
THE NEW ORGANIZATION OF THE JUDICIARY SYSTEM IN ALBANIA

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Albanian Minister of Justice is demanding a reorganization of the judiciary system in the country. He proposes the creation of 12 courts of first instance in the court districts to coincide with the territory of the district.

This means that there will be one court of first instance for each of the main city in the 12 prefectures that Albania has.

On the other hand, he says, in every municipality and in every place where there are courts that currently function, court services will be offered like they are offered today.

Thus, the center of the court of first instance is concentrated, but its the judge who goes where the court users live and not the opposite.

To illustrate it, Mr. Manjani gives this example: Lawsuits which are filed by people living in the municipality of Kavaja will be offered services at the present building of the court, but the judge will be appointed through a draw by the Court of First Instance which will have its center in Tirana.

Mr. Manjani says that the aim for this service to be offered by the court in every municipality within the district where the court exerts its territorial jurisdiction.

The minister has another proposal. He says that the six court of appeals that currently exist in Albania, must be reduced to four.

By creating a court of appeal which will cover the northern region based in Shkoder, another court of appeal that will cover Central Albania based in Tirana, a court in Fier which will cover the South and Southwest and a court in Korca which will cover the Southeast, Mr. Manjani argues.

According to him, if courts are organized this way, then courts will be more efficient as the growth of the number of judges increases the number completed cases per judge and a better management of the process of electronic draw of the distribution of the cases in the seat of the court.

Mr. Manjani says that a high number of judges per county court, avoids potential conflicts of interest between the parties and the court. It also reduces to a maximum the procedures of the delegation of a case to other judges upon the decision of KLD (Supreme Council of Justice), by cutting this way the length of the trials.

Mr. Manjani also says that these changes aim at achieving the best possible formula of courts that will serve in all of the territory, as soon as the reform in the judiciary system is completed.

Law experts believe that the judiciary system in Albania needs a complete reorganization based on the standards of every European country. They say that there's an urgent need for courts to turn into centers of efficient service to their users.

Some think that in order to have an efficient court, the latter may have 40 to 100 judges in areas where the density of population is high, such as it is the case of the Court of Tirana.

For more than 25 years, the judiciary system has been the biggest social wound in Albania. Many people face very long trials causing numerous problems for the Albanian society. The judiciary reform and the latest proposals given by Manjani are seen as the best way out of this unacceptable situation.

By Edison Kurani

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