Judicial Reform:
Strengthening Legal and Judicial Institutions

A Learning Program for
The Kingdom of Morocco

March – May, 2006
Organized by the World Bank Institute in cooperation with the Ministry of Finance and Privatization of the Kingdom of Morocco, the World Bank's Legal Vice Presidency, Public Sector Governance Unit (PRMPS) and MENA region.

Sponsored by the Ministry of Finance of Spain

Summary

The proposed learning program consists of both face-to-face and distance learning components that will connect representatives from the Agence Judiciaire du Royaume (AJR) of the Kingdom of Morocco and other relevant Public Officials in Rabat with experts from various countries including Egypt, France, Italy, and Spain. The experts will share comparative experiences and practices from their respective countries and engage in dialogue with the participants regarding modernization, efficiency, use of performance indicators and other key reform issues that institutions similar to the AJR have dealt with. The first session will take place in Rabat on March 1, 2006; this session will be followed by complementary sessions on May 4 and 5, 2006.

Introduction

Legal and judicial reform is essential for better governance and highlights the necessity to further develop training of the legal and judicial profession, streamline case management
and upgrade the legal and judicial infrastructure. Ineffective legal frameworks and institutions are perceived as critical impediments to poverty alleviation due to their negative impact on the investment climate and their tendency to reinforce the exclusion of poor and marginalized people from participation in development.

Public sector efficiency and improved governance constitute key elements of the Kingdom of Morocco's reform program aiming at promoting economic and social development, and underline the country assistance strategy adopted by the Bank in 2005. The learning program, which was prepared in the context of the on-going dialogue between the Ministry of Finance and Privatization of the Kingdom of Morocco and the World Bank on the role of AJR, falls directly within the scope of this strategy.

**Objectives:**

The AJR is the litigation arm of Morocco's Ministry of Finance and Privatization. As such, it also plays an important role providing legal advisory services to government administrations and public entities in various fields of the law. Reviewing and strengthening the role of AJR falls within the Government's efforts to promote an impartial and effective legal and judicial system.

The objective of the course is to provide participants with useful and practical tools and instruments that can be used to maximize the effectiveness of their respective role in the institution and to contribute in reviewing the role of AJR towards greater efficiency, responsiveness and performance. In particular, the information that will be given to the participants on the use of performance indicators and other appropriate reform instruments as used in coun-
tries with comparable institutions, will be examined in light of AJR’s specific role and needs.

More generally, the course aims to facilitate the sharing of in-country experiences on the improvement of the efficiency and effectiveness of the legal and judicial sector; in this regard, the respective experiences of Egypt, France, Italy and Spain will be particularly illustrative.

By the end of the course, the participants will have received, discussed and analyzed information on the following issues:

1) The promotion of public sector efficiency, including streamlining of procedures;
2) New tools and strategies used in similar agencies in other countries, particularly Egypt, Italy, France and Spain, in the promotion of institutional reform, achieved by the direct exchange of information between participants in Morocco and their counterparts in other countries;
3) The design and implementation of indicators to measure performance of legal and judicial institutions.

Methodology:

The course will be delivered both via face-to-face and video-conference. The first session will be a one day face-to-face session taking place on March 1, 2006 in Rabat, during which experts from Egypt, France, Italy, and Spain will present experiences from their respective countries.

Specifically the program will benefit from the experience of the Avvocatura Dello Stato, which is the Italian equivalent of the Moroccan AJR, as well as of its Egyptian and French equivalent: the Hayat Kadaya Addawla and the Direction des Affaires Juridiques (the Agence Judiciaire du Trésor). The program
will also rely on assistance from the Spanish Consejo General del Poder Judicial, which has functions similar to those of the AJR in the Spanish legal context.

During the session on March 1, 2006 participants will be expected to identify the key areas they would like to focus on during the subsequent phase of the program. The session on March 1 will be followed by two sessions on May 4 and 5, during which participants will engage in in-depth discussions with experts from the aforementioned countries and others as well, including a member of the European Commission for the Efficiency of Justice (CEPEJ) and Abogacía General del Estado of Spain.

The program has been designed in collaboration with the AJR, the World Bank Institute, the World Bank Country Office in Morocco (MNCMA), the World Bank Legal Department (LEGMS) and the World Bank Director for Maghreb countries.

The three main topics to be covered during the program are:

1. Modernization of the AJR
   a. The organizational structure
   b. Human resources
   c. Information systems
   d. Communication

2. Capacity building
   a. How can the capacity of a judicial institution be strengthened?

Contents/modules

This activity has been designed to explore various options to increase the efficiency and effectiveness of the AJR and develop tools and indicators to evaluate and strengthen its performance.
b. In the case of the AJR, what are the possibilities?

3. Development of performance indicators
   a. Theoretical overview of indicators to be applied
   b. Experiences from similar institutions
   c. The current situation in the AJR
   d. Reflect on appropriate indicators for the AJR

On March 1, 2006, the objective of the program will be to facilitate an open discussion about key issues such as:

- How can performance indicators be developed and adopted to measure performance and monitor the impact of reforms?
- How can the AJR be modernized and upgraded to increase its efficiency, given its mandate and the strategic choices that it is confronted with (decentralization outsourcing its services, promoting legal advice services and alternate dispute resolution mechanisms, etc.)?
- How can the AJR be more cost effective?
- How can the AJR implement systematic and continuous training to increase the efficiency of its staff? What kind of organizational restructuring can increase the efficiency and effectiveness of the AJR?
- How can case load management reform decrease backlog and improve the functioning of the AJR? (e.g., refocus the AJR’s areas of intervention given the broad scope of legal areas that it currently covers)
- The AJR’s role in Alternative Dispute Resolution mechanisms
- What is the role of the AJR in protecting the interests of the
State in the various fields in which it is involved?

**Participants:**

- Staff from the Agence Judiciaire du Royaume
- Other relevant officials from government agencies that work with the AJR

**Experts (in alphabetical order):**

- Mr. Hossam *Abdel Azim*, (President of the Egyptian State Lawsuits Authority) Egypt
- Mr. Ignazio Francesco *Caramazza*, (Vice Avvocato Generale dello Stato) Italy
- Ms. Wally *Ferrante*, (Member of the Italian Arbitration Association and Avvocatura Generale dello Stato) Italy
- Mr. Jérome *Grand d'Esnon*, (Director of des Affaires Juridiques au Ministère de l'Economie, des Finances et de l'Industrie) France
- Mr. Wassim *Harb* (Professor at the Faculty of Law of the Lebanese University), Lebanon
- Mr. Mohamed *Mattar* (Professor Johns Hopkins University/ Georgetown University Law Center), USA
- Ms. Cinzia *Melillo*, (Avvocatura Generale dello Statu), Italy
- Magistrado Mr. Celso Rodríguez *Padrón* (Secretary General of the Consejo General del Poder Judicial) Spain
- Mr. Luis Gonzaga *Serrano de Toledo* (Abogado del Estado — Jefe del Servicio Jurídico del Estado en Ciudad Real), Spain
- Mr. Alan *Uzelac*, European Commission for the Efficiency of Justice-CEPEJ
Course Schedule and Locations

March 1, 2006, May 4 and May 5, 2006. During the sessions the participants will meet in Rabat engage in dialogue with experts from Egypt, France, Italy and Spain, as well as the European Commission for the Efficiency of Justice (CEPEJ), most of the experts will travel to Morocco and a few will join via videoconference.