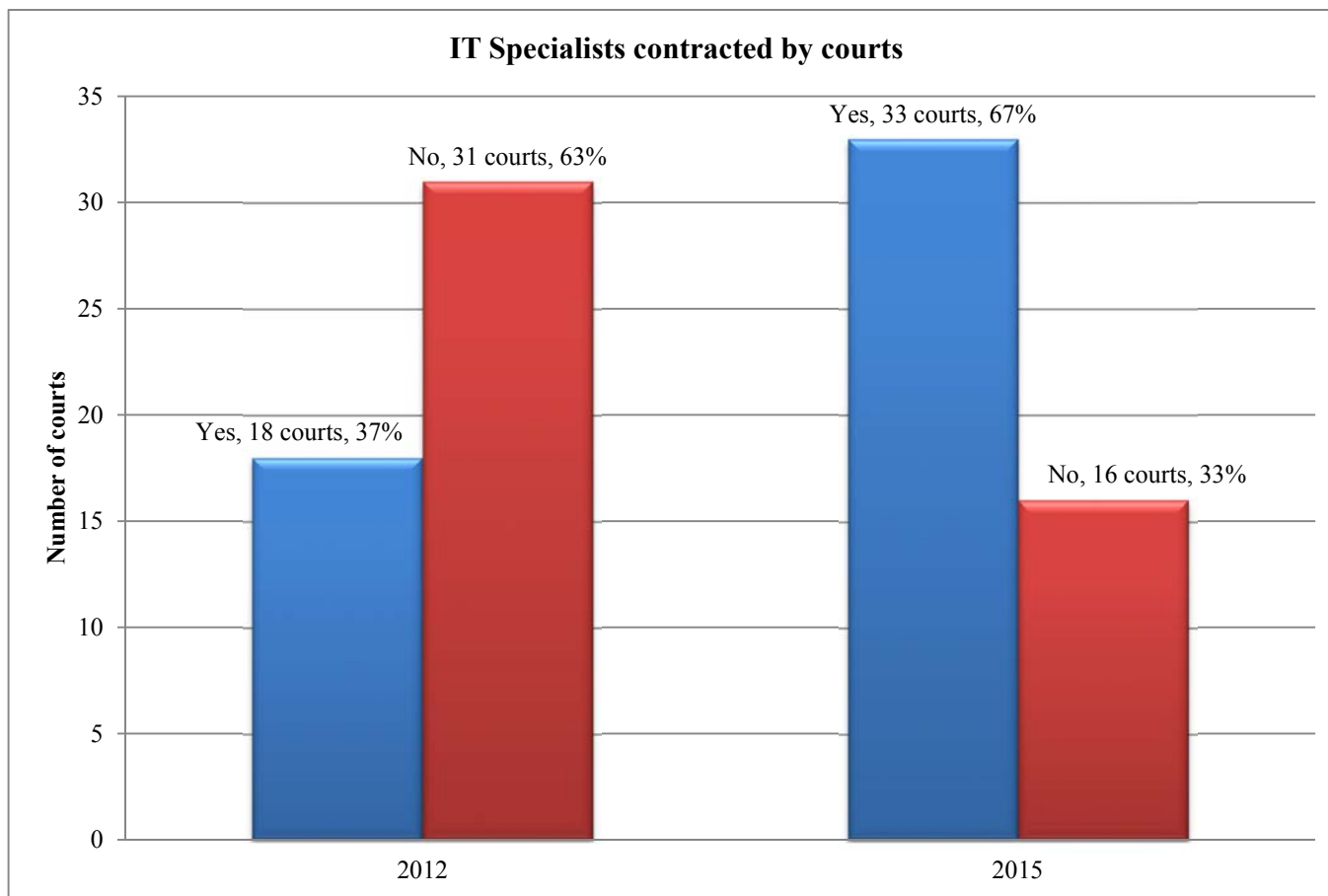
A proper functioning of ICMS and other software in the court requires the proper functioning of the server, which depends largely on the environment in which it is kept. One of the basic requirements is that the server must be installed in a separate, clean, and secure room. *Figure 12* shows the number of courts where the server is installed in a separate room and the number of courts that have not met this requirement. Compared to the **37%** of the total number of courts that lacked separate server room in 2012, in 2015 the number dropped to **10%**.

Figure 12. Ratio of courts with and without server room



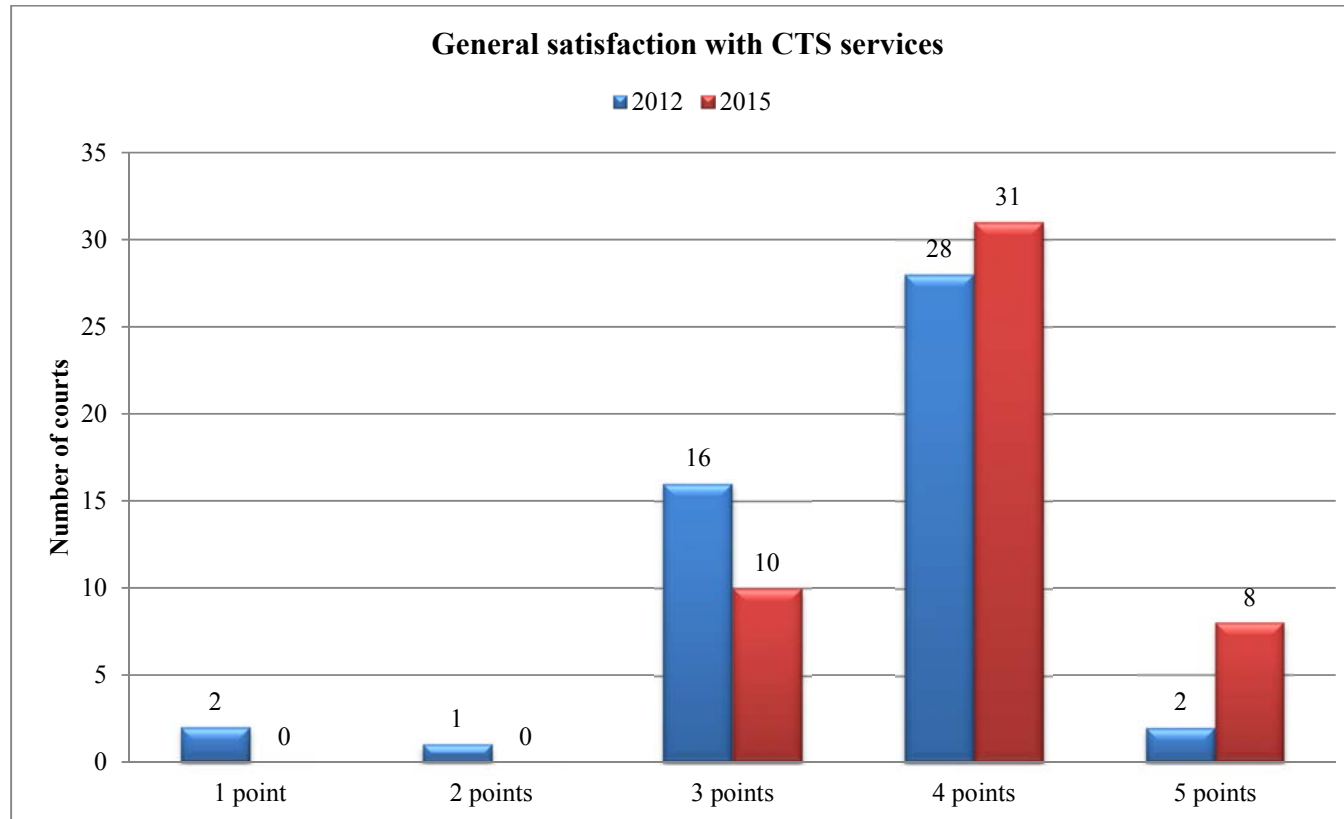
Any hardware or software system requires efficient maintenance to ensure proper functioning of the institutions that use them. Thus, in July 2012, the position of computer network administrator was added to the employment schemes of the courts. As compared to 2012, most courts have employed or contracted specialists in information technologies. However, most of the technical problems continue to be resolved by the staff from the Center for Special Telecommunications, an institution contracted by the MJ to ensure maintenance of ICMS (Figure 13).

Figure 13. Ratio of courts that employed/contracted IT specialists



The Center for Special Telecommunications (CST) is responsible for resolving technical issues encountered by court personnel in the use of ICMS and equipment. As a result of interviewing the staff of the courts, it was established that the overall satisfaction with the services provided by CST (Figure 14), varied from 1 to 5 (1 - very low quality, 5 - very high quality).

Figure 14. General satisfaction degree with the IT maintenance services provided by CST



2.2 AUDIO RECORDING OF COURT SESSIONS

According to the “Report on the Audio Recording of Court Proceedings in the Courts of Moldova for May 2015” the following **6** courts do not use SRS Femida when audio recording: Chisinau Buiucani Court, Dubasari Court, Cahul Court, Chisinau Ciocana Court, Commercial District Court, Riscani Court. For recording hearings by digital voice recorders, the same report reveals that **30** courts use only digital voice recorders or alternate them with SRS Femida (*Figure 15*). Unlike in 2012, when **50%** of the total number of courts were not using the audio recording system SRS Femida, in 2015 that figure decreased to **12%**.

Figure 15. Share of SRS Femida use for court recordings

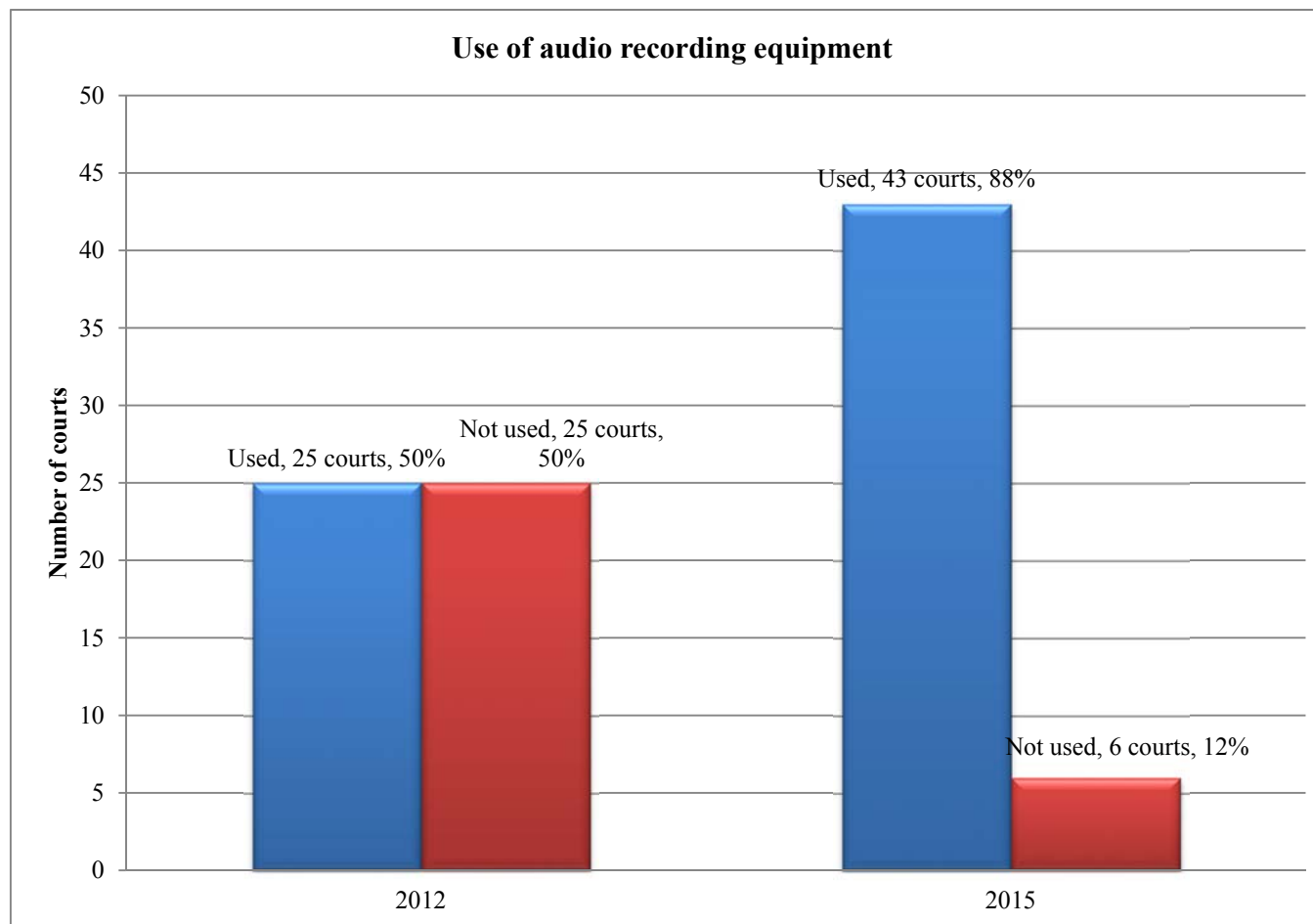
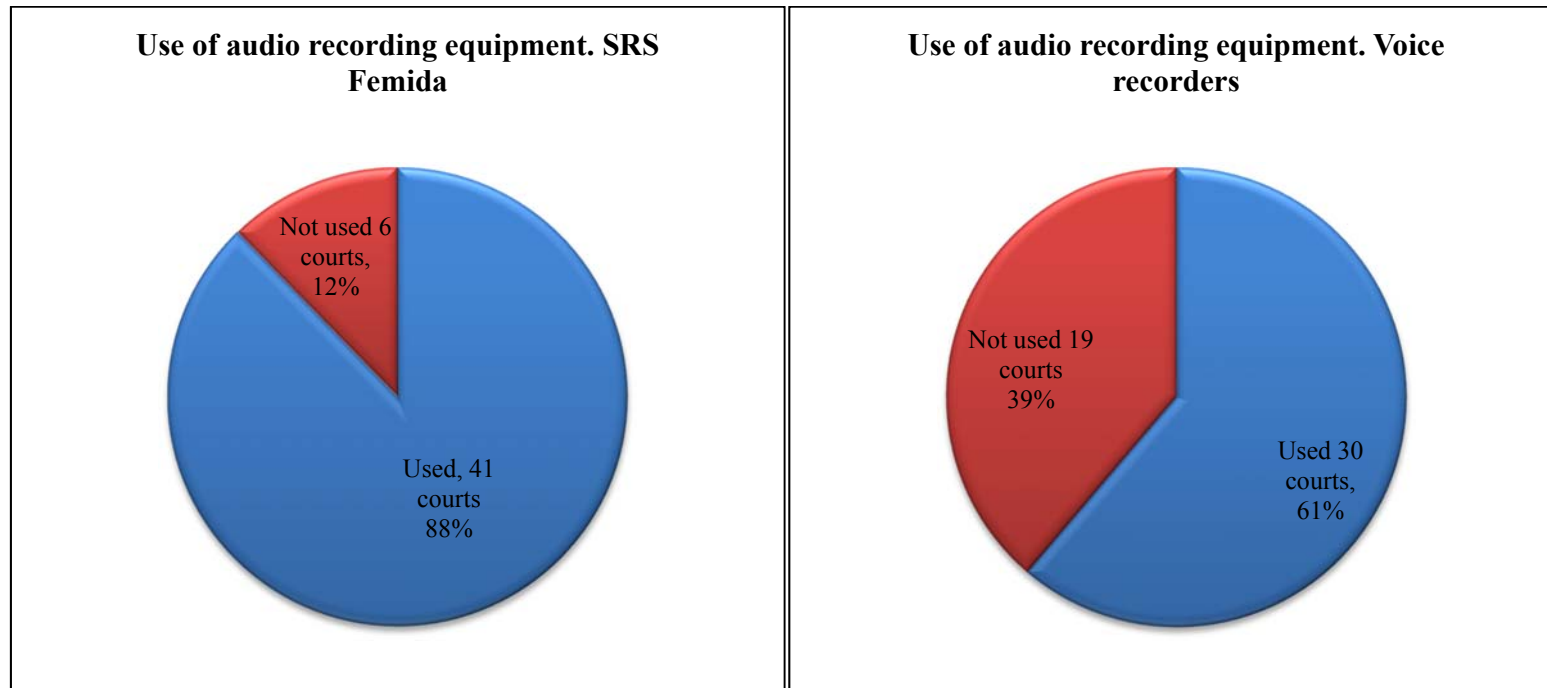


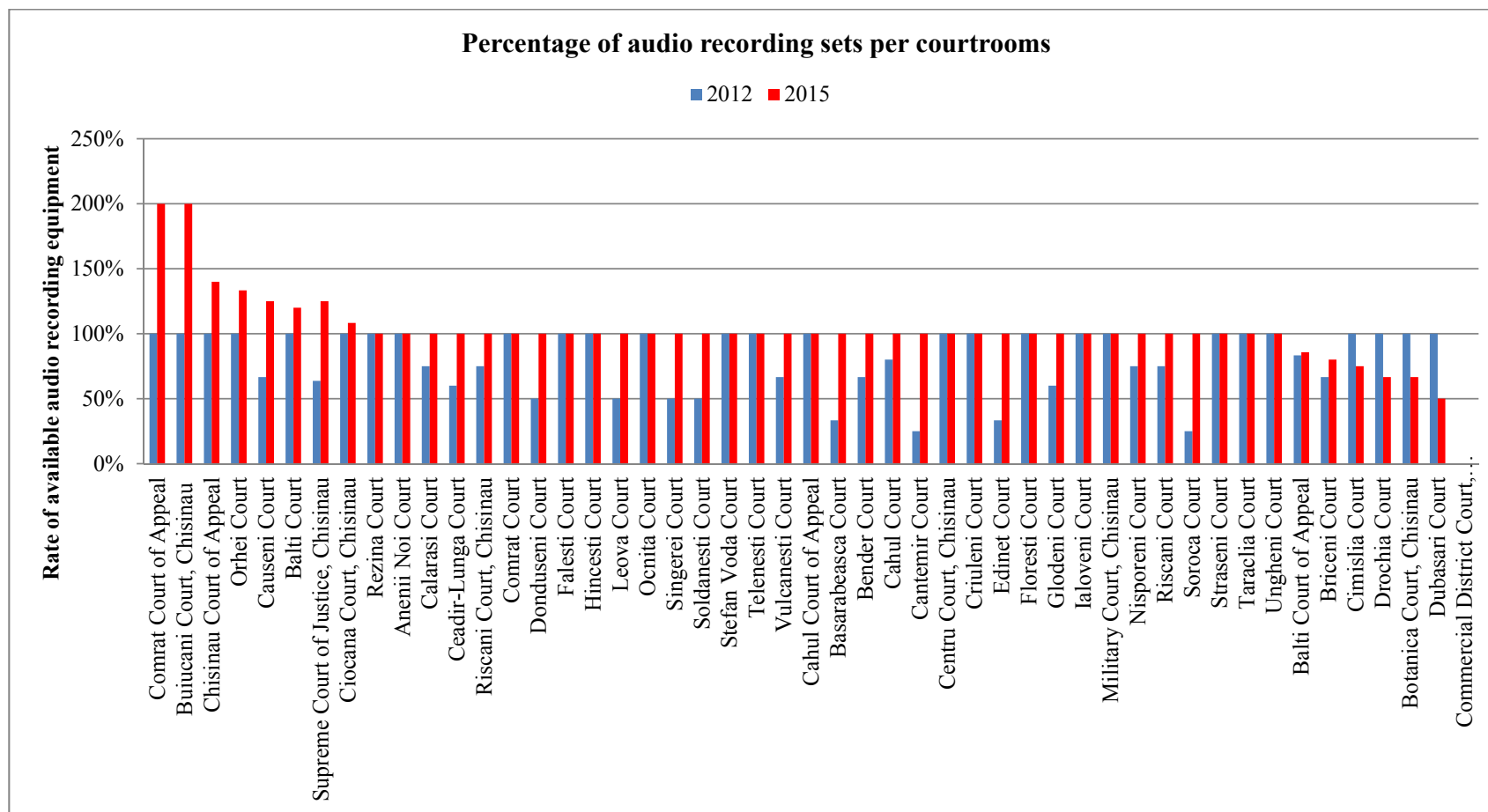
Figure 16. Ratio of using court recording system SRS Femida vs. voice recorders



In 43 of the 49 courts visited in May 2015 there is a sufficient number of audio recording equipment sets.¹⁰ In other words, in these courts, the sets of equipment are equal to the number of courtrooms. The figure below shows the ratio between the number of courtrooms and audio recording sets, which is calculated by dividing the total number of courtrooms by the number of audio recording equipment sets available in the court. The greater the quotient obtained, the less is the need for equipment sets and vice versa; the lower the quotient shown in the figure, the greater is the need for audio recording equipment sets (Figure 17). Compared to 2012, in 2015 most of the courts indicate a positive trend of acquiring sets of audio recording equipment SRS Femida. In June 2015, in courts where the number of SRS Femida sets is lower than the number of courtrooms, USAID ROLISP purchased SRS Femida sets that were scheduled to be installed in June-July 2015.

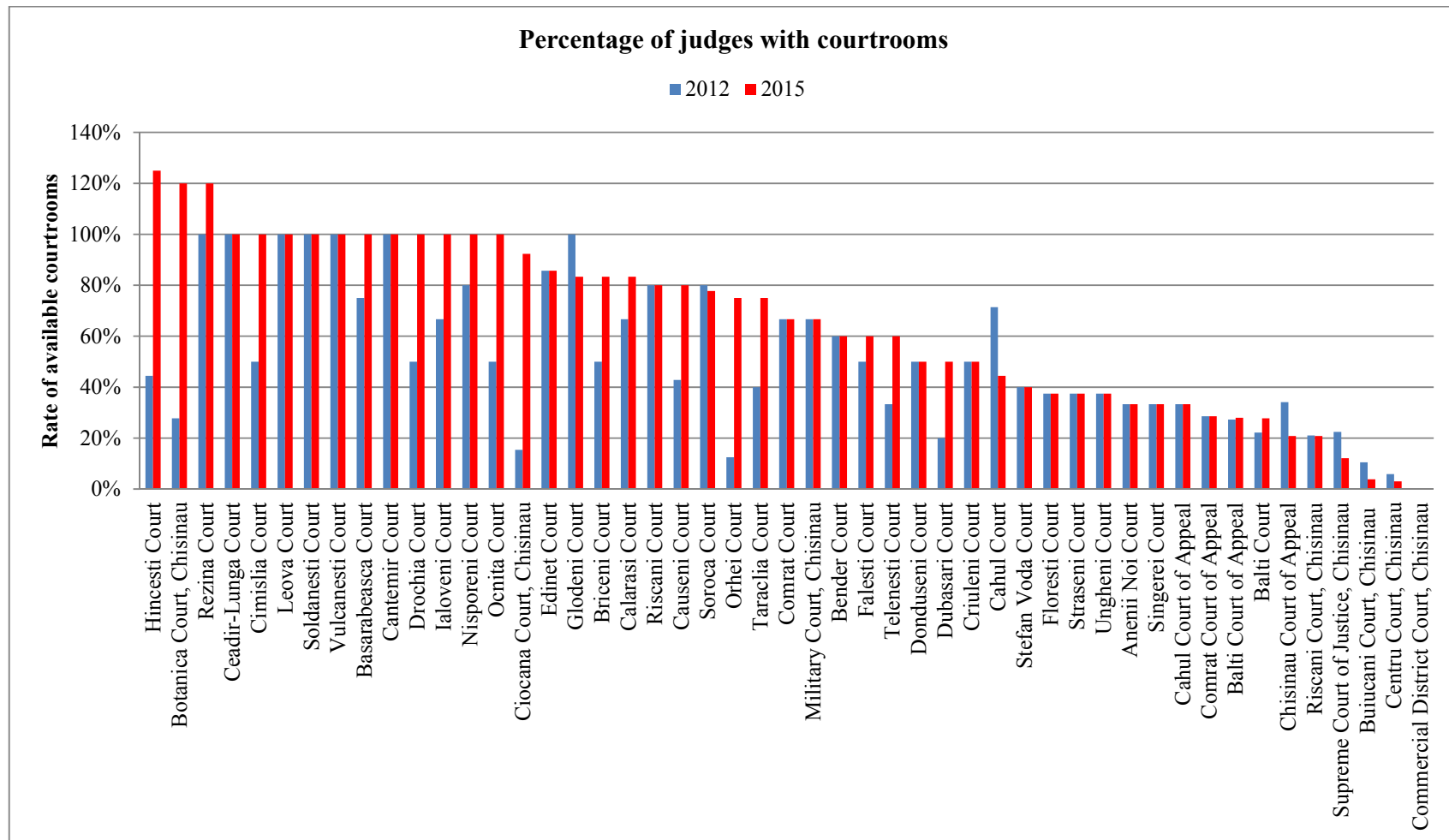
¹⁰ In 2009, in the Threshold Country Program „Millennium Challenge Fund” (MGTCP) for each courtroom, existing at that time, audio recording equipment Femida was purchased and installed. Since 2009, 38 additional courtrooms have been built, and the courts did not have the necessary funds to purchase audio recording equipment Femida for these rooms. Since 2012, the USAID program ROLISP, at the request of SCM, purchased and delivered 112 sets of audio recording equipment Femida for the courtrooms in the courts of Moldova, and 228 digital recorders for judges’ chambers.

Figure 17. Ratio between the number of courtrooms and number of audio recording sets



Another serious problem encountered by the judiciary in using the software and audio recording equipment is related to the shortage of courtrooms, which does not permit audio recording of all hearings and requires judges to conduct hearings in their chambers. The figure below shows the ratio of courtrooms to the number of judges, which is calculated by dividing the total number of courtrooms by the number of judges working in the court. The greater the quotient obtained, the lesser is the required number and vice versa; the smaller the quotient shown in the figure, the greater is the required number of courtrooms. Based on the information presented in *Figure 18* it appears that only in **12** courts does the number of courtrooms equal the number of judges. In the period between 2012 and 2015, **19** courts have increased the number of courtrooms, thereby solving the problem.

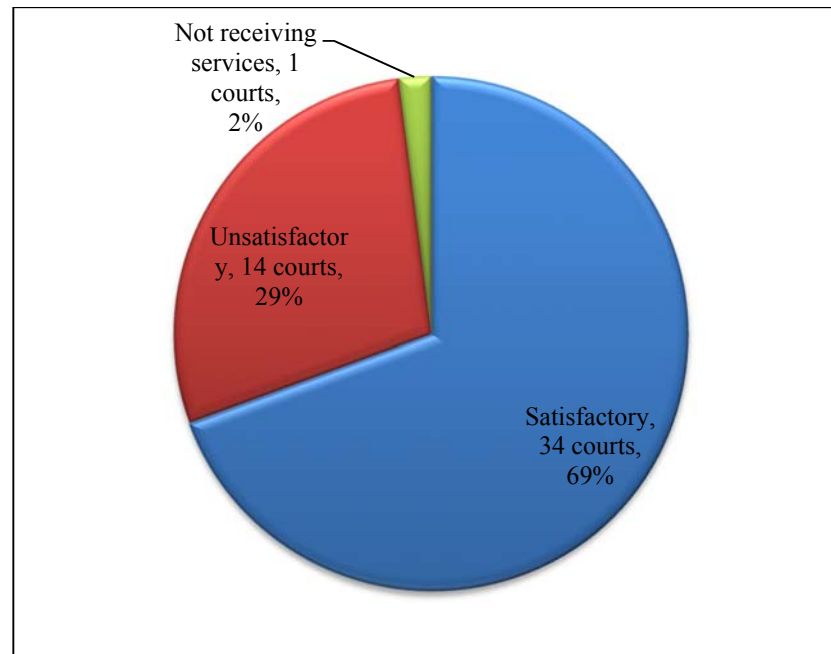
Figure 18. Ratio between the number of courtrooms and number of judges



2.3 THE PORTAL OF NATIONAL COURTS

On April 30, 2014 the Ministry of Justice and the Supreme Court of Justice launched the Single Portal of Courts – www.instante.justice.md. On the portal, each court has its own page, on which news, summons, and schedule of hearings, court subpoenas, judicial practice and contacts are placed. In 2012, when the courts had their own webpages, the content was managed by court employees. In 2015 the webpages of the courts are centrally managed by a company contracted by the courts. *Figure 19* below shows the level of court staff satisfaction with the services of the contracted company.

Figure 19. Degree of satisfaction of court employees with the services of the contracted company



2.4 EQUIPMENT WHICH ENSURES THE AUTOMATION OF THE WORK OF COURTS

As a result of the assessment visits, it was found that the courts generally have sufficient equipment for the proper conduct of their activity. Table 3 shows the information about the equipment used by each court.

Table 3. Inventory of equipment which ensures the work of courts, 2012 and 2015

N/o	Court	PCs		Printers		Server		Scanners		Notebook		Copy machines		SRS Femida sets		Franking machine		Multifunctional scanner		Informative monitor		Audio recorders		Routers		
		2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	2012	2015	
1	Supreme Court of Justice	176	139	110	178	4	3	6	47	7	8	6	10	9	5	2	2	9	7	0	2	0	0	0	0	3
2	Chisinau Court of Appeal	163	249	52	214	2	2	3	49	0	1	3	8	13	14	1	2	0	4	0	2	0	15	0	1	
3	Balti Court of Appeal	74	109	55	84	1	1	4	5	0	3	3	6	5	6	1	1	0	3	0	1	0	2	1	1	
4	Cahul Court of Appeal	32	63	15	29	1	1	2	2	0	12	0	2	2	3	0	1	0	3	0	1	0	12	1	1	
5	Comrat Court of Appeal	16	43	8	35	1	1	1	3	0	2	3	n/a ¹¹	2	4	0	0	0	0	0	1	0	3	0	0	
6	Botanica Court	64	77	43	6	1	1	7	7	0	0	3	3	5	15	0	0	0	0	0	n/a	0	20	1	1	
7	Buiucani Court	59	30	47	31	1	1	2	12	0	13	2	2	2	2	1	1	0	n/a	0	1	0	24	1	1	
8	Center Court	67	73	38	75	1	1	14	25	0	15	4	1	1	1	0	1	0	n/a	0	1	0	22	1	1	
9	Ciocana Court	43	60	45	50	1	1	2	4	0	0	0	3	2	13	0	1	0	2	0	1	0	12	1	1	
10	Riscani Court	78	86	54	72	1	1	4	26	0	20	5	2	3	5	0	1	0	2	0	1	0	24	1	1	
11	Balti Court	73	81	35	48	1	1	3	4	0	n/a	5	6	4	6	0	1	0	1	0	1	0	16	1	1	

¹¹ Information not available

12	Bender Court	22	30	15	25	1	1	4	6	0	0	2	0	2	3	0	0	1	n/a	0	1	0	4	1	1
13	Anenii Noi Court	31	28	20	17	1	1	7	2	1	1	3	3	2	2	0	0	0	n/a	0	1	0	6	1	1
14	Basarabasca Court	15	24	14	23	1	1	4	1	0	5	2	2	1	3	0	0	0	4	0	1	0	2	1	1
15	Briceni Court	22	23	6	9	1	1	0	1	0	1	1	2	3	4	0	0	0	3	0	1	0	3	1	1
16	Cahul Court	37	63	33	29	1	1	3	2	0	8	3	2	4	4	0	0	0	3	0	1	0	9	1	1
17	Cantemir Court	13	16	13	18	1	1	1	0	n/a	5	1	1	13	4	0	0	0	1	0	1	0	0	1	1
18	Calarasi Court	27	34	23	8	1	1	6	2	0	1	0	2	3	5	0	0	0	1	0	1	0	2	1	1
19	Causeni Court	23	40	19	24	1	1	2	2	0	0	n/a	2	2	5	0	0	0	0	0	1	0	8	1	1
20	Ceadir-Lunga Court	23	32	15	12	1	1	6	7	0	1	6	7	0	5	0	0	3	5	1	1	1	2	1	1
21	Cimislia Court	16	31	14	25	1	1	2	3	0	0	4	n/a	2	3	0	0	0	0	0	1	0	2	1	1
22	Comrat Court	32	34	0	18	1	1	1	5	0	0	3	4	4	4	0	1	0	1	0	1	0	2	1	1
23	Criuleni Court	24	23	14	15	1	1	6	3	0	0	1	2	3	3	0	0	0	1	0	1	0	3	1	1
24	Donduseni Court	18	23	17	23	1	1	1	2	0	1	0	n/a	1	2	0	0	4	2	0	1	0	3	1	1
25	Drochia Court	12	27	7	10	1	1	1	1	0	0	0	6	2	3	0	0	1	1	0	1	0	3	1	1
26	Dubasari Court	24	29	14	20	1	1	1	6	0	0	4	3	1	1	0	0	0	n/a	0	1	0	4	1	1
27	Edinet Court	35	36	21	22	1	1	1	1	1	n/a	0	n/a	2	6	0	0	6	7	0	1	0	7	1	1
28	Falesti Court	20	17	56	15	1	1	0	n/a	0	0	5	4	3	3	0	0	0	n/a	0	1	0	3	1	1
29	Floresti Court	9	27	13	17	1	1	0	3	0	0	1	n/a	3	3	0	0	0	5	0	1	0	5	1	1
30	Glodeni Court	17	52	16	16	1	1	1	2	0	0	0	7	3	5	0	0	0	n/a	0	1	0	2	1	2
31	Hîncesti Court	40	57	15	29	1	1	3	4	0	0	0	n/a	4	5	0	0	0	n/a	0	1	0	2	1	1

32	Ialoveni Court	28	32	19	20	1	1	1	n/a	0	0	4	6	4	6	0	0	0	n/a	0	1	0	6	1	1
33	Leova Court	17	24	15	15	1	1	2	2	0	3	n/a	1	2	4	0	0	0	0	0	1	0	5	1	1
34	Nisporeni Court	26	32	2	18	1	1	1	6	10	15	1	3	3	4	0	0	2	2	0	1	0	1	1	1
35	Ocnita Court	12	27	7	10	1	1	1	1	0	0	0	6	2	3	0	0	0	n/a	0	1	0	3	1	1
36	Orhei Court	24	25	21	17	1	1	2	2	0	0	0	4	2	8	0	0	0	0	0	1	0	5	1	1
37	Rezina Court	47	45	17	24	1	1	2	3	0	0	3	3	6	6	0	0	0	n/a	0	1	0	2	1	1
38	Riscani Court	20	25	20	15	1	1	1	1	0	n/a	3	3	3	4	0	0	0	n/a	0	1	0	2	1	1
39	Singerei Court	43	34	18	34	1	1	1	2	0	0	1	2	1	2	0	0	0	n/a	0	1	0	6	1	1
40	Soroca Court	29	46	25	35	1	1	4	4	0	0	5	2	2	7	0	0	0	2	0	1	0	2	1	1
41	Straseni court	48	47	24	15	1	1	9	5	0	0	6	3	3	3	0	0	0	7	0	1	0	2	1	1
42	Soldanesti court	17	27	11	18	1	1	1	9	0	0	2	n/a	2	4	0	0	0	n/a	0	1	0	4	1	1
43	Stefan Voda Court	20	36	18	10	1	1	5	4	0	0	0	1	4	2	0	0	0	4	0	1	0	5	1	1
44	Taraclia Court	20	29	15	15	1	1	1	n/a	0	0	2	3	2	3	0	0	0	3	0	1	0	3	1	1
45	Telenesti Court	21	18	20	15	1	1	0	1	0	1	1	2	2	3	0	0	0	1	0	1	0	4	1	1
46	Ungheni Court	29	37	26	36	1	1	3	3	0	3	1	3	3	3	0	0	0	1	0	1	0	8	1	1
47	Vulcanesti Court	26	30	16	20	1	1	3	3	0	0	2	3	2	3	0	0	4	5	0	1	0	2	1	1
48	Military Court	-	17	-	8	-	1	-	3	0	0	0	0	-	2	-	0	-	1	0	0	-	1	-	1
49	Commercial district Court	41	43	24	23	1	1	1	2	0	0	1	1	4	2	0	0	0	n/a	0	0	0	3	1	1
	TOTAL	1798	2221	1160	1532	53	51	139	285	19	95	49	128	155	200	3	11	31	86	1	48	2	278	46	50

Conclusions

- ICMS is used in all courts.
- In 4.1% of the total number of courts ICMS version 4.1 is used, and ICMS version 4.0 is used in 95.9% of the courts.
- Most ICMS modules are used. Unused or seldom used modules are those related to the registration of subpoenas, human resources management, performance measurement module, the list of cases scheduled for trial, registration of recourses and appeals, and enforcement proceedings.
- 86% of the courts visited scan documents from the file to create an electronic file (usually civil cases are scanned entirely, in criminal cases only the indictment is scanned, administrative offences are scanned in full). The other 14% of courts do not use this practice. These courts are the following: Supreme Court of Justice, Buiucani Court, Center Court, Ciocana Court - Chisinau, Cantemir Court, Orhei Court, Ialoveni Court.
- 79% of chairmen and employees of the courts visited evaluated the services provided by CST as good and very good, and another 21% gave CST the “average” mark of 3.
- In May 2015, in 16% of the courts, audio recording system is not used. 84% of courts use the audio recording program in part or in full.
- Only in 24% of the total number of courts visited did the number of courtrooms equal the number of judges working in the court. In 14% of courts the number of judges exceeds the number of courtrooms by one unit. In 16% of courts the number of judges exceeds the number of courtrooms by two units. In 24% of courts the number of judges exceeds the number of courtrooms by three to six units. In the other 16.3% of courts the courtroom shortage ranged from 5-24 courtrooms (Chisinau Buiucani Court - 24 rooms, Chisinau Centru Court, - 20 rooms, Balti Court - 13 rooms, Chisinau Riscani Court - 10 rooms).

Analysis of Implementation of the 2012 Recommendations

In the comparative summary of the Assessment Report of the Moldovan Courts in 2012, under “Automation of Courts” fifteen recommendations to improve the automation of courts were made, of which eleven were implemented by 2015, as shown in Table 4 below.

Table 4. *Analysis of Implementation of the 2012 Recommendations*

Implemented	Not implemented
Introduce a new position of IT specialist the court staff.	Install all servers in separate rooms and equip those server rooms with air conditioning systems.
Develop and implement an ICMS training program, audio recording software, content management system of court web pages and maintenance of computer networks.	Amend the legislation with the view of recognition of the precedence of audio recordings over the minutes prepared manually, recognizing at the same time, precedence of any minutes prepared based on an audio recording.
Install ICMS Version 3.0 in all courts.	Amend criminal procedure legislation to eliminate the need for recording the written statements of the defendant, injured party, civil party, civilly liable party and witnesses in court and the need to sign them and replace them with digital audio records.
Deliver trainings for all staff of courts in the use of ICMS Version 3.0, including the statistical reporting module.	Develop some statistical criteria to evaluate the required number of courtrooms. Emphasis will be placed on evaluating the number of judges working in the court corresponding to the total number of cases under their management.
Equip the Military Court with a server and necessary facilities to ensure the use of ICMS.	
Provide all courts with a relevant number of scanners to establish the practice of scanning the documents from the file and create electronic files.	
Place on all webpages of courts information of public interest and ensure a uniformity of design, colors and fonts used.	
Introduce the practice and the mechanism for monitoring the contents of court webpages and for notifying chairmen of courts about problems and deficiencies identified.	
Implement the practice of using the audio recording software for court hearings in all courts.	
Train court clerks in using the software and audio recording equipment.	
Equip each court with portable audio recorders which would allow audio recordings both in courtrooms and other areas which are currently used as courtrooms.	

III. WORK OF COURTS

3.1 WORKLOAD

The workload trends of the Supreme Court, courts of appeals and ordinary courts are analyzed below. The analysis of the trend for the Supreme Court was made by comparing the number of cases /registered materials, cases/ materials reviewed and settlement rate for the period from 2009 to 2014 (Figures 20-22). The workload of the courts of appeals and district courts was analyzed by presenting data for 2011 and 2014 (Figures 23-31).

Figure 20. Total number of cases/materials registered in the Supreme Court in 2009-2014

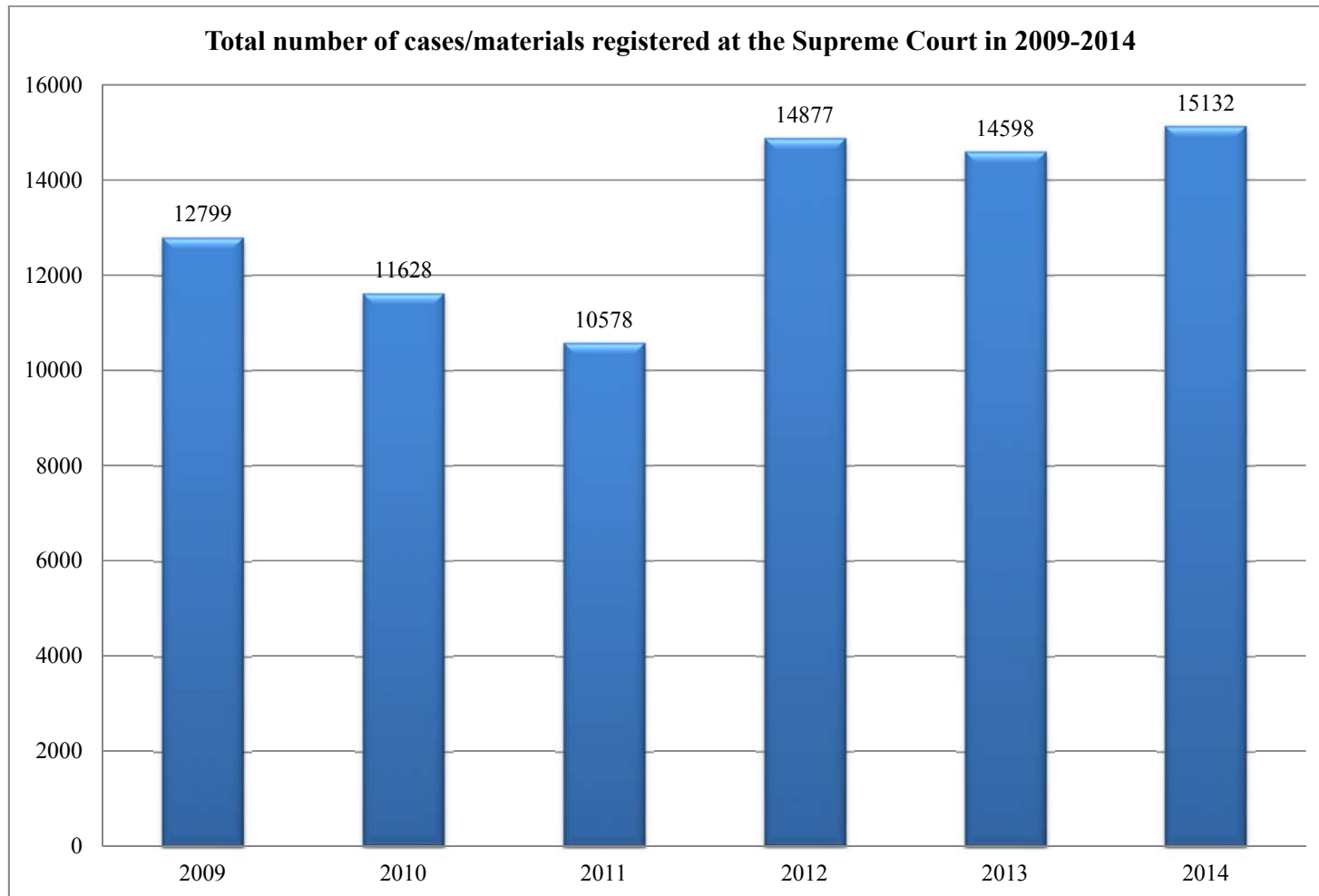


Figure 21. Total number of cases/materials examined in the Supreme Court in 2009-2014

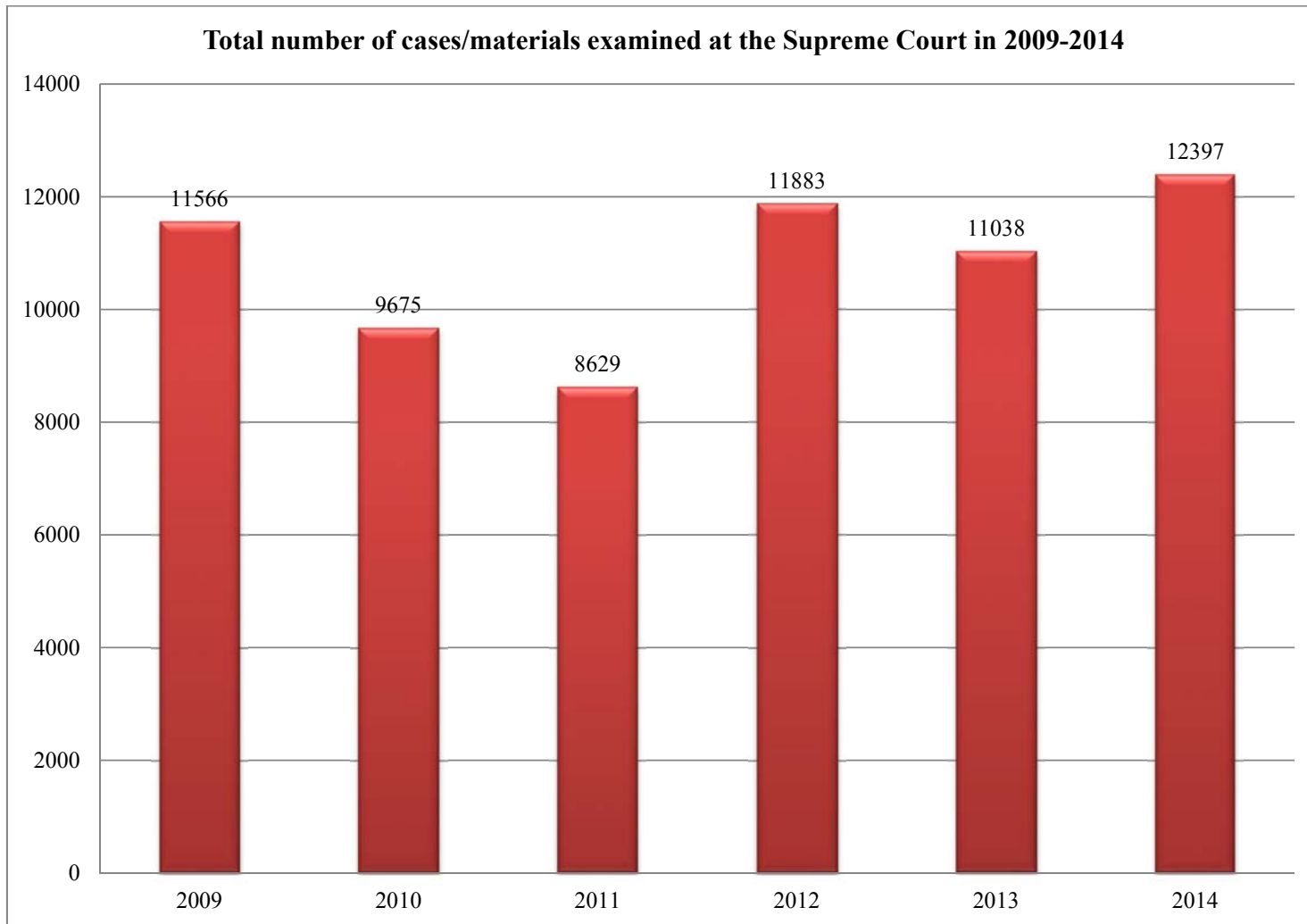


Figure 22. Settlement rate in the Supreme Court in 2009-2014

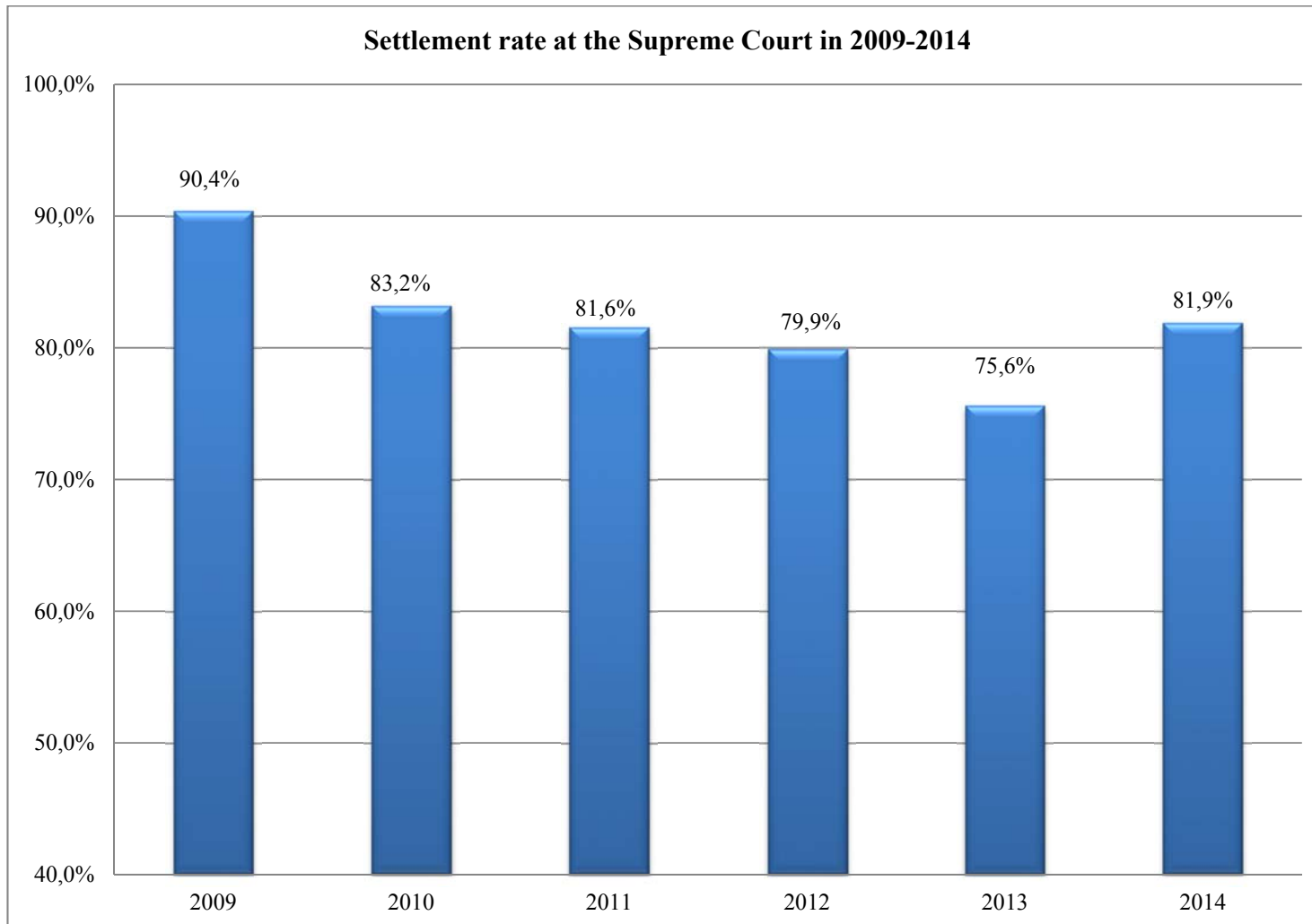


Figure 23. Number of cases/materials registered in the courts of appeals in 2011 and 2014

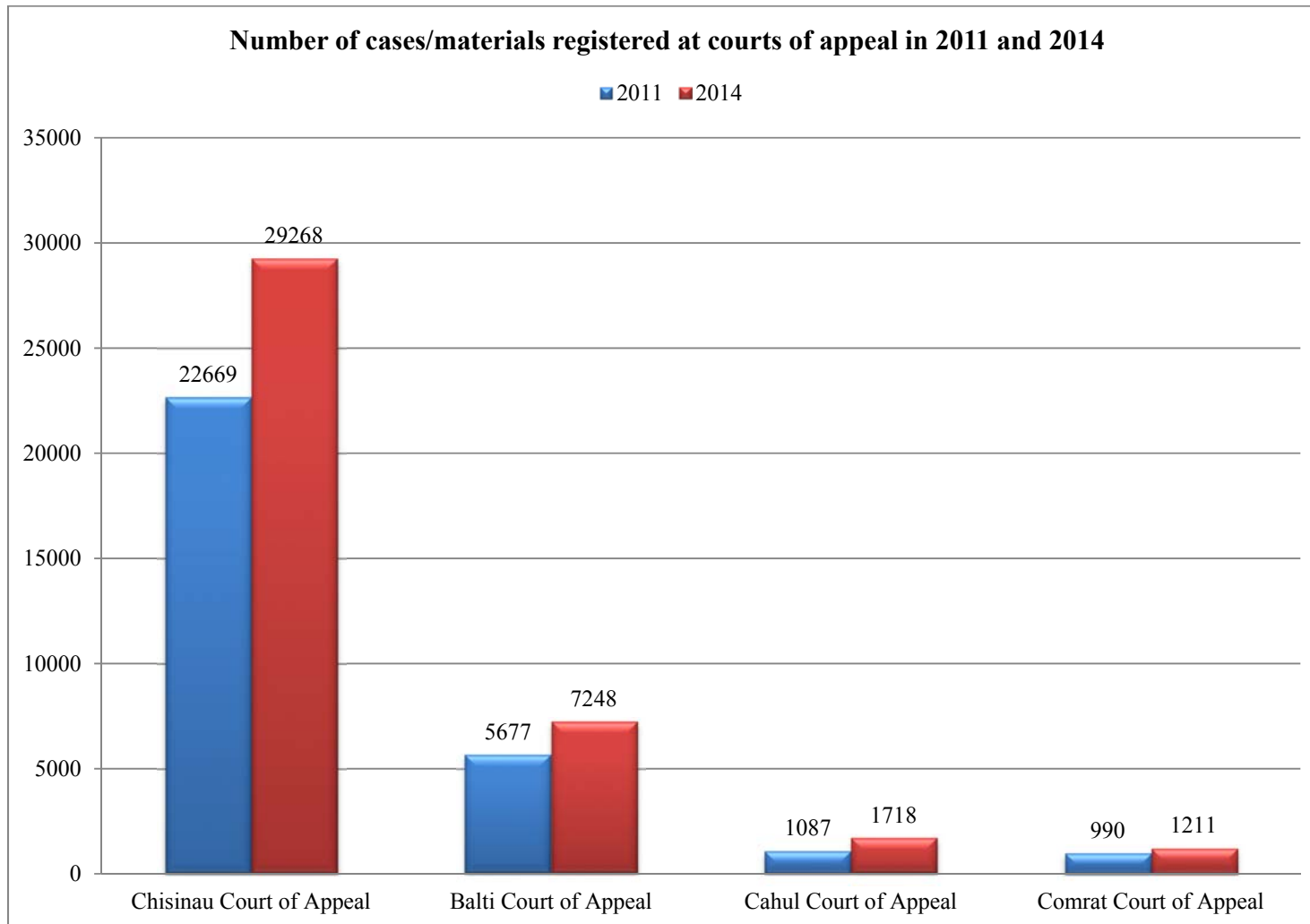


Figure 24. Number of cases/materials examined in the courts of appeals in 2011 and 2014

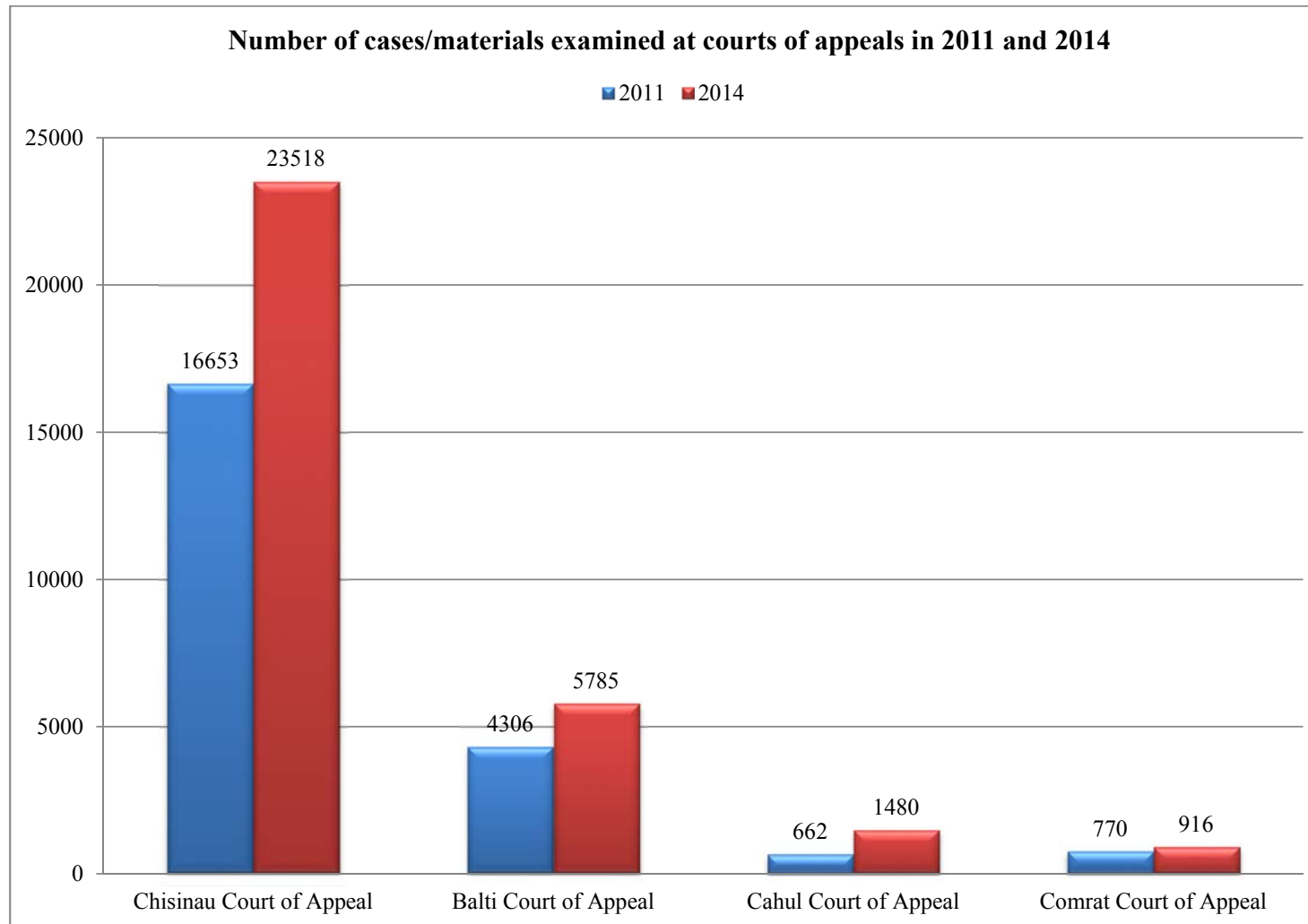


Figure 25. Settlement rate of cases at courts of appeal in 2011 and 2014

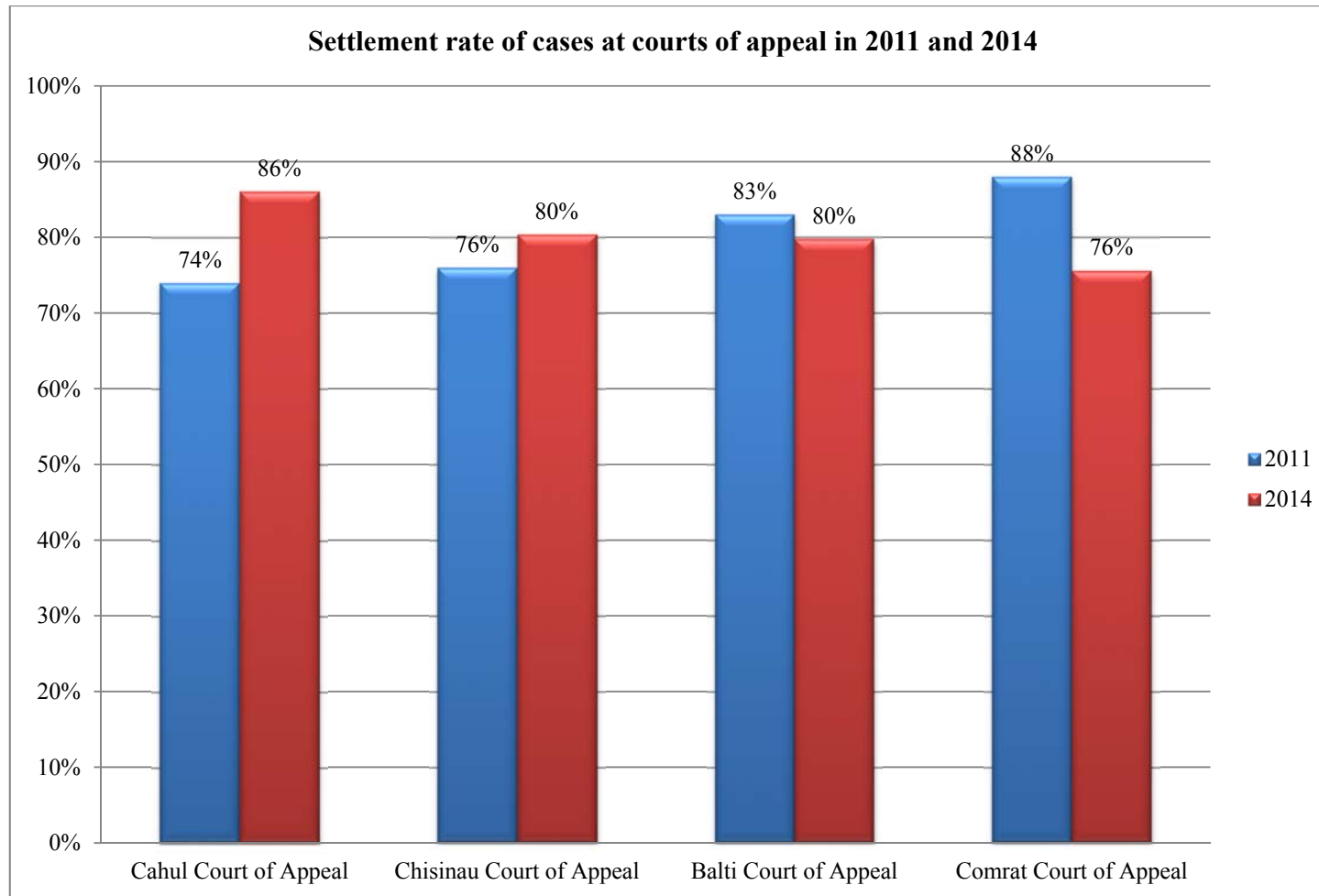


Figure 26. Number of cases/materials registered in district courts in 2011 and 2014

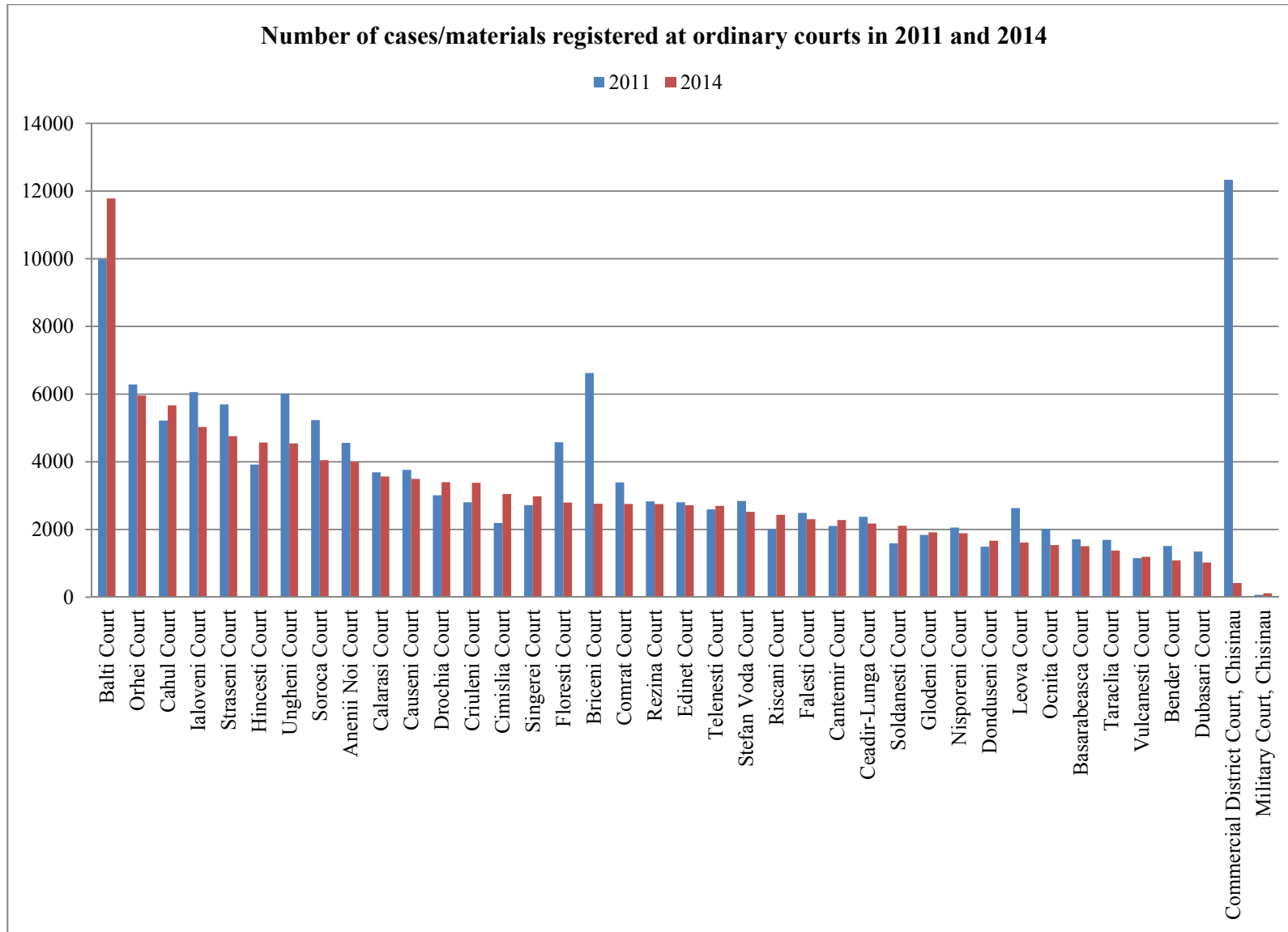


Figure 27. Total number of cases/materials examined in district courts in 2011 and 2014

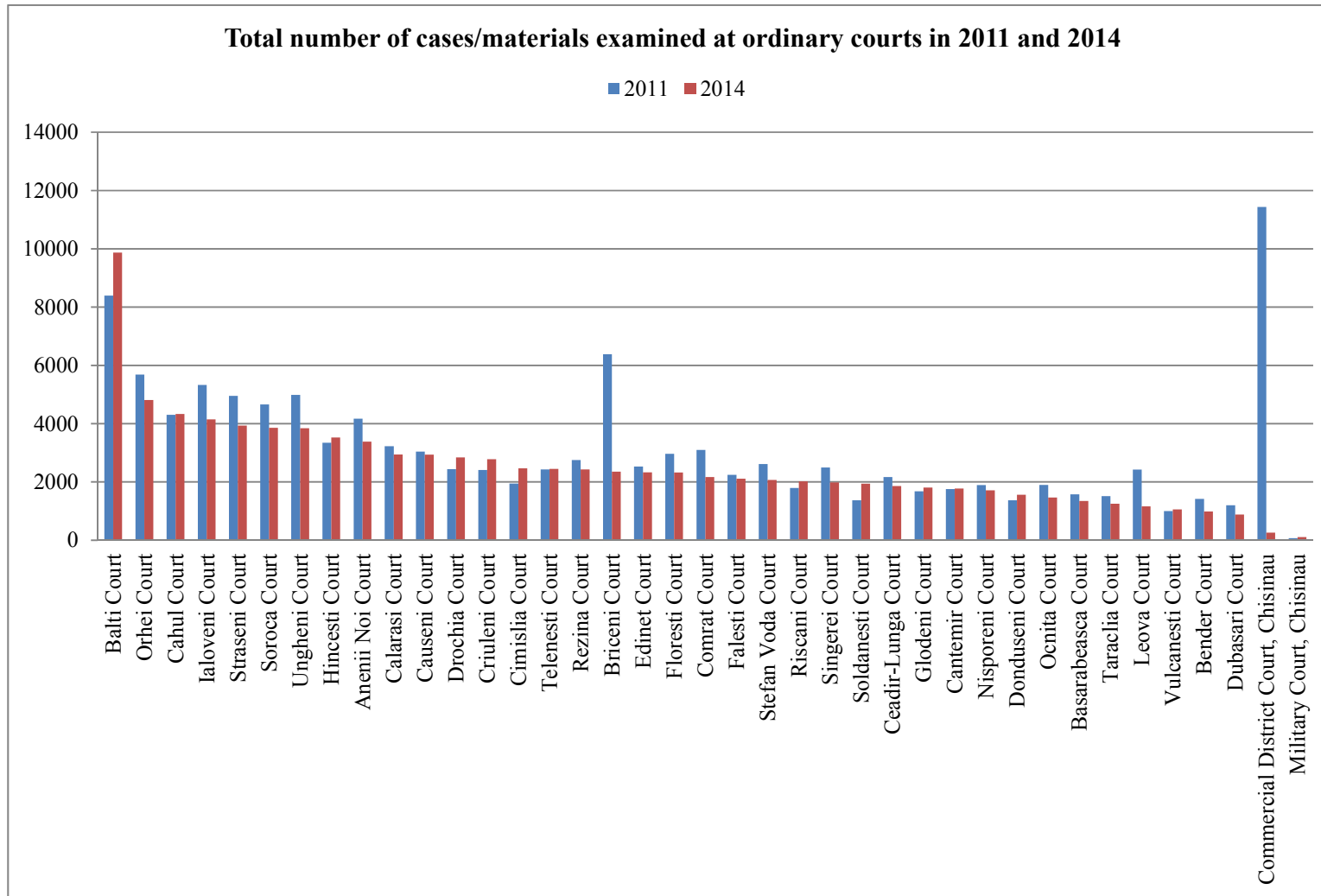


Figure 28. Settlement rate of cases/materials in ordinary courts in 2011 and 2014

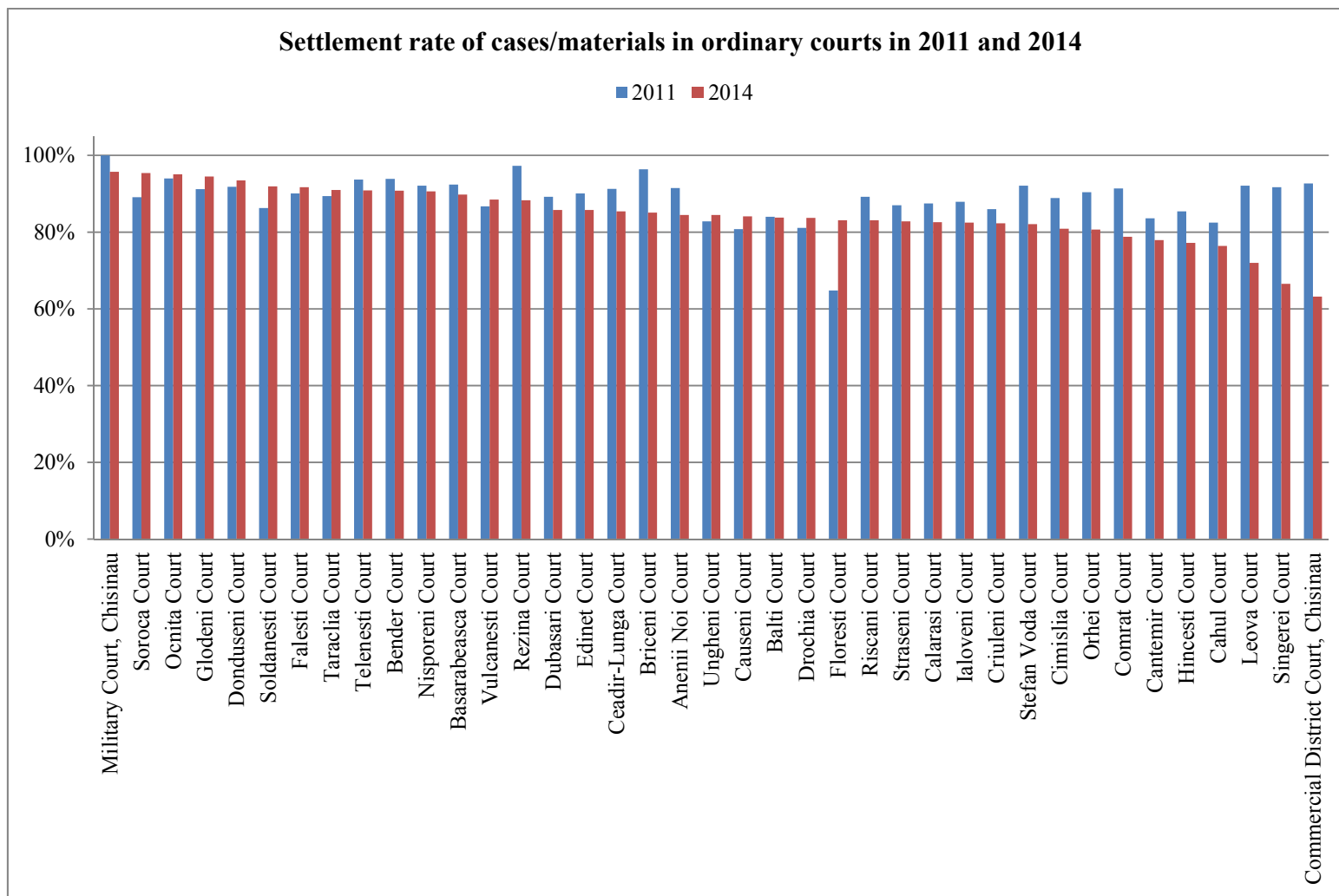


Figure 29. Number of cases/materials registered at courts in Chisinau in 2011 and 2014

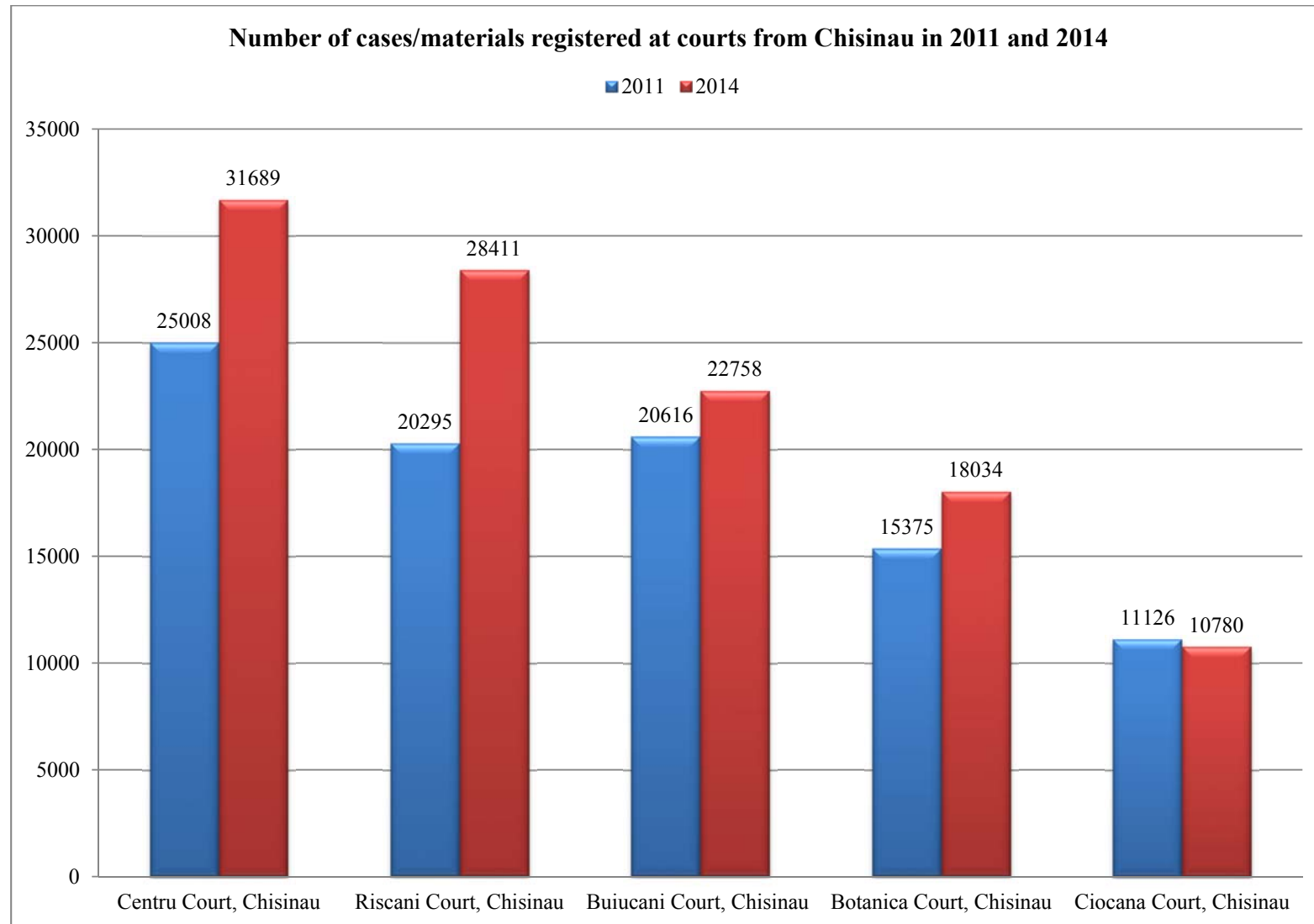


Figure 30. Total number of cases/materials examined in courts in Chisinau in 2011 and 2014

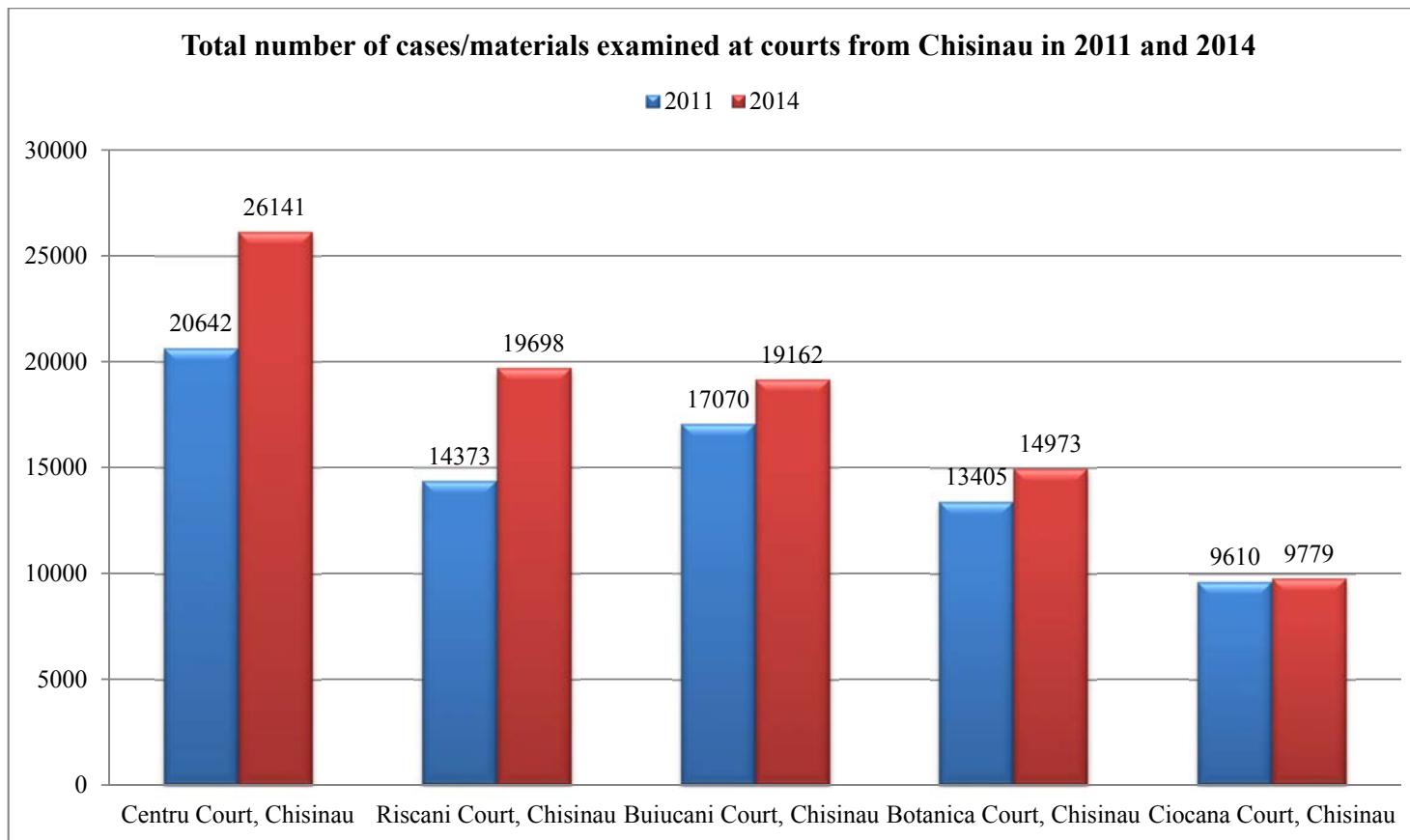
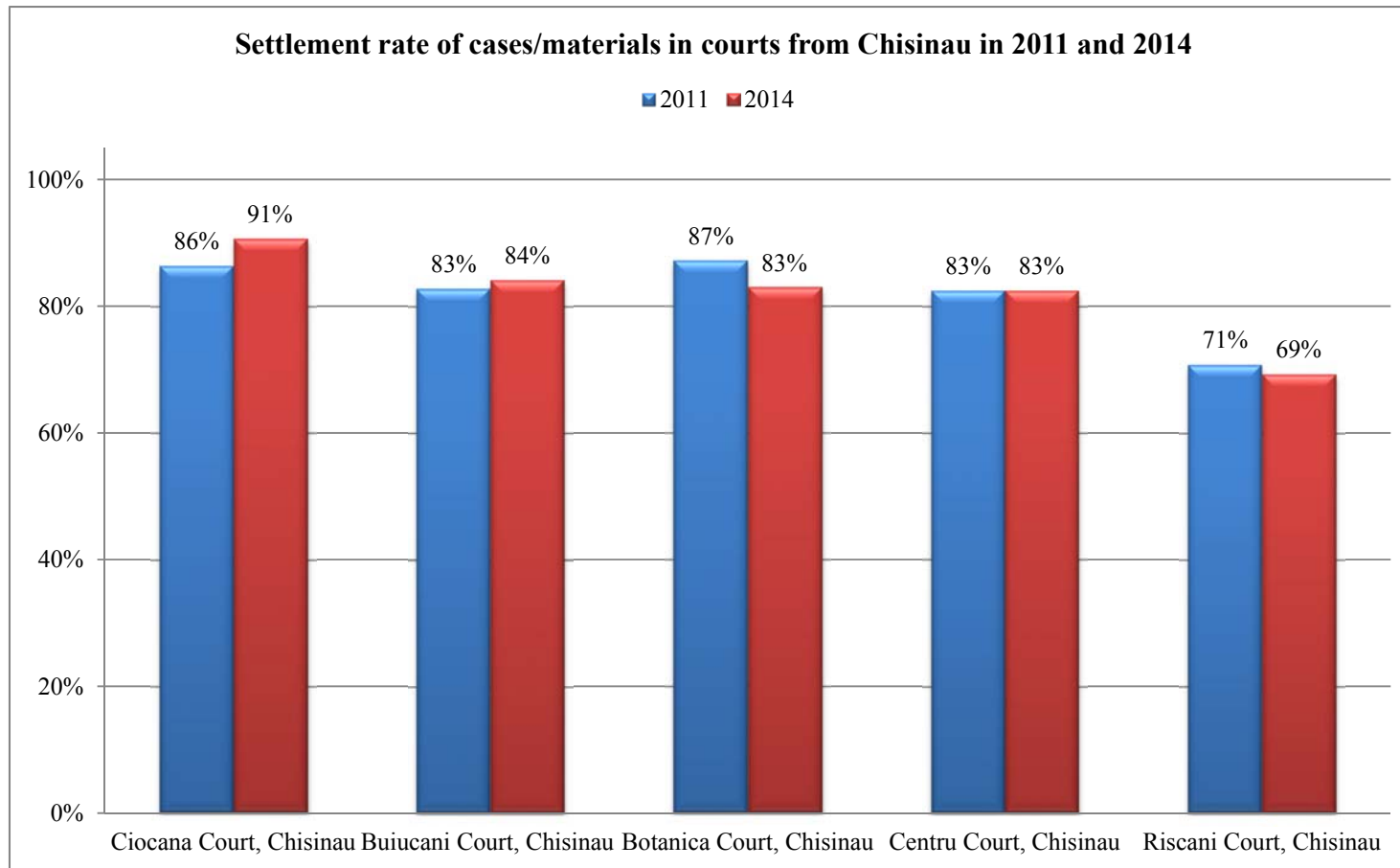


Figure 31. Settlement rate of cases/materials in courts from Chisinau in 2011 and 2014



3.2 ORGANIZATION OF WORK

Following the evaluation it was found that the number of registers kept by specialists in the Record Keeping and Procedural Documentation Divisions varies from one court to another. Most courts have not complied with the amendments to the instruction for the record keeping activity and procedural documentation in courts and courts of appeals made in 2014, according to which the total number of records was increased to **19** for the courts of appeals and **17** for district courts. Besides registers, the instruction also provides for the creation of new record files. One of the purposes of the evaluation of the courts was to identify all sources where employees enter data about applications/files/materials on paper. Thus, for the purposes of this report, record files were included in the category of registers. The information about the extent to which the courts have failed to comply with the new provisions of the instruction is shown below (Figures 32, 33). Thus, we can conclude that **2** of the **4** courts of appeals have failed to review and reduce the number of registers kept by employees of record keeping and procedural documentation divisions. Regarding the courts, employees of **20** courts have managed to review and reduce the number of registers kept.

Figure 32. Total number of registers submitted by specialists from record keeping and procedural documentation divisions within the courts of appeals

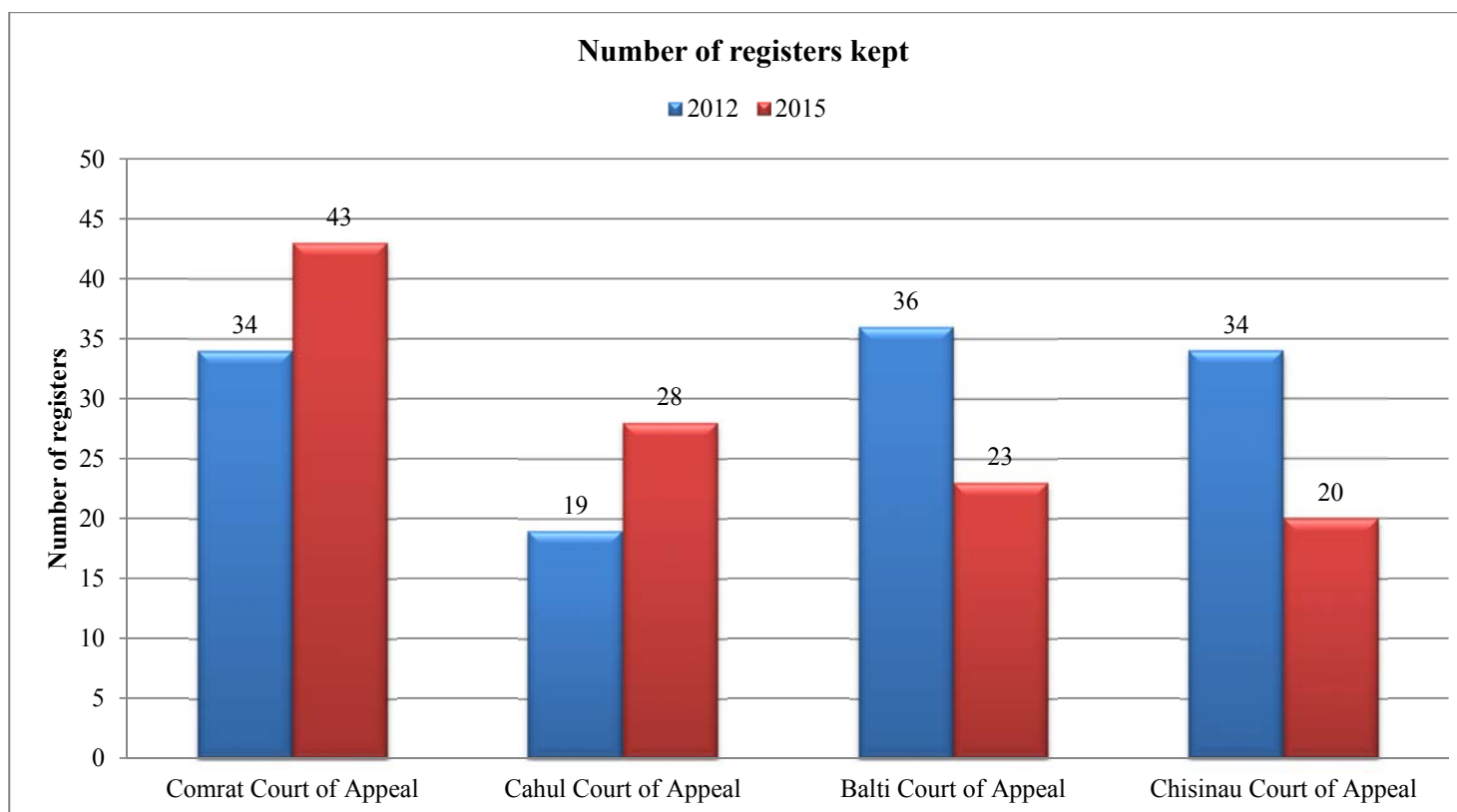
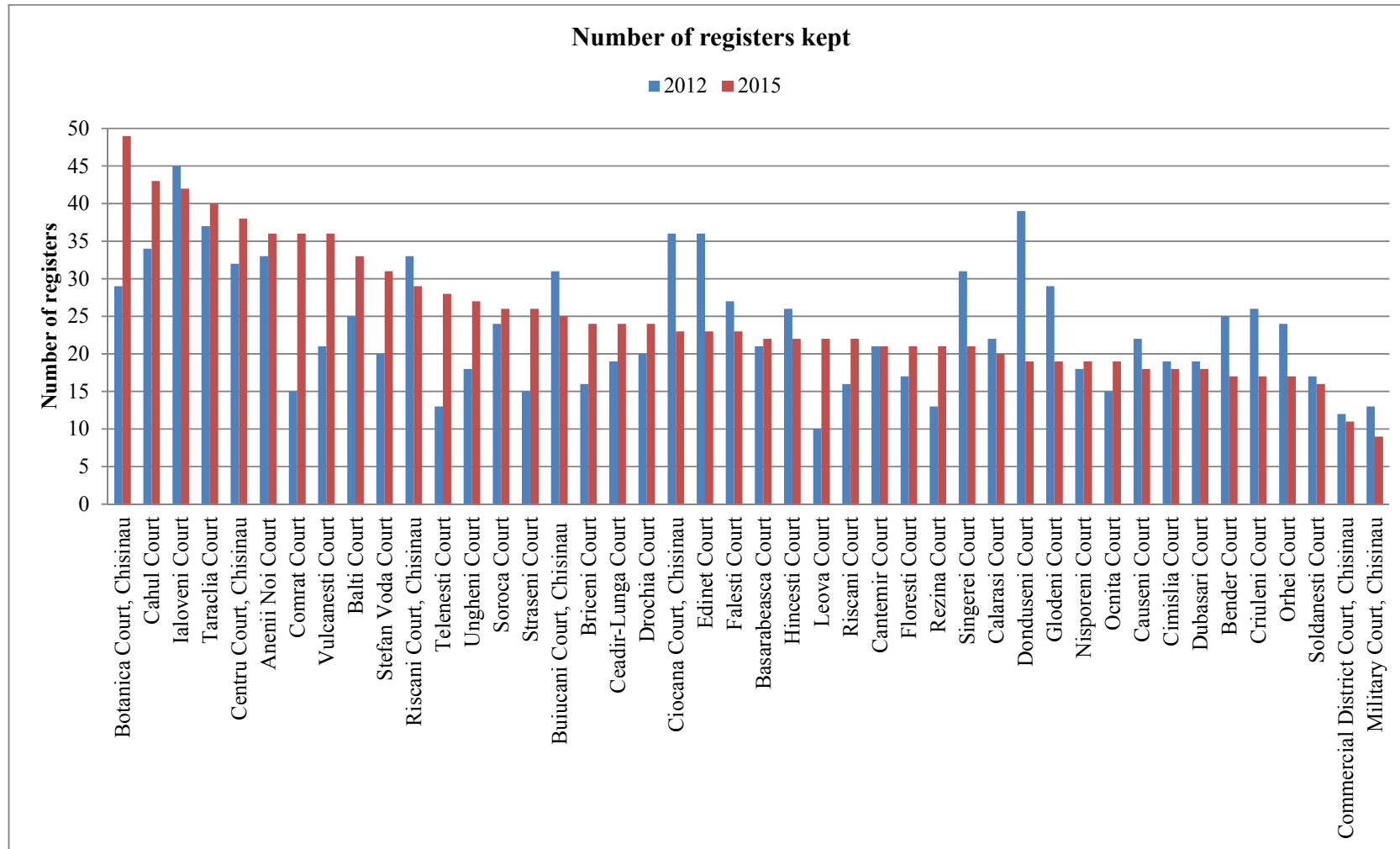
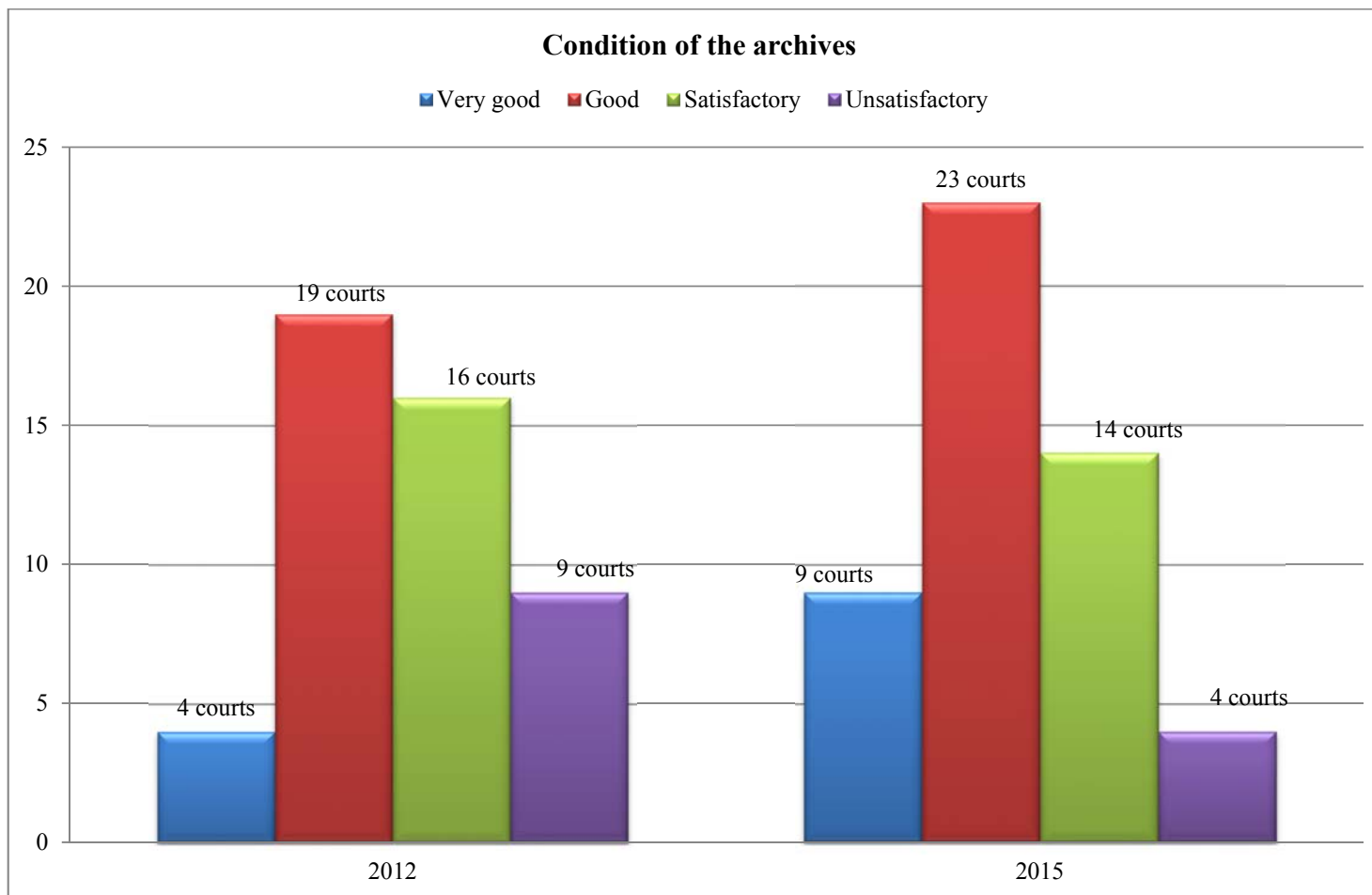


Figure 33. Total number of registers submitted by specialists from record keeping and procedural documentation divisions within courts



Court archives are another area that requires attention, given the importance of storage conditions for closed files. Archive conditions vary significantly from court to court, and are considered to be very good by archivists and chairmen only in **9** courts. Storage conditions of files in **4** courts are unsatisfactory, and in the other **37** courts the conditions vary from good to satisfactory (*Figure 34*). Thus, we find that, compared to 2012, when there were **9** courts with unsatisfactory archive condition, in 2015 that number decreased to **4**.

Figure 34. Evaluation of how archiving activity is organized in courts



Conclusions

- The Supreme Court of Justice (SCJ) and four courts of appeals registered a total of 54,577 cases in 2014.
- In 2014, SCJ and the courts of appeals examined a total of 44,096 cases: the rate of settlement in the Supreme Court and courts of appeals at the national level was 80.8%.
- Of the four courts of appeals, the Chisinau Court of Appeals registered a 90.1% settlement rate. The 48 judges of the Chisinau Court of Appeals examined a total of 23,518 cases in 2014, an average of 490 cases per judge. The level of productivity of the judges in the Chisinau Court of Appeals exceeds the level achieved by other courts of appeals – the Comrat Court of Appeals - 305 cases per judge, the Cahul Court of Appeals - 247 cases per judge and the Balti Court of Appeals - 241 cases per judge.
- The 45 district courts registered a total of 227,525 cases in 2014.
- In 2014, district courts examined 186,852 cases; the rate of settlement in first instance courts, nationally, constituted 82.1%.
- District courts of Chisinau in 2011 recorded the highest number of cases, the rate varying from 31,689 cases (Center Court) to 116 (Military Court).
- Procedures for the organization of work of the Procedural Record and Documentation Divisions in courts are uneven. Management and storage conditions of files vary significantly. The number of registers kept by the specialists in the Procedural Record and Documentation Divisions of the four courts of appeals ranges from 33 to 45 registers and in the Record Keeping and Procedural Documentation Division of judges – from 9 to 49 registers.
- Of the total number of courts of appeals, the largest number of registers is kept by specialists of the Procedural Record and Documentation Divisions of the Cahul Court of Appeals.
- Of the total number of district courts, the largest number of registers is kept by the specialists from the Procedural Record and Documentation Division of Chisinau Botanica Court.

Analysis of Implementation of the 2012 Recommendations

In the comparative summary of the 2012 “Assessment Report of the Courts of Law in the Republic of Moldovan Courts,” under “Operation of Courts” were included six recommendations to enhance the automation of courts, of which one was implemented by 2015, as shown in the Table 5 below.

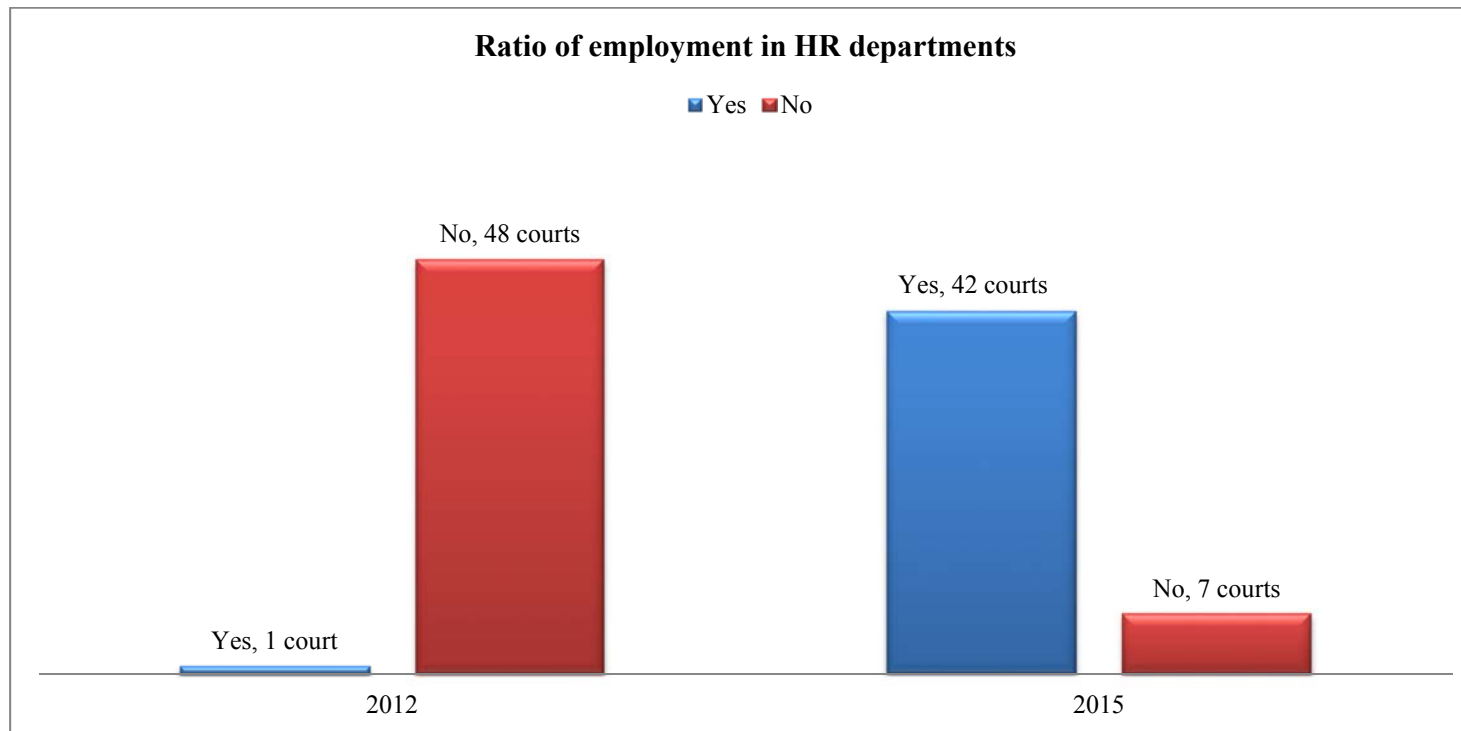
Table 5. *Analysis of Implementation of the 2012 Recommendations*

Implemented	Not Implemented
Monitoring by SCM of the process for elimination of record keeping paper registers of files.	Develop and approve national standards for evaluation of the required number of judges
	Review the number of existing judges in the judicial system and applying statistical methods to identify the required number of judges in each court, applying such criteria as the number of cases received, the remaining cases, the number of cases examined, the time limit for handling cases and population served.
	Determine the mechanism for testing and implementation at national level of electronic statistical reporting module, the phasing out of double record keeping files - electronic and paper.
	Develop the electronic reporting module for SCJ and implement necessary changes in the SCJ Instruction to reflect changes in the management and record keeping of files.
	Ensure uniformity of the process for organizing secretarial work in courts and courts of appeals.

IV. HUMAN RESOURCES AND PUBLIC SERVICES

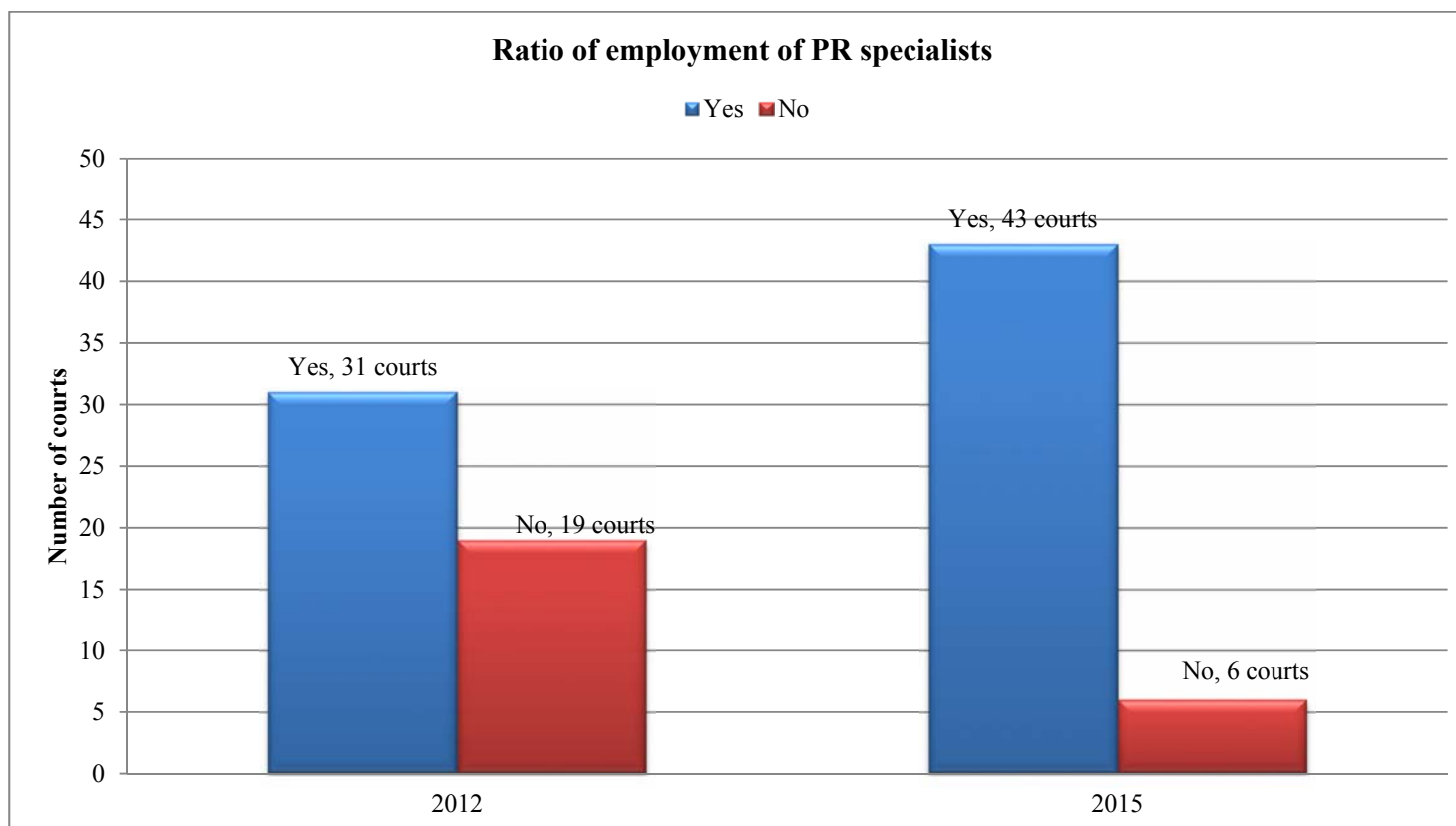
This section of the comparative summary will focus on the concerns identified in human resources management and organization of public services in the courts. Based on the information submitted to the documentation team by court staff, it appears that in 2011 only the Supreme Court had available in its employment scheme specialists in human resources management. Meanwhile, in every court there were individuals appointed by the chairman of the court for the tasks related to human resource management. The figure below shows the analysis of the trend in the employment of HR specialists in courts (*Figure 35*). From the figure below we can conclude that compared to 2012, when none of the courts except the Supreme Court, had a human resources specialist, in 2015 the employment scheme of all courts except for the Drochia Court includes a position for a human resources specialist. However, in 7 courts the position of human resources specialist remains vacant.

Figure 35. Ratio of employment in HR departments



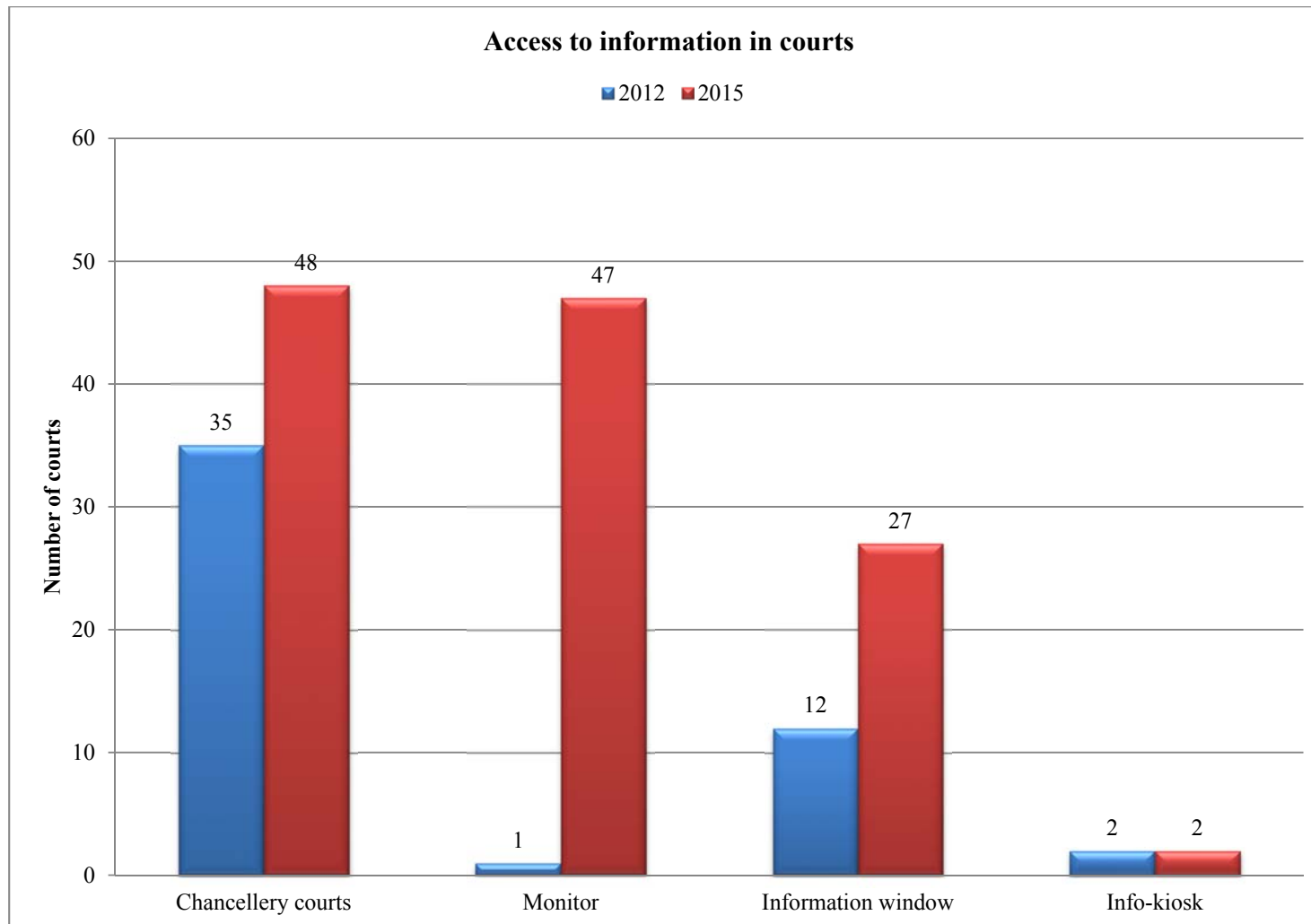
Another interesting aspect of the management of human resources in the courts is related to the duties of the PR specialist. This post was established on January 1, 2009 to coordinate public relations, both in court, and outside it, and to increase public confidence in the judiciary. The documentation visits found that not all courts have a public relations specialist, its duties being exercised by other court employees (*Figure 36*). From *Figure 36* below we can conclude that compared to the situation in 2012 when **19** courts lacked a public relations specialist, in 2015 the employment schemes in all courts, except for the Basarabeasca Court and the Cantemir Court, include the position of public relations specialist. However, in **4** courts the position of PR specialist remains vacant.

Figure 36. Ratio of employment of PR specialists



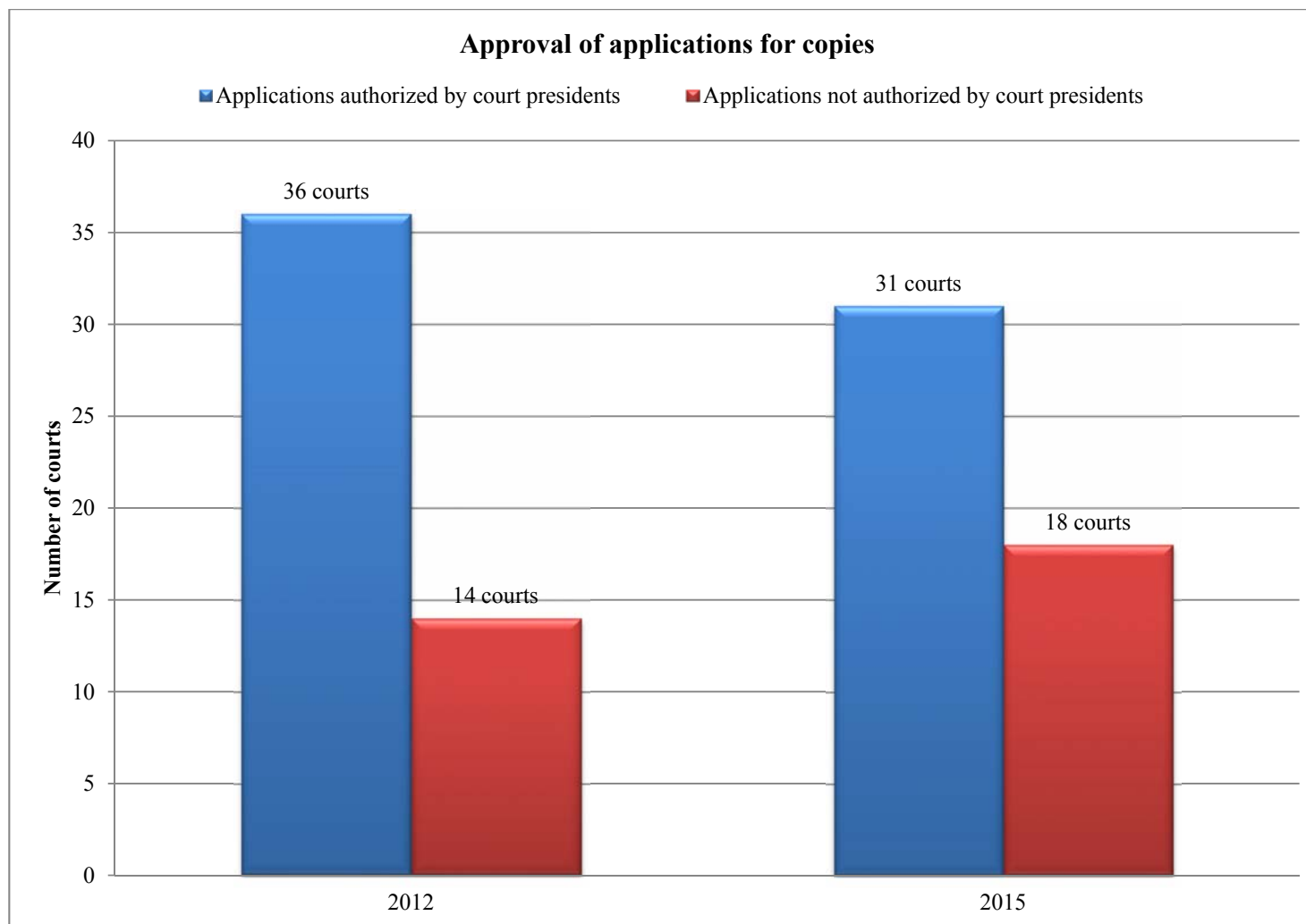
Regarding public services, it was found that the way to ensure access of litigants to information varies from one court to another. Some courts have an information desk at the entrance. With one exception, all courts have information walls for the public. Also, most courts (95.9%) are equipped with electronic monitors displaying the schedule of hearings. A few courts have information self-help desks which give citizens access to information about cases pending in court (Figure 37).

Figure 37. Means to give citizens access to information



A particular feature found by the documentation teams was the uneven procedure for issuing copies of documents from the file. The deadline for the issuance of copies varies in courts from the same day to up to 15 days. Moreover, in some courts applications for copies of file documents are approved by the chairmen. In other courts by contrast, the approval procedure is not applied to applications for copies of documents from the file (Figure 38). Seemingly, the conditions for issuing copies of file documents remained broadly unchanged between 2012 and 2015.

Figure 38. Using the approval procedure of applications for issue of copies of documents from the file



Conclusions

- 98% of the total number of courts has provided the position of HR specialist in their employment schemes.
- 94% of the total number of courts has provided in their employment schemes for the position of PR specialist. Another 6% of courts did not include such a position.
- 98% of courts have information walls for the public. 55.1% of courts have an information desk. In 4.1% of courts there are self help desks, and 95.9% of courts are equipped with electronic monitors displaying the schedule of hearings.
- The procedure for issuing copies of documents from the file is not uniform. In 63% of courts applications for issuance of documents are approved by the chairman and in the other 37% of courts these applications are not approved by the chairman.

Analysis of Implementation of the 2012 Recommendations

In the comparative summary of the 2012 “Assessment Report for the Courts of Law in the Republic of Moldova,” under “Human Resources and Public Services” four recommendations were included to enhance the automation of courts, of which two were fully implemented by 2015, as shown in the Table 6 below.

Table 6. *Analysis of Implementation of the 2012 Recommendations*

Implemented	Not implemented
Introduce and train a HR specialist.	Place information desks or purchasing self-help desks for the whole judiciary in each court
Employ a PR specialist in 32% of courts, where the position of PR specialist is carried out by court clerks, staff from the administrative office or chairman’s advisors.	Standardize of the approval procedure of applications for issue of copies of documents from the file and terms of issue of such copies.

V. BUDGET AND PROCUREMENT

Since January 1, 2014, responsibility for preparation, execution, and reporting of the budget of the courts was shifted from the Ministry of Justice (Department of Judicial Administration) to the Superior Council of Magistracy (CSM). Thus, CSM was in charge of preparing the draft budget of Moldovan courts (except the Military Court¹²) for 2015.

The draft budget for 2015 was the first budget developed based on the “Methodology for Planning Court Budgets” of Courts¹³. This methodology is applied to all Moldovan courts except the Supreme Court and the Military Court. This implies:

1. Determining the budget for some categories of operating expenses depending on court performance. In planning the budget the ceiling set by the methodology remains intact regardless of the limits set by the Ministry of Finance.
2. Proper developing of the budget to cover expenses for purchasing fuel for service vehicles. The fixed ceiling, likewise, cannot be changed by CSM in the preparation of the draft budget.

THE BUDGET

Between 2012 and 2014, the financing for the judicial system has grown steadily. Thus, if in 2012 the judiciary was financed in the amount of about 142.5 million MDL, then in 2014, the judiciary received funds from the state budget amounting to about 314.7 million MDL, or about an additional 121%.

¹² Ministry of Defence is responsible for the budget of the Military Court

¹³ SCM Decision No.109/3 of 28 January 2014

Table 7. Structure of the budget of the judiciary sector, thousand MDL (2012 – 2014)

Categories of expenditures/years	2012	2013	2014	Modification, % (2014 vs. 2012)	Impact, %
Staff costs	94,337.6	143,771.2	200,445.2	112%	62%
Repairs (current and capital)	8,738.9	21,384.4	26,804.7	207%	10%
Procurement of fixed assets	4,447.4	8,728.5	2,083.1	-53%	-1%
Capital investments	6,233.2	19,776.3	47,617.1	664%	24%
Operating expenses	27,746.8	36,366.0	36,681.9	32%	5%
Enforcement documents	139.8	49.0	31.0	-78%	0%
Rental of goods	792.8	968.0	1,084.2	37%	0%
Transfers abroad	38.3	23.0	0.0	-100%	0%
Total	142,474.8	231,066.4	314,747.2	121%	100%

Source: for 2012, 2013 - <http://www.mf.gov.md/actdoc/BOOST>, for 2014 - SCFM

This increase is primarily due to the increase in staff costs.¹⁴ If in 2012 the judicial sector staff costs were 94.3 million MDL, then in 2014, personnel costs doubled, reaching the amount of 200.4 million MDL, an increase of about 112%. Increased staff costs influenced the increase of the court budget by about 62%.

Increased staff costs are due to the increase of the number of court staff, amendment of the legal framework on the remuneration of certain categories of court employees, and pensions for judges.

Another category that has led to a significant increase of the budget of the judiciary is capital investments. The growth rate of funds for capital investments registered the highest level. Thus, compared with 2012, in 2014 capital investments registered a significant increase of about 64% and the increase in question influenced the increase of the budget of the judiciary by about 24%.

Financing the judiciary can be seen in the light of total revenues of the State Budget. The table below presents such information.

¹⁴ Remuneration, mandatory social insurance contributions, compulsory insurance premiums paid by employers for health care, transfers to the population

Table 8. Ratio of financing the judiciary in Total Revenues of the State Budget

Indicators/years	2012	2012	2014
Total revenues of the State Budget, mil. MDL	20,089.1	22,436.4	27,717
Financing volume of the judiciary, mil. MDL	142.5	231.1	314.7
Ratio of financing the judiciary in total revenues of BS,%	1%	1%	1%

Source: Reports for Execution of the State Budget, Ministry of Finance

Comparing the volume of financing of the judiciary to total revenues of the State Budget, we conclude that between 2012 and 2014, the judiciary received financing at a constant level of about 1% of the total revenues of the state budget.

STRUCTURE OF OPERATIONAL EXPENDITURES

Compared to 2012, in 2014 the operating costs of the judicial sector registered a growth of about 32%. Thus, in 2012 the operating expenses amounted to 27.7 million MDL, and in 2014 they registered a value of 36.7 million MDL (see Table 9)

Table 9. Evolution of the structure of operating expenses

Category of expenses/years	2012	2013	2014	Amendment, % (2014 vs. 2012)	Impact, %
Office supplies, materials and household objects	6,648.8	10,990.1	8,607.1	29%	22%
Transport services	2,258.9	2,681.7	2,687.9	19%	5%
Telecommunications and postal services	4,109.6	5,939.3	6,886.0	68%	31%
Utilities	8,161.7	8,453.8	8,712.4	7%	6%
Rental of goods	109.1	200.8	113.8	4%	0%
Other	6,458.7	8,100.3	9,674.7	50%	36%
Total	27,746.8	36,366.0	36,681.9	32%	100%

Source: for 2012, 2013 - <http://www.mf.gov.md/actdoc/BOOST>, for 2014 - SCM

The increase in operating expenses was driven by:

- ***Increase of “other” expenses.*** Compared with 2012, in 2014 this category of expenditures increased by 50%, which led to an increase in the operational budget by about 36%.
- ***Increased spending on telecommunications and postal services.*** Compared with 2012, in 2014 the spending for this purpose increased by about 68%, which resulted in the increase of the operational budget by about 31%.
- ***Increased expenses for office supplies, materials and household goods.*** In 2014, these expenses increased by about 29% compared to 2012 which led to an increase in the operational budget by about 22%.

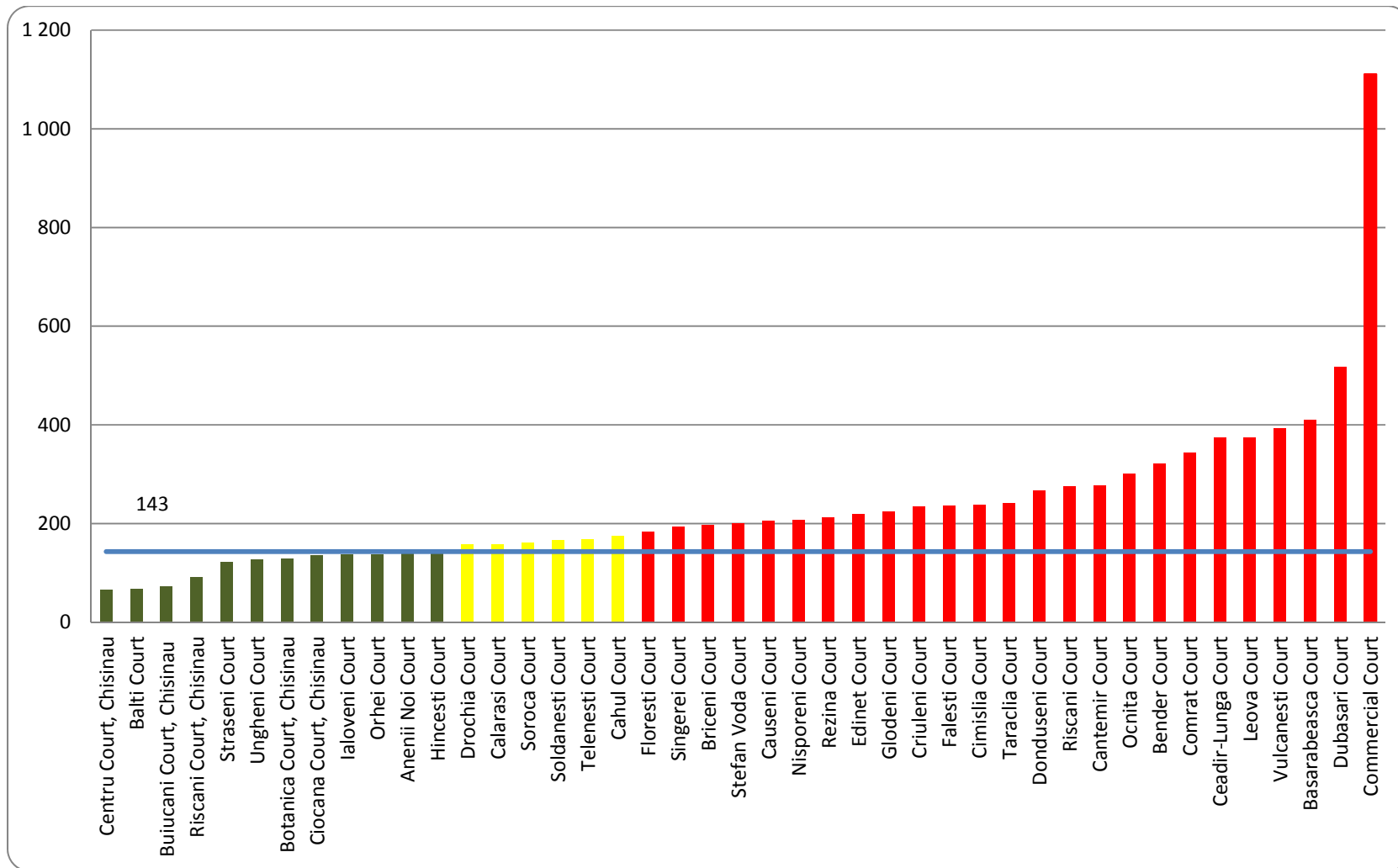
Because of increases in these three categories of expenditures the operational budget of the judiciary in 2014 grew by about 89% compared to 2012.

AVERAGE OPERATING COST PER CASE EXAMINED

The ratio of the operating expenses to the number of examined cases represents the average cost of an examined case. For the comparative analysis of the average cost of an examined case, we considered only the financial and statistical information from the courts (except the SCJ and the Military Court). Thus, in 2014 the average cost of an examined case was **143** MDL for district courts and **197** MDL for appellate courts.

For all district courts in **12** the average cost of an examined case was below or equal to the national average. In **6** courts it was slightly above the national average. In the remaining **25** courts it exceeded the national average. The lowest value of the average cost of an examined case among district courts in 2014 was approximately **65** MDL for the Centru District Court in Chisinau, and the highest was approximately **1111** for the District Commercial Court. Figure **39** presents this information in more detail.

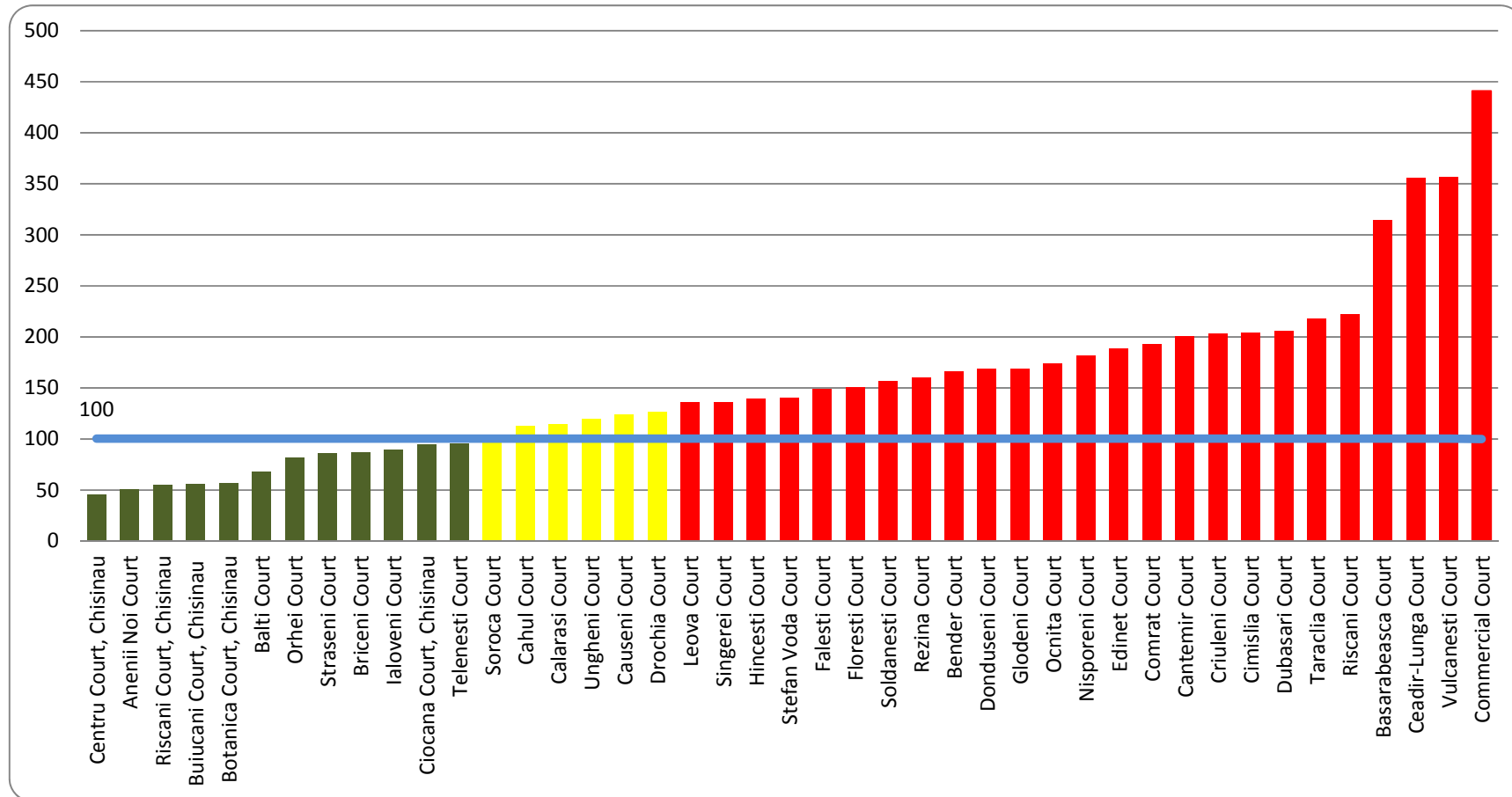
Figure 39. Average cost per case examined in a court vs the average country cost per case examined in 2014



Compared with 2014, in 2012 the national average cost per examined for district courts was approximately 43% lower or about **100** lei and for the courts of appeal was approximately 6% lower, or about **186** lei.

Of the total number of district courts, in **12** courts the average cost of an examined case was below or equal to the national average. In **6** courts it was slightly above the national average. In the remaining **25** courts it exceeded the national average. The lowest value of the average cost of an examined case in 2012 was approximately **46** MDL for the Centru District Court in Chisinau and the highest was approximately **441** MDL for the District Commercial Court. Graph 40 represents this information in more detail.

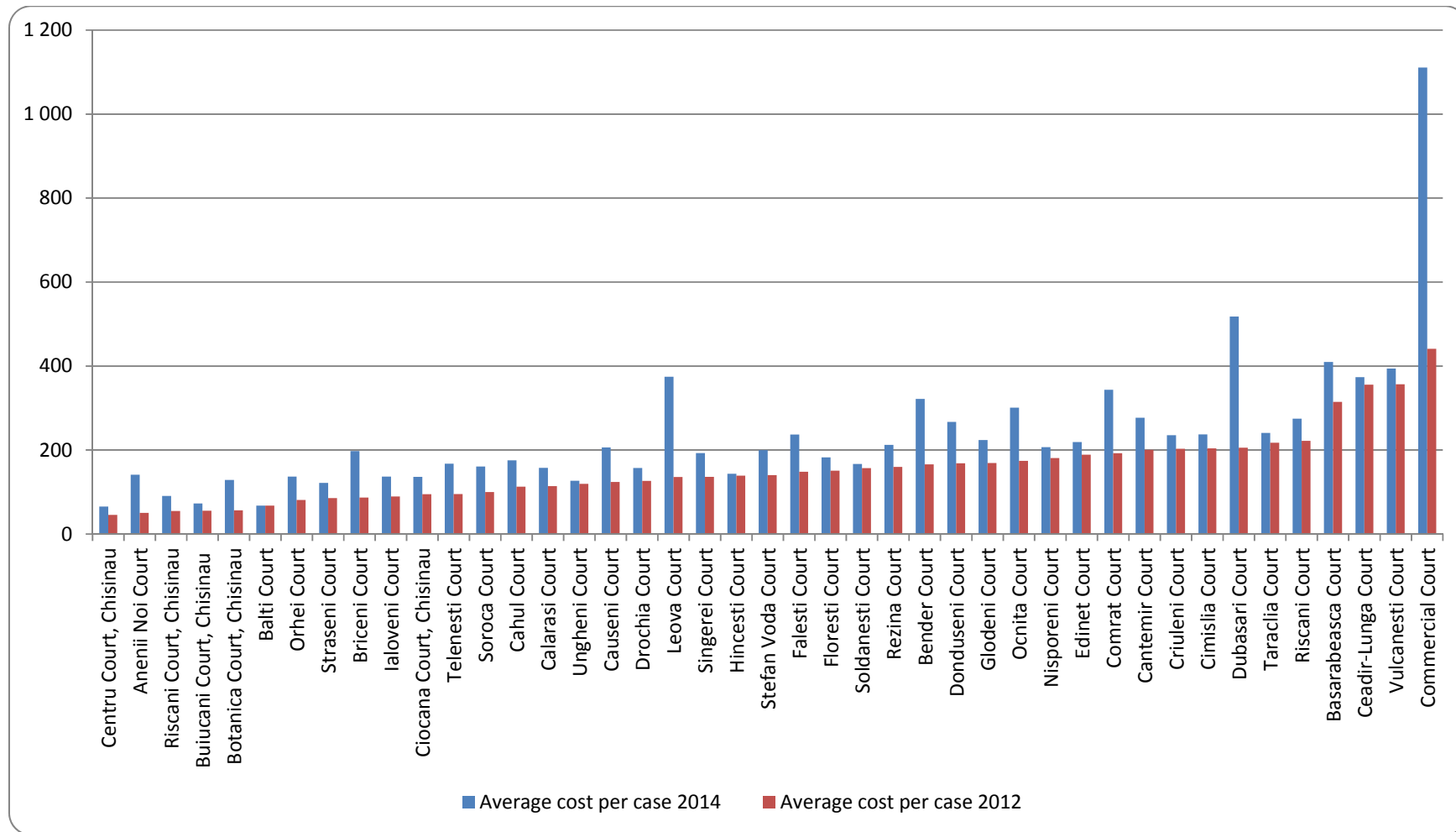
Figure 40. Average cost per case examined in a court vs the average country cost per case examined in 2012



The increase in 2014 compared to 2012 of the average cost per case examined can be explained by the increase in operating costs (about 39%) on the one hand and reducing the number of cases examined (3%) on the other hand. It is important to note that in the drafting of the budget for 2014 the new methodology for budgeting by courts was not applied, having been applied for the first time when preparing the draft budget for 2015.

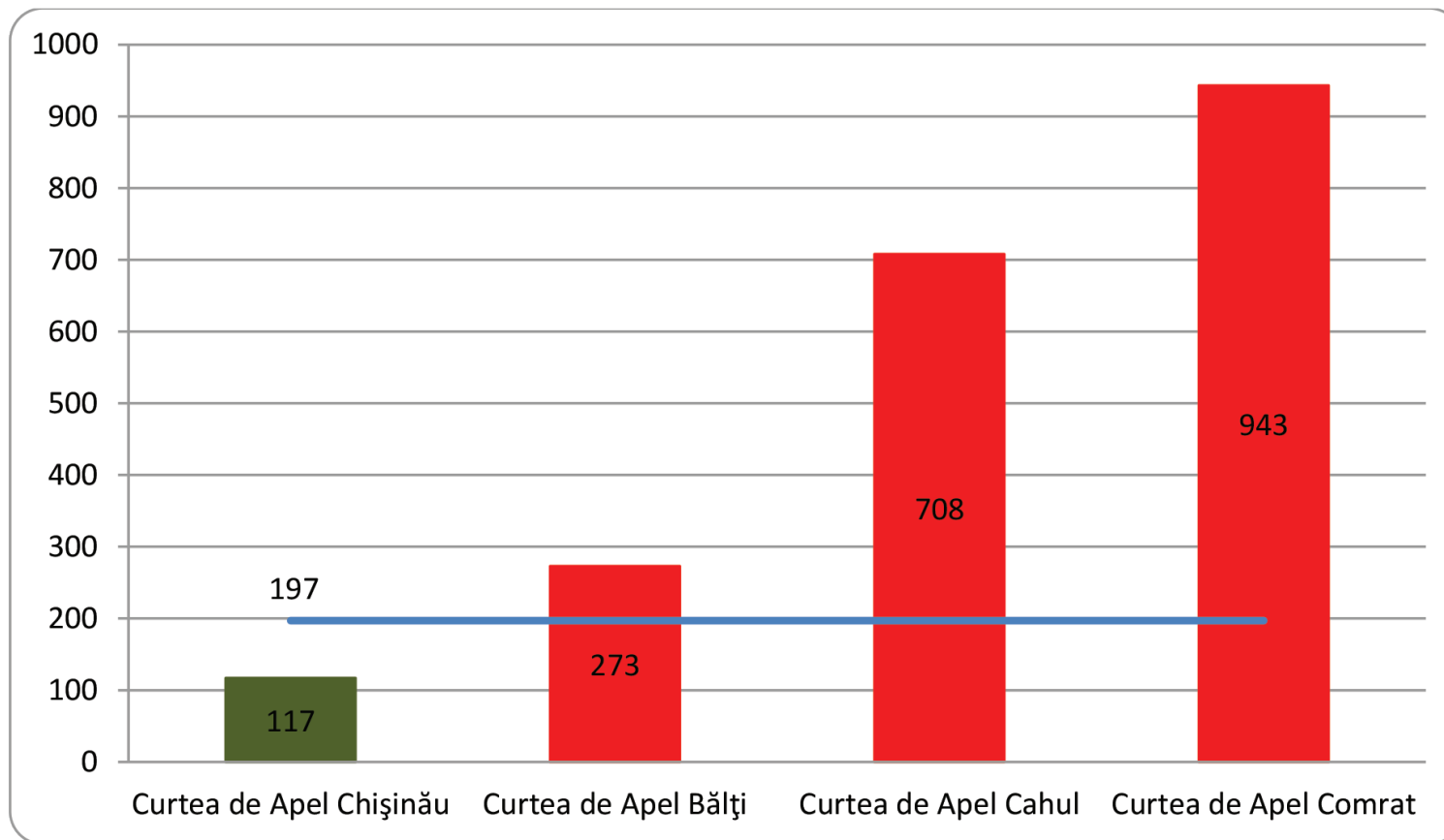
Figure 41 below shows the average cost per case examined change between 2014 and 2012 for each court of the first instance.

Figure 41. Average cost/case examined in 2014 vs 2012 for each court of first instance



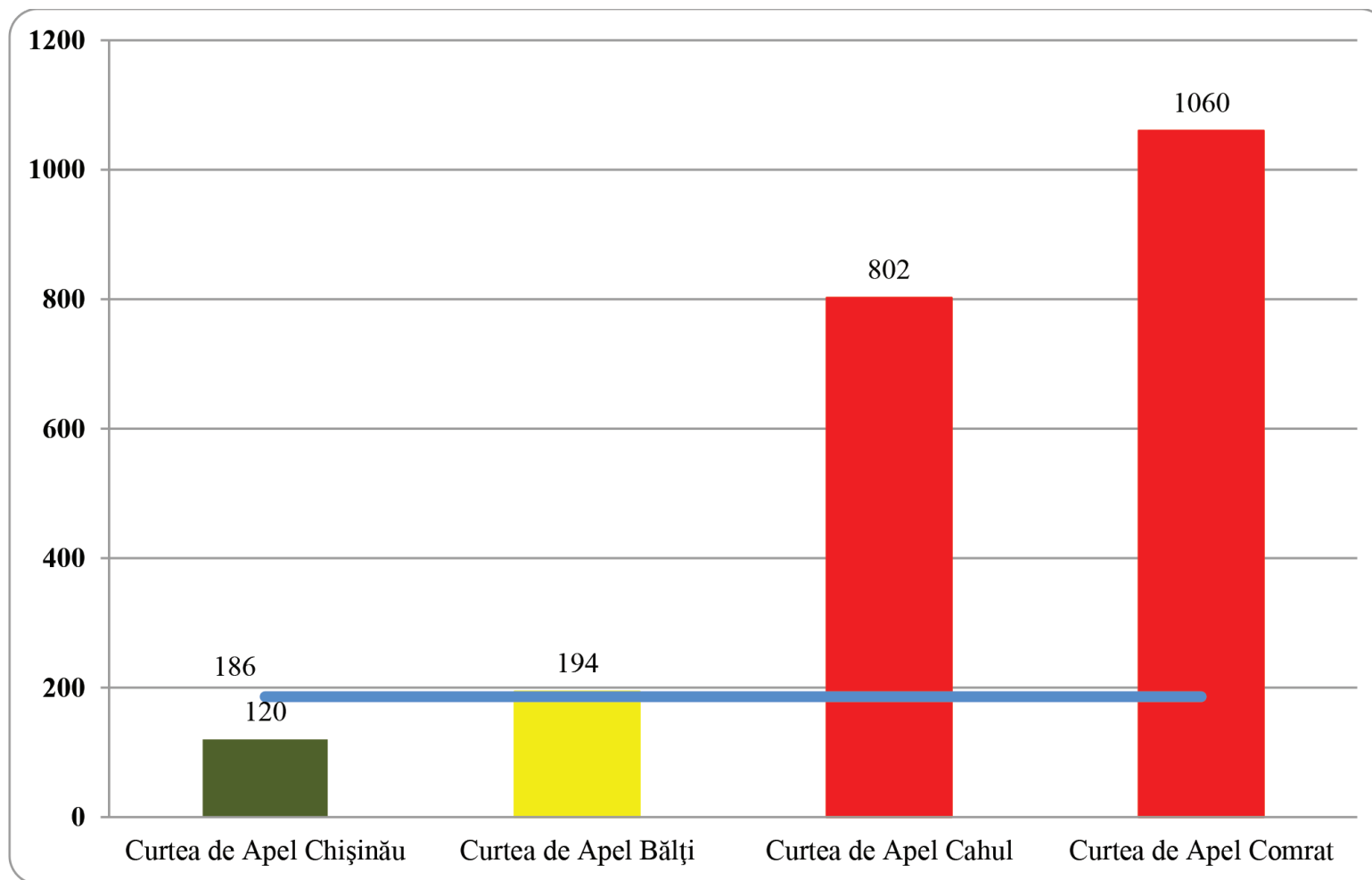
As it can be seen from *Figure 41*, the largest increase in average cost per case examined is about 181% (Anenii Noi Court), while the lowest growth is 3% (Hincesti Court). There is also a court for which the average cost per case examined in 2014 did not change compared to 2012 (Balti Court). Regarding courts of appeal, in 2014 only Chisinau Court of Appeal had an average cost per case below to the national average while rest of the courts of appeal had an average cost per case above the national average. More details are given in *Figure 42*.

Figure 42. Average cost/case examined in 2014 for courts of appeal



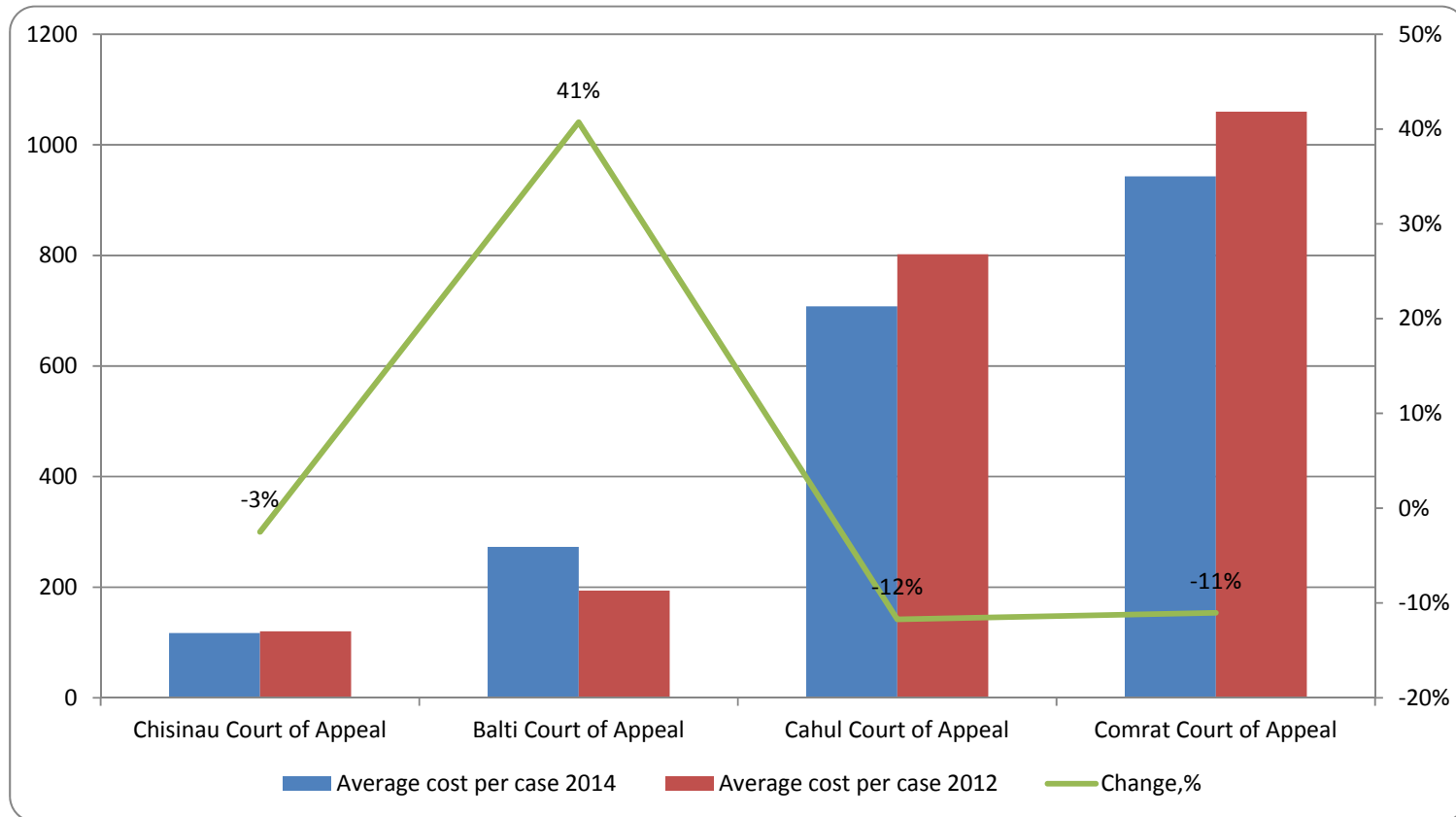
Compared with 2014, in 2012 the national average cost per examined for courts of appeal was approximately 6% lower or about 186 lei. As in 2014, in 2012 the Chisinau Court of Appeal had an average cost per case below to the national average only. More details are given in Figure 43.

Figure 43. Average cost/case examined in 2012 for courts of appeal



The Figure 44 below shows the average cost per case examined change between 2014 and 2012 for each court of appeal.

Figure 44. Average cost/case examined in 2014 vs 2012 for each court of appeal



AUTOMATION OF ACCOUNTING

In 2012, almost half of the courts in the country (21) kept their accounts manually. The remaining courts that kept automated accounts used different software applications. In order to automate the accounting in all the courts in Moldova and ensure consistency in the accounting applications for the entire judicial sector, USAID ROLISP purchased and equipped **42** courts with application software. Additionally, intensive trainings were held for two weeks (for some courts - three weeks) for the accounting officers of the courts. Thus, when preparing reports, all courts in Moldova have been equipped with uniform software for automated accounting. Unfortunately, there are still some courts which, although equipped, are not using the software. More details are given in Table 10.

Table 10. Detailed information on the automation of accounting

No	Courts	2012			2015		
		Manual	Automated	Partial	Automated 1C budget	Equipped 1C budget	Using 1C budget
1	Basarabasca Court				Yes	Yes	Yes
2	Bender Court	Yes			Yes	Yes	Yes
3	Calarasi Court	Yes			Yes	Yes	Yes
4	Cantemir Court	Yes			Yes	Yes	No
5	Cimislia Court	Yes			Yes	Yes	Yes
6	Comrat Court	Yes			Yes	Yes	Yes
7	Donduseni Court	Yes			Yes	Yes	Yes
8	Dubasari Court	Yes			Yes	Yes	Yes
9	Edinet Court	Yes			Yes	Yes	Yes
10	Falesti Court	Yes			Yes	Yes	Yes
11	Floresti Court	Yes			Yes	Yes	Yes
12	Ialoveni Court	Yes			Yes	Yes	Yes
13	Leova Court	Yes			Yes	Yes	Yes
14	Ocnita Court	Yes			Yes	Yes	Yes
15	Rezina Court	Yes			Yes	Yes	Yes

16	Singerei Court	Yes			Yes	Yes	Yes
17	Soldanesti Court	Yes			Yes	Yes	Yes
18	Stefan Voda Court	Yes			Yes	-	Yes
19	Telenesti Court	Yes			Yes	Yes	Yes
20	Ungheni Court	Yes			Yes	Yes	Yes
21	Vulcanesti Court	Yes			Yes	Yes	No
22	Anenii Noi Court		Yes		Yes	Yes	Yes
23	Balti Court		Yes		Yes	Yes	No
24	Briceni Court		Yes		Yes	Yes	Yes
25	Cahul Court		Yes		Yes	Yes	No
26	Causeni Court		Yes		Yes	-	Yes
27	Ceadâr-Lunga Court		Yes		Yes	-	Yes
28	Commercial District Court		Yes		Yes	Yes	No
29	Criuleni Court		Yes		Yes	Yes	Yes
30	Drochia Court		Yes		Yes	Yes	Yes
31	Glodeni Court		Yes		Yes	Yes	Yes
32	Orhei Court		Yes		Yes	Yes	Yes
33	Riscani Court		Yes		Yes	Yes	No
34	Hincesti Court		-	Yes	Yes	Yes	Yes
35	Nisporeni Court		-	Yes	Yes	Yes	Yes
36	Botanica Court, Chisinau		Yes		Yes	Yes	Yes
37	Buiucani Court, Chisinau		Yes		Yes	Yes	Yes
38	Ciocana Court, Chisinau		Yes		Yes	-	Yes
39	Centru Court, Chisinau		Yes		Yes	Yes	No
40	Riscani Court, Chisinau		Yes		Yes	Yes	No

41	Soroca Court		Yes		Yes	Yes	Yes
42	Straseni Court		Yes		Yes	-	Yes
43	Taraclia Court		Yes		Yes	Yes	Yes
44	Chisinau Court of Appeal		Yes		Yes	Yes	Yes
45	Balti Court of Appeal		Yes		Yes	Yes	No
46	Bender Court of Appeal		Yes		-	-	-
47	Cahul Court of Appeal		Yes		Yes	Yes	Yes
48	Comrat Court of Appeal		Yes		Yes	Yes	Yes
49	Supreme Court of Justice		Yes		Yes	-	Yes
Total		21	26	2	48	42	39

Conclusions

- Between 2012 and 2014, the budget of the judiciary increased by about 121%.
- The increase of the budget was due to the increase in staff costs (approximately 112%).
- The judicial sector was financed steadily in the amount of about 1% of the total revenues of the state budget.
- The average national cost per case for first instance courts in 2014 increased by about 43% compared to 2012.
- All courts in the judicial sector are equipped with the uniform automated software application for accounting.
- Three of the five recommendations proposed in 2012 were implemented.

Analysis of Implementation of the 2012 Recommendations

An analysis of the implementation of recommendations from 2012 for the budget and procurement section of the judiciary (Table 11) demonstrates that over the course of three years, three out of five recommendations were implemented.

Table 11. *Analysis of Implementation of the 2012 Recommendations*

Implemented	Not implemented
Analyze the possibility of amending the court budget planning procedure. In particular, identify performance indicators which would be the basis for planning the budget so as to ensure fairness between the budget made available to the court and the effort made by the court.	Consider establishing a unit that would deal with the organization of centralized public procurement on some items. Such unit can be established within the current DJA, as a Section.
Take steps to ensure procurement of accounting applications for automated accounting and provide training for its use.	Analyze the possibility of buying franking machines or other existing technologies, but not before making a cost-effectiveness study on possible options. It is desirable that procurements are carried out centrally.
Given the fact that legislation on public procurement changes constantly, on the one hand, and high staff turnover in the courts, on the other hand, it is appropriate for the National Institute of Justice to organize every six months training seminars techniques and instruments used in the procedure of procurement for specialists responsible for public procurement in the courts.	