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Issue 41

Judge's Web

□ Amid the scandals in the judiciary, stories of inefficiency and corruption, NACIONAL reported on a positive story in the legal system. Apparently, a group of law students under guidance of Fulbright scholar **Dražen Komarica** has started a project that promises to help the judiciary in a very concrete way and put it on the path of modernization.

Called **Judge's Web**, the project is an online network and database designed to serve courts of law throughout the country and make the standard of the legal process more uniform. It should speed up the solving of the accumulated mountain of cases and help communication among judges. The group is helped and supervised by judges and legal experts, most notably by the **ABA/CEELI**, an American NGO involved in helping legal system in countries in transition, established by the American Bar Association.

Komarica volunteered in the courts in Vukovar, Vinkovci, Beli Manastir, Sisak, Glina, Gospić, Knin, and Osijek and researched problems of the Municipal Court in Zagreb. After talking to the judges, he came up with the idea of creating the web. *"The idea of the project is to provide the judges with a quick, high-quality insight into the way of work of other courts and judges, to help them speed up their work. By connecting to our web page, judges from Dubrovnik, Korčula or any other place in Croatia can find all that is necessary for their work in a moment."*

The web will contain information on rulings made by other judges, the appeals, rulings of the Supreme Court and even the European Court for Human Rights. Most laws should also be published on the web, and judges will be able to contact each other and search for solutions jointly.

One of the most important features would be explanation and justification of the rulings. *"If someone decides to pass a significantly different judgment from those which prevail in the practice, that judge will know how to explain the decision better and argument why he has decided for a different opinion for the one prevailing"*, Komarica explained.

Although the Croatian judiciary does not recognize the institution of precedent, knowledge of judiciary practice is still vital. The best example is the large number of cases that are left to "ripen" in the judicial parlance. Those are

the difficult cases that judges are loath to tackle, because they have not encountered similar cases before. They are afraid of issuing a ruling that might be overturned at a higher instance, because it reflects badly on their professional performance record. Having insight into cases of the kind they have not encountered before would help eliminate this practice.

A part of the Judge's Web should be available to the public. It will contain the territorial jurisdiction of courts, working hours, rules of conduct, plan of offices in court buildings, a table of legal fees etc. The group working on the program also wants to introduce standard forms of various pleas. At the moment, there is no uniformity, which makes work harder for the legal administration, not just the plaintiffs.

The initial financing by the ABA/CEELI has now stopped. The team continued to work on the volunteer basis and has received aid for the completion of the project from the Canadian and US Embassies.

"The project is certainly worth more than the cost of its making," said Komarica. *"When all the costs are added up, and parts that were done by volunteers calculated in, the entire project is worth around USD 345,000. Yet, it was made for only 80,000. The participants mostly volunteered, except computer experts, whose services were paid 60 percent under regular rates."*

"The reactions of the judges are very encouraging. They call us from all over Croatia and want to connect to the Judge's Web."

Although the project functions, to implement it fully, the group would need million dollars is needed. This would cover the cost of the complete computerization of courts, technical backup and training. Once the project started, around USD 7,000 per month would be needed for its updating and maintenance. This may seem expensive at first sight, but that is only a fifth of the costs of some current, less effective programs.

One of the most important things is that nothing was spent on foreign consultant firms that are usually included in such projects and charge hefty sums. *"In this case, Croatian youth and brainpower proved to be up to the biggest challenges,"* Komarica said. NACIONAL concludes that the Government should not hesitate to back the project that has arrived "as a gift from heaven, thanks to enthusiasm of handful of students".

Week. 22 -- 28 June 2001

MediaScan and Croatia: The Week in Review reports are produced by the Terna information services company in Zagreb, Croatia
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