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Contract Law Enforcement (CLE) Program Enforcement of Judgments - Backlog Reduction Initiative



Photo: USAID Contract Law Enforcement (CLE) Program

More than 100,000 cases are waiting for enforcement in Kosovo's courts. Many of them are older than 5 years.

The USAID Contract Law Enforcement (CLE) Program serves to improve the rule of law and create a better business environment for economic development and investment.

USAID Contract Law Enforcement (CLE) Program

Duration of the program:
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Overview

The USAID Contract Law Enforcement (CLE) Program supports the Kosovo Judicial Council and the Courts to overcome systemic problems that have led to the accumulation of a large backlog of unenforced court judgments. A functional judicial system is one in which citizens of a country can rely on. It is a prerequisite for a functional judicial system that enforcement of judgments is done in timely and effective manner. The Contract Law Enforcement (CLE) Program supports the Kosovo Judicial Council and the courts in two ways: 1) "Case Categorization" – an initiative to digitize judgment case files for more efficient management, and 2) assisting court enforcement personnel with organizing their work for greater efficiency, including great emphasis on performing enforcement against debtors' bank accounts.

Support to the Basic Courts

In order to make the Courts' work in enforcement more efficient, the Contract Law Enforcement (CLE) Program, in cooperation with the courts, developed and implemented a methodology to address problems by devoting additional resources and introducing more efficient approaches to enforcement procedures. The Contract Law Enforcement (CLE) team, consisting of six (6) lawyers supports the Basic Courts' enforcement personnel with entering information from all the paper case files into an electronic database, (to date, more than 100,000 civil cases have been digitalized). The Contract Law Enforcement (CLE) Program will also work with creditors, and will provide continuous support to the Courts to systematically and efficiently deliver required notice of judgments, as well as supporting more effective enforcement actions against bank accounts and wages.

Information Gathering and Construction of Enforcement Infrastructure

A large part of the reason for the backlog is simply the difficulty courts have in finding information about debtors and their assets. Changes to addresses and a lack of unified central registry have made it difficult for the Courts to perform enforcement. The Contract Law Enforcement (CLE) Program supports the efforts of local institutions to improve the ability of the courts to receive information from governmental institutions, including the Tax Administration, the Central Bank, and others. One example of efforts to make greater information available is the Central Bank of Kosovo's Unique Account Holder Registry which is used to support enforcement of judgments through bank accounts.