

LIFELONG E-LEARNING IN JUDICIAL SECTOR IN BOSNIA AND HERZEGOVINA

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Abstract

The judicial reform in Bosnia and Herzegovina (BiH) was launched in 2000, by the adoption of the Law on Courts and Judicial Service, whereby High Judicial and Prosecutorial Councils (HJPC) were established in each entity, for the first time, as completely new bodies mainly composed of judicial representatives in charge of proposing the appointments and dismissals of the judges and prosecutors to the parliaments. Law on HJPC of BiH regulates that judges and prosecutors shall be “individuals possessing integrity, high moral standing, and demonstrated professional ability with the appropriate training and qualifications“. HJPC anticipates professional advancement of the judges and prosecutors and advises the entity Judicial and Prosecutorial Training Centers (JPTC) and Judicial Commission of Brčko District of BiH on relevant programs for professional training of judges and prosecutors. JPTC educate a large number of judges and prosecutors in BiH whose offices are located all over the country, which requires developing an e-learning environment.

In this paper we shall present the “Training of the trainer” JPTC educational program and provide important elements identified as critical success factors for e-learning and e-content creation for on-line education of judges and prosecutors in BiH.

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1. LIFELONG EDUCATION AND E-LEARNING

Knowledge we acquire over the years lasts increasingly less, while the number of people who require new knowledge increases. Educated people represent a source of economic power of the country and its basic competitive advantage. Demands for flexibility in learning present new challenges for the institutions, and in terms of designing new approaches to education. The natural learning environment for professional development will be based on the information and communication technologies (ICT).

Fifty years ago, education prepared individuals for life-long careers in a particular field. Formal education shaped the person, and the opportunity. It is now life-long learning that creates opportunities. (Siemens, 2006) Lifelong learning refers to a society in which learning possibilities exist for those who want to learn after graduation. (Aspin & Chapman, 2007) Learning is not restricted to the classroom and to formal learning inside learning institutions; it is an activity which happens throughout life, at work, play and home. In the modern knowledge-intensive era, lifelong competence development has become a major challenge to educational systems that have not changed their educational policies and pedagogical models to support life-long learning. (Klamma et al, 2007)

There is an increasing demand for new approaches towards fostering life-long learning perspectives through ICT. ICT application in education brings about significant changes to the process of learning and teaching. ICT provides for a much more flexible approach, enabling thus all those who desire to acquire knowledge to do it at a time most suitable for them. This is especially important for the increasingly large segment of people employed in companies or government institutions who wish to get training. In this light, Siemens defines e-learning as a marriage of technology and education, and most often, the instructional designer's greatest role is that of "bridging" concepts between the two worlds. (Siemens, 2002)

Blended learning can be described as a learning program where more than one delivery mode is being used with the objective of optimizing the learning outcome and cost of program delivery. Blended learning focuses on optimizing achievement of learning objectives by applying the "right" learning technologies to match the "right" personal learning style to transfer the "right" skills to the "right" person at the "right" time. (Singh & Reed, 2001) Creating a blended learning (an appropriate mix of face-to-face trainings and e-learning experience) strategy is an evolutionary process. It is necessary to explore the capabilities of the team, organization's infrastructure and learners' receptiveness to new learning formats. For many, the first stage in their blended learning program initiative is to supplement their current programs, either traditional classroom or self-paced content libraries, with live e-learning activities (coaching, virtual classrooms or workshops) to extend the learning process and better integrate it with the work environment.

Numerous challenges that countries, organizations and individuals face in the modern world, as well as the extreme significance of education and various ways of acquiring knowledge, skill and necessary qualifications, impose an obvious and urgent need for critical analysis and examination of systems of education present in the most part of the world, in the sense of asking and searching for answers to the following questions:

- How is the link between the education sector and other sectors viewed and realized in the sense of satisfying its increasingly specific needs of training?
- How are content and methods of knowledge transfer realized?

To answer these questions, educational institutions will have to introduce major changes to the current methods and concepts of the education process. A constant demand is the one for continuous education of trainers themselves, in the sense of mastering modern technologies and methods of their application. Thus, trainers practically become living examples of what is referred to as lifelong learning. (Tatic & Kačapor, 2007) A significant change is evident in the working methods, abilities and roles of trainers. The new system brings radical changes to the role of the trainer, who transfers less information, but mediates in searching for information; who does not offer a complete picture of reality but, using active problem-solving and team work, encourages creating knowledge based on learners' own experience, so that they could comprehend and explain reality, in order to be more successful at work, and have a richer and fuller life as individuals and members of the community.

2. JUDICIAL SECTOR IN BIH

In transitional societies, such as Bosnia and Herzegovina, major reforms in the country impose great challenges on all judicial officers to improve their knowledge and be able to adjust to new demands of their profession. The judiciary in BiH has been profoundly reformed over the past years. Judicial reform started in 2000 with the enactment of the Law on Courts and Judicial Service, with which High Judicial and Prosecutorial Councils (HJPCs) were established in each entity. Those institutions were new to BiH, and predominantly comprised of judicial representatives. The establishment of HJPCs was a result of the attempt to reinforce the principle of separation of powers in a consistent manner. The Councils are independent, and they regulate numerous major activities of the judiciary. In terms of the judiciary, it was the principle of judicial independence that was seen as the basic and final goal of judicial reform. Maintaining independence of judiciary requires, above all, a separation of the judicial branch from other branches of the government. Selection of judges, their appointment, duration of their service and continuing training are significant factors in ensuring independent and impartial judiciary. (Sullivan Lagon, 1993)

Intensive reform began in the first half of 2002 and was conducted simultaneously in three major areas:

- reorganization of courts and prosecutors offices,
- legislative reform,
- appointment of judges and prosecutors.

2.1 . Necessity of Education in the Judicial Sector

Broad education of judicial officers is one of the prerequisites in achieving and maintaining the independence and impartiality of the judiciary, and a necessary requirement for an efficient judiciary in modern societies. The principle of judicial independence, in the organizational sense, is fully justified by the overall importance of the judicial function to the legal system and the society as a whole. Namely, in democratic societies the judiciary is considered as the “guarantee” of proper functioning of institutions, where courts protect basic social values, human rights and freedoms, and legitimacy. Still, within the separation of powers of the legislative, executive and judicial branches, it is necessary to provide for proper functioning of the judiciary, and to prevent unlawful judicial decisions from being made in consequence to the pressure by other branches, and for other reasons, such as an inadequate level of legal training. It is only competent and highly professional judiciary that can resist exerting their influence over the legislative and executive powers. (Transparency International, 2000)

The increasing speed of globalization and the multiplication and acceleration of changes in the society, also present in education, is another major reason that imposes the need for cooperation between international jurisdictions, and integration processes reflected in assembling different regional and international associations. It is also a fact that scientific and technological developments affect legislation, making it more complex (cloning, doing business electronically, human organ transplantations, etc.), but also affect the performance of judges and prosecutors, by imposing on them the obligation to enhance their knowledge and skills.

2.2 . Judicial and Prosecutorial Training Centers (JPTC) in BiH

Having in mind Paragraph 2.3 of the European Chart on the Statute of Judges (1998), which states that “the statute ensures by means of appropriate training at the expense of the State, the preparation of the chosen candidates for the effective exercise of judicial duties. The authority referred to at paragraph 1.3 hereof, ensures the appropriateness of training programs and of the organization which implements them, in the light of the requirements of open-mindedness, competence and impartiality which are bound up with the exercise of judicial duties”, in 2000 the High Representative imposed the Law on Judicial and Prosecutorial Training. The two Centers for Judicial and Prosecutorial Training (JPTCs), one in each Entity, were established in 2003. Since then, the JPTCs have focused their strategic and operational efforts on institutional capacity building and on responding to the most pressing educational needs resulting from recent legal and judicial reforms. The centers are shaped to provide

qualitative and standardized continuing and initial judicial and prosecutorial training, as a vital element of the ongoing judicial reform, as well as training in material and substantive law, ethical standards, latest scientific and professional developments in the field of law, judicial international practices and other fields (Law on HJPC, 2002). HJPC, in consultation with the Steering Boards, determines the minimum amount of training each judge and prosecutor must receive annually to satisfy this professional obligation (Law on JPTC, 2002). Trainings are compulsory and judges and prosecutors have to have four days of training during one year.

As we have mentioned previously, new scientific and technological developments oblige judges and prosecutors to enhance their knowledge and skills to be able to serve their duty in full capacity, and to better adapt to changes in society. JPTCs have recognised on-line training as an effective professional training tool for the future that involves lower costs and saves time. However, on-line training methodology is new in the BiH judicial professional environment. JPTCs have developed web sites that include training materials, information and forum discussion portfolios available to the trainees and trainers. In addition to that, HJPC is finalizing the establishment of an intranet to foster networking among judiciary.

During past years, JPTCs cooperated with many foreign agencies, such as the Council of Europe, the European Commission, the United Nations Development Program, the United States Agency for International Development's Rule of Law Program, the US Department of Justice's International Criminal Investigative Assistance Training Program, Canadian International Development Agency, the Swedish International Development Cooperation Agency, Crime, the German Foundation for International Legal Cooperation and others. One of the JPTCs international partners is the Canada-BiH Judicial Reform Project (JRP). It is the activities that the JRP supported in cooperation with the E-Net Center that this paper presents.

3. E-LEARNING COURSES FOR JPTC

The primary goal of this "Training of the trainer" program (ToT) was to develop the knowledge and skills of trainers in the area of design, development and successful implementation of e-learning courses. The courses for JPTC have been designed and delivered by the E-Net Center of the School of Economics and Business in Sarajevo in cooperation with the Canadian JRP.

The E-learning and Knowledge Network Program for Southeast Europe (E-Net) is a project implemented by the University of Alberta with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA). E-Net Center activities are related to development and current reforms in Bosnia and Herzegovina through professional development programs and services that harness new technologies,

as well as interactive learning networks. The programs are custom-designed and focused on learner-centered pedagogical techniques that emphasize creative problem solving strategies. It supports these programs with a full range of learning technologies that include video-conferencing, multimedia, Learning Management Systems (LMS) such as Moodle and custom designed web portals. Through E-Net learner-centered and blended methodology for training, participants are exposed to an alternate way to develop their professional skills and knowledge.

ToT program was structured as a multi-phase program and consisted of the following activities:

- Needs analysis of the participants who were proposed by JPTC and who would play the role of e-trainers in the future,
- Designing programs and preparing materials in accordance with the needs of the participants,
- Setting up courseware tools – Moodle LMS on the server of the E-Net Center for the purpose of conducting seminars and enabling consultations upon completion of the program,
- Delivery of the first phase of the program in November 2007 and October 2008 – Basic course "e-Learning Course Creation", for 40 participants in total,
- Delivery of the second phase of the program in November 2008 – Advanced course "Advanced Topics in e-Learning Course Creation", for 10 participants selected by JPTC from participants who were involved in the first phase,
- Evaluation of the program.

Particularly, the first phase "e-Learning Course Creation" consisted of:

- Delivering a two-day interactive and intensive face-to-face seminar with a comprehensive content. The main topics covered were:
 - Education technologies and methodologies,
 - ADDIE model of instructional design,
 - Introduction to Moodle LMS philosophy,
 - Basic teaching tools.
- Conducting an assignment for participants related to the development of an e-learning course. The completion of the assignment lasted one month after seminar completion.
- Coaching through on-line support, using chat, forum, e-mail and telephone.
- Monitoring of participants' progress using Moodle server.

The second phase “Advanced Topics in e-Learning Course Creation” consisted of:

- Delivering a two-day face-to-face seminar designed to extend and enhance the skills of a Moodle course creator. The training agenda began where the basic training ended with a focus on some of the more complex tools and features of the Moodle LMS. The seminar also included discussion of key instructional design principles as they apply to the elements of Moodle course, including integration into online courses, efficient moderation of online discussions, using of wikis, databases, web design, etc.
- Conducting an assignment for participants related to development of an e-learning course. The completion of the assignment lasted one month after seminar completion.
- Coaching through on-line support, using chat, forum, e-mail and telephone.
- Monitoring of participants’ progress using Moodle server.

Fig. 1. Moodle interface of E-Learning courses for JPTC



Source: E-Net Center, 2008

What we realized during delivery of the program is that crucial elements for success are the selection of participants, needs assessment, trainer role and level of their motivation. Previous experience of participants in such programs is welcome, but not mandatory. It is also important to emphasize that the group was also mixed in terms of age. Participants were from 35 to 48 years of age. Therefore, in the circumstances of a mixed group, program and instructional design customization gains a higher importance. There can be no success without a thoroughly conducted needs assessment at the very beginning of the program, as the basis of a successful blended learning model.

Participants' motivation is not only a matter of individual expectations and the training institution, but is also affected by the organizational culture and interests of institutions delegating participants. The role of the trainer is also an important one; the trainer should not be a story-teller, but an adviser and consultant during all phases of the program.

According to results of the participants' work and their evaluation of the program, it was obvious that the objectives of the program were achieved, in the sense that JPTC received new educators trained in using new technologies. These trainers are able to spread their knowledge further, training new trainers, thus achieving long term results for JPTC in terms of efficiency and effectiveness.

3. CONCLUSION

The professional development of educators needs to be supported, facilitated and encouraged by the educational system in which they practice, not conceived and implemented in exclusion of that system. (Childs et al, 2008) For the digital age, we need new curricula, new organization, new architecture, new teaching, new student assessments, new administration procedures, and many other elements. (Prensky, 2009) Organizations must look beyond the traditional boundaries of classroom instruction by augmenting their current best practices with new advances in learning and collaboration technologies to maximize results. (Singh & Reed, 2001)

From what we can discern, JPTCs have achieved major results thanks to the E-Net Center Program. The most important is that JPTCs created a core of trainers for developing and implementing their e-learning courses. Trainers achieved huge improvements in the field of instructional design and training delivery, thanks to which JPTCs have observed the adoption and adaptation of new creative techniques in their courses.

Using trainers as coaches and consultants after the completion of face-to-face portion of the program had a significant impact on success of the program, as the participants emphasized in the evaluation phase.

The program was successful thanks to a combination of factors, such as good selection and recruitment of participants, sound needs assessment, well-chosen

instructional design, use of the collaborative blended learning model, and organizational support.

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