



Improvement of the Enforcement system in the Republic of Croatia

Contract Number: 2010-01-23-010101 Twinning Number: HR/10/IB/JH/04



IPA 2010 program Europske unije za Hrvatsku / The European Union's IPA 2010 Programme for Croatia

**Poboljšanje sustava ovrhe
u Republici Hrvatskoj**

**Improvement of the Enforcement system
in the Republic of Croatia**



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THE EUROPEAN UNION'S 2010 PROGRAMME

Twining Ref. Number HR/10/IB/JH/04

Consortium: Spanish Ministry of Justice/Hungarian Ministry of Justice/Croatian Ministry of Justice/FIIAPP

MISSION REPORT

“Improvement of the Enforcement system in the Republic of Croatia”

Activity 1.3.1 Conducting training needs analysis (TNA) for stakeholders of the enforcement system taking into consideration the jurisdiction and scope of work of each stakeholder and preparing TNA report.

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GLOSSARY

For the purposes of this report, the following terms should be understood as follows:

Bailiff: Croatian enforcement agent authorised by the state to carry out the enforcement process according to Recommendation Rec (2003) 17 of the Committee of Ministers to member states on enforcement.

Sudski ovršitelj: ovršni agent u Hrvatskoj ovlašten od strane države za provođenje ovršnog postupka prema *Preporuci Odbora ministara državama članicama Rec (2003) 17 o ovrši*.

Enforcement: putting court decisions into effect and also other judicial or non-judicial enforceable titles in compliance with the law which compels the defendant to do, to refrain from doing or to pay what has been adjudged (source: Recommendation Rec(2003) 17 of the Committee of Ministers to member states on enforcement).

Ovrha: stupanje na snagu sudske odluke, ali i drugih sudskih ili izvansudskih izvršnih rješenja sukladno odredbama zakona koje obvezuje tuženika da čini, da se uzdrži od činjenja ili da plati sukladno onome što je presuđeno (izvor: *Preporuka Odbora ministara državama članicama Rec (2003) 17 o ovrši*).

Enforcement agent: Professional institution or body in charge of enforcement.

Ovršni agent: profesionalna ustanova ili tijelo zaduženo za ovrhu.

Claimant: A party seeking enforcement. In civil cases, the claimant is usually a creditor, but the two terms are not synonymous as the claimant may equally well seek the enforcement of an "obligation to do" or "to refrain from doing".

Tužitelj, podnosilac tužbe: strana koja zahtjeva provođenje ovrhe. U građanskim predmetima, tužitelj je obično vjerovnik, ali ta dva pojma nisu sinonimi budući da tužitelj može isto tako tražiti izvršenje „obveze činjenja" ili „uzdržavanja od činjenja".

Clarity of enforcement fees: Enforcement fees should be set out simply, clearly and concisely. Clarity of enforcement fees is an indicator of the transparency of enforcement costs.

Jasnoća ovršnih naknada: ovršna naknada treba biti navedena na jednostavan, jasan i sažet način. Jasnoća ovršnih naknada je pokazatelj transparentnosti ovršnih troškova.

Control of activities: Control of activities means control of the lawfulness of the actions carried out by the enforcement agents. It may be carried out *a priori* (before the enforcement agents act) or *a posteriori* (after the enforcement agent acts) by a 'disciplinary' authority. (See supervision of activities)

Kontrola aktivnosti: kontrola aktivnosti podrazumijeva kontrolu zakonitosti akcija koje provode ovršni agenti. Može je provoditi „disciplinsko" tijelo (vidi: Nadzor aktivnosti) *a priori* (prije djelovanja ovršnog agenta) ili *a posteriori* (nakon djelovanja ovršnog agenta).

Defendant: A party against whom enforcement is sought. In civil cases, the defendant is usually a debtor, but for the Recommendation Rec (2003) 17 of the Committee of Ministers to member states on enforcement the two terms are not synonymous (see Claimant).

Tuženik: stranka protiv koje se zahtjeva provođenje ovrhe. U građanskim predmetima, tuženik je obično dužnik, ali prema *Preporuci Odbora ministara zemljama članicama Rec (2003) 17 o ovrši* ta dva pojma nisu sinonimi (vidi: Tužitelj, podnosilac tužbe).

Enforced case: In order to be enforced, the case must have been the subject of an action that has fully satisfied the claimant.

Ovršeni predmet/spis: kako bi se predmet/spis ovršio, mora biti predmetom akcije koja je u potpunosti zadovoljila tužitelja.



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Enforcement costs: Enforcement costs consist of the enforcement expenses (= enforcement fees) and any performance bonus (= performance fees) paid by the claimant to the private enforcement agent in the form of fees (See enforcement fees and performance fees).

Troškovi ovrhe: troškovi ovrhe se sastoje od izdataka za ovrhu (= pristojba za provedbu ovrhe) i dodataka za izvršenje (= pristojba za izvršenje) koje tužitelj plaća privatnom ovršnom agentu u obliku pristojbe (vidi: Pristojba za provedbu ovrhe i Pristojbe za izvršenje).

Enforcement Fees: The expenses of the process itself, in other words, the total of the amounts for each action undertaken by the enforcement agent in the course of a single case (see Enforcement costs).

Pristojba za provedbu ovrhe: troškovi samog procesa, odnosno, zbroj pojedinačnih iznosa za sve radnje koje poduzima ovršni agent u okviru jednog predmeta (vidi: Troškovi ovrhe).

Enforcement services: All the professions or entities performing the task of enforcement.

Službe nadležne za ovrhu: sve profesije ili osobe koje vrše ovrhu.

Enforcement timeframe: In theory, the period of action or waiting between the beginning and the completion of the enforcement process. In practice, it is the sum of the periods necessary for the completion of all the actions carried out by the enforcement agent.

Rok za provedbu ovrhe: teoretski, razdoblje djelovanja ili čekanja između početka i završetka ovršnog postupka. U praksi, to je zbroj perioda potrebnih za dovršenje svih radnji koje provodi ovršni agent.

Enforcement Procedure: Execution proceeding of involuntary collection and securing of a debtor's property ordered by a Court or other Public body (notaries) at request of a claimant against a defendant.

Ovršni postupak: izvršni postupak prisilne naplate i osiguranja dužnikove imovine po nalogu suda ili drugog javnog tijela (javni bilježnici) na zahtjev tužitelja protiv tuženika.

FINA: Financial Agency (FINA <http://www.fina.hr/>) is a Croatian company with national-wide coverage in the field of financial mediation and the application of information technologies which meet the Courts requirements in relation to assets investigation during the enforcement proceedings.

FINA: Financijska agencija (FINA <http://www.fina.hr/>) je hrvatska tvrtka sa širokom nacionalnom pokrivenošću na području financijskog posredovanja i primjene informatičke tehnologije koja zadovoljava zahtjeve sudova u svezi sa istragom imovine tijekom ovršnog postupka.

Flexibility of enforcement: The nature of a system of an enforcement procedural regulation that allows an effective and transparent procedure minimizing cumbersome steps and delays while ensuring the rights of the parties. Flexibility of enforcement is related to the autonomy of the enforcement.

Fleksibilnost ovrhe: priroda sustava ovršnih postupovnih propisa, koja omogućuje učinkovitu i transparentnu proceduru umanjujući nezgrapne korake i kašnjenje uz poštivanje prava stranaka. Fleksibilnost ovrhe je povezana s neovisnošću ovrhe.

Foreseeable time limits: In theory, the time within which the user is informed that the enforcement process should be completed. In practice, this time is often limited to the time necessary for the completion of the next enforcement measure.

Predviđen rok: u teoriji, rok u kojem je korisnik obaviješten da bi ovršni postupak trebao biti dovršen. U praksi, ovo vrijeme je često ograničeno na vrijeme potrebno za dovršenje sljedeće ovršne mjere.

Performance fees: The sum payable by the claimant to the enforcement agent in the event of satisfaction. Under the legislation of different countries fees may be negotiated, set in advance or prohibited (See Enforcement costs).

Pristojba za izvršenje: iznos koji tužitelj plaća ovršnom agentu u slučaju zadovoljenja. Prema propisima različitih zemalja o pristojbama se može pregovarati, mogu se unaprijed definirati ili zabraniti (vidi: Troškovi ovrhe).

Predictability of enforcement costs: In theory, expenses of which the user is informed by the enforcement agent, usually corresponding to the expenses of the whole enforcement process. In practice, predictability is often limited



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to the expense necessary for the completion of the next enforcement measure. Predictability of expenses should not be confused with transparency (q.v.).

Predvidljivost troškova ovrhe: u teoriji, izdaci o kojima je korisnik obaviješten od strane ovršnog agenta, obično odgovara izdacima za cijeli ovršni postupak. U praksi, predvidljivost je često ograničena na izdatak potreban za završetak sljedeće ovršne mjere. Predvidljivost troškova ne treba miješati s transparentnošću (ranije navedeno).

Quality (norms of or standards of): Quantitative or qualitative criteria making it possible to identify and/or supervise compliance with the minimum requirement of satisfactory enforcement.

Kvaliteta (norme ili standardi): kvantitativni ili kvalitativni kriteriji koji omogućuju identificiranje i/ili nadzor poštivanja minimuma zahtjeva za zadovoljavajuću ovrhu.

Relevance of taking action: Relevance of taking action is the assessment of the appropriateness of starting an enforcement process. It is assessed differently by the claimant and the enforcement agent. It is an indicator of the predictability of enforcement costs (q.v.).

Relevantnost poduzimanja akcije: relevantnost poduzimanja akcije je procjena primjerenosti pokretanja ovršnog postupka. Ona je različito ocijenjena od strane tužitelja i od strane ovršnog agenta. To je pokazatelj predvidljivosti troškova ovrhe (ranije navedeno).

Stakeholders: persons indirectly involved in the enforcement procedure.

Zainteresirane strane, dionici: osobe koje su posredno uključene u ovršni postupak.

Smooth enforcement: Enforcement within a reasonable time with no administrative obstacles or unjustified periods of inactivity; this concept is based not only on the promptness of performance of actions, but also on promptness between the various actions. Flexibility of action (q.v.) is therefore a factor in smooth enforcement.

Glatka ovrha: ovrha u razumnom vremenskom roku, bez administrativnih prepreka ili razdoblja neopravdane neaktivnosti; ovaj koncept se ne temelji samo na ažurnosti obavljanja radnji, nego i na ažurnosti između različitih akcija. Fleksibilnost akcije (ranije navedeno) se stoga smatra čimbenikom glatke ovrhe.

Supervision of activities: Supervision of activities means the process whereby an authority makes observations to the enforcement agent on his or her working methods (scheduling problems, lack of courtesy, etc.); it is a sort of simplified control that does not involve actual examination of a complaint, but the aim of which is to guarantee fair administration of justice (see Control of activities).

Nadzor nad aktivnostima: nadzor nad aktivnostima označava proces kojim tijelo iznosi opažanje ovršnog agenta o njegovim ili njenim metodama rada (problem rasporeda, nedostatak pristojnosti, itd.); to je vrsta pojednostavljene kontrole koja ne uključuje stvarno razmatranje pritužbe, ali ima za cilj da jamči za poštenu provedbu zakona (vidi: Kontrola aktivnosti).

Third party: Neither claimant, nor defendant in the procedure.

Treća strana: strana koja nije ni tužitelj, ni tuženik u postupku.

Transparency of enforcement costs: Information about enforcement costs should be easily accessible. Transparency is an indicator of the relevance of taking action and should not be confused with predictability.

Transparentnost troškova ovrhe: informacije o troškovima ovrhe trebale bi biti lako dostupne. Transparentnost je pokazatelj relevantnosti poduzimanja akcije i ne treba ga miješati s predvidljivošću.



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ABBREVIATIONS

ADR	Alternative Dispute Resolution
BC	Beneficiary Country
CEPEJ	European Commission for the efficiency of justice
CETS	Council of Europe Treaty Series
CNB	Croatian National Bank
CoE	Council of Europe
EC	European Commission
ECHR	European Convention of Human Rights
ECtHR	European Court of Human Rights
EJNCC	European Judicial Network in Civil and Commercial Matters
EU	European Union
FIIAPP	International Foundation of Administration and Public Policies
FINA	Croatian Financial Agency
HCCH	Hague Conference on Private International Law
IT	Information Technology
LexNET	Spanish System for Telematics Notifications
MG	Mission Group of Experts
MS	Member State
MoJ	Ministry of Justice
MoF	Ministry of Finance
PNJ	Spanish Neutral Judicial Point
Rec (2003) 17	Recommendation Rec (2003) 17 of the Committee of Ministers to member states on enforcement
RTA	Resident Twinning Adviser
STE	Short Term Expert
ToR	Terms of Reference



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1. INTRODUCTION

The main objective of this activity is to conduct training needs analysis (TNA) related to the employees of institutions involved in the enforcement system.

To develop a more efficient and effective Croatian enforcement the existing training system should be strengthened with respect to its legal and institutional setup, management, operational, organisational and human resources. But taking into consideration all the employees of institutions involved in the enforcement system not just a training programme for judges is needed, but also a training for members of FINA, bailiffs, notaries, etc.

Stakeholders of the overall enforcement system (representatives of Municipal Court, lawyers, notaries, members of FINA) should be involved in the training programme. It is necessary to develop a self-sustainable training system for judges, prosecutors and other judicial and auxiliary court staff in Croatia (such as court advisors or bailiffs), including programme design, curricula development and formulating needs for training infrastructure.

According to the CEPEJ (Recommendation Rec (2003) 17 of the Committee of Ministers to member states on enforcement) enforcement agents should undergo initial and on-going training according to clearly defined and well-structured aims and objectives.

Previous report from activity 1.2.1 “Conducting training needs analysis (TNA) on enforcement monitoring system for the employees of institutions involved in monitoring of enforcement and preparing TNA report” has been taken into consideration, as it was similar to 1.3.1.

In this activity, the training needs analysis is not for monitoring but for the stakeholders in the enforcement system, but the questionnaire, the study of the training needs in the Republic of Croatia, the training plan, etc. is almost the same. That is the reason why some parts of the previous report are repeated in this one.



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2. EXECUTIVE SUMMARY

DEBRIEFING REPORT EXECUTIVE SUMMARY	
Experts	Ms María José Cañizares Castellanos Ms Vanessa Untiedt Lecuona
Mission	Activity 1.3.1. Conducting training needs analysis (TNA) for stakeholders of the enforcement system taking into consideration their jurisdiction and scope of work and preparing TNA report.
Dates	11 to 15 March, 2015
Places	Zagreb
Objectives	<p>In the framework of this project on “Improvement of the Enforcement system in the Republic of Croatia”, the main objective of this mission is to conduct training needs analysis (TNA) for stakeholders of the enforcement system taking into consideration the jurisdiction and scope of work of each stakeholder and preparing TNA report. Stakeholders of the overall enforcement system are: representatives from Municipal courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA.</p> <p>As specific objectives, this activity pursues:</p> <ol style="list-style-type: none"> 1. To determine the simple size of the training need analysis. 2. To draft a questionnaire addressed to the employees of the Municipal courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA taking into consideration the jurisdiction and scope of work. The Twinning Office will disseminate this questionnaire as soon as it is provided to ensure it reaches the higher number of employees. 3. To hold meetings with representatives of the institutions abovementioned and work in close cooperation with the beneficiaries of the training. 4. To deliver final report on training needs analysis. This report will be the base to prepare training programme and training materials under activity 1.3.2.



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<p>Methodology</p>	<p>The Group of experts has implemented a general methodology based on the following steps:</p> <ol style="list-style-type: none"> i. Designing and drawing up a perception questionnaire. Questionnaire made in activity 1.2.1 has been taken into consideration; ii. Distribution of the questionnaire among employees of Municipal courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA (by RTA); iii. Study and processing of information obtained from the replies to the questionnaires; iv. Use of interviews as an information collection tool supplementary to the questionnaire; Interviews made in activity 1.1.1 and 1.2.1 have been taken into consideration as well as round tables from activity 2.1.3; v. Information cross-checking (interviews and replies to questionnaires); <p>The Mission Group of experts (MG) has followed a double methodology bearing in mind training needs analysis in order to identify what should be the content of the training, who, when, how and why should be trained:</p> <ul style="list-style-type: none"> ■ Qualitative approach, processing and analysing the information provided by questionnaires and interviews. ■ Functional approach concerning to the practices, organization and role of stakeholders involved in enforcement; the current situation and the challenges they face; indicators of change in the legal system (the actual gaps in enforcement legal framework due the last amendments).
<p>Outcomes</p>	<p>The MG has accomplished all the results required by the Terms of Reference for short-term experts:</p> <ol style="list-style-type: none"> 1. Questionnaire delivered by 11th of May to be distributed among employees involved in enforcement system in order to determinate what kind of training was conducted in the past, to analyse the actual gaps in education and to establish priority in training and education. 2. Final TNA report made with training objectives, relevant aspects of the organization to be considered in preparing the plan, methodology, results and outcome indicators. 3. Mission report delivered with findings and proposals.
<p>Main</p>	<p> Problems:</p>



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findings

- ↷ Continuous amendments to the Enforcement Act that result in the need of supplementary training of enforcement agents, focusing on the last legal amendments.
- ↷ Complexity of the enforcement procedures. Different interpretation given to the law by different stakeholders.
- ↷ Lack of coordination between different stakeholders. There should be a common strategic plan in order to improve efficiency and effectiveness of the enforcement system.
- ↷ No compulsory training to enforcement agents.
- ↷ Lack of awareness of training. Institutions involved in enforcement do not perceive the existence of a comprehensive global enforcement's training plan, clearly defined and well structured, as an important tool to improve effectiveness and efficiency of enforcement system.

✚ Training needs:

- ↷ **Target group:** the TW contract mentions the following institutions involved in enforcement - Municipal Court, Public Notaries, FINA, Bar Association, Ministry of Justice and Ministry of Finance; the MG has found that Ministry of Justice and Ministry of Finance are only involved in the monitoring of enforcement and not in the enforcement itself. So, with regard to the training needs analysed under the activity 1.2.1, MG believes that the efforts shall be focused on the following target groups:
 - ↷ Municipal Court - judges, court advisors, bailiffs.
 - ↷ Public Notaries
 - ↷ FINA
 - ↷ Bar association
- ↷ **Topics:**
 - ↷ Legal framework of enforcement. Recent legislative amendments relating to civil enforcement: Enforcement Act, Act on Enforcement over monetary assets.
 - ↷ International enforceable titles. EU regulation.
 - ↷ Ethical principles in enforcement.
 - ↷ E-enforcement, the future of enforcement:
 - Electronic auctions;
 - Overview of applications for electronic service of documents; on line access to judicial bank accounts and electronic access to the multiple-source



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	information on debtor's property.
Proposals	<p>The proposals have been focused on the training programme:</p> <ul style="list-style-type: none"> ✚ Target group: <ul style="list-style-type: none"> ↪ Municipal Court - Judges, court advisors, bailiffs ↪ Public Notaries ↪ FINA ↪ Bar association. ✚ Topics: <ul style="list-style-type: none"> • Common topics: <ul style="list-style-type: none"> ↪ European standards in enforcement ↪ Ethical principles in enforcement ↪ Amendments related to the Enforcement Act ↪ E-enforcement • Specifics topics. ✚ Content of activities: <ul style="list-style-type: none"> ↪ Update training ↪ Programmes related to improving managerial of technical skills ↪ Initial trainings ↪ Specific topics for continuous training. ✚ Selection of participants: <ul style="list-style-type: none"> ↪ Equal access to training activities. ✚ Materials: <ul style="list-style-type: none"> ↪ Disseminating the training material <ul style="list-style-type: none"> ○ By email ○ Publishing on the intranet. ✚ Format: <ul style="list-style-type: none"> ↪ To promote the interaction between the trainer and participants. ✚ Trainers: <ul style="list-style-type: none"> ↪ To receive a training course for trainers. ✚ Evaluation: <ul style="list-style-type: none"> ↪ For participants ↪ For trainers. ✚ Certification:



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	<ul style="list-style-type: none"> ↻ For participants who successfully completed the course. ✚ Sustainability: <ul style="list-style-type: none"> ↻ An active role of the BC in the implementation of the training activities is a must.
Annexes	<ol style="list-style-type: none"> 1. Questionnaire 2. TNA report

3. TRAINING NEEDS ANALYSIS (TNA) FOR STAKEHOLDERS OF THE ENFORCEMENT SYSTEM, TAKING INTO CONSIDERATION THE JURISDICTION AND SCOPE OF WORK OF EACH STAKEHOLDER.

3.1. ANTECEDENTS

3.1.1 ENFORCEMENT SITUATION IN CROATIA: LEGISLATIVE SITUATION. ENFORCEMENT STAKEHOLDERS.

Training needs analysis (TNA) for stakeholders of the enforcement system in the Republic of Croatia, taking into consideration the jurisdiction and scope of work of each stakeholder requires the analysis of the current situation in the enforcement system.

This analysis should consider the enforcement institutions and the stakeholders involved in the enforcement system.

Stakeholders of the overall enforcement system under requirements of ToR are: representatives from Municipal Courts, Ministry of justice, Ministry of Finance, Bar association, Chamber of public Notaries, Ministry of the Interior and FINA.

3.1.2. ENFORCEMENT SITUATION IN CROATIA: LEGISLATIVE SITUATION. ENFORCEMENT BODIES.

Several changes have been made since 1996, when the Enforcement Act was adopted. One of the most relevant, in 2005, gathered a significant set of novelties and new institutes, as well as the consideration of public notaries as new procedural body. Since 2005, public notaries have been included in the enforcement system as a competent authority for determining enforcement on the basis of the authentic instrument (bills, public documents and excerpts from business books).



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The necessity for further improvements for the enforcement system led to the adoption of a new Enforcement Act on 21 September 2012 (“Official Gazette”, 112/2012, last modification in 2014).

This Act regulates the procedure in which courts and public notaries run involuntary collection of claims on the basis of enforcement-title-documents and trustworthy documents (enforcement procedure). In addition, it also regulates the procedure aimed for courts and public notaries to conduct the securing of claims (security procedure), unless otherwise provided by a special law.

The new Enforcement Act focuses on strengthening of the extrajudicial enforcement by including an item on direct collection of claims over debtor monetary assets through the Financial Agency (FINA). It is based on enforcement titles stipulated by law (enforcement titles, settlements concluded before a court and an administrative body, with certain obligation or fulfilment of a pecuniary obligation confirmed by certificate of enforceability, etc.).

In accordance with the provisions of the Enforcement Act, amendments to the Act on Enforcement over Monetary Assets (“Official Gazette”, 91/2010, 112/2012) were enacted, extending the titles for payments according to the enforcement titles as defined at the Enforcement Act, based on which direct collection may be performed by FINA.

The new system focuses enforcement on municipal courts. Municipal courts are responsible (only) for non-monetary enforcement, while FINA enforces directly and exclusively the monetary titles. Pursuing the Enforcement Act and Act of Enforcement over Monetary Assets, FINA has to enforce monetary assets, not only from judicial decisions or judgments but also from cases of non-judicial enforcement titles. More than 75% of the enforcement cases are handled by FINA, with about 800 employees involved.

A decreasing number of enforcement cases to be handled by the courts and an improvement of the clearance rate are already noticeable. Of course further efforts are necessary in order to reduce the case-backlog at municipal courts and to ensure reasonable length of judicial proceedings. Enforcement tasks under responsibility of Bailiffs (*sudski ovršitelj*) and FINA are not comparable. The monetary assets investigation and attach of cash from the debtor’s account implies a less complex activity than the enforcement on immovable or movable assets (attaching, appraising, seizing, dispatching, entrusting and auction). Due to the complexity of the enforcement procedures, legal provisions and court practices, the rate of pendency of movable and real state represents an extremely high percentage in comparison of monetary claims.

Main recommendations for improving the effectiveness and efficiency of enforcement have already been suggested in other TW project activities:

- **Activity 1.1.1**



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Training for legal players: the MG has evidenced the need for supplementary institutional strengthening of judges, bailiffs, notaries and other legal practitioners potentially involved in enforcement tasks. Training activities should be implemented in the fields of enforcement of domestic and international enforceable titles, EU regulations and standards of quality.

- **Activity 2.1.3**

Since the law is amended so often, there is some legal uncertainty and possible lack of uniformity of court practices. There is a need of more specialized training for all stakeholders and practitioners. The need of improving the training of the court bailiffs was pointed out.

3.2. NEEDS RESEARCH

3.2.1. SOURCES OF THE REPORT

- a) Meetings with representatives from High Commercial Court, Ministry of Justice, Judicial Academy and bailiffs.
- b) Questionnaire distributed to the employees from Municipal Courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA, in order to identify the topics that should be covered in development of training strategies. Not many answers were received to the questionnaires, distributed by the RTA, so MG has used answers from activity 1.2.1, received a month ago, related to monitoring training needs.
- c) Draft of the continuous training program for judges and prosecutors, 2013.
- d) Report on the activities 1.1.1, 1.1.3, 1.2.1 and 2.1.3 of Twinning IPA 2010 – HR/10/IB/JH/04

According to the ToR drafted by the RTA, a questionnaire was delivered and distributed among employees and representatives of Municipal Courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the interior and FINA, in order to learn what kind of trainings were conducted in the past, analyse the actual gaps in education, and establish priorities in training and education. Some answers to the previous questionnaire delivered under activity 1.2.1 have been taken into account.

3.2.2. QUESTIONNAIRES

- **Structure.**

The questionnaire is structured in six blocks of questions with a total of 22 points. They are preceded by one general statistical data block with the objective of obtaining information



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about age, professional body, legal field, and seniority in the job, tasks, and educational background of the stakeholders.

The first set of questions under the epigraph “*general overview of training*” is aiming to reach key information regarding the overall training provided to improve efficiency and effectiveness of the enforcement system with the purpose of standardizing the proceedings, eliminating the irregularities and preventing backlogs.

Second, third, fourth and fifth block of questions under the heading “*quantity of training*”, “*quality of training*”, “*selection*” and “*training curriculum*”, respectively, were drafted to determine what type of training has been conducted up to now in terms of number and frequency of education activities, quality (assessments criteria, training curriculum periodically reviewed and publicly accessible, training materials, selection criteria to participate and to provide education) and knowing the participants’ perception about the sufficiency of the training received or provided.

The last block of questions, called “*overall assessment*”, pursues to rate the current training system and the need for its increase, according to the knowledge and practical experience of the participants. The block concludes with a comprehensive evaluation of key improvement measures.

- **Methodology**

According to the ToR, the targeted groups were the employees of institutions stated in the contract as involved in the enforcement system: representatives of the municipal courts, Ministry of Justice, Ministry of Finance, Bar association, Chamber of Public Notaries, FINA.

- **Results of the survey**

Since the different target groups are heterogeneous, the mission group considers that it is not convenient to merge the results of these different groups, because each of them has specific characteristics and requirements for their training.

Despite the broad distribution of the questionnaire, only a few answers were received and have been analysed by the MG:

- ✓ Municipal court - judges (1) and bailiffs (7)
- ✓ Court advisors (0)
- ✓ Bar association (1)
- ✓ Ministry of Finance (5)
- ✓ Ministry of Justice (5)
- ✓ FINA (9)

A) MUNICIPAL COURT RESPONSES



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The questionnaire was sent to the Municipal court, and only 7 bailiffs and 1 judge answered.

➤ **Judges**

Only the President of Enforcement Department, Ms. Ana Lovrinov, answered the questionnaire. Unfortunately, it was not possible to meet with her during the activity 1.3.1 due to her agenda, however, the same MG had the opportunity to interview her in activity 1.1.1 so, her replies to the questionnaire and the previous interview has been analysed.

Answer to questionnaire: her current position requires specific training in enforcement (legal framework of enforcement, managerial skills, International enforcement of court decisions and Disciplinary system).

There is a lack of training related to improving efficiency and effectiveness of the enforcement system. She received more than three training activities in the last three years, but she considers very insufficient the training received.

Regarding the quality of training, some evaluation questionnaires and the training activities have been defined according to the training curricula, periodically reviewed and publicly accessible.

The trainers were judges or state attorneys. She received material before and during the activity. Certificates accredit the training activities and the selection criteria to participate are public, transparent and equal.

She knew about training activities by mail, forum and Internet.

She would like to have training in legal framework of enforcement and international enforcement of court decisions.

. A workshop is convenient training format.

She thinks that training activities, specially designed for the enforcement system, will be useful for her, because every discussion on any topic and exchange of opinions may contribute to expanding of knowledge. She considers the current training program in enforcement inefficient and she thinks it can be improved. In her opinion, increasing the number of training activities is a useful tool to strength institutional and administrative capacities of stakeholders of the enforcement system.

From her point of view the key measures to be taken to improve training to the employees of institution involved in enforcement in the Republic of Croatia is the creation of specialised training courses in enforcement, to improve the coordination between institutions involved in enforcement and to increase training of judges and others responsible for execution.



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➤ **Court advisors**

No questionnaires were returned and it was not possible to arrange interviews. MG considers that the lack of answers could reveal a lack of awareness of importance of training to improve the effectiveness of enforcement system.

➤ **Bailiffs**

Seven questionnaires were returned from a total of 57 bailiffs.

Ages: 28.5% between 30-40 years old, 28.5% between 50-60 years old and 42.8% are 40-50 years old.

Studies: all of them have a secondary/high school diploma.

Work position: 100% work in Municipal court. 57,14% from five to fifteen years, 28,5% more than fifteen years and 14,2% one years or less.

Training needs: 57.4% considered that their jobs required special training in the enforcement system. 47.8% of them consider that their job requires special training in legal framework of enforcement, 47.8% special training in managerial skills, 28.4% in ethical principles, 28.4% in international enforcement of court decisions, 14.2% in disciplinary system and 14.2% in complain mechanism for citizens.

The opinion on whether their institution provides any kind of training to improve the efficiency and effectiveness of the enforcement system is divided: 42.8% answered YES, and other 42.8% answered NO. 14.2% did not answer. 28.5% replayed that they had initial training before entering profession. 14.2% replayed that they have compulsory on-going training and 14.2% did not answer.

Training topics: 42.5% received training in legal framework of enforcement and 14.2% in: Managerial skills, Ethical principles, Complain mechanism for citizens, Trainee competences assessment. 57.14% did not answer.

Last time they received training or education: 28.5% did not answer, 28.5% 'more than three years', 28.5% 'never', and 14.2% 'in the last year'. 42.8% had not any training in the last three years, 28.5% had only one and 28.5% did not answer.

Regarding the sufficiency of the training received: 14.2% considered it as sufficient. It is surprising because the respondent did not have any training in the last three years. MG considers these results show a lack of awareness of training.



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Bailiff involved in enforcement do not perceive the existence of a comprehensive global enforcement's training plan, clearly defined and well structured, as an important tool to improve effectiveness and efficiency of enforcement system. 42.8% did not answer, and only 14.2% considered the training received as very insufficient. Regarding assessment of training: 100% of respondent did not answer. 42.8% considered the activities received defined according training curricula periodically reviewed and publicity accessible. 57.14% did not answer.

Trainers: 50% marked high official from institution and other 50% senior colleagues.

Training material: 28.5% received material before activity, 14.2% during the activity. 71.4% did not answer.

Certificate: 28.5% said the training is not accredited by certificates, 71.4% did not answer.

In relation to publicity and transparency of selection criteria to participate in training 71.4% did not answer. From the answers: 50% believed that the system is public and equal and other 50% believe it is not. About the question 'by whom are selected participants in training, again 71.4% of respondents did not answer, 14.2 % said 'the president of the court' and 14.2 % marked 'others'.

Training topic: 42.2% is interested in legal framework of enforcement, 28.5% in Managerial skills, 28.5% in international enforcement of court decision. 28.5% did not answer.

About the format they considered more useful: 42.8% preferred workshops, followed by seminars (28.2%), formal lectures and on line courses (14.2 % each) .

42.8% strongly agreed that the idea of special training in enforcement will be useful for them.

Regarding the key measures to be taken to improve training from their point of view, the best options are introduction of compulsory training by new legal regulation, establishment of appropriate training of complaint mechanism for users, full incorporation of new technologies in training and education and increased supervision and monitoring of enforcement agents.

MG considers that the high percentage of non-response (more than 70%) reveals a lack of awareness of training as an important tool to improve enforcement system

B) BAR ASSOCIATION RESPONSES

The TW contract includes, among others institutions, representatives from the Bar Association as stakeholder of the overall enforcement system,. Unfortunately, during the activity in Zagreb it was no possible to arrange a meeting with representatives of the Bar Association. The questionnaire was sent to the Croatian Bar Association in order to disseminate it among their



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members. Due to the lack of response, the questionnaire was also sent directly to several law firms and lawyers from Zagreb. Only one answer was received.

Regarding the only one questionnaire received, the MG considers interesting to highlight that the lawyer does not consider that his job requires special training on the enforcement system. The more interesting topic to be addressed in a training program is legal framework of enforcement because of the constant changes of the law. From his point of view, the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia are to implement specialized training courses in enforcement, to increase coordination between institutions involved in enforcement and to increase training of judges and others responsible for the execution.

C) MINISTRY OF FINANCE RESPONSES

Five questionnaires were returned and analysed. The questionnaires were not fully answered.

Age: 20% between 20-30 years old, 20% between 40-50 years old, 40% between 50-60 years old and 20% more than 60 years old.

Studies: 20% have University Bachelor's degree and 80% have University Master's degree.

Work position: 100% work in the Ministry of Finance. 40% hold their current position for one year or less, 40% from one to five years and the 80% from five to fifteen years.

Training needs: 60% considered that their jobs required special training in the enforcement system. 30% of them consider that their job requires special training in legal framework of enforcement, 20% in managerial skills, 20% in legal framework of enforcement, 20% in statistical data analysis, and 20% in complain mechanism for citizens.

40% answered that their institution provides training activities to improve efficiency and effectiveness and 60% answered NO. 20% replayed that they had initial training before entering profession.

Training topics: 20% received training in legal framework of enforcement, 20% in managerial skills, 20% in complain mechanism to citizens, and 20% in statistical data analysis.

Last time they received training or education: 20% in the last year, 20% more than three years, and 40% never. 20% did not answer.

Regarding the sufficiency of the training received: there is just one answer which designates 6/10 of the sufficiency.



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20% do not perceive the existence of a comprehensive global enforcement training plan, clearly defined and well structured, as an important tool to improve effectiveness and efficiency of enforcement system. 80% did not answer.

Trainers: 80% did not answer. 20% said that they were University professors.

Training material: 20% received training material during the activity.

Certificate: 20% said that certificates accredit the training, 80% did not answer.

In relation to publicity and transparency of selection criteria to participate in training 80% did not answer. 20% answered 'yes'. About the question 'by whom are selected participants for the training' they answered that they were notified by the Ministry of Finance.

Training topic: 40% is interested in legal framework of enforcement, 20% in Managerial skills, 60% in ethical principles, 40% in IT technologies, 60% in complaints mechanism to citizens, 20% in trainee competence assessment, 40% in international enforcement of court decisions.

About the format considered more useful: 40% preferred workshops and seminars and 20% formal lectures and service on the job mentoring.

40% strongly agree that the idea of special training in enforcement will be useful for them.

They consider that it would be useful and would help for a best understanding to have training related to the Enforcement Act.

D) FINA RESPONSES

Regarding Financial Agency (FINA), the MG and the RTA decided not to organize any interview since a meeting about training was held with representatives of FINA under the Activity 1.2.1.

We reproduced the interview due to its importance to this TNA.

216/3/2015: 12 h. Meeting with Ms Mirela Kralj Likar, Head of Centre for forced settlement, and Ms Tea Janjiš Šabić, Senior Specialist for legal support, FINA.

Experts: Ms Maria Jose Cañizares, Mr. Ignacio Pando, Ms Maria Dolores Millan

"... Relating to training, there is no Training Department in FINA, but training activities are organized three times a year. These activities consist of presentation about different topics, depending on the questions asked by employees; complaints from citizens, and legislative changes. The training activities consist of presentations about the selected topics, and they are made in the same frame time, in ten days approximately, in order to update the knowledge of all the employees in a similar period. This training is compulsory for the selected employees, and it is based in their active participation. The head of each centre selects these employees and they themselves will spread the lessons learned among the other employees (ToT).



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Accordingly, if they do not find answer to their doubts they can ask via e-mail, since there is a section in the intranet (business net) with this aim. All these questions are compiled and with the answers a knowledge base is created, which will be the base for the next training programme. When the questions are of legal nature or complicated cases, they can derive them to the Legal Department where three more employees are working.

The Heads of department provide initial training, and they use the same training tools used for the on-going training. They consider that the training they provide to the employees is enough, insisting on the lack of time to fulfil training activities having in mind their other duties. They sustained that email communication is enough and initial training or further on line training are not necessary, because training is continuously updated."

Nine questionnaires were answered and analysed.

Age: 44.4% between 30- 40 years old, 33.3% between 40 and 50 and 22.2% between 50 and 60 years old.

Work position: 88.8% are working in their actual position 'one to five years'. Only 11.1% work's for more than fifteen years.

Studies: 66.6% has a University Master's degree, 11.1% a Bachelor's degree and 22.2% other specialized courses.

Training needs: 88.8% consider their job requires special training of the enforcement system. The same percentage shows the topic legal framework in enforcement as a topic required in their jobs. 88.8% said that their institution provide some kind of training to improve efficiency and effectiveness of the enforcement system. 44.4% said that this training is a compulsory on-going training, 22.2% said it is not compulsory, 22.2 % did not answer and 11.1 % said that they received initial training before entering the profession.

Training topics: 88.8% Legal framework of enforcement, followed by IT Technologies with 33.3%.

Last time they received training or education: 55.5% received training in the last year, 11.1% between 1 and three years and a 33.3% did not answer.

Sufficiency of the training received: 44.4% more than three activities, 33% more than three (between five and six). 77.7% put the received training in the middle of scale between sufficient and very insufficient. 66.6% of respondent received evaluation questionnaires. The 88.8% considered that the received training had been defined according training curricula, periodically reviewed and publicly accessible.



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Trainers: in 77.7% of the cases are senior colleagues, 33.3% are judges or State attorneys, 33.3% are high officials from the institution they belong and 22.2% are “others” trainer from other institutions.

Material: 55.5% received it before activity, 33.3% during activity and other 33.3% after the activity.

In the 66.6% of the cases, certificates did not accredit the training activities.

Transparency and publicity of selection criteria: 44.4% considered it is not transparent and 66.6% considered it is.

88.8% participated in training activities are selected by the head of the department.

Training topic to be included in a training programme: 99.9% marked Legal framework of enforcement, followed by IT technologies with 88.8%, and 77.7% statistical data analysis, 55.5% complains mechanism to citizens and 44.4% managerial skills and Ethical principles. Only 22.2% of FINA’s respondent considered ‘International enforcement of court decision’ as interesting. From the interviews held in different institutions it was underlined that FINA’s agents need to receive more training in international law.

In one of the questionnaires they answered: *“due to the sensitivity of work with the implementation of the enforcement over the monetary assets and permanent amendments to the Law, a constant education of the employees is needed in order to follow all the amendments. Also due to the sensitivity of the work and the large number of complaints from citizens daily received, additional education of workers is required in order to reduce discontent both of the citizens and of the employees”.*

Format of training: 88.8% seminars and workshops. 55.5% strongly agrees that specially designed training on enforcement will be useful for them, because:

*“*It would be easier for the employees to be trained on detailed rules for the work.*

** Due to timely upgrade of existing knowledge.*

**They considered that unified training, regarding the implementation system of the enforcement on the monetary assets, movable and immovable, should be formed.*

**Due to continuous learning and upgrading of existing knowledge.*

**Professional training with actual examples from practice, that may be appropriate to apply in jobs performed, and on which basis a quality decision about action can be made.*

**Quality training in any case can only have a positive effect on my future work and my greater contribution to the development of better and more efficient system of enforced collection In FINA”.*

E) PUBLIC NOTARIES.

Regarding Public Notaries, the MG and the RTA decided not to organize any interview due the fact that a meeting was maintained with part of the same MG in the activity 1.2.1. Although several questionnaires were distributed between Public Notaries there were no answers.



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According to Activity 1.2.1, it can be concluded that Public Notaries are interested in training. This is the interview that was held in activity 1.2.1:

16/3/2015: 15h Meeting with Ms Nada Kemec, representative from the Chamber of Public Notaries. Experts: Ms Maria Jose Cañizares, Mr Ignacio Pando and Ms Maria Dolores Millan.

“... There is a Notaries Academy. The Chamber organizes training activities in the form of workshops. They have had workshops related to the use of the IT system, and also about register, with the cooperation of FINA. They have also had some training activities relating to enforcement itself, about enforcement decisions, register and electronic communications. Public Notaries have their own intranet, where they also have a FAQ section. They do not have on line training activities. She considers that further training for notaries is necessary, and that on line training would be an improvement in these activities, since many notaries work alone and they cannot attend in-person training activities”.

3.2.3. INTERVIEWS

- **Ministry of justice**

Meeting with **Ms Iva Buljan**, BC Component Leader II and Senior Administrative Advisor, Department for Procedural Law, Enforcement Law and Mediation, MoJ, and **Mr Mladen Šimundić**, Judge from High Commercial Court.

Ms Iva Buljan: training should be addressed to judges and court advisors, since both of them are responsible for enforcement, and FINA that deals with a big part of enforcement proceedings.

The training should be focused on the following topics:

1. Delay of enforcement order - indication of crucial elements of the delay request; when a delay can be granted (economic situation of the debtor).
2. Appeal/objection in the enforcement proceedings- main differences between the two and how to assess the substance of the appeal/objection; when to send the case to the appeal court and when to the civil court.
3. Enforcement on movable properties - techniques on how to conduct an effective enforcement on movable properties (court auction).
4. How to conduct an enforcement in another state (EU member or not)?
5. Means of enforcement – exclusion (social benefits, alimony, damages).
6. Impossibility to conduct the enforcement proceedings.
7. Preliminary measures; procedural/substantive rejection of a preliminary measure request; elements on preliminary measure; subsidiary application of Act Civil Procedure on preliminary measure procedures.

It would be very useful for judges and judicial advisors to learn on the basics of the application of the European Convention for Human Rights in the Enforcement Proceedings, having in mind the main objectives of enforcement process – effectiveness, fairness and transparency, as stated in the CoE Recommendation Rec (2003) 17 of the Committee of Ministers to member



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states on enforcement and the CEPEJ Guidelines for a better implementation of the existing CoE Recommendation on enforcement.

Judges and judicial advisors could be trained on how to strike a balance between the needs of the claimant and the rights of the defendant. The focus could be on:

- The right to a fair trial in enforcement proceedings (Art.6. of the Convention)- problems with the delivery of decisions etc.
- The right to respect home (Art. 8.) - in eviction cases.
- The right to peaceful enjoyment of possession (Art.1. Protocol No. 1. to the Convention) – blocking of accounts by FINA, eviction cases
- The right to family life (Art. 8.) - in parental and custody matters.

Mr Mladen Šimundić: He explained to MG how Judicial Academy organises training activities. The Judicial Academy sends the judges a questionnaire annually in order to disseminate the program and activities they offer for the following year. Training should be more practical, focused on helping to solve common cases and not theoretical ones. As example or practical training experiment he explained that when the Enforcement Act gave competences in enforcement to Notaries, judges from the High Commercial Court showed them how everything worked from the beginning in order to avoid mistakes and unnecessary use of legal remedies. Notaries emailed judges their doubts about enforcement and they also had some meetings where they solved all the doubts.

MG considers this type of experience as a good practice to develop in order to get a better coordination between different institutions involved in enforcement.

- **Judicial Academy**

Meeting with **Ms Dijana Mandić**, Head of Continuous Training Department of Judicial Academy and **Mr Sandi Valentinc**, Head of Implementation Department, Judicial Academy.

The Mission Group held a meeting with Ms Dijana Mandić, head of continuous training of the Judicial Academy and Mr Sandi Valentinc, from the same department. Judicial Academy is in charge of initial and continuous training for Judges, State attorneys and Court Advisors.

Judicial Academy conducts initial training and preparation of candidates for autonomous, responsible, independent and impartial performance of judicial duties, organizes professional training of trainees in judicial bodies, as well as continuous professional training of judicial officials (i.e. judges, deputy state attorneys) and advisors in judicial bodies.

Due to the specific geographical context of the country, the Judicial Academy in Croatia has created five regional training centres favouring in some situation a decentralized training approach.



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Training need assessment questionnaires are sent annually to stakeholders such as Ministry of Justice as well as to judges and prosecutors. The summarised answers to these questionnaires are sent to the programme's Council of the Academy empowered to decide on the topics to be included in the programme for the following year.

They offered to cooperate in the organization of training activities to judges or court advisors, since they do not have further competences, but they also offer to help to our project, proposing if it were the case, trainers for the activities. They considered that some training topics of interest could be those related to ethics or managerial skills.

This is the manual of a course of enforcement given in April 2015: *"NEW ISSUES REGARDING ENFORCEMENT PROCEEDINGS". Trainers' Manual. Zagreb, April 2015. Index DIDACTIC ARTICULATION OF THE WORKSHOPS*

1. Introduction and reasons for new Enforcement Act Novel from 2014
2. New issues regarding delivery and regulation of the legal remedies
3. Costs of the enforcement proceedings
4. New issues regarding the enforcement on real estates
5. New issues regarding the enforcement on monetary claims
6. Concluding observations
7. Bibliography
8. PRACTICAL TASKS REGARDING THE IMPLEMENTATION OF NEW ENFORCEMENT ACT (OG 93/14)

- **Municipal Court**

Meeting with **Mr Nenad Kunc**, Bailiff, at the premises of Municipal Court of Zagreb.

He thinks it is important to receive good training. They are 57 bailiffs. There is some kind of initial training that is given by bailiffs and then they study the theory by their own.

It is a good idea to be included in the training programme from the Judicial Academy. And to have the opportunity to have some training related to the amendments to the Enforcement Act. Training on e-Spis is not necessary for their work.

The new competences of FINA about electronic auctions were implemented without any special training or coordination between Municipal Court and FINA. It would be good to have a contact point with FINA. There are some problems with electronic auctions and the delivery of the good.

There don't have any problem with Notaries.

From the point of view of MG, a better coordination between FINA and Municipal Courts and practical training in the way that Notaries had with High Commercial court in 2006, could greatly improve the efficiency of the enforcement.

- **Ministry of Finance**



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Meeting with **Ms Ljiljana Radelja**, Senior Adviser Specialist, Ministry of Finance.

Training of FINA's staff is necessary, not just in Zagreb but also in the whole territory of the Republic of Croatia. They deal with all the citizens questions related to enforcement and to FINA as well as all FINA agents' questions related to Act on monetary assets but not with the doubts related to the Enforcement Act.

3.3. MAIN FINDINGS

- **Problems on enforcement**

Conclusions of previous activities (**1.1.1**, **1.1.2**, **2.1.3** and **1.2.1**), interviews held and results of surveys revealed that the main problem in enforcement is the frequent amendments to the law. It could cause lack of efficiency among different stakeholders in charge of enforcement. Stakeholders need a very frequent and updated training. The MG has evidenced the need for supplementary institutional strengthening of judges, court advisors, bailiffs, employees of FINA, and other legal practitioners potentially involved in enforcement tasks.

There are excessive legal remedies, but a specific training in legal remedies could improve the effectiveness of all the enforcement system.

Interviews revealed that it is necessary to have special training program in legal matters for FINA's staff.

FINA and Municipal Court should be coordinated in order to solve some questions related to the Enforcement Act. Legal questions and possible interpretations to the law given by FINA's agents should be avoided with some training given by judges or court advisors to FINA's employees.

From 2005 to 2006, specific training was offered to Notaries related to their new competences over trustworthy documents. This training given by High commercial Court was an initiative of High Commercial Court in order to avoid mistakes and excessive use of legal remedies. The experience was practical and useful, and resulted in the implementation of good practices in Notaries' enforcement activity. The MG proposes a new training to Public Notaries with the participation of Municipal Courts.

The lack of IT resources could hinder the possibility to organize a complete on line training plan.

Training activities should be implemented in the fields of enforcement of domestic and international enforceable titles, EU regulations and quality standards.

Enforcement agents should be required to follow specific training, especially when the applicable legislation is modified. This training should be compulsory.



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- **Training needs.**

- Target groups.

Accordingly to the TW contract, the target groups of this activity are representatives from Municipal Courts, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA.

Despite of this, interviews revealed that Ministry of Justice, Ministry of Finance and Ministry of the Interior are not stakeholders in enforcement system itself, but they had been taken into account as target group in TNA monitoring enforcement system (Activity 1.2.1).

Municipal Court as a stakeholder should be divided into three groups: judges, court advisors and bailiffs since training needs are different for each group. However, some of the training activities should be common for some of them and it is desirable that members of some of the groups are trainers in others.

- Training needs. Training needs are not the same in all target groups.

- ✚ Judges

Regarding Municipal Courts' judges, taking into consideration information from interviews and survey, the majority of Municipal Courts' judges have continuing training in different topics. This training is organized by Judicial Academy and, in some cases, private training.

The most interesting topics for the interviewed persons are Legal framework of enforcement, International enforcement of court decisions, and complaints mechanisms for citizens. Workshops are considered the most useful format.

Due to frequent amendments to the Enforcement Act, it is extremely important for them to maintain the quality workshops, to allow judges to master new regulations and thus their proper application, as quickly as possible.

The key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia are increasing training of judges and others responsible for the enforcement, creation of specialized training courses in enforcement; and increasing coordination among institutions involved in enforcement.

- ✚ Bailiffs

Bailiffs give practical training to the new bailiffs. There is some kind of initial training given by bailiffs and then they study the theory by their own. But it would be a good idea to include them into the Judicial Academy training programme. The most interesting topic is the amendments to the Enforcement Act.



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FINA

In the case of FINA, the surveys show that the employees consider that their first training need is 'legal framework of enforcement'. This need is the first evaluated need, with a huge difference resting the others (99 out of 100). As a second need they asked for 'IT technologies' (88 out of 100), and the third one is 'Complains mechanism to citizens' (55.5%). The other topics received a significantly lower rate.

Interviews from activity 1.2.1 and the survey revealed that the training employees have been receiving up to now is related to legal framework and IT technologies but they do not receive any training in ethic principles. In the opinion of the MG it is important to highlight that only 22.2% of FINA's respondent considered 'International enforcement of court decision' as interesting. The lack of interest in FINA's respondent about this topic could reveal a high percentage of lack of knowledge about their competences in international enforcement.

Public Notaries

Data from Public Notaries are from activity 1.2.1 as no interviews were arranged and there were no answers to the surveys in this activity. Relating to Public Notaries, the needs coincide with FINA: legal framework of enforcement, IT technologies and Ethic principles, and international enforcement of court decisions. In the case of international enforcement, they show their interest basically in a comparative overview of enforcement by public notaries in other EU member states.

Bar Association

No interviews could be held with representatives from the Bar Association. Just one lawyer answered the questionnaire highlighting the need of training in legal framework of enforcement due to the constant changes of the Enforcement Act. The MG considers interesting to highlight that the Lawyer that replied the survey, does not consider that his job requires special training of the enforcement system. There should be specialized training courses in enforcement in order to increase coordination between institutions involved in enforcement and to increase training of judges and others responsible for the execution.

Selection of participants

Judicial Academy sends their yearly programme to judges and court advisors and they can choose two training courses.

Since most of the organizations with competences in enforcement do not have any permanent structure in charge of training, selection of participants is not developed in a structured way. The selection should be done according to the criteria of transparency.



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In FINA, training activities are published on the intranet. Sometimes managers provide the information. The selection is made by the Head of Section.

Regarding public notaries same thing happens as with FINA, there are no selection criteria and it is enough for them to apply for the activities to participate in them, due to the small number of recipients of the specific education.

Selection of trainers

Trainers from the Judicial Academy are judges or University professors.

In the case of FINA, trainers are usually senior colleagues; it is the Head of Centre for forced settlement who organizes the training activities all year long. In the case of public notaries, however, the trainers come from different background, with the participation of judges, colleagues and university professors.

It should be necessary for some of the employees or members of one organization to train members of another organization, so that they could exchange experiences and receive training on some topics where other organization has more experience, as public notaries' interviews describe for this group.

It should be good for judges to be trainers in training activities in FINA, as well as for the public notaries, since they show great interest in the legal framework.

Materials

There is no uniformity in the way the material for the training activities were prepared and disseminated, because some of participants received materials before the activity while others received it during the activity or at the end and some of them did not receive any.

It would be better to disseminate the material among the participants before the activity starts, especially in case of short activities with practical component.

Format

There should be theoretical training focused on the amendments of the Enforcement Act and practical training where stakeholders can interact. In the surveys and interviews, workshops are considered very useful format.

E-learning methodology is not particularly well evaluated perhaps because they do not have good computers with programs that allow them to have good e-learning. This methodology is undoubtedly useful for training on some subjects included in permanent programs.



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3.4. PROPOSALS

1. TARGET GROUPS

Although the TW contract mentioned: Ministry of Justice, Ministry of Finance and Ministry of the Interior as stakeholders involved in enforcement, their intervention in enforcement proceedings is related only to monitoring of enforcement.

The Mission group proposes the following target groups:

- Municipal court - judges, bailiffs and court advisors.
- Public Notaries.
- FINA.
- Bar Association.

2. TRAINING ACTIVITIES

Common topics:

- European standards on enforcement: Council of Europe's recommendation on enforcement.
- Ethical principles in enforcement.
- Recent legislative amendments relating to civil enforcement: Enforcement Act, Act on Enforcement over Monetary Assets.
- E-enforcement, the future of enforcement:
 - Electronic auctions;
 - Electronic service of documents;
 - On line access to judicial bank accounts;
 - Electronic access to the multiple-source information on debtor's property.

Specific topics:

- Municipal Courts' judges and court advisor: Guidelines for management with legal remedies, seminar for coordination with FINA and Public Notaries, international enforceable titles, EU regulations.
- FINA: basic principles of enforcement on judicial decisions. Common legal problems on enforcement of assets, updating the use of IT technologies, international enforceable titles, EU regulations.
- Public Notaries: Seminar for coordination with Municipal court. Exchange of ideas about identification of crucial elements of the delay request, comparative view of civil enforcement by notaries in the EU, electronic register and the use of IT system.
- Bar Association: legal framework of enforcement. Principal changes of the Enforcement Act.



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In relation to judges, the activities to be designed should be prepared in cooperation with the Judicial Academy, since it is the Institution with competences in judges' education. These activities could be integrated in the annual training programs of the Judicial Academy.

3. CONTENT OF THE ACTIVITIES

In a continuous training system, several kinds of training programs are identified, depending on their urgency:

Emergency programs:

This kind of updating training should be provided in response to legislative and procedural changes that have an impact upon the performance of duties of employees. It is large-scale training that needs to be delivered in a timely manner in order to support the implementation of the amendments to the law or change of procedure. Once the updating-training has been completed for the entire target group, the curriculum for the updating training can be integrated into the standard training program. In this sense FINA, although does not have a proper training programs, uses this method in their trainings.

Our proposal is to design these activities with a basic understanding of the laws that will guide their professional actions and with a comprehension of the main points in which they differ from past practices. We also suggest developing of these activities in a decentralized way, in order to allow a greater number of participants with fewer costs.

In the scope of these programs, activities as "Recent legislative amendments relating to civil enforcement: Enforcement Act, Act on Enforcement over Monetary Assets" can be included.

Remedial programs

They are mass focused, but with emphasis on a broader range of basic skills and knowledge transfer. Their goal is to improve average performance, usually in conjunction with a global reform. These programs are specially indicated in the case of improving managerial or technical skills.

It must be taken into account that any program may get stuck in the emergency mode, generating enthusiasm for new methods without giving more specific skills and knowledge needed to implement them - to the participants, through the remedial program.

Activities that match to these programs are those like the workshops "Training on e-SPIS", "Updating the use of IT technologies", "Electronic register and the use of the IT system"

Permanent programs



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They must be introduced after a minimum level of average performance has been achieved (or where it already exists, and remedial training is not needed). These are more selective in their focus and clearly separated in specialized courses.

Mainly in initial trainings, but also in continuous trainings there are a number of topics that have to be set up for several years, since the need to deal with them returns routinely. Experiences in initial and continuous training show that these multiannual contents cover about 50-60% of the training activities offered by an institution. These specific topics should be considered as a basic or standard program.

In this case, activities as “European standards on enforcement”, “Ethical principles in enforcement”, “International enforceable titles, EU regulations”, “Basic principles of enforcement on judicial decisions. “Common legal problems on enforcement of assets” could be included in this kind of programs.

Although these kinds of programs are usually presented in a sequence, their order may vary or run in cycles as new reforms are introduced. Stages may also coexist. This causes no problem as long as their different objectives are recognized. Once the crisis has passed, training methodologies have to be modified as well.

A shift to a problem-solving approach requires changes in the overall objectives of training and in the goals of individual courses. The list of topics can remain the same, divided into specialized topics.

4. SELECTION OF PARTICIPANTS

On-going education must be considered in any organization as a right, but also a duty of employees. Thus, it should guarantee that equal access to training activities is ensured for all employees, and that all of them have the same opportunities to take part in these activities. To achieve it, it is necessary to have a public and easy access to the training offer, and also to establish transparent methods of selection.

In the case of this report, having in mind the target groups, this situation is not difficult to manage, since groups are reduced in number of employees, except in the case of Municipal courts judges. This small number of employees involved in each institution makes that involved personnel do not consider, in general, the lack of transparency that sometimes is easier to find in larger organizations.

In any case, transparency in the offer and clear pre-established rules to access the training must be guaranteed in any of the organizations, which should not depend on the manager willingness.

5. MATERIALS



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We consider that it should be better to have the material beforehand. It facilitates the best preparation, in order to promote better understanding of the participants. This would allow participants to prepare themselves better in order to ask speakers useful questions.

We propose that the organization in charge of trainings in each body control if the material is completed before the beginning of each activity.

Slides viewed during the workshops are insufficient to describe the topics discussed. The minimum content of the material should be: lectures in writing form, regulation applicable to the subject and practical cases if appropriate.

We encourage disseminating the training material by:

- Sending by email to all the applicants to the concrete activity. All applicants selected or not as attendants, have demonstrated a clear interest in the activity. Therefore they should have access to all the course teaching material as a part of their self-training. Besides, there will be no cost for this type of material dissemination, and it will help to demonstrate the interest of the organization by training beyond the number of existing places.
- Publishing on the intranet of the organizations.

6. FORMAT

It is widely accepted that the best practice for judicial training methodology is to use adult learning methods, which encourage a participatory learning process. Using adult learning principles will facilitate participants to acquire new information and skills and to enable them to implement those skills into work practices. The emphasis should be on interaction between the trainer and the participants as opposed to the traditional ex-cathedra method of teaching.

Practically oriented techniques require more work from trainees as well as trainers. Participants' lack of other basic skills, most notably the ability to read critically and analytically, or their simple failure to read assigned texts before the activity, also worked against the new methods. Finally, the tendency to use a variety of trainers, often for short periods, whatever its other benefits, could be a handicap for methodological innovation. This is especially true where the invited trainers are prominent jurists who feel no need for further lessons on how to develop a training activity.

Therefore, the mission group, in accordance with results of surveys proposes to use participative formats for the activities, especially workshops for all those that pursues the production of documents to be used in the future (protocols or guidelines); and also for the activities that require discussion among participants. We also propose seminars for those other activities where debate among participants from different backgrounds is foreseen, since it allows obtaining best results.



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The training methodology should ensure that participants are able to demonstrate the following:

- Recall of knowledge - the ability to recall what has been learned;
- Comprehension – the ability to show basic understanding;
- Application – the ability to apply learning to a new task;
- Analysis – the ability to break information up;
- Evaluation – the ability to evaluate usefulness for a purpose;
- Synthesis – the ability to create something new.

In any case, the **structure of the training activities** should be as follows:

a) To provide trainees with an abstract of the activity. It should include:

i) Objectives;

Objectives were often expressed in terms of *“giving participants a better understanding of substantive and procedural law”* in each area, or of the general principles of other topics. Overall goals were frequently stated as *“helping the participant to do his job better”*. The main question concerning objectives is: *“What will participants be able to do after training?”* rather than *“What trainers will do in the course of training?”* Rather than promising a “better understanding” of the materials covered, the aims should be an improved ability to apply concepts, knowledge and skills in the working place, and visible changes in how work is done and with what consequences.

ii) List of topics;

Having in mind that average duration of the training is only one or two days, the objectives should be set up very clearly and should not overload the participants with a demanding list of topics. It could be better to choose only one topic in order to deal with it from a theoretical and practical point of view.

iii) Materials to be given;

The minimum content of the material should be: lectures in writing form,, regulation applicable to the subject; practical case (to solve by the participants) if it is suitable, as we have described above.

iv) Names of the trainers;

v) Fixed dates and venue;

It is essential to know them in advance in order to organize the participants' agenda.

b) Make the activity concrete and relevant to their experience. Abstract lectures alone are not enough. It is better to work from real-life cases. Present them to participants, ask them how to solve, and then give them a mini-lecture to drive home the point.

c) Give the trainees an opportunity to work out the problem as a group.

d) Give the participants some confirming points to think about, including suggestions for best practices.



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- e) The trainers should not tell the trainees what to do; it's better to give them a chance to work the issue out with each other first. Often the participants will make the points the trainer wants to make for him/her, which is more powerful.
- f) Use a variety of types of exercises such as role-plays, lectures, question and answers sessions, and small or large group case exercises.
- g) After the training, the trainers must give the participants a checklist¹ to take away. They generally don't have time to read more. They will use this checklist as a tool, like a bench guide.
- h) To strengthen further the training activities, a number of supporting handbooks and manuals should be published together with the activity's materials. In addition to that, a collection of model forms for drafting basic documents can be developed. In the same way, the participants, with the help and supervision of trainers, could produce some protocols or guidelines in the training activity, in order to standardize the monitoring activity. These guidelines or protocols can be disseminated among the other employees of the organization.
- i) In the case of organizations with a significant number of members, using e-learning methodology can improve the range of trained members.

7. TRAINERS

Trainers should be able to demonstrate the following qualities:

- a) Teaching and assessment methods that fosters active and long-term engagement with learning tasks,
- b) Stimulating and considerate teaching, especially teaching which demonstrates the trainer's personal commitment to the subject matter and stresses its meaning and relevance,
- c) Clearly states expectations,
- d) Capable to exercise responsible choice in the method and content of study,
- e) Have interest in and background knowledge of the subject matter,
- f) Previous experiences of educational settings that encourage these approaches.

The mission group proposes to integrate in working groups to judges or state attorneys already trained as trainers in the Judicial Academy for those activities relating to legal changes and judicial criteria. In the same way experienced members of Municipal Courts could participate as trainers for specific activities required by other groups like public Notaries and FINA.

8. EVALUATION

¹Checklist is similar to "what –to-do" list, something like protocol guide on which advisers can support on in their job. They should be prepared by the authors of the training material



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Evaluations, with varying degrees of reliability and validity, indicate whether the participants felt the course was useful, the trainer effective, and the environment conducive to learning.

Given the duration of the activities and the lack of permanent training organization, except the Judicial Academy for judges and the Notary Academy for notaries, more concrete impact on performance seems unlikely, e.g. evaluations taken several months after the activity in order to find out whether the trainees have applied the new knowledge on the job or their new skills they have found useful.

The training manager should implement monitoring and evaluation strategies:

- a) Test the validity of training objectives
- b) Evaluate the effectiveness of training and development
- c) Identify potential improvements
- d) Support the development of improvements
- e) Evaluate the effectiveness of training and development programs
- f) Support improvement in quality of delivery
- g) Support improvement in quality of materials
- h) Support improvement in the quality of facilities/suitability of venue
- i) Support improvement in achievement of best value
- j) Provide evidence of participant reaction
- k) Provide evidence of participant learning
- l) Give suggestions in order to improve future training activities

Perhaps these evaluation activities can be difficult in the case of organizations without a training structure, but we consider that it is an important step to guarantee the quality of future training.

9. CERTIFICATION

For all levels of training, certification for participants who successfully complete the courses is not only an incentive for participants but also is a convenient way of tracking the progression of each individual. This should be further enhanced if the information were stored in an interactive, open source database.

10. SUSTAINABILITY

Sustainability is one of the corner stones of any Twinning project. These projects aim to last for a long time to be useful for the beneficiary. In that sense, the Training Needs assessment report must include this element among its objectives.

It will be useless to design and propose the training needs of the involved groups if the beneficiaries Institutions do not take an active role in its implementation. The mission group



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considers that it is essential to involve Croatian trainers in the activities that will be developed as a consequence of this report to guarantee the sustainability of this result.

Therefore, participation of Croatian trainers together with foreign experts will be a must in the future designing and implementation of activities. If it were not so, the effort of these activities will be useless, since training limited to the project's time will not suffice to reach the overall objectives

5. – ANNEXES

Annex 1. Questionnaire

QUESTIONNAIRE

Activity 1.3.1

Strengthening institutional and administrative capacities of stakeholder institutions in regard to the enforcement monitoring system

QUESTIONNAIRE FOR EXPERTS AND PROFESSIONALS

TRAINING NEEDS ANALYSIS FOR REPRESENTATIVES OF RELEVANTSTAKEHOLDERS OF THE ENFORCEMENT SYSTEM IN THE REPUBLIC OF CROATIA

EXPLANATORY NOTE FOR THE PERSON COMPLETING THIS QUESTIONNAIRE

This questionnaire is related to training needs analysis for stakeholders of the enforcement system.

We would be grateful if you could take 15 minutes to complete this questionnaire, conducted in the framework of the European project "Improvement of the Enforcement system in the Republic of Croatia".

The questionnaire is aimed to representatives from Municipal Court, Ministry of Justice, Ministry of Finance, Bar Association, Chamber of Public Notaries, Ministry of the Interior and FINA.

Since this is a "perception" or subjective questionnaire, two professionals working for the same institution may give different answers.

Alternatively, the survey can be completed anonymously. If you decide to do so, please indicate your profession or the institution you belong to at the end of the questionnaire.

Please send your response before the 14th of May to:

Lana.Stojsavljevic@pravosudje.hr

Once completed, you may also hand deliver it.

0. STATISTICS DATA



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0.1 Ages:

A	20-30
B	30-40
C	40-50
D	50-60
E	More than 60

0.2 Type of Stakeholder of the enforcement system you are working in:

A	Municipal Court
B	Ministry of Justice
C	Ministry of Finance
D	Bar Association
E	Chamber of Public Notaries
F	Ministry of the Interior
G	FINA

0.3 For how long have you held your current position?

A	One year or less
B	One to five years
C	Five to fifteen years
D	More than fifteen

0.4 What is your training background?

A	University Master degree
B	University Bachelor degree
C	Secondary school/high school diploma
D	Professional experience, please indicate witch
E	Other, please specify
B	None

0.5 Does your job require special training of the enforcement system?

A	Yes
B	No

0.6 If so, mark the training topics with an X

A	Legal framework of enforcement
B	Managerial skills
C	Ethical principles
D	IT technologies
F	Complaints mechanisms to citizens
G	Trainee Competence assessment
H	International enforcement of court decisions
I	Statistical data analysis



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	J	Disciplinary system
	K	Others, please specify

1. GENERAL OVERVIEW IN TRAINING

1.1 Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

	A	Yes
	B	No

1.2 If so, mark the type of training with an X.

	A	Initial training, before entering the profession
	B	Compulsory ongoing training
	C	Not Compulsory ongoing training

1.3. If so, mark the training topics with an X

	A	Legal framework of enforcement
	B	Managerial skills
	C	Ethical principles
	D	IT technologies
	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please indicates witch

¿Do you have any explanatory remarks?

--

2. QUANTITY OF TRAINING

2.1. When was the last time you received training or education?

	A	In the last year
	B	Between 1 and 3 years
	C	More than 3 years, please specify
	D	Never

2.2. How many training activities have you attended in the last three years?

	A	None
--	---	------



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	B	One
	C	Up to three
	D	More than three, please specify

2.3. Rate from 1 to 10 the sufficiency of the training received (mark your choice with an X):

	1	Sufficient
	2	
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	Very insufficient

Do you have any explanatory remarks?

3. QUALITY OF TRAINING

3.1. Is there any kind of assessment of training you have received /provided?

	A	Evaluation questionnaires
	B	Others, please specify
	C	

3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

	A	Yes
	B	No

Do you have any explanatory remarks?

3.3. Who are the trainers?

	A	University professors
	B	High officials from the Institution you belong to
	C	Judges or State Attorneys
	D	Senior colleagues
	E	Others, please specify



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3.4. Have you receive any material/documents relating to the activities?

Before the activity	A	Yes	B	No
During the activity	C	Yes	D	No
After the activity	E	Yes	F	No

3.5. The training activities are accredited by certificates.

A	Yes
B	No

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

A	Yes
B	No

Do you have any explanatory remarks?

--

4.2. By whom are you selected to participate in training activities?

A	Ministry of Justice
B	Senior Court officials
C	Presidents of the courts
D	Others, please specify

4.3.

How do you know about these training activities?

--

5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

A	Legal framework of enforcement
B	Managerial skills
C	Ethical principles



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D	IT technologies
F	Complaints mechanisms to citizens
G	Trainee Competence assessment
H	International enforcement of court decisions
I	Statistical data analysis
J	Disciplinary system
K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

5.3. Which format would you find more useful?

A	Formal lectures
B	Workshops
C	Seminars
D	On line courses
E	Service on the job mentoring
F	Others, please specify

5.4. Do you think that training activities specially designed on enforcement system will be useful for you?

1	Strongly disagree
2	
3	
4	
5	Strongly agree

Why?

6. OVERALL ASSESSMENT

6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

A	High: the current system is efficient
B	Adequate: the current system is working properly



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	C	Low: the current system is inefficient and can be improved
	D	Very low: the current system is very poor and inefficient

6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	Strongly agree

6.3. Please, sort from least important (1) to most important (7) the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia.

	A	New legal regulation to introduce compulsory training
	B	Increase coordination between institutions involved in enforcement
	C	Creation of specialized training courses in enforcement
	D	Increased training of judges and others responsible for the execution
	E	Increased supervision and monitoring of enforcement officers
	F	Fully incorporate new technologies in training and education
	G	Establishment of appropriate training on complaint mechanisms for users

6.4. Other proposals and concluding observations:

PARTICIPANT IN THE QUESTIONNAIRE	
Institution	
Name of the person completing the survey (optional)	
Email (optional)	

Questionnaires answered:

■ Bailiffs:

0. STATISTICS DATA



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0.1 Ages:

	A	20-30
2	B	30-40
3	C	40-50
2	D	50-60
	E	More than 60

0.2 Type of Stakeholder of the enforcement system you are working in:

7	A	Municipal Court
	B	Ministry of Justice
	C	Ministry of Finance
	D	Bar Association
	E	Chamber of Public Notaries
	F	Ministry of the Interior
	G	FINA

0.3 For how long have you held your current position?

1	A	One year or less
	B	One to five years
3	C	Five to fifteen years
3	D	More than fifteen

0.4 What is your training background?

	A	University Master degree
	B	University Bachelor degree
7	C	Secondary school/high school diploma
	D	Professional experience, please indicate witch
	E	Other, please specify
	B	None

0.5 Does your job require special training of the enforcement system?

4	A	Yes
3	B	No

0.6 If so, mark the training topics with an X

3	A	Legal framework of enforcement
3	B	Managerial skills
2	C	Ethical principles
	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
2	H	International enforcement of court decisions
	I	Statistical data analysis
1	J	Disciplinary system



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	K	Others, please specify

1. GENERAL OVERVIEW IN TRAINING

1.1. Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

3	A	Yes
2	B	No

1.2. If so, mark the type of training with an X.

2	A	Initial training, before entering the profession
1	B	Compulsory on going training
	C	Not Compulsory on going training

1.3. If so, mark the training topics with an X

2	A	Legal framework of enforcement
1	B	Managerial skills
1	C	Ethical principles
	D	IT technologies
1	F	Complaints mechanisms to citizens
1	G	Trainee Competence assessment
	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please indicates witch

Do you have any explanatory remarks? Nobody had any explanatory remark.

2. QUANTITY OF TRAINING

2.1. When was the last time you received training or education?

	A	In the last year
	B	Between 1 and 3 years
2	C	More than 3 years, please specify
1	D	Never

2.2. How many training activities have you attended in the last three years?

2	A	None
1	B	One
	C	Up to three
	D	More that three, please specify

2.3. Rate from 1 to 10 the sufficiency of the training received (mark your choice with an X):



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1	1	Sufficient
	2	
1	3	
	4	
2	5	
	6	
	7	
	8	
1	9	
	10	Very insufficient

Do you have any explanatory remarks? Nobody had any explanatory remark.

3. QUALITY OF TRAINING

3.1. Is there any kind of assessment of training you have received /provided?

	A	Evaluation questionnaires
	B	Others, please specify
	C	

3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

	A	Yes
3	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

3.3. Who are the trainers?

	A	University professors
	B	High officials from the Institution you belong to
	C	Judges or State Attorneys
1	D	Senior colleagues
	E	Others, please specify

3.4. Have you receive any material/documents relating to the activities?

Before the activity	A	Yes	B	No
During the activity	C	Yes	D	No
After the activity	E	Yes	F	No

3.5. Certificates accredit the training activities.

	A	Yes
--	---	-----



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1	B	No
---	---	----

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

1	A	Yes
1	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

4.2. By whom are you selected to participate in training activities?

	A	Ministry of Justice
	B	Senior Court officials
	C	Presidents of the courts
1	D	Others, please specify

4.3. How do you know about these training activities? NO ANSWERS

5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

3	A	Legal framework of enforcement
2	B	Managerial skills
1	C	Ethical principles
	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
2	H	International enforcement of court decisions
1	I	Statistical data analysis
1	J	Disciplinary system
	K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

Information about the legal changes negotiation skills international experience.

5.3. Which format would you find more useful?

1	A	Formal lectures
3	B	Workshops
2	C	Seminars



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	D	On line courses
1	E	Service on the job mentoring
	F	Others, please specify

5.4. Do you think that training activities specially designed on enforcement system will be useful for you?

1	1	Strongly disagree
	2	
1	3	
	4	
3	5	Strongly agree

Why?

Because all bailiffs must be timely informed of any changes to the enforcement act and to act in accordance with that act.

6. OVERALL ASSESSMENT

6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

	A	High: the current system is efficient
2	B	Adequate: the current system is working properly
2	C	Low: the current system is inefficient and can be improved
	D	Very low: the current system is very poor and inefficient

6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	
	5	
1	6	
	7	
	8	
	9	
2	10	Strongly agree



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6.3. Please, sort from least important (1) to most important (7) the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia.

7	A	New legal regulation to introduce compulsory training
1	B	Increase coordination between institutions involved in enforcement
2	C	Creation of specialized training courses in enforcement
3	D	Increased training of judges and others responsible for the execution
4	E	Increased supervision and monitoring of enforcement officers
5	F	Fully incorporate new technologies in training and education
6	G	Establishment of appropriate training on complaint mechanisms for users

6.4. Other proposals and concluding observations: Nobody made any proposals.

■ Bar association:

0. STATISTICS DATA

0.1 Ages:

1	A	20-30
	B	30-40
	C	40-50
	D	50-60
	E	More than 60

0.3 Type of Stakeholder of the enforcement system you are working in:

	A	Municipal Court
	B	Ministry of Justice
	C	Ministry of Finance
1	D	Bar Association
	E	Chamber of Public Notaries
	F	Ministry of the Interior
	G	FINA

0.3 For how long have you held your current position?

	A	One year or less
1	B	One to five years
	C	Five to fifteen years
	D	More than fifteen

0.4 What is your training background?

1	A	University Master degree
	B	University Bachelor degree



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	C	Secondary school/high school diploma
	D	Professional experience, please indicate witch
	E	Other, please specify
	B	None

0.5 Does your job require special training of the enforcement system?

	A	Yes
1	B	No

0.6 If so, mark the training topics with an X

Nobody answered.

1. GENERAL OVERVIEW IN TRAINING

1.1 Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

1	A	Yes
	B	No

1.2 If so, mark the type of training with an X.

	A	Initial training, before entering the profession
	B	Compulsory ongoing training
1	C	Not Compulsory ongoing training

1.3. If so, mark the training topics with an X

1	A	Legal framework of enforcement
	B	Managerial skills
	C	Ethical principles
	D	IT technologies
	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please indicates witch

Do you have any explanatory remarks? Nobody had any explanatory remark.

2. QUANTITY OF TRAINING

2.1. When was the last time you received training or education?



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1	A	In the last year
	B	Between 1 and 3 years
	C	More than 3 years, please specify
	D	Never

2.2. How many training activities have you attended in the last three years?

	A	None
	B	One
1	C	Up to three
	D	More than three, please specify

2.3. Rate from 1 to 10 the sufficiency of the training received (mark your choice with an X):

	1	Sufficient
	2	
	3	
	4	
	5	
	6	
1	7	
	8	
	9	
	10	Very insufficient

Do you have any explanatory remarks? Nobody had any explanatory remark.

3. QUALITY OF TRAINING

3.1. Is there any kind of assessment of training you have received /provided?

	A	Evaluation questionnaires
	B	Others, please specify
1	C	NO

3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

1	A	Yes
	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

3.3. Who are the trainers?

	A	University professors
	B	High officials from the Institution you belong to
1	C	Judges or State Attorneys



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	D	Senior colleagues
	E	Others, please specify

3.4. Have you receive any material/documents relating to the activities?

Before the activity	A	1	Yes	B		No
During the activity	C		Yes	D	1	No
After the activity	E	1	Yes	F		No

3.5. Certificates accredit the training activities.

	A	Yes
1	B	No

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

1	A	Yes
	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

4.2. By whom are you selected to participate in training activities?

	A	Ministry of Justice
	B	Senior Court officials
	C	Presidents of the courts
1	D	Others, please specify <i>principal</i>

4.3. How do you know about these training activities? Nobody answered

5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

1	A	Legal framework of enforcement
	B	Managerial skills
	C	Ethical principles
	D	IT technologies
	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment



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	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

Legal framework of enforcement - because of constant changes and for better understanding of practice

5.3. Which format would you find more useful?

	A	Formal lectures
	B	Workshops
1	C	Seminars
	D	On line courses
1	E	Service on the job mentoring
	F	Others, please specify

5.4. Do you think that training activities specially designed on enforcement system will be useful for you?

	1	Strongly disagree
	2	
1	3	
	4	
	5	Strongly agree

Why? Nobody answered

6. OVERALL ASSESSMENT

6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

	A	High: the current system is efficient
	B	Adequate: the current system is working properly
1	C	Low: the current system is inefficient and can be improved
	D	Very low: the current system is very poor and inefficient

6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	



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	5	
1	6	
	7	
	8	
	9	
	10	Strongly agree

6.3. Please, sort from least important (1) to most important (7) the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia.

4	A	New legal regulation to introduce compulsory training
2	B	Increase coordination between institutions involved in enforcement
1	C	Creation of specialized training courses in enforcement
3	D	Increased training of judges and others responsible for the execution
6	E	Increased supervision and monitoring of enforcement officers
5	F	Fully incorporate new technologies in training and education
7	G	Establishment of appropriate training on complaint mechanisms for users

6.4. Other proposals and concluding observations: Nobody answered

■ Ministry of Finance.

0. STATISTICS DATA

0.1 Ages:

1	A	20-30
	B	30-40
1	C	40-50
2	D	50-60
1	E	More than 60

0.2 Type of Stakeholder of the enforcement system you are working in:

	A	Municipal Court
	B	Ministry of Justice
5	C	Ministry of Finance
	D	Bar Association
	E	Chamber of Public Notaries
	F	Ministry of the Interior
	G	FINA

0.3 For how long have you held your current position?

2	A	One year or less
2	B	One to five years
1	C	Five to fifteen years
	D	More than fifteen



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0.4 What is your training background?

4	A	University Master degree
1	B	University Bachelor degree
	C	Secondary school/high school diploma
	D	Professional experience, please indicate witch
	E	Other, please specify
	B	None

0.5 Does your job require special training of the enforcement system?

3	A	Yes
2	B	No

0.6 If so, mark the training topics with an X

3	A	Legal framework of enforcement
1	B	Managerial skills
1	C	Ethical principles
	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
1	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

1. - GENERAL OVERVIEW IN TRAINING

1.1. Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

2	A	Yes
3	B	No

1.2. If so, mark the type of training with an X.

1	A	Initial training, before entering the profession
	B	Compulsory ongoing training
	C	Not Compulsory ongoing training

1.3. If so, mark the training topics with an X

1	A	Legal framework of enforcement
1	B	Managerial skills
	C	Ethical principles



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	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
1	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please indicates witch

Do you have any explanatory remarks? Nobody had any explanatory remark.

2. QUANTITY OF TRAINING

2.1. When was the last time you received training or education?

1	A	In the last year
	B	Between 1 and 3 years
1	C	More than 3 years, please specify
2	D	Never

2.2. How many training activities have you attended in the last three years?

3	A	None
	B	One
1	C	Up to three
	D	More that three, please specify

2.3. Rate from 1 to 10 the sufficiency of the training received (mark your choice with an X):

	1	Sufficient
	2	
	3	
	4	
	5	
1	6	
	7	
	8	
	9	
	10	Very insufficient

Do you have any explanatory remarks? Nobody had any explanatory remark.

3. QUALITY OF TRAINING

3.1. Is there any kind of assessment of training you have received /provided?

1	A	Evaluation questionnaires
	B	Others, please specify
	C	



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3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

	A	Yes
1	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

3.3. Who are the trainers?

1	A	University professors
	B	High officials from the Institution you belong to
	C	Judges or State Attorneys
3.4.	D	Senior colleagues
	E	Others, please specify

Have

you receive any material/documents relating to the activities?

Before the activity	A		Yes	B		No
During the activity	C	1	Yes	D		No
After the activity	E		Yes	F		No

3.5. Certificates accredit the training activities.

1	A	Yes
	B	No

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

1	A	Yes
	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

4.2. By whom are you selected to participate in training activities?

	A	Ministry of Justice
	B	Senior Court officials
	C	Presidents of the courts
1	D	Others, please specify

4.3. How do you know about these training activities?

I was notified and appointed by the Ministry of Finance



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5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

2	A	Legal framework of enforcement
1	B	Managerial skills
3	C	Ethical principles
2	D	IT technologies
3	F	Complaints mechanisms to citizens
1	G	Trainee Competence assessment
2	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

How as simple and more efficient as possible, with the use of modern tools (IT), solve the problems in appellate process to the benefit of users.
 The law should be clear and in compliance with the existing court regulations.
 Enforcement procedure is unnecessarily regulated by two acts and too many bylaws, and that makes the procedure too complicated, which requires further clarification and interpretation.
 Protected income is not sufficiently protected.
 Citizens are expected to know the legal regulations.

5.3. Which format would you find more useful?

1	A	Formal lectures
2	B	Workshops
2	C	Seminars
	D	On line courses
1	E	Service on the job mentoring
	F	Others, please specify

5.4. Do you think that training activities specially designed on enforcement system will be useful for you?

	1	Strongly disagree
	2	
1	3	
	4	
2	5	Strongly agree

Why?



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Any additional training is ultimately welcome with the purpose of improving the implementation of your own work.
 It would be useful for everyone, and that could help us to better understand everything that is related to the Enforcement Act, and thus our work results would be better.
 Because up to now there was no training at all.

6. OVERALL ASSESSMENT

6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

	A	High: the current system is efficient
1	B	Adequate: the current system is working properly
3	C	Low: the current system is inefficient and can be improved
	D	Very low: the current system is very poor and inefficient

6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	
1	5	
	6	
1	7	
	8	
	9	
2	10	Strongly agree

6.3. Please, sort from least important (1) to most important (7) the key measures to be taken **to improve training to the employees of institutions involved in enforcement** in the Republic of Croatia.

7/5/5/3	A	New legal regulation to introduce compulsory training
5/4/2/6	B	Increase coordination between institutions involved in enforcement
6/3/4/7	C	Creation of specialized training courses in enforcement
4/2/1/2	D	Increased training of judges and others responsible for the execution
2/1/3/5	E	Increased supervision and monitoring of enforcement officers
1/7/7/1	F	Fully incorporate new technologies in training and education
3/6/6/4	G	Establishment of appropriate training on complaint mechanisms for users

6.4. Other proposals and concluding observations:



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Like the previous question, setting priorities, I believe that everything is really important (most important)

Enforcement procedure in Croatia is also called the "enforcement industry" because lawyers, notaries and financial agencies make significant income out of it. The interest of the creditor and the debtor's dignity is of secondary importance.

MINISTRY OF JUSTICE

Five questionnaires were sent and analysed. The questionnaires were not fully answered.

1. STATISTICS DATA

0.1 Ages:

	A	20-30
3	B	30-40
1	C	40-50
1	D	50-60
	E	More than 60

0.2 Type of Stakeholder of the enforcement system you are working in:

	A	Municipal Court
5	B	Ministry of Justice
	C	Ministry of Finance
	D	Bar Association
	E	Chamber of Public Notaries
	F	Ministry of the Interior
	G	FINA

0.3 For how long have you held your current position?

1	A	One year or less
3	B	One to five years
1	C	Five to fifteen years
	D	More than fifteen

0.4 What is your training background?

5	A	University Master degree
	B	University Bachelor degree
	C	Secondary school/high school diploma
	D	Professional experience, please indicate witch
	E	Other, please specify
	B	None



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0.5 Does your job require special training of the enforcement system?

	A	Yes
5	B	No

0.6 If so, mark the training topics with an X

	A	Legal framework of enforcement
	B	Managerial skills
	C	Ethical principles
	D	IT technologies
	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

1. - GENERAL OVERVIEW IN TRAINING

1.1. Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

	A	Yes
5	B	No

1.2. If so, mark the type of training with an X.

	A	Initial training, before entering the profession
	B	Compulsory ongoing training
	C	Not Compulsory ongoing training

1.3. If so, mark the training topics with an X

	A	Legal framework of enforcement
	B	Managerial skills
	C	Ethical principles
	D	IT technologies
	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please indicates witch

Do you have any explanatory remarks? Nobody had any explanatory remark.



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2. QUANTITY OF TRAINING

2.1. When was the last time you received training or education?

	A	In the last year
3	B	Between 1 and 3 years
	C	More than 3 years, please specify
1	D	Never

2.2. How many training activities have you attended in the last three years?

1	A	None
1	B	One
	C	Up to three
1	D	More that three, please specify

2.3.

Rate

from 1 to 10 the sufficiency of the training received (mark your choice with an X):

1	1	Sufficient
	2	
	3	
	4	
1	5	
1	6	
	7	
	8	
	9	
	10	Very insufficient

Do you have any explanatory remarks? Nobody had any explanatory remark.

3. QUALITY OF TRAINING

3.1. Is there any kind of assessment of training you have received /provided?

3	A	Evaluation questionnaires
	B	Others, please specify
	C	

3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

1	A	Yes
2	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

3.3. Who are the trainers?



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1	A	University professors
	B	High officials from the Institution you belong to
2	C	Judges or State Attorneys
	D	Senior colleagues
	E	Others, please specify

3.4. Have you receive any material/documents relating to the activities?

Before the activity	A	1	Yes	B		No
During the activity	C	2	Yes	D		No
After the activity	E		Yes	F		No

3.5. Certificates accredit the training activities.

2	A	Yes
	B	No

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

2	A	Yes
	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

4.2. By whom are you selected to participate in training activities?

1	A	Ministry of Justice
	B	Senior Court officials
1	C	Presidents of the courts
	D	Others, please specify

4.3. How do you know about these training activities?

By email

5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

1	A	Legal framework of enforcement
1	B	Managerial skills
	C	Ethical principles
	D	IT technologies



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2	F	Complaints mechanisms to citizens
1	G	Trainee Competence assessment
2	H	International enforcement of court decisions
	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

Basic knowledge of enforcement system improvement of the knowledge related to other legal systems new management skills
Training through technical and practical exercises

5.3. Which format would you find more useful?

	A	Formal lectures
4	B	Workshops
4	C	Seminars
	D	On line courses
1	E	Service on the job mentoring
	F	Others, please specify

5.4. Do you think that training activities specially designed on enforcement system will be useful for you?

	1	Strongly disagree
	2	
1	3	
	4	
4	5	Strongly agree

Why?

Because I participate in the enforcement system as a citizen, as an active entity subject.
Because of the problems identified in the implementation of the enforcement/frequent amendments

6. OVERALL ASSESSMENT

6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

	A	High: the current system is efficient
1	B	Adequate: the current system is working properly
2	C	Low: the current system is inefficient and can be improved



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1	D	Very low: the current system is very poor and inefficient
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6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	
1	5	
	6	
	7	
	8	
	9	
3	10	Strongly agree

6.3. Please, sort from least important (1) to most important (7) the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia.

1/3/1/1	A	New legal regulation to introduce compulsory training
6/4/6/5	B	Increase coordination between institutions involved in enforcement
5/2/5/6	C	Creation of specialized training courses in enforcement
7/5/7/7	D	Increased training of judges and others responsible for the execution
3/7/3/2	E	Increased supervision and monitoring of enforcement officers
2/1/4/3	F	Fully incorporate new technologies in training and education
4/6/2/4	G	Establishment of appropriate training on complaint mechanisms for users

■ FINA

0 STATISTICS DATA

0.1 Ages:

	A	20-30
4	B	30-40
3	C	40-50
2	D	50-60
	E	More than 60

a. Type of Stakeholder of the enforcement system you are working in:

	A	Municipal Court
	B	Ministry of Justice
	C	Ministry of Finance
	D	Bar Association
	E	Chamber of Public Notaries
	F	Ministry of the Interior



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9	G	FINA
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0.3 For how long have you held your current position?

	A	One year or less
8	B	One to five years
	C	Five to fifteen years
1	D	More than fifteen

0.4 What is your training background?

6	A	University Master degree
1	B	University Bachelor degree
	C	Secondary school/high school diploma
	D	Professional experience, please indicate with
2	E	Other, please specify
	B	None

0.5 Does your job require special training of the enforcement system?

8	A	Yes
1	B	No

0.6 If so, mark the training topics with an X

8	A	Legal framework of enforcement
	B	Managerial skills
1	C	Ethical principles
6	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
4	I	Statistical data analysis
	J	Disciplinary system
	K	Others, please specify

1. - GENERAL OVERVIEW IN TRAINING

1.3 Does your institution provide any kind of training to improve efficiency and effectiveness of the enforcement system, with the purpose of standardization of proceedings, elimination of irregularities and prevention of creating backlogs?

8	A	Yes
1	B	No

1.4 If so, mark the type of training with an X.



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1	A	Initial training, before entering the profession
4	B	Compulsory ongoing training
2	C	Not Compulsory ongoing training

No answer 2

1.3. If so, mark the training topics with an X

8	A	Legal framework of enforcement
1	B	Managerial skills
	C	Ethical principles
3	D	IT technologies
1	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
	H	International enforcement of court decisions
1	I	Statistical data analysis
	J	Disciplinary system
1	K	Others, please indicates witch used of the applications solutions for procesiong of the basi for payment

Do you have any explanatory remarks? Nobody had any explanatory remark.

2 QUANTITY OF TRAINING

2.1. When was the last time you received training or education?

5	A	In the last year
1	B	Between 1 and 3 years
	C	More than 3 years, please specify
	D	Never

N

2.2. How many training activities have you attended in the last three years?

1	A	None
1	B	One
4	C	Up to three
3	D	More that three, please specify (5)

2.3. Rate from 1 to 10 the sufficiency of the training received (mark your choice with an X):

1	1	Sufficient
	2	
	3	
	4	
2	5	
2	6	
3	7	
	8	
1	9	
	10	Very insufficient

Do you have any explanatory remarks? Nobody had any explanatory remark.

3 QUALITY OF TRAINING



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3.1. Is there any kind of assessment of training you have received /provided?

6	A	Evaluation questionnaires
	B	Others, please specify
3	C	no

3.2. The training activities you have received/provided have been defined according training curricula periodically reviewed and publicly accessible?

1	A	Yes
8	B	No

Do you have any explanatory remarks? Nobody had any explanatory remark.

3.3. Who are the trainers?

	A	University professors
3	B	High officials from the Institution you belong to
3	C	Judges or State Attorneys
7	D	Senior colleagues
2	E	Others, please specify

3.4. Have you receive any material/documents relating to the activities?

Before the activity	A	5	Yes	B		No
During the activity	C	3	Yes	D		No
After the activity	E	3	Yes	F		No

3.5. Certificates accredit the training activities.

3	A	Yes
6	B	No

4. SELECTION

4.1. Selection criteria to participate in training activities are public, and transparency and equal access for candidates are ensured

5	A	Yes
4	B	No

Do you have any explanatory remarks? Nobody answer

4.2. By whom are you selected to participate in training activities?

	A	Ministry of Justice
	B	Senior Court officials
	C	Presidents of the courts



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9	D	Others, please specify (Head of department)
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4.3. How do you know about these training activities?

The superiors informed me.
 Through the publication on the FINA intranet and from Head of the department
 Head of the department notified me about the education.
 Directly from the Head of the department.
 Through intranet.
 Via Internet and expert magazines.
 By order of Head of department
 From immediate superior

5. TRAINING CURRICULA

5.1. Which topics are you more interested in being addressed in a training programme?

Please, rate from least important (1) to most important (10).

9	A	Legal framework of enforcement
4	B	Managerial skills
4	C	Ethical principles
8	D	IT technologies
5	F	Complaints mechanisms to citizens
	G	Trainee Competence assessment
2	H	International enforcement of court decisions
7	I	Statistical data analysis
1	J	Disciplinary system
	K	Others, please specify

5.2. Please point out some specific matters that you consider important for your job in connexion with the particular topic(s) chosen above.

Due to the sensitivity of work with the implementation of the enforcement over the monetary assets and permanent amendments to the Law, a constant education of the employees is needed in order to follow all the amendments. Also due to the sensitivity of the work and the large number of complaints from citizens daily received, additional education of workers is required in order to reduce discontent both of the citizens and of the employees.
 Monitoring and improvement of applications
 Monitoring of legal regulations' changes
 I think that continuous education in the field of law enforcement, new work methodology and communication skills, is important. Previously stated would enable employees to improve their existing knowledge and gained skills.



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The legal framework of enforcement - monitoring and amendments of legal provisions.
 The development and improvement of the application solution.
 Monitoring of legal regulations and bylaws. Good and constant cooperation with the Ministry of Justice and Ministry of Finance.
 The practical application of regulations in the implementation of enforcement, possibility of applying new technologies for services that provide access to the data from the system of enforced collection, improving of the existing system
 Knowing and application of existing regulations regarding the implementation of the basis for the payment; application of modern IT technologies in keeping the Register for the order of the basis for the payment (*Očevidnik redosljije da osnovazaplaćanje*) to be charged from the funds in the accounts of the enforcement debtor and in providing data; Analysis of data from the Register

5.3. Which format would you find more useful?

5.4. Do you	1	A	Formal lectures
	7	B	Workshops
	7	C	Seminars
	2	D	On line courses
	1	E	Service on the job mentoring
	1	F	Others, please specify

think that training activities specially designed on enforcement system will be useful for you?

	1	Strongly disagree
1	2	
1	3	
2	4	
5	5	Strongly agree

Why?

It would be easier for the employees to be trained on detailed rules for the work
 Due to timely upgrade of existing knowledge
 I think that unified training, regarding the implementation system of the enforcement on the monetary assets, movable and immovable, should be formed due to continuous learning and upgrading of existing knowledge.
 Professional training with actual examples from practice, that may be appropriate to apply in jobs performed, and on which basis a quality decision about action can be made.
 Quality training in any case can only have a positive effect on my future work and my greater contribution to the development of better and more efficient system of enforced collection In FINA.

6. OVERALL ASSESSMENT



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6.1. To your knowledge and practical experience, the current training system in order to improve efficiency and effectiveness of the enforcement system is:

	A	High: the current system is efficient
5	B	Adequate: the current system is working properly
6	C	Low: the current system is inefficient and can be improved
	D	Very low: the current system is very poor and inefficient

6.2. Rate from 1 to 10 the need to increase training as a useful tool to strength institutional and administrative capacities of stakeholders in regard to the enforcement system (please, mark your choice with an X):

	1	Strongly disagree
	2	
	3	
	4	
2	5	
	6	
2	7	
1	8	
2	9	
2	10	Strongly agree

6.3. Please, sort from least important (1) to most important (7) the key measures to be taken to improve training to the employees of institutions involved in enforcement in the Republic of Croatia.

33/3/5/3/4/5/6/7/1/1/	A	New legal regulation to introduce compulsory training
57/6/4/7/7/7/7/6/7/6/	B	Increase coordination between institutions involved in enforcement
34/5/0/5/2/4/5/3/5/5/	C	Creation of specialized training courses in enforcement
39/2/1/6/6/4/5/6/3/6	D	Increased training of judges and others responsible for the execution
22/4/2/1/1/2/2/4/2/4/	E	Increased supervision and monitoring of enforcement officers
27/7/3/2/3/3/1/2/4/2	F	Fully incorporate new technologies in training and education
29/1/6/4/0/3/1/3/7/3	G	Establishment of appropriate training on complaint mechanisms for users