



Ref: (draft)

EVALUATION OF JUDGES AND LEGAL OFFICERS

4th Assembly of EULEX Judges, Pejë/Peć, 2 March 2009

1. Every six months judges are evaluated according the evaluation system hereafter. A judge can ask for the evaluation as well if he/she deems it necessary for professional reasons.
2. The evaluation is based upon two sections: a self- evaluation filled in by the judge who is to be evaluated (section B); and an evaluation form to be filled in by the President of the Assembly of the EULEX Judges or the President of the Evaluation Panel, together with the evaluation team described under point 3 below (section C).
3. The evaluation team is composed by a panel of 3 judges. The 3 judges and their 3 substitutes are elected by the Assembly of Judges for 1 year.
4. The President of the Assembly of EULEX-judges will compose and convene the panel for the evaluation (max 3 judges, one of whom can be the President of the Assembly of EULEX Judges who is ex officio member of the panel). Decisions are taken by majority. The oldest judge (by age) presides the panel if the President of the Assembly is not attending.
5. The judge to be evaluated will be heard by the panel if he/she requests so.
6. If the panel reaches a negative evaluation, the judge in question is invited to comment (in writing) on this decision (see section D & Appendix A).
7. The evaluation and all materials concerning the evaluation remain confidential and can only be used for the evaluation discussion by the panel and related procedures.
Only the panel members, the President of the Assembly and the candidate have access to the evaluation file (see below for the evaluation procedure).
8. The same rules apply for the evaluation of the Legal Officers except the composition of the evaluation panel: the panel is composed by 2 legal officers and 1 judge. The legal officers (2 effective +2 substitutes) of the panel are chosen by an assembly of the legal officers by a secret ballot. The judge, who will preside the evaluation panel, is chosen by the President of the Assembly of the EULEX Judges from the evaluation team under point 3 above. The President of the Assembly of the EULEX Judges is ex officio member of the evaluation panel and in the case she/he participates in the evaluation of the legal officers, the assigned judge is automatically replaced.

Procedure for the evaluation:

The self-evaluation is given through the following marks:

5 = Unusual contribution: truly exceptional and rare performance which far exceeds reasonable expectations, inclusive of creativity, originality and initiative;

4 = Exceeds expectations: distinctly better performance than is reasonably expected, inclusive of consistent willingness to undertake additional work;

3 = Fully satisfactory: competent and adept performance that fully meets reasonable expectations;

2 = Partly satisfactory: performance meets some or even most requirements but is in need of improvement;

1 = Unsatisfactory: performance does not meet reasonable requirements;

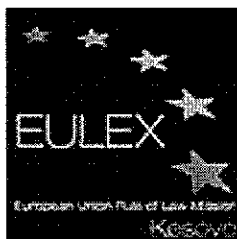
Please, in ranking your staff member's performance, refer to the relevant group. Please bear in mind that a 3 rating is fully acceptable performance.

Evaluation from the evaluation team:

The staff member is evaluated by the evaluation team after collegial discussion. The evaluation is given to the overall performance of the staff member and not section by section. The evaluation team acts according its professional standards and experience which have to be inspired by impartiality and integrity of appraisal, on a peer to peer basis. The majority has to agree on the following parameters from best to worst in reference to the relevant staff member:

- 5) _____ (unusual contribution);
- 4) _____ (exceeds expectations);
- 3) _____ (fully satisfactory);
- 2) _____ (partly satisfactory);
- 1) _____ (unsatisfactory).

Comments are appreciated but are optional except when the staff-member's performance was ranked below (3) or below (2).



EVALUATION FORM

FOR EULEX JUDGES AND LEGAL OFFICERS FOR JUDGES

(6 month period)

This Evaluation Form consists of four Sections (A-D) and an Appendix (A).

Please fill out Sections A and B. Keep Your answers as brief as possible. Send signed Sections A and B (hardcopy) in closed envelope to the Office of the President of the EULEX Judges. Mark on the left corner "Evaluation Judges/Legal Officers" and Your name. After the Evaluation Panel has completed Section C You will be asked to fill Section D. If You do not agree with the evaluation made by the Evaluation Panel, You have a right to give Your comments by using Appendix A.

This evaluation can be additionally asked to be carried out when You are leaving the mission or upon request.

All the answers You give and the evaluation itself are confidential and only the actual members of the Evaluation Panel and You will have access to this file.

Section A - Basic information

Surname:	
Forename(s):	
EULEX ID#:	
Position:	
Type of court:	
Region:	
Contracted/seconded:	
Evaluation period from – to:	Evaluation nr/year:

Job description (not mandatory):

Section B - Self evaluation

Please answer the following questions:

1. Can You give an overview of the cases You handled during the evaluation period (amount and type of cases etc.)?

2. Can You give an overview of the MMA activities You participated during the evaluation period?

3. What is Your opinion on Your workload? Is the workload equally divided?

4. Do You think the working conditions are satisfactory and the material support is sufficient?

5. Is Your independence during Your functioning respected? If not, can You give some examples.

6. Are there problems or difficulties You would like to comment on?

7. Are there any improvements to make in Your functioning and if, how/with what means?

8. What are the extra-judicial activities You have participated during evaluation period (conferences, permanent education, training etc.)?

9. Please evaluate Yourself (A – excellent, B – good, C – average, D – poor) on the following criteria:

Person Panel

9.1. Judicial knowledge		
9.2. Knowledge of English		
9.3. Cultural awareness		
9.4. Decision-making		

9.5. Team-work/-spirit		
9.6. Communication skills		
9.7. Commitment		
9.8. Permanent education – training		
(9.9. Other/optional)		
(9.10. Other/optional)		

Place and date: (P & D)	Signature: (Print name)
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Section C - Evaluation by the Evaluation Panel

Evaluation:

1. Agreed with self evaluation []
2. Other evaluation (identify point(s) from chapter B, e.g. 9.6.):

Place and date:

Signatures:

(Print name)

(Print name)

(Print name)

President of the Panel

Member of the Panel

Member of the Panel

Section D – Signature

Do You agree with the evaluation made by the Evaluation Panel? If not, You have a right to give comments concerning evaluation by using Appendix A. Please tick appropriate box:

I agree with the evaluation made by the Evaluation Panel []

I do NOT agree with the evaluation made by the Evaluation Panel []

Place and date:

(P & D)

Signature:

(Print name)

Appendix A to Evaluation Form for EULEX Judges and Legal Officers

Name:	Evaluation nr/year:
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Comments on 6 month evaluation made by the Evaluation Panel. Please identify point(s) if possible.
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Place and date: (P & D)	Signature: (Print name)
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These comments will be attached to the original Evaluation Form and also will be kept in Your file.