

EDITORIAL

The court system mapping, impact to the justice reform

Prof. Asoc. Dr. Juelda LAMÇE

EDITOR-IN-CHIEF

The comprehensive process of reorganizing and reforming the judiciary as part of a deep reform of the justice system in Albania, culminated with the constitutional and legal amendments in 2016, aiming at reorganizing and fostering the newly established as well as existing justice institutions in order to increase public confidence in the justice system. The proposal for a new judicial map by the High Judicial Council and Ministry of Justice is part of such ongoing reforming efforts. The newly organized map is expected amongst others to lead to the closure of several first instance general jurisdiction courts, administrative first instance courts and appeal courts.

The proposal is inspired amongst others, by the impact of the vetting procedure in the number of available serving magistrates versus their increased workload as well as their distribution in the existing courts in the country, aiming at facilitating their efforts in issuing justice. The proposal has led to many reactions by several shareholders in the justice system, as well as by the public as relates to the expected impact in terms of qualitative justice, efficiency, equality of access to justice, of the reformed judicial map.

On one hand the National Chamber of Advocates contests the newly designed map by having many of its members boycott the court hearings, as the new judicial map appears to violate and severely limit the right to access to justice, as well as the accomplishment of the right to defense in criminal, civil and administrative proceedings of all levels. So far, the proposals by the managing bodies of the Central and local Chamber/s were not taken into consideration during the nationally held meetings and discussions.

Under the lawyers' perspective the newly proposed judicial map would deteriorate their situation given that their service would concentrate in certain urban centers. Whereas the National Association of Judges of the Republic of Albania appears

to support the draft. In the opinion of the associations' representatives, the new proposal is expected to better the standards of issuing justice in the country, by satisfactorily meeting the need of the citizens for qualitative justice and in equal time for all.

Last but not the least, what appears of relevance is the impact of such proposal for the main stakeholders and beneficiaries of such reform and new expected reality, namely the citizens, in terms of their reduced or rather increased access to justice.

For certain the new proposal will ask for extensive research and contributes to further explore and analyze the upcoming challenges for meeting the right balance between the fundamental rights of the stakeholders and the proposed solutions by the newly established justice bodies for a better qualitative, efficient, but most importantly accessible-to-all justice.

