

Regional Cooperation Council

**OVERVIEW OF
THE RELEVANT EXPERIENCES
IN JUDICIAL E-LEARNING
IN THE SEE REGION**



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Title: Overview of the relevant experiences in judicial e-learning In the SEE region

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Background

This Overview of the relevant experiences in judicial distance training in the SEE region and its accompanying Recommendations were developed in the framework of the activity of the SEE Judicial Training Institutions (SEE JTI) Network.

The purpose of this document is to support the implementation of the RCC Strategy and Work Programme 2020 – 2022, in regard to the activities related to strengthening JTIs cooperation by facilitating and supporting networking and lifelong learning of judges, prosecutors and legal professionals, which should contribute to improved competences, mutual trust and enhanced cross-border and regional cooperation among the judiciaries in SEE.

This document should serve as a baseline for future actions in judicial distance learning area within the SEE JTIs Network. The recommendations herein should facilitate more active cooperation for developing and implementing joint initiatives, projects and actions on topics of common interest of the JTI's in the South East Europe region.

The findings in this document are based on the quantitative and qualitative data. Quantitative data were collected through a survey questionnaire disseminated to all JTIs in the SEE region whilst qualitative data were gathered during the online meeting of SEE JTIs Network held on 28-29 September 2020. Furthermore, wherever available, review of relevant documents such as annual reports, training strategies and training programmes was made, for better understanding of the present situation, validation and confirmation of the findings.

We would like to extend our gratitude to all JTIs for their contribution and invaluable support.

Introduction

Technology-based training within judiciary has several advantages; first it makes it possible to reach wider audience, it is more cost-effective, it accommodates legal practitioners' busy schedules and finally it provides for an alternative learning style fitting the present time.

Though most of the JTIs have been offering e-learning courses to judges and prosecutors for quite some time, e-learning culture within judiciary in Europe is still in its grassroots. Many of us still remember the judge/prosecutor who would dictate an e-mail message to his/her assistant. Luckily, that image is now a remnant of an ancient time. Nevertheless, today, some of them still remain equally unfamiliar with the specifics of cloud computing or are sometimes uncomfortable in usage of complex and diverse training applications. It must be underlined that both the effectiveness of an individual judge/prosecutor/clerk and the imperative to promote confidence in the judiciary require substantial technological literacy. Ignorance in usage of various information and communication technology (ICT) tools will surely not be a recommended path to follow. As with anything new, ICT is a powerful tool when used for good. Technology lets us access and share valuable legal opinions in a matter of seconds and allows distant¹ learning to be conducted easily and at low cost. Judges/prosecutors are highly educated members of the society with great responsibility and significant public visibility. The world in which they now must exercise that responsibility has merely expanded to include the virtual one as well. Therefore, they need to be continuously and frequently updated on the technology to better serve and administer justice.

The activities related to judicial training in 2020 have been deeply affected by the Covid-19 outbreak. In almost all Judicial Training Institutions onsite training activities have been suspended as of March 2020. Annual training plans/programmes did not envisage many e-learning training activities for 2020. Therefore, the first step of the JTIs was to revise their plans for the year focusing mostly on distant learning tools.

Certainly not all planned face-to-face trainings were cancelled immediately, but for all JTIs it took almost a month to reorganize the training plans. First action for most of the JTIs was to halve the planned number of participants for the face-to-face training events, accompanied by recommended sanitary measures. Second, face-to-face training with support of videoconferencing technology was broadcasted to reach wider audience. And finally, certain training activities were re-designed in a form of webinars and podcasts.

Postponing or reshuffling in-service training activities was slightly easier than for the initial training. Almost the entire of the initial training programme in most JTI's is organized in a face-to-face format. Therefore, to shift directly from training actions designed as face-to-face to improvised e-learning format was not only impossible but also inadequate. It took several months to adapt and accommodate the training format that most adequately meets the requirements of the new

¹ Distant (distance) learning, e-learning and online learning are terms of the same meaning in this document

Covid-19 imposed measures and at the same time to avoid or rather only minimise its impact on the training quality.

Suddenly, e-learning tools from the least favoured training format within the judiciary, became the only possible and later much appreciated learning format for all the members of the legal profession. International organizations that were far advanced in e-learning courses were of great help in this relatively fast recovery process of reorganisation towards e-learning, especially since they offered JTIs free of charge e-learning courses. The JTIs mostly adjusted the e-learning courses developed by these organizations to the needs of their participants. The only challenge was that the content of training was not necessarily a priority in local context.

In this new imposed e-learning world, the JTIs were faced with many challenges: to meet deadlines for trainings; to cope with the lack of motivation of trainees and trainers; to train inexperienced participants to use sometimes complicated access to learning platforms; to find competent and skilled staff for e-learning organisation and management; to manage the poor or inadequate infrastructure or network and many other obstacles which they needed to address on a daily basis.

Therefore it became evident that it is essential that all e-learning modules are developed with high quality, respecting general methodological recommendations for quality training and providing users with a truly interactive and practice-oriented learning experience.

Judicial Training Institutions needed to immediately invest in e-learning and videoconferencing technology. Therefore, they needed to learn and use new technologies and develop more distance learning projects and ultimately integrate distance learning into the overall judicial training strategy.

Analysis of the Status Quo

The findings in this document are based on the brief analysis made on the information gathered through quantitative and qualitative research methods. The quantitative data were collected through survey questionnaire disseminated to all Judicial Training Institutions in the SEE region. Qualitative data were gathered during RCC JTI Network online meeting held on 28-29 September 2020, from the presentations and discussions made by each institution. Furthermore, wherever possible relevant documents available on JTIs web page such as annual reports, training strategies and training programmes were reviewed for better understanding and validation.

Out of a total of 14 Judicial Training Institutions covered by this survey, 13 (93%) replied to the questionnaire. The questionnaire itself was composed of Multi-Choice, Rating-Scale and Open-Ended questions. (For more details see Annex I)

The replies are clustered in four key chapters/parts: judicial e-learning presence in the SEE region; e-learning tools; e-learning management; and e-learning infrastructure.

E-LEARNING PRESENCE IN THE SEE REGION

According to the data received, 43% JTIs in the region have started offering e-learning courses 5-10 years ago, while only 7% started with e-learning offer more than 10 years ago. The situation differs when it comes to offering e-learning courses in initial and continuous training programme. The e-learning courses were firstly offered in continuous and more recently in initial training programme. Regarding the start of online courses, some JTIs were rather general in answering this question while others were more precise in indicating when they started offering online courses for initial and continuous training separately.

The biggest challenge for JTIs induced by Covid- 19 was the need for immediate shift of all face-to-face trainings within the initial training programme, because the initial training duration in many JTIs is fixed by legislation and could not be easily postponed, and any potential extension would require interventions in the legal framework. Secondly, finding enthusiastic trainers to be involved in e-learning training was quite a challenge, having in mind that most of trainers are practicing judges/prosecutors. And thirdly, the initial training goal is to train judges and prosecutors in “judgecraft”, a skill necessary to become a magistrate, which is not easily transferred solely by e-learning tools.

In terms of e-learning offer, an immense increase in the number of offered but also **implemented** e-learning courses has been witnessed this year, incomparable with years before.

Figure 1: E-learning start in real numbers

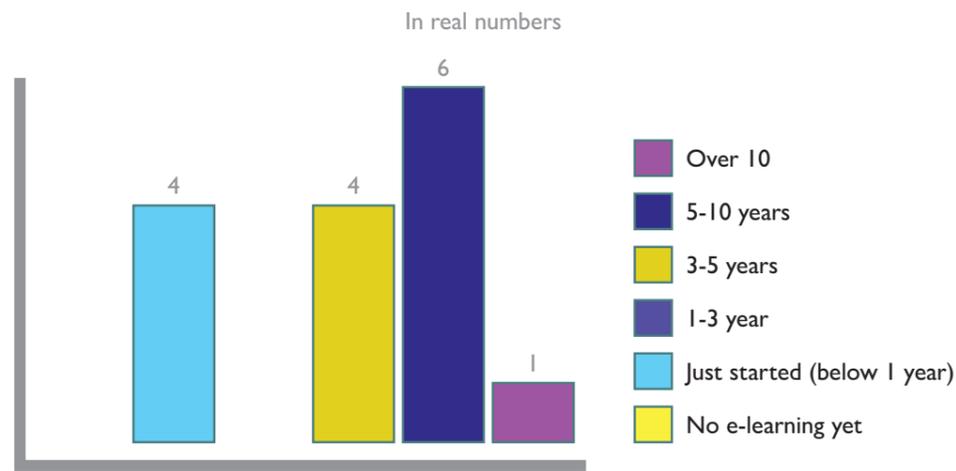
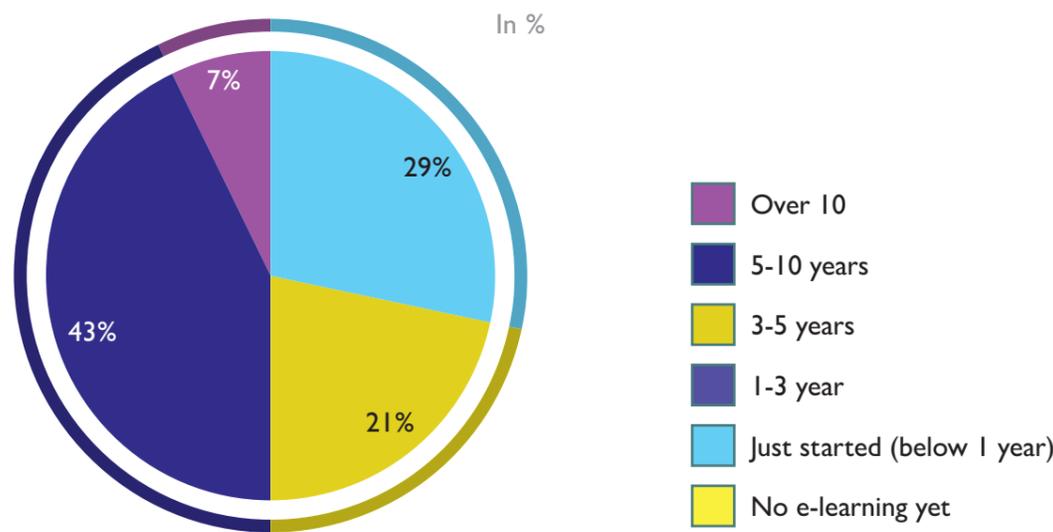


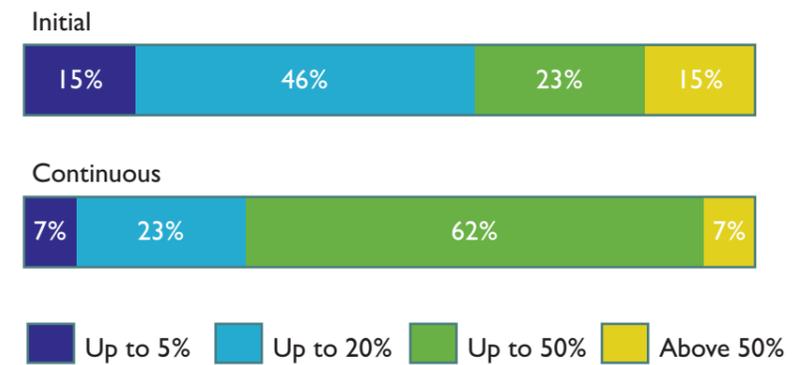
Figure 2: E-learning start in percentage



The restrictions imposed on all training institutions increased the provision of e-learning courses. 62% of JTIs provide up to 50% of e-learning courses within continuous training programme. 46% of the surveyed institutions offer more than 20% of e-learning courses within their initial training curricula.

E-learning courses participation in the initial training programme in all except one surveyed JTI is less than in continuous training programme.

Figure 3: E-learning portion in initial and continuous training

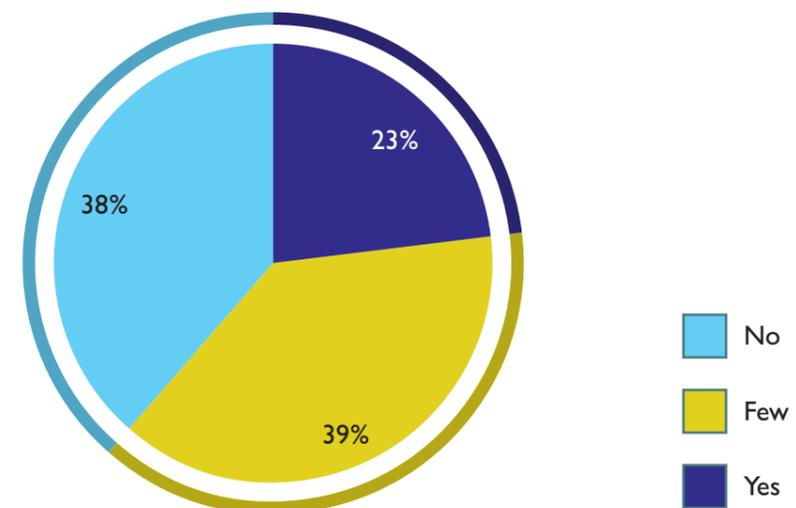


Although training participation in online training actions is satisfactory, “doubts” about the effectiveness of training impact prevails among all JTIs.

Statistics on the training participation and evaluation show that the most “attractive” time for e-learning is the period between 20.00-24:00 hrs, or when judges and prosecutors are at home, hence the workload does not allow them to have trainings during the working hours. This increases the reluctance to training participation among certain group of judges/prosecutors.

As for the target groups/training programmes for the already existing online courses, it seems that the situation differs among JTIs. In 23% JTIs the same e-learning courses are offered in initial and in-service training programme, 39% said they use few e-learning courses in both training programmes while 38% stated that they do not use the same training for the two main training programmes.

Figure 4: Shared courses



Taken aback by the lockdown, JTIs were faced with the offer they already have. Therefore, most of the typical online courses are the ones they had in previous years. No new online courses have been developed in the meantime. Most face-to-face trainings were adapted using webinars and videoconferencing tools to achieve the same learning outcomes.

The situation was more difficult in case of initial training hence most of the initial training actions have been made in face-to-face format. Some institutions continued using the same approach while only reducing the number of participants and some broadcasted the face-to-face training for a small group with the support of videoconferencing technology.

To shift from a traditional face-to-face to an e-learning training format was a challenge for all JTIs, especially for those institutions that do not have the infrastructure and experience in distance learning. In addition, judges and prosecutors, their main target groups were never very appreciative of distant learning tools. It has to be noted though that all JTIs were much better prepared than their beneficiaries.

In terms of training in general judicial clerks have been widely neglected. Although almost all JTIs have the competence of providing training for judicial staff too, initial training for judicial clerks is not included in their training portfolio and as for continuous (in-service) training needs of judicial clerks are rarely addressed. The situation is similar throughout Europe, therefore the latest CCJE Opinion 22 on “the Role of Judicial Assistants” draws attention to judicial assistants and the need to increase their competence as they represent a significant link in the chain of the administration of justice. “In a constantly changing legal environment, the judiciary should establish a culture of self-improvement and training for judges. Such training opportunities should be open for judicial assistants in order to improve their ability to assist judges. If there is a system of training for judges, the training of judicial assistants should be offered by the same institution. It should take the assistants’ training needs into account. Such training is of special importance if judicial assistants aim at becoming judges.”

E-LEARNING TOOLS

This document analyses the three key e-learning tools that are analyzed: a MOOC (massive open online course), a webinar, and a webcast/podcast. Their definitions are taken from the document prepared by the European Commission - Directorate-General for Justice “European Judicial Training - Advice for Training Providers”². Among JTIs videoconferencing is not only known as a supporting technology for webinars but also for other training formats, and is mentioned as a separate tool. Blended learning as an approach to learning that combines face-to-face and online learning experiences, which is often employed by JTIs, is given special attention.

According to the JTIs, out of these three e-learning tools the most frequently organized e-learning format is an online/e-learning course or massive open online course MOOC, which was weighted 4.1 on a scale of 1-5. On the other side the least frequently organized e-learning format is a traditional face-to-face training delivered via videoconferencing technology, which was weighted 2.8 on a scale of 1-5.

² Relevant extracts provided in annex 2

Figure 5: Most organized e-learning format

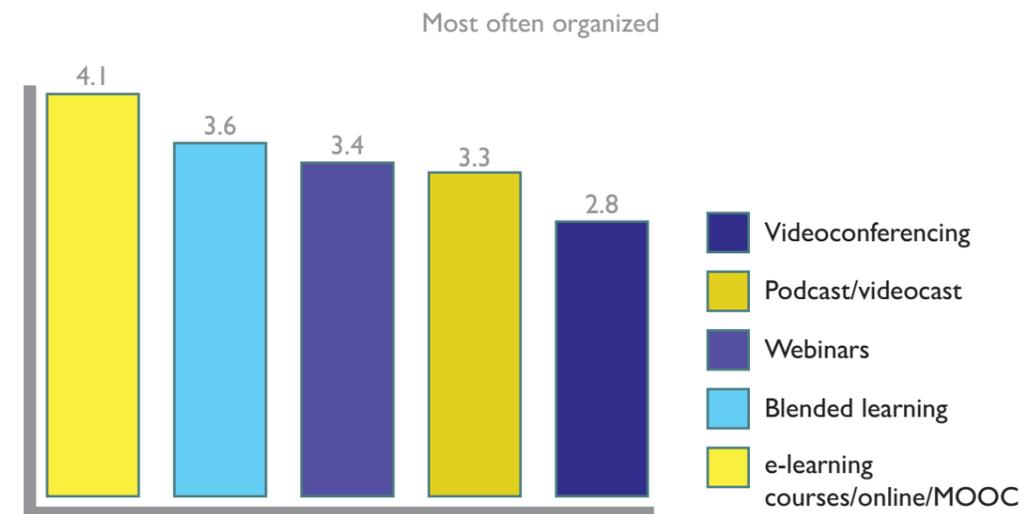
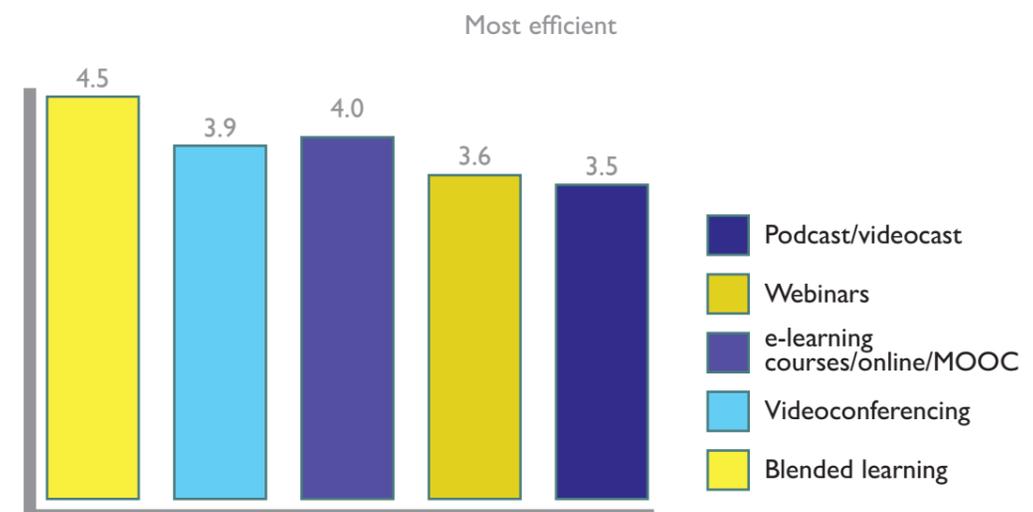


Figure 6: Most efficient e-learning format



According to the surveyed JTIs, the most efficient e-learning format is blended learning which was weighted 4.5, followed closely by online course with 4 and videoconferencing with 3.9 on a scale of 1-5. On the other side, the least efficient e-learning format are podcasts/videocasts which were weighted 3.5 on a scale of 1-5.

With the Covid-19 outbreak, all JTIs were obliged to stop with face-to-face training. Though they all had e-learning courses they offered in their programmes, these courses were not considered as priorities in their annual programmes and were more of a supplementary training for special areas of law.

The first attempt to continue with the training was to offer as much as possible of the already existing e-learning courses to all target groups in the JTI portfolio. Second and more complicated attempt was to copy face-to-face training into online training just by using videoconferencing tools (skype, zoom, etc.). The next action was to develop webinars, webcasts/podcasts. All JTIs entered into this “imposed” e-learning process not sufficiently prepared, they were “learning by doing” and therefore juggling with many obstacles: lack of skilled trainers, inexperienced participants, complicated access to learning platforms, unmotivated trainers/trainees, inadequate infrastructure, poor network, lack of guidelines ...

Blended learning³ exists in many JTIs in the region. It has proven to be the most effective training format, and could therefore be easily adjusted in the rest of JTIs. This combination of self-study and face-to-face training was considered most appreciated training format by the target groups in all JTIs. Self-study part of a blended training is usually accessible to participants through digital learning environment. The digital module consists of several lessons: preparatory assignments, self-assessment quizzes, short lectures with self-testing questions, (information to be read and video to be watched before face-to-face meeting). This practice ensures that participants have the same average knowledge on the topic before the face-to-face part of the training. They can learn the theory at their own pace. During the training the trainer can focus on more practical application of knowledge through the use of exercises. This considerably enhances the effectiveness of the contacts between trainers and participants. The process could also be reversed, to start with face-to-face and follow with online training format. Hence various learning activities are offered in the self-learning part and are suitable for a range of different learning styles.

Also, hybrid training, which was firstly promoted by EJTN, was utilized by most of JTIs. Hybrid training was implemented as a combination of classroom training and online training environment using one camera for all or laptops in front of each participant in a classroom. Variations of hybrid training are nowadays practiced almost in all JTIs.

After several months, the quality of trainings improved, the e-learning management was sufficiently harmonized, and all involved in judicial training have increased their skills in the use of information technology. Yet, it became more than obvious that future e-learning modules have to be planned and designed with high quality, respecting general methodological approaches necessary for quality online training.

E-LEARNING MANAGEMENT

In this survey, online **e-learning management** was analysed from several angles:

- If the needs for e-learning have been identified prior to an e-learning course launch?
- Who is designing an e-learning course?
- How many available e-learning courses are adjusted within JTI?
- What type of course evaluation system is put in place?

³ NIJ Bulgaria from the SEE Region and the Dutch SSR (Training and Study Center for the Judiciary) examples according to the EJTN are identified as the best practices in judicial blended learning.

TNA prior to e-learning course design

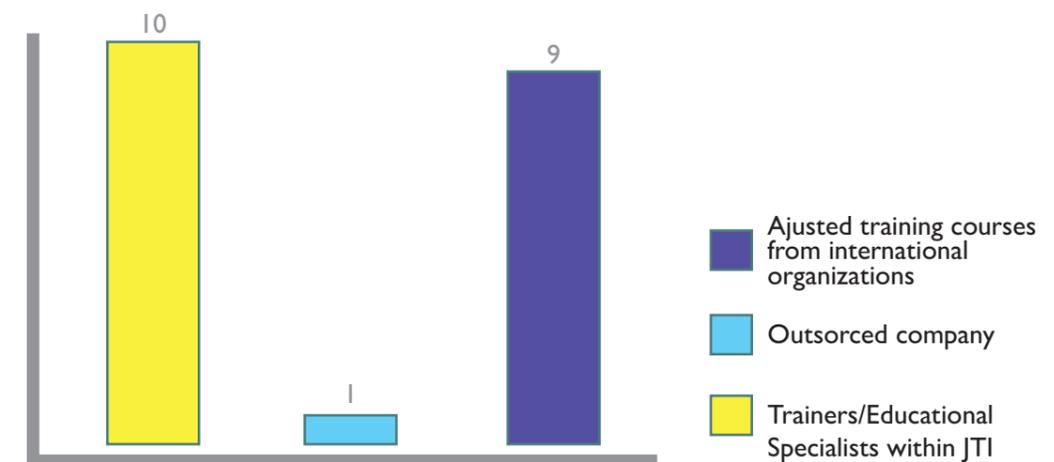
Almost all JTIs conduct TNA, though in most of the cases through a regular general annual TNA. Targeted TNA for designing an e-learning course was rarely conducted; hence there are rare cases of e-learning courses designed solely by JTI.

E-learning was always considered as a supplementary and supporting tool and according to all involved in judicial training that is how it should remain, hence not all learning objectives can be met by e-learning tools. Learning outcomes clearly define what the training should achieve: enhance skills, knowledge, change attitudes or behaviour. Therefore, learning domains and levels of Bloom’s Taxonomy are key priorities when designing a course regardless of whether it would be a face-to-face, blended or e-learning training action. Consequently, the process of conducting an e-learning course is lengthy and requires special skills and competence.

The e-learning course design responsibility

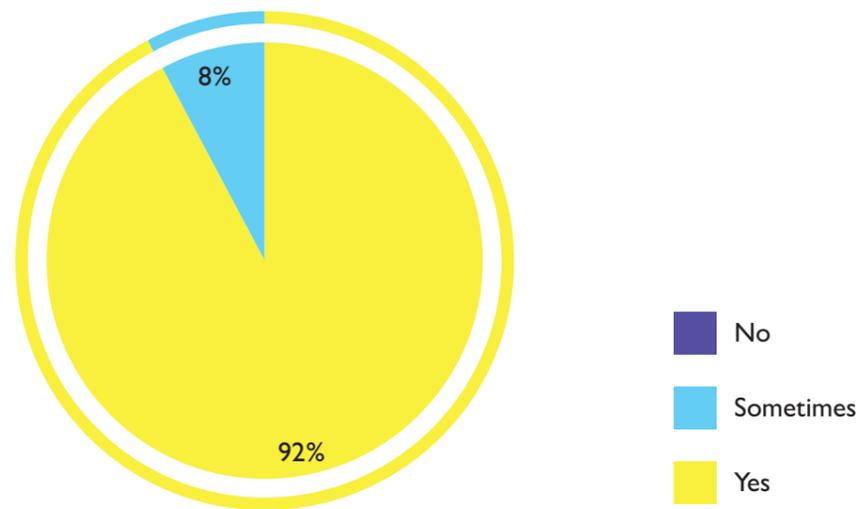
With respect to training design, just about the same number of JTIs replied that they practice the two given options: in-house design and adapted courses from international organizations. Only one JTI has experience with outsourcing the design of courses to a specialized professional company.

Figure 7: Design of training courses



Tutors or moderators are indispensable in most of the courses. 58% replied that the tutor is necessary when implementing online courses while 42% stated that tutors or moderators are necessary in some e-learning courses.

Figure 8: TNA before design



Adjusted e-learning courses & e-learning offer from other institutions

As mentioned earlier most of JTIs adjust e-learning courses from international organization and offer them in their training plan. All JTIs are familiar with CoE HELP programme and the e-learning courses offered on their platform.

Council of Europe started with e-learning courses about 10 years ago, with the launch of the CoE HELP Programme⁴. The Programme supports the Council of Europe member states in implementing the European Convention on Human Rights (ECHR) at the national level. Their courses are typical online courses, designed and implemented to meet the best learning outcomes following standardized approach. Many of the courses are adjusted by JTIs according to the local legal environment and using local language. The whole process is lengthy and meticulous, lasting up to 18 months. Currently they offer 36 e-learning courses with 250 locally adapted versions.

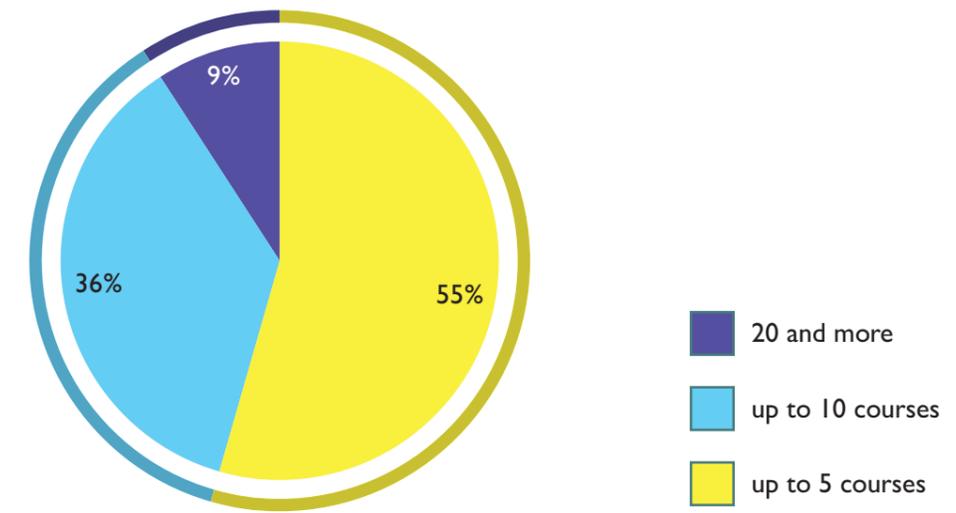
There are two main types of HELP training resources:

- The HELP online courses on various human-rights related topics, which are available to any user who has an account on the platform; and
- The so-called 'Tutored courses' which are only available for selected groups of legal professionals participating in pilot courses moderated by HELP certified tutors.

When JTIs talk about e-learning courses in the vast majority of cases those are the CoE HELP adjusted courses.

⁴ The European Programme for Human Rights Education for Legal Professionals (HELP)

Figure 9: JTIs offer of the CoE HELP courses



As a result, according to the surveyed JTIs, 55% of them offer up to 5 adjusted courses, 36% offer up to 10 and 9% offer 20 and more CoE HELP courses.

Though they started offering some face-to-face courses through videoconferencing, developed some webinars or provided link to relevant webinars offered by other international institutions (EJTN, ERA, UN), the typical online courses that JTIs offer are mostly CoE HELP courses whether adjusted and put on their e-learning platform or directly through CoE HELP platform.

EJTN started with online training recently, as a result of the restrictions posed due to Covid-19 and mostly in a form of webinars and very few podcasts. In the past they only had linguistic online seminars hence e-learning was not well received by judges and prosecutors. They first started by transmitting face-to-face training supported by Skype, and later developed a series of webinars. Initially, their annual Catalogue for 2020 did not envisage any e-learning trainings. The webinars they develop are open to all JTIs and are later shared as webcasts.

However, as stated in the EJTN Judicial Training Methodology "Experience from an EJTN Training the Trainers Seminar has shown that well-designed e-learning can be a useful methodological tool in initial training, bringing real added value. However, web-based training can never and should never replace residential learning in groups and peer-to-peer constellations in initial (or induction) training. But good introductory e-learning modules may result in a more homogeneous standard within a group of trainees before the actual group training starts. The concept is then in reality one of blended learning, as web-based learning and residential learning interlace."

ERA⁵ also offers wide range of e-learning courses (basic and specialized) for legal practitioners on a commercial basis. They are open to everyone, though they also develop "made to measure e-learning" tailor-made training according to specific needs of an institution.

⁵ European Academy of Law

JTIs use the e-learning opportunities offered by these and other institutions, in most cases on cost-efficient grounds. Although language is always an obstacle to secure wider participation.

E-learning quality

The main goal of e-learning to reduce costs and reach wider audience is more than met in all JTIs and in many of their typical online courses allow participants the commodity of learning at their own pace. Still, improvements in the training impact could be made to ensure increase in the overall training quality.

Quality assurance within JTIs is measured through **course evaluation** and **course satisfaction surveys**. Course evaluation is implemented at the end of each training course using electronic questionnaire (post-training evaluation form) in almost all JTIs (in case of face-to-face training through a paper questionnaire immediately after each training action). Some JTI use both, pre- and post- training evaluation questionnaires.

The data available from the evaluation questionnaires are valuable for further training improvements as well as for the identification of future training needs.

Most of the questionnaires used in course evaluation for all training formats implemented through JTIs, are usually administered immediately after the training event and assess the level of satisfaction - or how participants react to the training. Namely, they implement Level 1 “Reaction” of the Kirkpatrick’s scale for training evaluation. Few JTIs started implementing levels 2 (Learning) and 3 (Impact/Behaviour), which is recommended for all, irrelevant of the training format.

Figure 10: Course evaluation

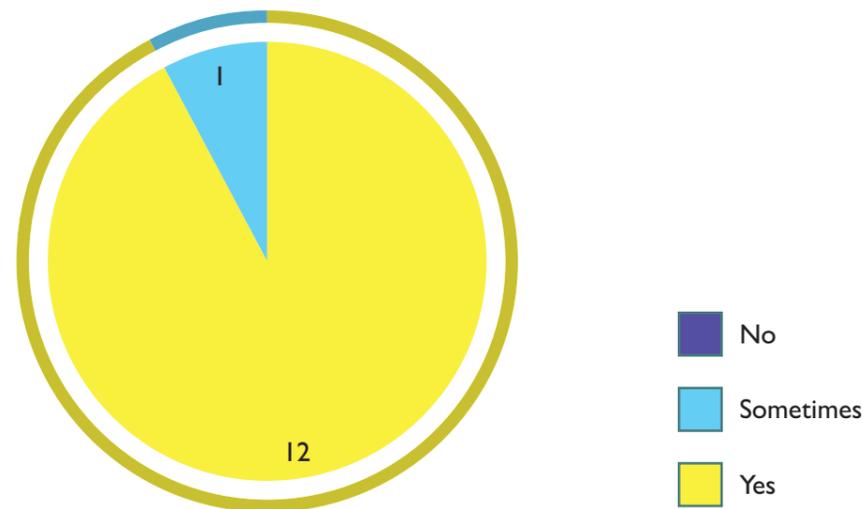
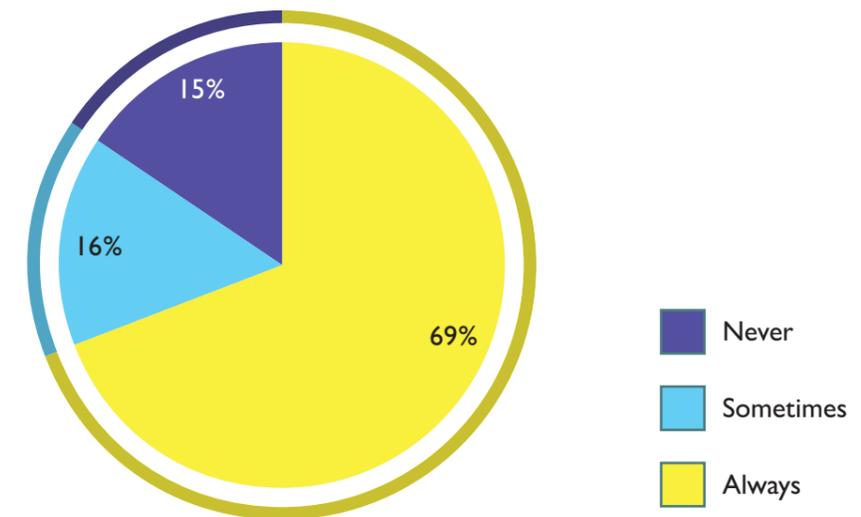


Figure 11: Course satisfaction surveys



Course satisfaction surveys are also organized on a regular basis in 69% of the surveyed institutions and only in 15% of the JTIs they are not organized at all. That is understandable because almost the same percentage of JTIs recently started implementing e-learning courses.

However, it is not clear whether these surveys assess the level of satisfaction with the training quality in general and not only the satisfaction level of e-learning training or a particular e-learning course. EIPA post-training evaluation model based on the Kirkpatrick’s level 3, seems a very appropriate approach that could be taken as a good example in the upgrade of current JTIs evaluation model for both traditional face-to-face training and e-learning training formats.

The model introduced in EIPA assesses:

- to which extent participants had the opportunity to use the knowledge/skills learned during training event;
- to what extent the acquired knowledge helped them to perform daily work more efficiently; and
- whether the training can be improved.

The post training evaluation is conducted 2-4 months after the training. Besides its main goal to oversee and improve the quality of training it also identifies future training needs.

E-LEARNING INFRASTRUCTURE

From the available free open sources JTIs use BigBlueButton, Moodle, ILIAS and ZOOM, though some of them have purchased specific tailor-made educational software such as e-presence, Cisco Webex, Professional Zoom and Adobe Connect.

Having in mind that the e-learning platform is usually connected or part of the overall platform within the judiciary, certain level of security is required which immediately makes the situation more complicated and costly.

In terms of technology it is evident that the infrastructure for e-learning is not adequate, and it needs immediate attention. Though, it has to be noted that JTIs stand better than their beneficiaries. Inadequate technical equipment, (old hardware, desktop computers lacking cameras and microphones, outdated software etc.) is main challenge in many courts and prosecution offices.

Furthermore, technical limitations of platforms, programmes or applications combined with compatibility issues are also an obstacle for an efficient e-learning system.

And finally, low or instable internet connection hampers the quality of e-learning process.

Beneficiary institutions (courts, prosecution offices, MoJ) have technical limitations. Many are still using computer operating systems that are no longer supported by the manufacturers, and the majority are unable to differentiate between the requirements of ICT and educational or instructional technologies since they are relying solely on ICT staff for the implementation of all aspects of online learning such as infrastructure management, e-pedagogies and learner support systems.

Lessons learned

In these past months of intensive use of e-learning tools JTI's experiences increased and lessons learned helped improve the quality of online training. The most relevant lessons learned are noted below:

- To bring the best results from an e-learning training, the most adequate duration of an online training is between 2-3 hours per day, or a two-day face-to-face training event could be converted into 2 half-days.
- Keeping the attention of the participants should be plausible if blocks of different tools/methods (polls, surveys, tests, tasks, break out rooms for group work, etc.) interchange every 5-10 minutes, provided that the platform allows it.
- To make the training more efficient the maximum number of participants should not be more than 10 and always involving 2 persons for training delivery (trainer and moderator/administrator).
- Providing support to the trainer by involving activity coordinator, facilitator or administrator (dependent on the course, platform possibilities, and experience of the trainer) in the training design and implementation phase becomes inevitable. The use of different communication tools such as WhatsApp, Viber, or messenger among the training organizers will better facilitate the information flow and help the trainer to adapt the training during the session by replying to questions and therefore better streamline the training.
- Using professional paid e-learning platforms proved to be more reliable in many cases hence the flexibility of this type of platforms allows more easily/frequently upgrade. However, the priority should always be given to free online open sources.
- E-learning makes it easier to work with international partners on a cost-effective basis. Therefore, international exchange in a digital learning environment has become more common and will be much more employed in the future.
- Significant time has to be dedicated to e-learning course design. E-learning course design has to follow the typical course design cycle phases: analysis, design, testing, piloting and launching. Piloting before launching, proved as absolutely necessary step and very beneficial for final improvement of the training. Therefore, it will take minimum 8-10 months to develop an e-learning course of high quality.

Challenges and Recommendations

The review of the feedback from the survey and the information gathered during discussions identified several **challenges** with regard to judicial e-learning in the SEE region, such as:

- **Interaction between participants and tutors:** The limitation of the technology in judicial e-learning is especially pronounced in reaching the learning outcomes that should lead to skill enhancements or behavioural changes. Lack of eye contact, body language, and role play in a virtual group lose the very essence of a potential training impact typical for face-to-face practical work.
Online learner participation and patterns of participation are influenced by factors such as: technology and interface characteristics, content area experience, roles and instructional tasks, and information overload. The nature of in-service training (mandatory or voluntary) also plays an important role there. For instance, in cases where certain training courses are mandatory e-learning is easier implemented. Learner participation is an essential element for active and engaged learning.
- **Motivation and passive participation:** Pedagogical design elements in course management systems and discussion board interface may affect participation and learning. Online discussions are influenced by how people interact with the discussion interface. Learners may adopt new personas and may not feel obligated or pressured to participate in online communication especially when they do not see each other (as is the case in discussion board interface). They reluctantly join in a dialogue for engaged and active learning.
Motivation of participants is measured also by drop out ratio, which is significant when it comes to e-learning voluntary courses.
Participants must be self-motivated, exhibit commitment and accept the flexibility that goes with online engagements. However, these internal conditions and expectations of learners may be challenged by poor internet access, misinformation, and inadequate technical and institutional support.
- **Poor or inadequate infrastructure or poor network:** E-learning involves electronic applications and processes to learn. It comprises web-based learning, a virtual classroom and digital collaboration. Namely, online learning is typically delivered via the internet and with a support of a learning management system (LMS). It could be confidently said that the existing physical structures within judiciaries in SEE region are not all designed to support emerging educational technologies. Many of the systems are constrained by ICT infrastructure such as poor network security, inadequate wireless technologies and low internet band-widths, as well as ineffective infrastructure management to ensure contributions of technology as a means to improving trainee's learning.

- **Inexperienced participants and complicated access to learning platforms:** Computer and Internet self-efficacy of adult learners play a significant role in online learning processes. Many judges remain unfamiliar about how to access complicated learning platforms. And this region is not an exception. The learners who have low perception of competency in these issues or the senior adult learners might have challenges in this process, and this might cause participants dropout. But that is not always a case with senior experienced judges/prosecutors; it is about a certain type of individuals. The problems also arise if available support through the related resources is weak or non-existent. Therefore, they might feel isolated in their educational experience.
- **Competent and skilled staff for e-learning management:** JTI's are coping with educational specialists in general and on top of that educational specialists in e-learning management are almost non-existent. They rely mostly on ICT staff for the implementation of all aspects of online learning such as infrastructure management, e-pedagogies and learner support systems. Though ICT staff is indispensable in an e-learning process, judicial educational specialist should help make the bridge in adapting the methodology to the IT infrastructure in the achievement of teaching/learning objectives.
- **Lengthiness of distance learning course:** Many of the e-learning courses are lengthy both in terms of time and volume. Usually they last from 2 to 4 months though still flexible to participants pace of learning. This lengthy process makes some of the participants impatient to stay in the course to its end. And therefore, the participants drop-out rate is quite high.
- **Workload of participants,** especially in case of lengthy e-learning courses, reduces the willingness to participate in an e-learning course. Courts backlogs and increase of judges' workload with the constant pressure to deliver outputs and meet the timeliness in case processing, hamper the efficiency and effectiveness of trainings in general. There are no benefits for those participating in training except considerations during annual performance assessment, in cases where existent.
- **E-learning trust.** It seems that e-learning is not taken seriously and is continuously doubted regarding its training impact. To be taken seriously training providers need to offer high quality e-learning courses identified based on prior analysis, meticulously designed, piloted and evaluated with an aim of further improvements.

The following set of **recommendations** derived from the identified challenges. Their prioritization differs from one JTI to another. Below they are shown according to the priorities assigned to them by JTIs during the Network meeting held on 28-29th of September 2020.

RECOMMENDATIONS AT THE LEVEL OF JTI

- Develop judicial e-learning strategy. Based on prior comprehensive assessment it is recommended that policy actions are designed for utilization of e-learning tools, by incorporating e-learning strategic objectives into the overall JTI's strategy.
- In order to provide an interactive and practice-oriented learning experience, it was essential for the JTI to increase the investments in e-learning and videoconferencing technology to ultimately integrate distance learning into the overall judicial training strategy. It is important to keep up to date with the technological trends but also consider the compatibility issues. Compatible applications allow sharing e-learning courses among JTIs in the region and benefit from joint solutions. Free open source applications should be used whenever possible.
- Adjusting pre-prepared e-learning courses is the most cost-beneficial way to extend the e-learning offer by providing already tested e-learning courses, developed by relevant international organizations or other JTIs. Slight adjustment might be needed to tailor the course to local legal environment however it saves significant time and resources.
- Wherever possible, efforts should be made to better meet different participants learning style. When the content and the learning objectives of the training allow, the same course could be offered in both e-learning and face-to-face format to better meet the learning outcomes by addressing different learning styles of participants.
- The improvement of evaluation tools for long-term monitoring and evaluation would contribute to improved quality of training programmes. Strengthening the evaluation model to assess short- and long-term impact of training actions will also further improve online training offer. Having in mind that majority of JTIs have training evaluation system already in place based on Kirkpatrick's level 1, they are encouraged to implement Level 2 and 3, where appropriate.
- It is crucial to raise the competencies of all target groups with regard to the usage of ICT in judicial e-learning. Different target groups will need different training, therefore TNA is necessary to identify priority training for the target groups in JTI's portfolio and within JTI's staff. All users of e-learning courses need to be provided with training on how to use different e-learning tools. This training could be organized through on-the-job training, recorded video-demos with detail instructions, and/or by drafting a manual for the use of all available e-learning tools – or even further a manual for usage of all electronic tools used within the judiciary. E-learning management training including all stages of the training cycle management process will be necessary for staff directly involved in the e-learning process, such as: educational specialists within JTIs, internal and external trainers.

RECOMMENDATIONS AT THE LEVEL OF RCC SEE JTI NETWORK:

- The JTIs are encouraged to take part in joint activities for development of e-learning methodology. The need for unified approach in all stages of the e-learning management is more than obvious. Although there are two training methodologies already developed by CoE6 and EJTN7, they do not address the e-learning management. There is a need to develop a special e-learning methodology for judicial training which will serve as a step by step guide to e-learning management.
- Enhance competence for e-learning management within JTIs by providing training for e-learning management based on previously developed e-learning methodology, through regional ToT trainings followed by national cascade trainings to reach all the trainers/educational specialists involved in the e-learning process.
- Having in mind the vast literature, training materials, studies, publications and other relevant documents available within each JTI, it would be beneficial to share documents and knowledge through common place such as "E-Library". The "E-Library" could also host webinars, share webcasts/podcasts, provide access to all JTIs and their learning platforms, as well as links to other relevant e-sources and data bases. Hence RCC and GIZ have already created the online Regional Legal Experts Database RLED, expanding this database with additional functionalities by creating a 'digital library' which will also give a possibility to store annual training plans and upload training materials, could be beneficial and at the same time have synergy effects.
- The identification of needs for training of common interest would be a step forward towards joint training actions (both for e-learning and face-to-face training formats). Conducting comprehensive training needs assessment to identify training areas of mutual interest for the region for the next 2-3-year period, will serve as a base for joint e-learning training actions. This will also contribute in the establishment of uniform mechanisms and systems for TNA. Sharing information about training actions will assist in defining priorities and possibilities for the planning and implementation of regional initiatives and projects.
- Development of training modules of common interest such as: ToT in e-learning management; court management; case management; EU Law; legal reasoning and writing; administration of justice; fight against organized crime; anti-corruption; fight against terrorism; money laundering; trafficking; judicial ethics; anti-discrimination, as already identified areas of common interest, could lead towards joint solutions for e-learning courses on a compatible platforms.

On the basis of the findings and recommendations made herein the following areas of potential assistance could be recommended:

- Development of E-Learning Methodology;
- Capacity building activities to enhance knowledge and skills for e-learning management;
- Design and establishment of E-Library;
- Conducting comprehensive regional TNA for the common areas of interest;
- Development of e-learning training modules of priority for the region.

6 HELP Guidebook on Human Rights training methodology for legal professionals

7 The EJTN Handbook on Judicial Training Methodology

Annexes:

ANNEX I QUESTIONNAIRE

ANNEX II EXTRACT FROM “ADVICE FOR TRAINING PROVIDERS – EUROPEAN JUDICIAL TRAINING”



ANNEX I - QUESTIONNAIRE

Questionnaire – “The use of the technology and internet including web browsing for learning purposes in judicial training in SEE”

Dear Respondent/Colleague,

In light of the annual meeting of the SEE JTI scheduled for 28-29 of September, we would kindly ask you to fill-out this questionnaire. The initial findings based on the data collected and the best practices shared during the meeting will provide necessary information for preparing a set of recommendations for implementing sustainable e-learning practices for ensuring efficiency in using digital training techniques.

This questionnaire will only take 10 minutes of your time, and we would appreciate if you send the filled-out questionnaire not later than 22 of September 2020.

1. How long do you offer e-learning tools for training purposes?

No e-learning yet	Just started (below 1 year)	1-3 year	3-5 years	5-10 years	Over 10
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Which digital teaching methods/e-learning formats do you use? (more than one options can be selected, definitions available at the end of the questionnaire)

Type	Which type you organise most often
<input type="checkbox"/> e-learning courses/online/MOOC ⁸	1 2 3 4 5
<input type="checkbox"/> Blended learning	1 2 3 4 5
<input type="checkbox"/> Videoconferencing	1 2 3 4 5
<input type="checkbox"/> Podcast/videocast	1 2 3 4 5
<input type="checkbox"/> Webinars	1 2 3 4 5
<input type="checkbox"/> Other please specify _____	1 2 3 4 5

⁸ MOOC – Massive open online course

3. Which digital training methods/e-learning formats showed most efficient in your institution.

Type	Efficiency level
<input type="checkbox"/> e-learning courses/online/MOOC	1 2 3 4 5
<input type="checkbox"/> Blended learning	1 2 3 4 5
<input type="checkbox"/> Videoconferencing	1 2 3 4 5
<input type="checkbox"/> Podcast/videocast	1 2 3 4 5
<input type="checkbox"/> Webinars	1 2 3 4 5
<input type="checkbox"/> Other please specify _____	1 2 3 4 5

4. Do you use e-learning tools for initial and continuous/in-service training programme?

- Initial
 Continuous

5. Are the same e-learning courses provided for initial and continuous training?

- Yes
 Few
 No

6. How much of the training courses are provided in e-learning format?

a. In the initial training programme

- Up to 5%
 Up to 20%
 Up to 50%
 Above 50%

b. In the continuous training programme

- Up to 5%
 Up to 20%
 Up to 50%
 Above 50%

7. Who designs the e-learning courses/modules?

- Your training institution (JTI)
 Outsourced professional company/individual.
 Adjusted training courses from international organisations

8. Do you assess learning needs before designing an e-learning course?

- Yes
 Sometimes
 No

9. Do you conduct training course evaluation?

- Yes
 Sometimes
 No

10. Do you provide certificate for an e-learning course?

- Yes
 Sometimes
 No

11. How frequently do you need a moderator/tutor for an e-learning course?

- Always
 Sometimes
 Never

12. Are you familiar with the CoE HELP e-learning portal?

- Yes
 Somewhat
 No

a. If yes, how many of the HELP online courses are adapted and used through your portal?

- 5 courses
 10 courses
 20 and more courses

13. Did your institution increase the e-learning opportunities/offer during the COVID 19 pandemic?

- Yes
 No

a. If yes, can you assess the percentage of the increase?

- Up to 5%
 Up to 20%
 Up to 50%
 Above 50%

14. Do you have statistics on participants on the e-learning training courses?

- Yes
 No

15. Do you conduct satisfaction surveys for the e-learning training courses?

- Always
 Sometimes
 Never

a. If yes, could you explain in few sentences what is the feedback from the participants? Which method they find most useful, what is the type and format most appreciated by participants, what are the problems that occur...

16. What kind of e-learning system or LMS⁹ or MOOC do you use to fulfil your training needs?

- Free open source
Please specify the name: _____
- Special tailor-made educational software
Please specify the name: _____
- Combination
Please describe: _____

17. What are the common problems and challenges that your institution is faced with when using ICT in judicial training?

Thank you for your input!

ANNEX II - EXTRACT FROM “ADVICE FOR TRAINING PROVIDERS – EUROPEAN JUDICIAL TRAINING”

“E-learning tools”

“A webinar (short for web-based seminar) is a presentation, lecture, workshop or seminar that is transmitted over the internet using video conferencing software. A key feature of a webinar is its interactive element, as it is possible for the audience to ask questions and discuss the information presented with the presenter. In contrast, in a webcast communication is only one-way and there is no possibility for interaction between the presenter and the audience. After it’s finished, a webinar can be made available as a webcast.

A podcast is an audio/video recording of the face-to-face training. It is available in digital format for download over the internet. It enables those who were not able to participate in the training to listen to it afterwards. It also makes it possible for participants to refresh what they had learned. Because the podcast can be easily disseminated, it makes it possible for the training to reach a wider audience. Podcasts can be used for training activities with limited interaction and group work. Their interactive features are limited.

A massive open online course (MOOC) is a course made available free of charge to a very large number of people, delivered online in the form of videos and exercises. It usually includes interaction with the professors/speakers, and a final assessment. A certificate of success can usually be requested, sometimes for a fee. Several platforms offer MOOCs, including on EU law.”

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