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RECOMMENDATIONS TO THE NATIONAL INSTITUTE OF JUSTICE REGARDING CURRICULUM DEVELOPMENT AND TRAINING DELIVERY

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Introduction

Moldova is a sovereign Republic with its capital in Chisinau, which is situated in the southern half of a country that is much longer than it is wide. In both its prosecutorial and judicial services it operates on a national system in all areas.

Judicial

There is one trial level of courts for almost all civil, criminal and administrative matters and those are the District Courts of Law. They are found in 5 municipalities and 37 Districts (“raioane”) within the nation. In each district court there is one or more investigative judges and two or more sitting judges for a total of 324 such judicial positions. In addition there are two specialized courts, a military court with three judges hearing criminal and civil matters involving military personnel, and an Economic Circuit Court with 12 judges hearing cases of an economic character. The Economic Circuit Court has its own Economic Appellate Court with 10 judicial positions.

For appeals and appeals on points of law from the District Courts of Law, there are six Courts of Appeals situated in regions throughout the country and they have 87 authorized judicial positions. There is one Supreme Court of Justice with 49 judicial positions to hear appeals on points of law involving what would be the correct interpretation of the country’s legislation and judicial practice plus limited original jurisdiction. That Court is organized into specialties-Criminal, Civil/Administrative and Economic “Collegiums”. Aside and independent of this judicial structure is the Constitutional Court with 6 judges. Its jurisdiction is the constitutionality of laws and decisions of Parliament, presidential decrees, decisions and orders of the Government and international treaties to which Moldova is a party. In the recent ABA ROLI *Judicial Reform Index, Volume III, 2009 at p.85*, (“Judicial Reform Index”) the assessment team notes from interviews that most judges described themselves as overworked and the situation only worsens they said, with the unfilled vacancies. Appellate Court judges described their environment as an assembly-line like atmosphere with up to 60-75 hearings scheduled every day.

Prosecutorial

There is one national Public Prosecution Service. It comprises 675 Prosecutors out of which approximately 150 work with the main office in Chisinau and there are 46 territorial prosecutor’s offices in every district where there is a trial

court. The general hierarchical structure of the prosecutorial system is as follows: Prosecutor General Office, Gagauzian Prosecution Office, district (“raionale”), municipal and sector prosecution offices, and specialized prosecution offices (military, transport, anticorruption, etc.).

By law, Article 24 of Law no. 294-XVI of 25.12.2008 on Public Prosecution Service, each prosecutor is required to take part in ongoing training services at least one time a year and such training must take into account: their specialization, the dynamics of the legislative process, European and International Treaties to which Moldova subscribes, and the case law of national and international courts. Such programs can be furnished by NIJ, Moldovan or foreign universities, or other sources of vocational training. In-house programs can be organized within the Office and the inclusion of the teaching staff of NIJ is recommended. Under that Article the drafting of the curricula and topics for prosecutors should take into account the suggestions and individual needs of the prosecutors.

National Institute of Justice

The National Institute of Justice (NIJ) is a creation of statute and started in 2007. It has a Director, Deputy Director and staff together with a Council that oversees its operation and approves the institute’s curriculum including those courses it feels should be mandatory each year. Under the statutes, NIJ has the responsibility to conduct training for all the aforementioned judges as well as for prosecutors, court clerks, and bailiffs. Under Law no. 152-XVI of 08.06.2006 on The National Institute of Justice, participation in such training is both a right and obligation of both judges and prosecutors (except for those on the Supreme Court of Justice and a few other limited exclusions). Both judges and prosecutors must accumulate at least 40 hours of training per year.

While NIJ has a parallel responsibility to conduct both the initial training and continuous training for all the members of the Court system and prosecutors office as mentioned, and while many of this report’s recommendations apply to all trainings done by the Institute, NIJ’s greatest concern and thus the focus of this report is on judicial and prosecutor continuous training and curriculum development because that is where the greatest challenges exist.

First, there are several challenging factors for NIJ to fulfill in meeting this responsibility. A recent analysis of the statutory mandates on the NIJ, calculates that to meet this 40 hour minimum training per year requirement for the 1100

judges and prosecutors in Moldova, if NIJ, only used in-person seminar training, it would have to provide 275 days of training. But there are only 260 working days in every year. So to fulfill its mandate NIJ would have to provide in-person training every working day of the year in several sessions all running at the same time. "Assessment Report on ongoing training needs of judges and prosecutors", published by the National Institute of Justice, the Council of Europe and the UNDP, 20 January 2010 ("2010 Assessment"), at p. 10.

The other challenging factor is that NIJ is prohibited from paying for distant judicial system attendees' room and board for multi-day seminars and the Prosecutor General's Office likewise has no funds to underwrite similar expenses for prosecutors. Thus NIJ can only put on such multi-day seminars for judges or others in the country if it gets independent funding from international donors who in most cases have certain topics in mind that might not be what the judges or prosecutors have at the top of their needs assessment.

Suffice to say there is a disparity between the rights and obligations of the training framed by these statutes and the training that takes place in reality. There are a number of prosecutors and judges not involved in any training and there are prosecutors and judges assigned to courses that are not germane to their daily duties. There is a wide spread belief in both groups that a portion of the curriculum was not designed from the input of the potential students, but until recently there was no displayed interest from these groups in such organized input. 2010 Assessment at pp.s 18-29, Judicial Reform Index at p. 26.

The Organization of this Report

The challenge of how to effectively deliver the required and desired training to these constituencies that are overworked and understaffed and thus short on time, is obvious from prior assessments, e.g. the Judicial Reform Index and the 2010 Assessment, as well as from conversations with NIJ staff. For that reason there has been added for this report, recommendations on different delivery methods for distance learning.

First the report deals with Methodology introducing suggestions for the organization of such courses, and for the selection of appropriate educational methodology based on the type of course. Second it deals with curriculum, the organization of the recommended courses that the judges and prosecutors chose themselves in the latter 2010 Assessment.

Methodology

There is an old joke among providers of professional continuing education that when you go to a conference or seminar, the best learning occurs during the breaks, out in the corridors or at lunch. There is a kernel of truth in this because it recognizes that the average attendee arrives with specific issues they want addressed. So they self-direct themselves to another attending colleague who probably has the answers and they specifically discuss what they want to know.

Actually this phenomenon recognizes the factors that make the adult professionals of the judge/prosecutor constituency vastly different from the average University graduate student. Unfortunately this difference is what most of our traditional methodology fails to recognize. Factors that have been studied and recognized as important points include:

- The learner has existing experience in the focus area of the seminar whereas the University student is a blank slate upon which the professor is writing all new information. This basic difference leads to more consequences.
- The learner is self-directed. He/she knows what is it in the subject area that would be helpful and what they know already. You can see this played out in the 2010 Assessment's description on pages 23-27 of the healthy percentages of Judges and Prosecutors that felt their training needs were not really met. Some of the suggestions in the Delivery section of this report on how to break total seminar agendas out into stand-alone individual topics respond to this need.
- The learners would be more appreciative if they, or at least people like them, had a hand in selecting the learning curriculum. That's what they are producing in those corridor conversations and at the lunches and that is why many feel that is where their best learning occurs.
- These learners learn better when they feel the learning experience will help them do their jobs so they can work smarter instead of harder.
- These learners have a desire to develop their job competencies instead of collecting more abstract information or theories.

So it is that the courses for judges and prosecutors should be organized and structured to deliver what they know would be the most helpful to them. You will note responses to all these factors included among this report's suggestions that set out standards or recommendations to the faculty to utilize to delivering the training. *One caution in advance.* Some of these suggestions rep-

resent a difference in presenting that the current faculty is not used to as most of their existing style is based on the way they learned in school-straight lectures and some written material. It would be helpful, in upgrading the training to a more meaningful level, to have a consultant available to conduct “training the trainers” sessions to teach by demonstration and give the faculty a chance to try out new methods in the security of a laboratory on new methods. Such resources can usually be found in the ranks of consultants on public speaking or in the Communications Department of a University.

1. Building the curriculum.

The most successful programs known to this reporter incorporate an on-going advisory committee or board made up of experienced front line judges and prosecutors who do the same jobs as the target judicial or prosecutorial learning audience. In every profession there are people who are willing and interested in education as a tool for improvement of themselves and their colleagues. These advisory groups can not only identify the areas of greatest need but can identify in each course topic, issues and aspects of specific needs and interests within that topic. Sessions of this group can be synergistic with one suggestion begetting more suggestions and a healthy dialog ensues. So the meetings should be in person or if need be, via a telephone conference call.

2. Course Structure.

For every course there are some common recommendations.

(a) The faculty person assigned should develop well in advance, objectives for each course. These objectives are always stated in competencies to be achieved for the learner. For example, they are usually stated in the form of things the learner will be able to do when finished, as in: “when you take this course you will be able to:”

- assure negotiations in a win-win fashion for all parties involved
- identify the three biggest factors that lead to continuances and evolve strategies to minimize them
- anticipate where the greatest number of “fair trial” objections will occur in your proceeding and have handy, all relevant Moldovan and ECHR decisions on those subjects.

Notice each objective starts with an action verb and promises a job related result.

These objectives should not only be explicitly stated at the front of the materials for each course but also woven into the advance notices of the course in the published agenda for the program.

(b) For every course there should be written materials that accumulate and synthesize relevant information on the topic beyond what will be presented in the class. These materials shouldn't be scholarly essays or simple reprints of entire opinions. But rather they should comprise step by step guides, check lists, diagrams, abstracts of decisions, contact lists of helpful references and web addresses for further information. Further what it *shouldn't be* is just a re-gurgitation of power point pages or simply the outline for the course presentation. The latter two are insults to the learner as they can follow along without it being repeated in front of them and equally bad, it encourages the presenter to simply read off a list when, as we will see, they have lots of more valuable things to do in the class.

(c) For every course the faculty should have in advance, a plan to engage the learners in the discussion and promote exchanges of viewpoints. As mentioned above, the learners come to the class perceiving their experience on the topic is relevant. The fact is that their experience is relevant. They are an educational resource and a useful tool in the mutual learning that should occur during the learning period. There are some things that help set the stage. A faculty member who gets the list of attendees in advance and finds out by asking, who among them has a lot of experience and is not shy about responding, gets help in the initial selection of who to call on. Opening the session with a story or rhetorical question and then asking for what the moral of the story is for the topic in hand or getting a class show of hands on possible answers, gets the session off on the right foot. You'll recall that is how I started this section on Methodology with the "...old joke among continuing legal education providers" for exactly the same reason-engagement of the learner and to make a central point about adult learners.

The classic Greek theory of rhetoric is still a mandate. Start by telling them what will be discussed, then do it and at the end repeat what was discussed and the main points gained from the discussion. The reason this formula has lasted for centuries is because it is based on how to set up the brain to receive information. It is complimented by another, ancient Greek, rhetorical rule, that of

primacy and recency. Namely, what you hear first and what you hear last are the most memorable parts of the learning and the cycling of information via repetition of the same puts it even more indelibly in your brain.

The faculty should make it known that questions or comments from the learners are encouraged and what are his/her rules for recognizing such input, whether as it occurs or at set periods. Always treat any question or comment with respect and either answering it then or explaining you intend to get to that point shortly or you'd like to cover it personally during a break because it deserves a longer answer, helps the process. Some of the questions will only be about issues of interest to the questioner and not the rest of the class. Even these need to be answered, quickly, and then generalize to make a larger point of interest from the question that relates to the whole group. Faculty who leave the front of the room and move closer to the group or stand at the sides get more response. Faculty who continuously maintain sweeping eye contact with all the learners, break down the psychological "distance" that initially stands in the way of discussion **and** it helps faculty spot the persons who are engaged enough to call on to make a comment or ask a question. You can see it in their body language.

The faculty need to distinguish between "covering" a topic and helping the learners really get help on the subject. Faculty who "cover a topic" want to go quickly through as much material as time allows on the subject. Of course the most efficient way to do this is to stand in front of people and talk at them as fast as possible and allow no questions. But no one would really say that is a learning experience unless the subject is so new and unusual that only the presenter knows anything about it. This is usually the case at "Conferences" which have as their prime goal, the delivery of new information instead of building competencies or promoting understanding. Modern learning theory suggests that at one sitting the typical young adult can only absorb new information on 7 different issues. This goes down to 4 when they reach their 50's and further on. So if this is all the learner can absorb, then the focus should be on those issues that are the hardest to master. The other matters that the faculty feel are important go into the written material each learner takes home.

So when you cut down the number of things you will discuss, you free up more time to spend on each subject. This permits the introduction of more learner participation at the session. The faculty person changes roles from "the presenter" (i.e. the font of all knowledge) to the "facilitator" (the person who is guiding the learn-

ing of each person and the group as a whole). The tools to use are varied and are driven by the course goals. Within the confines of the course room you can set up debates with individuals or teams assigned to various viewpoints, reviews of real or hypothetical cases discussing issues and decisions therein, problem solving regarding procedural issues or legal issues, breaking the class into groups to report to the class on their consensus on an assigned issue. Such groups can easily be formed by the faculty person by just having the people in the front part of the group turn around themselves or their seats and discussing it with the others in the group. I did that once with judges for a drunk driving case problem. I gave them 20 minutes to discuss it, left the room, had a cup of coffee, came back and the class never noticed I had left, they were that intense. If the focus in the class is on a skill or issues inherent in a procedure, e.g. negotiating or conducting a certain court hearing, then the alternatives of role playing, simulation, and demonstrations become useful tools.

Some faculty persons get alarmed about leaving the old standard of being rooted behind a podium and talking for 50 minutes. Admittedly it is more of a challenge to be creative in facilitating learning rather than talking at some group for a long time. But in reality it is much more rewarding for the faculty. They already know the subject they would be lecturing on for 50 minutes. So they personally get no advancement of their learning about the subject. Whereas if they facilitate a group learning experience, they pick up new information and may question some of their assumptions, plus they will feel satisfied that the group really gained competencies and enjoyed doing it. Every good teacher will tell you the joy of teaching is learning from the students and this is no different.

Some things to be avoided because they discourage the right atmosphere include:

- Having a room set up with a formal podium and stationary microphone. A table in front for notes and a clip-on mike are preferred.
- Using any visual device that requires dimming the lights to be seen, neither power points nor over head transparencies are good for a variety of reasons. Flip charts with paper and marker pens and tape to put up pages on the walls should be mandatory in your classes.
- Not starting on time or not stopping on time. It just throws up distracting frustrations for the learners. You should start on time even if you have to throw in a little introductory material while the late comers are filing in.

- Failing to emphasize during the progress of the course, the practical applications this learning has to their jobs.

In short, the preferred methodology is not a review of law or abstract theory. It is *applied* knowledge that is helpful to the learner's job competencies. After all that is what they want to do with the knowledge when they get back to their jobs. In this form of professional education, the seminar room is the start of the transfer from knowledge *per se*, to useful practices that help the learner achieve their potential in their careers. In this context, the learning process shifts from being solely on the faculty to a mutual responsibility of everyone in the room, with the balance existing between the knowledge and efforts of the faculty and that of the learners.

What the session is called is mostly a matter of setting the learner's educational expectations as the following terms are used loosely and interchangeably.

"Conference" is generally used for large meetings of persons interested in a given field. It can include a variety of topics with something in common with each other. But the expectation is that the information will be new to the learner so the format is usually a one way flow of information from the podium.

"Workshop" depicts a session of a smaller group with common experience working together as a team on a specific project or topic with the expectation some concrete consensus will emerge from their efforts.

"Roundtable" connotes an informal discussion by a limited group of peers gathered around a table to promote a free flow of information on the topic at hand. The only concrete result here may be a report of what their views were on the subject.

"Seminar" originally described sessions comprising of a group of students with advanced knowledge, engaged in original research or intensive study under the guidance of a professor who met with them from time to time. Over time this has broadened to include sessions for learners with some experience or learning in the field, meeting under the guidance of a presenter who has more experience and /or knowledge than most of the learners. It anticipates that, unlike Conferences, the learning group's experience and/or learning will be a resource to the learning process.

Samples of templates for the suggested organization of individual courses have been provided to the staff of NIJ.

Curriculum Organization

In constructing the total annual curriculum, NIJ should consider several things. Although many of the participants, especially the judges, may have a host of fields of law they deal with, many of the corps of learners would like to focus in on specific areas. So consideration should be given to organizing the topics on a continuum, like substantive civil law, substantive civil law and procedural criminal law and procedural criminal law and then make sure that the course subjects in these fields are spread across the year so those particularly interested in that field have the scheduling opportunities to attend. Likewise course topics usually lend themselves to basic. Intermediate or advanced classification; which focus on the level of experience and judicial education history of the learner. The courses should be denominated as such so the learners can make their own decisions. Finally the policy making unit in NIJ should consider what fields every prosecutor and/or judge should have to take every year. These areas usually consist of courses in professional conduct and ethics, courtroom decorum for trial judges and prosecutors, and for this Council of Europe member, updates on the decisions of the European Court of Human Rights should gain broad based support from the Government and seems a necessity given the dominant impact of the European Convention and the Court's decisions on criminal procedural rulings.

Professional Education Delivery Systems

NIJ's delivery must be flexible enough to meet the challenges they face which are summarized in the following points:

- It is a four hour drive to NIJ's training facilities from the furthest prosecutor's offices and courts, over decaying road conditions that are challenging enough to disrupt at least the driver's frame of mind, before arrival. NIJ favors creating a publicly funded hotel facility to ease this burden as well as to facilitate multi-day courses. But no such legislation seems forthcoming and the chances of this country's Parliament budgeting for the construction and operation of a hotel for judges and prosecutors seems problematic at best when it already disallows payment of lodging and meals.
- NIJ would be willing to present and judges would prefer, multi day courses. But without either authority or funds to provide lodging and meals it is hard to get attendees from outside the capital. Presently the only way this hap-

pens is when international donors sponsored programs with these funds. While such programs have been well received, it skews NIJ's ability to build the curriculum around what the attendees identify as their highest needs.

- There has been a disconnect between the topics offered on the NIJ training schedule and the ability of the judges and prosecutors most interested in them to be available to participate in the course.
- As previously mentioned, the statutorily required 40 hours per year for the 1100 judges and prosecutors could only be satisfied with on-site group trainings if they were conducted at NIJ every working day of the year and then there would have to be multiples of training sessions going on every day. This is beyond the budgetary and staff capacities of NIJ or any other professional education facility existing in the world.
- The number of judges and prosecutors not involved in NIJ training at all is worrisome. According to the survey of the 2010 Assessment at p. 8, 10.1% of the judges and 34.3% of the prosecutors have not attended an NIJ course in the period 2007-2009. This amounts to 283 persons in the target audience not using this educational service. While there may be a number of reasons for this, making the training more accessible in terms of relevance, schedule and locale would be significant factors.

So an ideal Moldovan training system to meet such challenges would be one that promotes accessibility, lets the judges and prosecutors have greater flexibility on when and where to take the training, recognizes that because of specialization there will be only parts of general training that will be germane to the needs of various parts of the constituent legal education learners, is economical, and allows for incorporation of modern principles of professional education.

Fortunately for Moldova these challenges are not unique and solutions are in process in many other legal and judicial educational systems in the world. They are encapsulated under the general term "Distance Learning". In essence this means the transition to transport the learning experience to the locale where the learner works or lives, instead of bringing the learner to one central location. The advantages in time and money for judges or prosecutors who describe themselves as overworked and for whom funds are not available to utilize the full range of training possibilities, are obvious. In addition, scheduling becomes easier if the training is nearby and the ability to offer repetitions of the courses at different dates are also advantages.

There are multiple forms of Distance Learning that form a spectrum of increased sophistication. With each movement up the spectrum, the benefits increase. The recommendation is that NIJ start with the simpler forms of carrying education out to the country and then build on each such experience to progress up to the level that involves more technology in the delivery mechanism. Since delivery methods are not topic-driven the same range of learning vehicles can be used for the curriculum for prosecutors as well as that of the judges.

Also it's important to note that these suggestions are not to discount or replace the in person on-site training programs that remain a fixture of professional education. These suggestions are simply methods of supplementing such training for the benefit of the persons in the legal system that can't get to their desired training because of funding, distance or scheduling. The expansion of the training opportunities also helps meeting the challenge of 40 hours of training per year per person.

1. Satellite programs

This is simply taking the course materials training methods and faculty after the live presentation in Chisinau, and transporting them to regional training locations. This was the model for the computer training for court staff sponsored by the Millennium Challenge Corporation a few years ago and apparently it was successful in gaining attendance. If the faculty can't or won't go out to these locations, then you can mail out the materials and facilitate their appearance via the telephone program mentioned next. In that event you would need to recruit a local judge or for prosecutors, a local prosecutor volunteer to facilitate the discussion and problem solving incorporated in the course agenda.

2. Telephone Continuing Legal Education- known as "tele-cle's"

This can be done for a group in a regional setting as mentioned above or directed to the designated telephones of individual persons who register. The faculty is doing the presentation at the actual live seminar site or if need be at a separate time in a conference room. The registrants call a designated toll free number 5-10 minutes before the session starts and reach a live person who signs them in by phone, confirms the course topic, tells them how to phone in comments or questions for the faculty and tells them whether the faculty will address such input as it comes in or during specified breaks in their presentations and gives the caller an estimate of how many minutes until the course

starts. As the course gets underway the learner on the phone hears all the faculty presentations as they occur and in addition, by pushing a designated number on the phone, can call in a comment or suggestion to the faculty for which they want a response. The telephone person with the faculty gets their call, writes down the message and hands it to the faculty for response. The service can also record all the registrants that called in and how long they are on the phone, for reporting purposes. The equipment and all the features of the service which are provided by such telephone conference services usually independent of the telephone company. The present cost of this service in the U.S. at present is 2-3 lei per minute per learner and that includes any fees that the telephone company charges for use of their telephone lines.

3. Direct Webcast from the Live Seminar Site

This alternative takes advantage of the fact that internet transmission is free and that the technology has advanced enough that Moldova's bandwidths are sufficient to produce a transmitted picture and sound that is as smooth as the live event. The advantage of this system versus the tele-cle's described above, is the extra learning stimulation that flows from using the seeing as well as the hearing senses to learn; and from the fact that charts, graphs, diagrams and lists can be transmitted as they are used in the presentation. This program could be done for a distance learning group with a volunteer faculty coordinator to lead a local discussion using discussion guides prepared by the faculty or can be sent directly to individual learners in their homes or offices. Apparently every court house now has a computer because of to the Millenniums Challenge Corporation Court Data System project. So the hardware is there. Also in this day and age many of the judges can bring in their (or their children's) own lap top computers and plug in. Connecting is a simple as going to the correct website as a registered participant and following the simple steps listed. Again the course registration, web site, broadcast and equipment needed for it and the recording of participation of registrants that signed on for the course, is almost always done by an independent provider rather than by training staff. Questions or comments from the learners can be transmitted back to the faculty at the seminar site for response via e-mails or the telephone.

There are two other advantages to this system. First if the material would be of interest to both prosecutors and judges you can have either type professional register. Also, if you are going to run group learning for the course, the same

program can go to the judge's group with their facilitator in one location and the prosecutor's group with their facilitator in another. The other advantage is the whole program can be recorded and "archived". For this feature NIJ would store the recorded seminar on their website and provide the means by which any judge or prosecutor who registered, could take the course wherever they wanted, and whenever they wanted. The course materials are stored with the course and can be downloaded and printed with simple computer commands. Through this and other forms of internet based learning, the World Bank reports that the Guatemalan judicial education program was able to expand its training coverage from 119 participants in 2006 to 1,985 participants in 2008.

The possibility of shared on line learning among the judiciaries of other nations has already been successfully implemented. In 2005-2007, The Judicial School of the Spanish General Council of the Judiciary created an experimental internet course in five languages, on the subject of European Civil Cooperation. 300 trial judges from 16 European Union countries took part in the course each in their own language. It is easy to see a similar project being launched by the Council of Europe for judges in countries that subscribe to the European Convention on Human Rights.

When this methodology got started in the universities in the United States, there were many who said either the professors or students or both, would resist this method. But after a brief adjustment period for both groups, they embraced this teaching method with enthusiasm.

5. Internet Self Study

This choice is the most challenging choice from a technology standpoint but probably the most educationally rewarding of the electronic choices. Here the whole course is either produced or re-produced for the individual learner. In its simplest form it is the recorded archived repeat of a past live seminar with the course materials that was described in method # 3 above. But over time technology has enabled educators to transform either the simple voice and/or the voice and video presentation, into a truly interactive experience. The value of this improvement is that it engages the learner like no other form of distance learning. So in addition to the flow of information, all sorts of interactive features can be added. These include multiple choice exercises with further information on the subject for those who give incorrect answers, quizzes (instantly graded and reported back) a final exam on the whole the course-also graded

and reported, links to additional written aids (e.g. checklists or forms) that can be downloaded and saved for future reference, and links to other websites (e.g. the European Court of Human Rights site) that contain case holdings and further information if the learner wants to explore some subject in greater depth. Again with playback features included on the screen during the course similar to these buttons found on a tape or cassette recorder, the learner can pause the presentation, save it and check in later and get back to where the learner left, rewind it to check some information again or skip a section that is not germane to the learner's needs.

In fact once a course is recorded and ready to place on the internet in the archived seminar or self study mode, the whole course can be offered and it can be broken down into segments, topic by topic, so the learner can self select not just whole courses but specific topics in courses and take only that part. For example in a course on Criminal Procedures, assume one topic in the course is the conduct of Investigative Hearings, and the judge or prosecutor is just interested in that topic alone. By registering for the topic the learner gets only the materials for that topic and is directed to the spot on the web site where that just topic is located.

Again the level of technical equipment and expertise to do this internet based training is almost always left to independent providers that produce such training. However all course material and the quizzes, links, graphs, etc., all come from the choices made by the educators.

5. Bench Books

Another form of education especially for trial judges who need the answer right away during a hearing, is the Bench Book. This aid gets that name because the judges find them so handy that the book remains up near the judge on the bench. In the book are well indexed and tabbed sections for easy access on procedural points or the recommended steps for conducting certain types of hearings with step by step procedures, checklists, guides, forms and sample scripts for instructions or questions. Such Bench Books for Criminal Procedure, Civil Procedure, substantive Criminal Law annotated with excerpts from cases on each section, or Sentencing Guides, are all quite common. Sample Bench Books from the United States are available for inspection at the Institute and one done for Romanian judges can be found at http://www.abanet.org/rol/publications/romania_benchbook_arrest_search_warrants_01_08_rom.pdf

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