



**USAID**  
FROM THE AMERICAN PEOPLE

**LIBERIA**

# Legal Professional Development and Anti-Corruption Program in Liberia (LPAC)

MONTHLY REPORT

(February 1 – 28, 2018)

**March 13, 2018**

This publication was produced for review by the United States Agency for International Development. It was prepared by Checchi and Company Consulting, Inc.

# **LEGAL PROFESSIONAL DEVELOPMENT AND ANTI- CORRUPTION ACTIVITY IN LIBERIA (LPAC)**

**Contract No. AID-624-TO-15-00003**

## **MONTHLY REPORT**

**(January 2018)**

**Prepared by:**

**Checchi and Company Consulting, Inc.  
1899 L St, NW, Suite 800  
Washington, DC 20036**

**March 13, 2018**

## **DISCLAIMER**

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY:</b> .....	<b>1</b>
<b>1.0 COMPONENT A: STRENGTHENING LEGAL PROFESSIONAL DEVELOPMENT</b> .....	<b>2</b>
1.1 SUB-COMPONENT A.1 - SUSTAINABLE JAMES A. A. PIERRE JUDICIAL INSTITUTE (JI) .....	2
1.2 SUB-COMPONENT A.2 – SUSTAINABLE LOUIS ARTHUR GRIMES SCHOOL OF LAW (LAW SCHOOL) .....	3
1.4 SUB-COMPONENT A.4 - SUSTAINABLE LIBERIAN NATIONAL BAR ASSOCIATION (LNBA) .....	4
<b>2.0 COMPONENT B: STRENGTHENING THE LIBERIA ANTI-CORRUPTION COMMISSION (LACC)</b> .....	<b>6</b>
<b>Cross Cutting Activities</b> .....	<b>9</b>

# LIST OF ACRONYMS

CENTAL	Center for Transparency and Accountability in Liberia
CLE	Continuing Legal Education
COP	Chief of Party
GOL	Government of Liberia
ICT	Information and Communications Technology
Jl	Judicial Institute
LACC	Liberia Anti-Corruption Commission
LiberLII	Liberia Legal Information Institute
LNBA	Liberian National Bar Association
LPAC	Legal Professional Development and Anti-Corruption Activity
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
NAPDL	National Association of Public Defender Lawyers
NATJ	National Association of Trial Judges
NGO	Non-Governmental Organization
PMTP	Professional Magistrates Training Program
QJTP	Quarterly Judges Training Program
SOP	Standard Operating Procedures
USAID	United States Agency for International Development

# EXECUTIVE SUMMARY:

The month of February 2018 continued the increase in the level of program activities, especially during the quarterly “court recess” period when the judiciary and legal profession has time for professional development.

With the Judicial Institute (JI) LPAC continued the quarterly training for judges, magistrates, public defenders and court administrators which ended mid-February. The quality of this quarterly training cycle was recognized as exceptional. The direct participation of the Chief Justice, a former Chief Justice, two sitting Supreme Court Associate Justices, the President of the Commercial Court, the Deputy Minister of Justice and senior lawyers in private practice in the delivery of substantive training, set the tone.

A summary of findings from the LPAC International Court and Case Management Consultant supported by two local LPAC advisers was presented in a brief meeting with the Chief Justice and a full debriefing with Supreme Court Associate Justice Kabineh M. Ja’neh as well as the Court Administrator. The presentations focused on a “way forward” indicating that much can be accomplished within the authority of the Supreme Court. Follow up meetings with the Supreme Court was evidence that there is real potential for some immediate steps in making the Courts more efficient without the need to await legislation or constitutional amendments, frequently cited as excuses for inaction. The recently nominated Minister of Justice and the Chief Justice have both mentioned some of the recommendations as the urgently needed to address the serious case backlog. Case management concepts are now firmly on the agenda.

LPAC has been attempting to schedule an early meeting with the Executive Director of the JI and the President of the NATJ in preparation for the next quarterly judges training scheduled for the April/May recess. Preliminary topics were discussed, including court and case management as well as the adjudication of land issues. LPAC has stressed the importance of implementing each training session in the most time and cost-effective manner for participants as well as the various donors working in the justice and anti-corruption sector.

The Professional Magistrates Training Program Cycle III (PMTP III) formally started classes February 9, 2018. PMTP Cycle III is jointly implemented by Judiciary through the JI with funding from LPAC. The sixty candidates were carefully and transparently selected with the participation of LPAC, all but 3 drawn from counties outside the Monrovia capital area. The number of female candidates was doubled to 12 and further includes 12 sitting magistrates from remote counties, who had not previously received such training.

With InterNews and LPAC assistance, the four-person Law School Moot Court Team, trained and led by and the President of the Commercial Court and the Associate Dean (LPAC) for the first time attended an international Moot Court competition. Held in Johannesburg, South Africa and focusing on freedom of expression and the media, the Team returned Sunday, February 11th. Preliminary discussions with Judge Mappy Morgan, Associate Dean Dehtho and students indicate that the event was a success and that the Liberian team exceeded all expectations. The Law School is currently on Semester Break and a full debrief will be conducted as soon as classes resume.

The LNBA Grant in support of the Pro Bono Legal Aid program ended in January 2018. The LNBA and LPAC reviewed lessons learned from program and discussed a follow-up grant. The grant application is awaiting decisions on funding levels. As this grant supports an ongoing program, there is some urgency to avoid interruption of service to the indigent.

The LPAC COP and Grant Manager attended the grant funded Flomo Theater “Anti-Corruption Dialogue and Consultative Meeting” in Kakata City, Magribi County on February 16, 2018. The event was to take stock of the work during the elections and summarize and document commitments made by those elected as a mechanism to encourage compliance and monitoring. Findings were presented to the meeting rapporteurs from each team. The Director General of Flomo, Mr. Majoe Borley, a former Deputy Minister of Communications, summed up and challenged youth to take responsibility for eliminating corruption.

LPAC staff monitoring of a corruption trial in Rivercess County has been completed. The LACC’s prosecution of a sitting senator resulted in a guilty verdict and substantial fine over major breaches of procurement regulations. LPAC provided logistics support to the LACC to assist them in prosecuting cases outside of the crowded central criminal courts in the capital. The case demonstrated that LACC can successfully use this mechanism, especially for smaller cases, in a speedy and cost-effective manner. Although prosecuting outside Monrovia includes costs for travel and incidentals, the completion of cases in an expedient manner will result in ultimate savings and will improve the public opinion of the government’s approach to corruption. This case attracted significant media attention and has led to a renewed discussion on the ethical standards required by candidates for office and sitting members of the Legislature. Assuming availability of funds LPAC plans an additional two such pilot cases and the presentation of a report on the findings to the LACC Board of Commissioners.

The LPAC COP and Anti-Corruption Advisor, at the request of the Chair of the LACC, attended a lengthy meeting to discuss progress and implementation of the 2015 Memorandum of Cooperation (MOC) and the current LPAC Work Plan. The LACC made requests for additional assistance from LPAC on several new initiatives. LPAC stressed that progress made by LACC in increasing the number of investigations and prosecutions, as well as other benchmarks will be critical.

LACC and the Liberian Revenue Agency (LRA) investigators received training on the evidence collection and surveillance techniques needed to effectively investigate corruption during the month. The training involved a mix of different training styles and culminated in a day-long practical exercise where the students could practice surveillance techniques.

# 1.0 COMPONENT A: STRENGTHENING LEGAL PROFESSIONAL DEVELOPMENT

*Objectives: The JI has sustainable capacity to support an accountable judiciary that instills increased trust in Liberia's formal justice system. To achieve sustainability, it will be necessary for the Institute to obtain reliable funding from the GOL and better manage its scarce resources.*

## **1.1 SUB-COMPONENT A.1 - SUSTAINABLE JAMES A. A. PIERRE JUDICIAL INSTITUTE (JI)**

*Objective A.1.c – The Judicial Institute is able to continue ongoing trainings of judicial actors and is able to fund, organize and implement complex trainings in and outside of Monrovia on its own by the end of the program period.*

### **Activity A.1.c.1 – Court Administration Working Group (WP 3.1 - 3.2)**

#### **Court Management Curriculum (WP 3.1 - 3.2)**

- LPAC's International Case/Court Management Consultant produced a first draft of the Lesson Plans for the PMPT (III) course on Case Management and Court Administration. Following consideration by JI officers and LPAC local Consultant, the draft will form the basis of a training topic for the 3rd quarter of the PMPT (III). The consultant also drafted the outline and program for training in case-flow management for court clerks, to be delivered during the next court recess in April/May 2018.

### **Activity A.1.c.3: Professional Magistrates Training Program (WP 2.2)**

#### **Professional Magistrates Training Program (WP 2.2)**

- The 12-month long PMTP Cycle III with 60 Candidate Magistrates started formally at the Temple of Justice February 9, 2018. All but 3 candidates are from outside Montserrado, 12 are women and 12 Associate Magistrates (lesser qualified) being upgraded with the new enhanced curriculum.
- LPAC assisted JI with the publication and distribution of copies of the three volumes of the "Compilation of Liberian Laws and Reference Materials for PMTP Cycle III" and the "Bench book for Magistrates on Criminal Procedure" for PMTP III participants and faculty.
- LPAC assisted the JI in the recruitment of short-term external faculty for the PMTP III course.

- A baseline survey was developed for PMTP III candidates with the objective of monitoring learning progress and providing information that will allow for refining course content for future PMTPs. Results will be shared with JI staff and the Board of Governors.

#### **Activity A.1.c.4: Quarterly Judges’ Training Program (QJTP) (WP 2.3)**

##### **Quarterly Judges’ Training Program (WP 2.3)**

- LPAC staff met with JI staff as well as separately with officials of the INL/IJSI/Criminal Justice Program Support and IDLO to discuss joint assistance for the next quarterly judges training.

#### **Activity A.1.c.4: Public Defenders Training Program (QDTP) (WP 2.3)**

##### **Public Defenders Training Program (WP 2.3)**

- LPAC supported the Annual Convention of Public Defenders held from 5-6 February in Monrovia, attended by 31 public defenders. The first day of the event included presentations from the Supreme Court Associate Justice Kabineh M. Ja’neh on the “Presumption of the Innocence, a Fundamental Right available to an Accused Person” and a paper by the President of LNBA entitled “Equal Access to Justice”.
- The International Case Management Consultant made a two-hour presentation on his Case Management and Court Administration Assessment Report to public defenders and, importantly in the presence of the Chief Justice and one Associate Justice of the Supreme Court .

#### **Activity A.1.a.6: ICT Assessment and Procurement:**

##### **WP 7.4: Computer Research and Training Room**

- A weekly computer literacy course commenced for the sixty PMTP III students.

## **1.2 SUB-COMPONENT A.2 – SUSTAINABLE LOUIS ARTHUR GRIMES SCHOOL OF LAW (LAW SCHOOL)**

#### **Activity A2: Administrative Systems**

##### **Organizational management of the Law School (WP 1.2-3):**

- LPAC staff and the Associate Dean and the Director of Counseling and Student Services met and concluded arrangements for the implementation of joint activities, as set out in the Year 3 Work Plan including the draft strategic plan, LiberLII, design of a



domestic moot court program, the law journal, and the procurement of instructional equipment).

#### **Activity A.2.a.3: Information and Computer Technology (ICT) procurement and support**

##### **ICT procurement and support (WP 2.2 and 2.3):**

- The Associate Dean and LPAC IT staff finalized the procurement of teaching equipment for Law School classrooms.

#### **Activity A.2.b1: Fundraising and outreach**

##### **Support for fundraising and outreach (WP 5.1):**

- The Associate Dean finalized the plans for the Law School Annex with the contractor in preparation of contracting the LPAC supported rendering to be used in support of fundraising.

#### **Activity A2.d.2 Plan for implementation of new curriculum**

##### **Support to new curriculum reforms and clinic Programs (WP 4.1)**

- The LPAC Legal and Judicial Education Advisor and Director of Counseling and Student Services prepared an outline for a workshop on adult teaching principles and techniques for the Law School faculty. This workshop will be conducted prior to the start of the second semester.
- The Law School Moot Court Team (six members including the Associate Dean and the President of the Commercial Court attended a Moot Court competition in Johannesburg, South Africa. Preparation of the Team was led by the Associate Professor of Clinical Law, the President of the Commercial Court, Judge Eva Mappy Morgan and Associate Dean Jamal Dehtho (LPAC). LPAC financed the participation of the Associate Dean as well as the four Student Participants – two of whom are LPAC Public Interest Scholars. InterNews financed the participation of Judge Mappy Morgan.

### **1.3 SUB-COMPONENT A.3 – SUSTAINABLE LIBERIA LEGAL INFORMATION**

- The outstanding MOU with the UL, as well as review of staffing and related budgetary and management structure of LiberLII, including the preparation of draft job descriptions were concluded by the Dean and have been circulated for comment. LPAC has delivered comments.
- The LiberLII Board meeting has not been convened because the Chairperson – the Attorney General – has resigned following the Liberian elections and the new appointee is not yet in place.
- The latest grant to LiberLII has been completed and no new activity is anticipated until the Board's decisions made last August have been implemented. LPAC has made it clear

to the Board and the Dean that continued assistance depends on action being taken to develop sustainability.

- LiberLII remains on line and accessible to Liberian and international users although no new materials are being uploaded.

#### **1.4 SUB-COMPONENT A.4 - SUSTAINABLE LIBERIAN NATIONAL BAR ASSOCIATION (LNBA)**

*Objective: To raise the performance of the LNBA to ensure that it is a professionally run bar association capable of promoting and enforcing the highest standards for legal professionals throughout Liberia; and which will require the LNBA to develop innovative ways to raise funds from external sources, and use existing resources more effectively, while providing relevant benefits to its members.*

##### **Activity A.4.d.1 Sustainable Pro Bono program Pro Bono services and legal aid (WP 1.4-1.6)**

- LPAC and the LNBA Executive Director held discussions about follow-on grant for submission to USAID for approval. The two Legal Aid Clinics are still open and providing services to the public. However, since the closeout of LPAC/LNBA Pro Bono Legal Aid Clinic grant program in January 2018, there is no funding for the Clinics operation which might force closure of these clinics if funds are not available soon.

##### **Activity A.4.c.1 – Develop Continuing Legal Education (CLE) courses (WP 1.4)**

- The LNBA notified LPAC that it is planning its second National Meeting in Monrovia for March 29 – 31, 2018 with 250-300 legal professionals attending. The LNBA is in the process of developing the Agenda and CLE program and will forward to LPAC as quickly as possible together with a request for assistance in accordance with the Work Plan.

## **2.0 COMPONENT B: STRENGTHENING THE LIBERIA ANTICORRUPTION COMMISSION (LACC)**

*Main Objective: The LACC leads the country's anticorruption agenda by undertaking programs to prevent, investigate and prosecute corruption; and educate the public regarding the fight against corruption in Liberia.*

## 2.1 Organizational Structure, Systems, and Resources (B.1)

### **Activity B-1. a.1.1 Assist LACC with the development of the LACC Strategic Plan for 2018-2023**

- LPAC staff completed assistance to the LACC's strategic plan by conducting a review workshop of the draft. The strategic plan will be presented to the Board of Commissioners for approval in early March 2018.

### **Activity B-1 a1.4: Assist LACC with developing and managing website**

- LPAC assistance for the LACC website is complete. It is approved for launch in the first week of March 2018.

### **LACC Benchmark Progress:**

In early February LPAC finalized the new website for the LACC. The design and initial content has been completed and the website has now been approved by the LACC Board for public use. The highlight of the new website is a new online complaint system promoting greater engagement with the public. LPAC further assisted the LACC with the development of a complaint management policies for screening, investigation and prosecution. Both the website and the complaint management system are LPAC/LACC performance benchmarks. In terms of these benchmarks, to date the LACC referred 7 cases to the MOJ since July 2017. This represents a 50% increase over the prior year.

## 2.2 Improved Investigations (B.2)

### **Activity B.2.b1.1 Build LACC investigators' capacity and skills through training to investigate effectively corruption cases**

- *Surveillance and Intelligence Tactics training:* LPAC provided a five-day training to twenty LACC and LRA investigators in evidence collection and surveillance techniques. Surveillance is an integral part of the work of financial investigators and regulators. The course was conducted by an international consultant, a former US senior police officer who was Deputy Commissioner for Organized Crime with United Nations Mission in Kosovo (UNMIK) for several years. It covered intelligence-led policing theory, methods of surveillance, operational planning, risk assessments, briefing and debriefings, and ethics. The training involved a mix of different training styles and culminated in a day-long practical exercise where the students could practice surveillance techniques.

## **2.3. Effective Prosecution (B. 3)**

### **Activity B-3.c1.3 Support LACC to prosecute cases in 'satellite' courts**

LPAC supported a pilot prosecution in Rivercess County which resulted in a sitting and recently re-elected Senator being acquitted of misappropriating \$62,000 because of lack of compelling evidence, but he was found guilty of breaching procurement law. Senator Milton Teajay, was re-elected in December 2017 as Senator for Sinoe County notwithstanding the outstanding indictments. **Charges resulted from his work for Sinoe County during the construction of a municipal building where \$62,000 went missing, the procurement was not in accordance with the law, work was not completed and was of poor quality. Although acquitted on the "economic sabotage" count, the Judge imposed a \$50,000 fine for breach of procurement rules, implicitly holding the Senator**

responsible. The MOJ had previously failed to prosecute and the LACC prosecuted directly, transferring the case to Rivercess where the Court caseload is much lower, and case could be dealt with expediently.

#### **2.4. Improved Education and Corruption Prevention (B.4)**

##### ***Activity B-4 d1.3 Build institutional and managerial capacity of the ECP through training and TA***

- Following training in risk assessment in May 2017 and the employment of a specialist prevention officer in September 2017, LACC Education and Prevention Division staff conducted a risk assessment of the LACC, division by division. This month, with the support of the Education and Prevention Commissioner, the LACC began a risk assessment of the Board of Commissioners. With the assistance of LPAC staff, a questionnaire was prepared and submitted to the BOC, focusing on a lack of transparency in the BOC's decision-making processes which is seen as a vulnerability.

## **CROSS-CUTTING ISSUES**

### **Grant Administration:**

#### **Cental**

- CENTAL has commenced monitoring the new government's anti-corruption policies and programs over its first 100 days. A mid-term report is due April 2018. Three CENTAL staff members will be monitoring press reports; one is assigned to cover confirmation hearings and other Assembly sessions on the topic of anti-corruption; and two staff members are assigned to issues such as the PSDI Loan audit, the handling of the protracted Defense Ministry-AFL issue, and compliance with asset declaration regime.

#### **Flomo Theatre**

- Flomo Theater held a Community Dialogues and Integrity Forum and dramatic performances in Margibi County on the topic of corruption and the local community. The Flomo program will extend to part of Lofa and is expected to close by March 31, 2018.
- The grant funded Flomo Theater "Anti-Corruption Dialogue and Consultative Meeting" in Kakata City, Magribi County on February 16, 2018 was attended by 29 participants from Ministry youth, LYONET and anti-corruption focused CSOs. The event was to take stock of the work during the elections and summarize and document commitments made by newly elected officials and as a mechanism to encourage compliance and monitoring. Flomo presented several theatrical and entertaining "cases" of fictional "Ministers" facing ethical challenges in arriving at their new positions. Entertaining, but also extremely serious and educational for the 29 (18

males and 11 females) participants attending. The Director General of Flomo (Mr. Majoe Borley), a former Deputy Minister of Communications, summed up and outlined "next steps" as follows:

- That the youth vigilance committee socially demand accountability on county-based projects,
- That Radio Margibi give periodic access to members of the Youth Vigilance Committee to speak out on issues of importance in the county
- Facilitates that are given to the town by the National Government and other NGOs should be equally distributed and should benefit all of the citizens.
- Women should be given equal opportunities to partake in decision making in the town governance.
- Projects from donors should be discussed with clarity by members of the town adequately to eradicate rampant corruption and consider stakeholders concerns.

#### **RHRAP**

- The Rural Human Rights Activists Program (RHRAP) completed its monitoring and supervision program in six electoral Districts in Nimba County. RHRAP submitted the final monitoring report on February 28, 2018. The grant program is expected to close on March 31, 2018.

**U.S. Agency for International Development**

Liberia

502 Benson Street

Monrovia, Liberia

Tel: +231 77 6777000; Fax: +231 77 6777370

[liberia.usaid.gov](http://liberia.usaid.gov)