



Planning the Future of Cross-Border Families: a
Path Through Coordination
EUFam's - JUST/2014/JCOO/AG/CIVI/7729



With financial support of the Civil Justice
Programme of the European Commission

In partnership with:



UNIVERSITÄT
HEIDELBERG
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Max Planck Institute
LUXEMBOURG
for Procedural Law



Pravosudna Akademija
Pravna fakultet Univerzitet
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UNIVERSITÀ
di VERONA
Dipartimento
di SCIENZE GIURIDICHE

AIAF
ASSOCIAZIONE ITALIANA DEGLI AVVOCATI PER LA FAMIGLIA E PER I MINORI

In association with:



Project Evaluation

Final International Conference

UNIMI-Milan

1 December 2017

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Background

Origin of the Project

1 January 2016 > UNIMI starts implementing the Project to last 24 months and end on 31 December 2017 together with:

6 co-beneficiary partners

the University of Heidelberg in Germany, the University of Verona (UNIVR) in Italy, the University of Valencia in Spain, the University of Osijek (PRAVOS-UNIOS) in Croatia, the Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law (MPI-Lux) and the Italian Family Lawyers Association (AIAF)

and 3 associate partners

the Spanish Family Lawyers Association (AEAFA), the Scuola Superiore della Magistratura (SSM), the Croatian Judicial Academy (CJA).



Project Objectives

General Objectives of the Project

- to assess effectiveness of functioning *in concreto* of the Regulations with regard to stated goals;
- to identify paths allowing for improvement of effectiveness, also contributing towards their correct and consistent implementation

Specific Objectives of the Project

- (a) identify difficulties of courts and practitioners in applying Regulations provisions and assess solutions adopted by courts and practitioners;
- (b) compare solutions adopted in Project partner countries;
- (c) facilitate dialogue between legal practitioners and develop expertise;
- (d) identify possible uniform best practices;
- (e) suggest models of tools for courts, practitioners and beneficiaries;
- (f) formulate policy guidelines and/or amendments for future and current Regulations, to be submitted to the EU to contribute to remove current obstacles to free movement of persons.



Planned activities

Analytical and mutual learning activities – with exchange of good practices and cooperation:

- collection and analysis of data to be stored in a data-base created through the project to be continuously populated by national case-law;
- draft and dissemination of a questionnaire on difficulties of Regulations implementation;
- sharing knowledge and experience among academics, practitioners and judges, during 4 national exchange seminars (Germany, Italy, Spain and Croatia) and 1 international exchange seminar (Max Planck Institute Lux);
- elaboration of tools to assist practitioners and Regulations' beneficiaries;
- dissemination of outcomes and deliverables with website and Facebook;
- presentation of Project results at an International Final Conference;
- draft of Final Study, illustrating difficulties and providing solutions.
- Finally, the Project intends to contribute to reinforce and institutionalize a network of academics, practitioners and judges, set through the action to share knowledge and experience in the field.



Project pillars

Project is built around **three main pillars**:

1. Finding out difficulties in the application of the Relevant regulations at national level and assessing the current practice in addressing those difficulties;
2. Sharing good practices and approaches at international level and cooperating to elaborate model tools to solve difficulties, with strong scientific grounds;
3. Disseminating the outcomes of the project.

These pillars correspond to the **three central work-streams** (1, 2, 3), supported by other two work-streams (0 and 4).

The presentation of Project WS also offers a complete view of Project activities and related expected results that is relevant in terms of contextualizing the elements under evaluation.



The 3 main project workstreams

W1 *Assessing difficulties at national level* > Creation and population of database with national case-law applying relevant Regulations; coordination of 4 national exchange seminars, draft of good practices and internal evaluation reports; drafting and disseminating questionnaire on difficulties of application of Regulations; drafting a report on result of questionnaires;

W2 *From different perspectives to unitary solutions* > Exchanging good practices; identifying, addressing difficulties; elaborating approaches; organising international exchange seminar and draft of: Model Choice-of-Law and Choice-of-Court Clauses, Model Protocol available to national courts, Policy Guidelines for future regulations forming experts Network in cross-border family matters;

W3 *Disseminating the outcomes of the Project* > Managing and using web site and Facebook; fostering EU Fam's Network; drafting Final Study to present scientific background of actions undertaken, illustrate solutions adopted in Model Protocol and as proposed in the Policy Guidelines; organising International Final Conference



Additional workstreams

- **W0** *Project Management and Coordination* > UNIMI with Academic Advisory Board and Steering Committee, representing partners for project implementation and monitoring;
- **W4** *Evaluation of actions undertaken during the project* > UNIMI. Elaboration of Scientific Evaluation Report from Scientific Advisory Board, and Satisfaction Survey on outcomes of the Participation Evaluation Questionnaire, following the Final Conference in Milan, as well as evaluation of the Project technical implementation, taking into account main Project deliverables.



Why have an evaluation?

The EC pays a lot of attention to evaluations as they:

- assess in a punctual and objective manner the quality of an action's technical implementation and preliminary results, thus measuring success on the basis of several tools and criteria used
- and
- correct distortions while suggesting ways to improve in light of set objectives and expected results



The Project's evaluation exercise

1. **Internal evaluation** using Commission's Participation Evaluation Questionnaire, whose results are analyzed in a Satisfaction Survey
2. **Constant monitoring** of the Academic Advisory Board to present a final outcomes assessment in a specific report
3. **External evaluation** is granted by the external Professional evaluator who is mandated to provide Mid-Term and Final Evaluation Reports on Project technical implementation and results under W4:
 - *Covering* 4 National Exchange Seminars, International Exchange Seminar, Final Conference, Final Study, Model Choice-of-Law and Choice-of-Court Clauses, Model Protocol, Policy Guidelines, Questionnaire and database
 - *Applying* five **EC-DAC criteria (relevance, effectiveness, efficient, preliminary impact, sustainability)** plus **EU added value** and **EU visibility**.

The evaluator is requested to attend at least 1 national exchange seminar, the International Exchange Seminar and the Final Conference.

The evaluation is to be based on information delivered by the partners in the form of summaries, the reports following the seminars and the material posted on the Project's Website and the Facebook page, taking into account the call's priorities and the general objectives to be achieved.



Expected outputs of the evaluation

Evaluator is responsible for preparation of **two Evaluation Reports**:

- **Mid-term Evaluation Report** to be delivered after the completion of the first year project activities implementation and the presentation of the Progress Report to the EC;
- **Final Evaluation Report** to be delivered at the end of the project.

In the **Mid-Term Evaluation Report** the aim was to:

- Evaluate project technical implementation of activities undertaken between 1 January 2016 and 13 January 2017: the 4 national exchange seminars and the case-law database;
- Draw conclusions on the above implemented activities;
- Provide recommendations for improvement, as required.
- The narrative evaluation in this Mid-Term Report is enriched by a few tables and charts related to specific aspects of the elements under consideration, in light of the Project objectives.



Satisfaction survey questionnaire

In order **to ensure a coherent and consistent approach** to the internal and external evaluation of all national exchange events, Project partners adopted the following tool:

- one version of satisfaction survey questionnaire for all
- developed around 20 questions addressing the EU/DAC criteria
- It was applied for the first time at the seminar of Verona

The questions are subdivided into 4 subgroups:

1. Evaluation of the conference/workshop – 9 questions;
2. Speakers – 4 questions;
3. Self-evaluation and benefit – 3 questions;
4. Organization and logistics – 4 questions



SATISFACTION SURVEY QUESTIONNAIRE

EVALUATION QUESTIONS

1. How clear were the objectives of the event?
2. Have the objectives of the event been met?
3. Did the content of the event meet your expectations?
4. Was content delivered using appropriate didactic modalities?
5. How organized was the information presented?
6. How complete have the support materials been?
7. How clear have the support materials been?
8. How effective have the support materials been?
9. What is your overall evaluation of the conference/workshop?
10. Were the speakers well-prepared?
11. Were the presentations well-structured?
12. Did the speakers manage time properly?
13. Did the speakers allow for the right amount of time for questions and discussion?
14. Was level of your knowledge sufficient to take advantage of the course?
15. Did the event improve your knowledge?
16. Did the event improve your skills?
17. Did you feel comfortable with overall schedule?
18. Was the location appropriate to the event?
19. How well-functioning and appropriate was technical equipment used?
20. How do you evaluate the check-in and check-out procedure?



Considerations on the 20 selected questions

All the above questions applied for the internal evaluation of the Project events are:

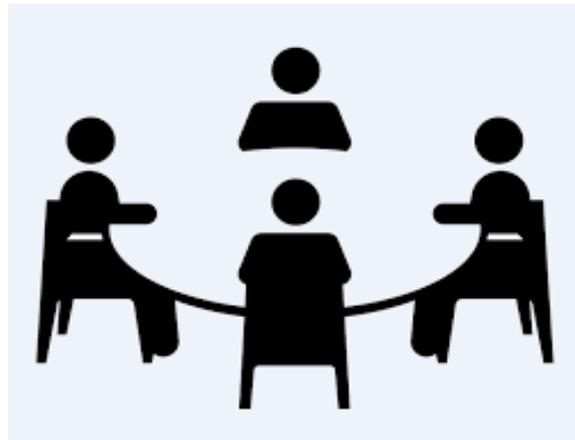
- appropriate to measure the above DAC/EU criteria
- they are adequately set to provide a balanced and uniform assessment of the four national exchange seminars, focusing on the Project main activity-pillar (i) and final objectives
- the first set of questions cover somehow the *relevance*, but more the *effectiveness criteria*.
- the second set of questions are rather focused on *efficiency*
- the third set of questions consider *preliminary impact*
- the fourth and last set of questions address elements that are useful in light of future similar events, thus containing elements for their *sustainability*.



MID-TERM EVALUATION OUTCOMES

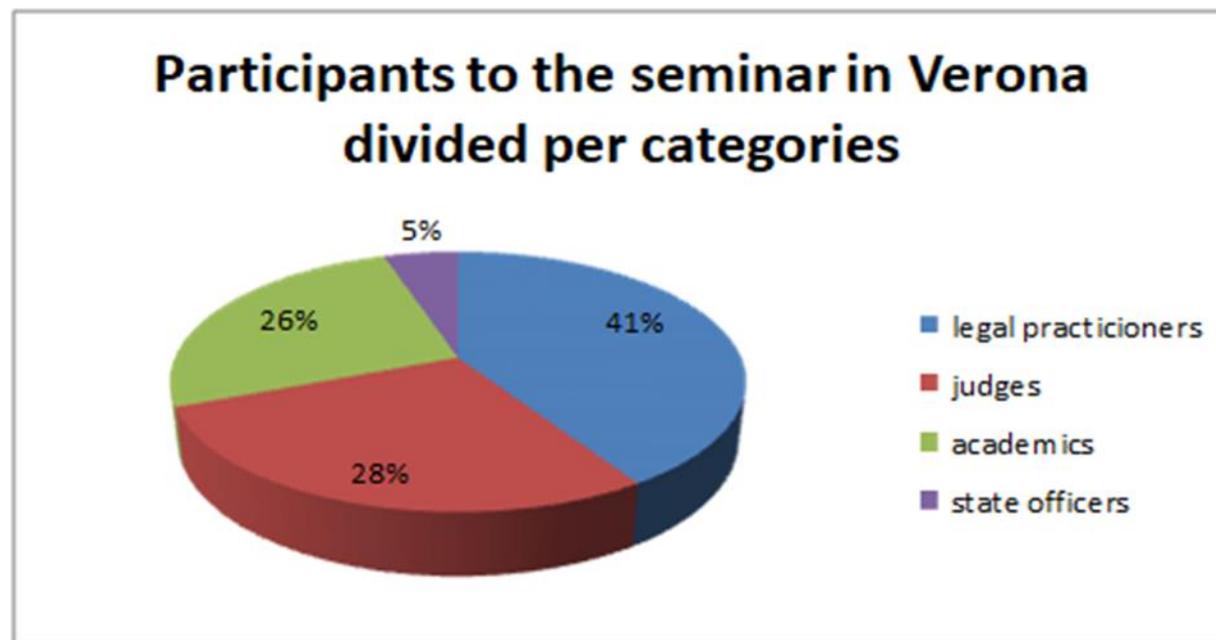


NATIONAL SEMINARS



Seminar in Verona

- It was held on 14 July 2016 for 1day as a round table
- UNIVR and AIAF organized and delivered it with scientific and coordinating support of UNIMI, **offering an example to follow** and leading to the delivery of related outputs - **UNIMI disseminated guidelines**
- Not attended by the evaluator



Evaluation of the seminar in Verona

Conclusions

- undertaken in **relevant, effective and efficient** manner, **facilitating exchange and open discussion** on several law cases partly selected before and partly as risen in presence – *this format of event is less common in Italian academic context that is more based on lectures and less on debate thus audience expectations were initially different*
- resulting into **preliminary positive impact** on a more informed and knowledgeable audience after the event – *most attendants were not initially experienced in the applications of the subject addressed*
- contained **elements for sustainability** of Project results, taking into account the large number of experts attending and now fostering the EUFam's network which in turn supports the population of the database. **It constituted a good first example of event to follow.**
- **EU visibility and added value** were fully granted



Evaluation of the seminar in Verona

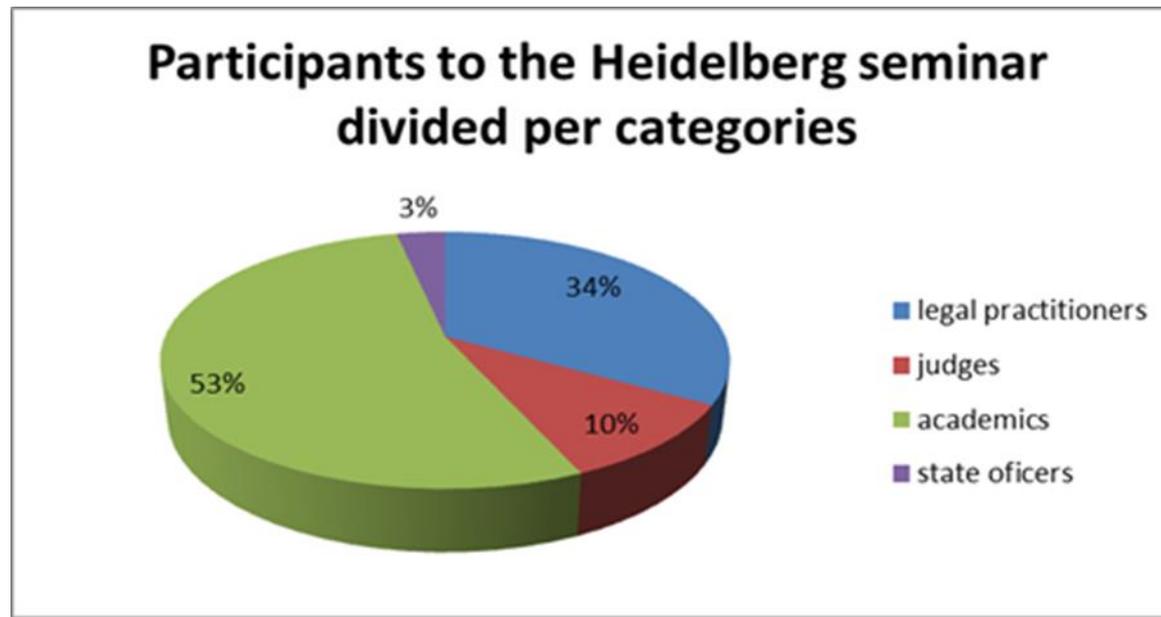
Recommendations

- **to provide participants with more background information on specific law cases covered by the seminar before-hand** to offer more time to analyse the cases in detail and formulate new related case studies to share and discuss in presence to be done before the event, via email or publishing on Project web site or Facebook
- **to clarify beforehand the scope and modality of delivery of the event** to selected audience and the speakers **in order to better meet their expectations**, still granting active participation from all



Seminar in Heidelberg, Germany

- It was held on 16 September 2016 for 1 day and was lecture-based
- Heidelberg University organized and hosted the event, with the scientific and coordinating support of UNIMI
- Not attended by the evaluator



Evaluation of the seminar in Heidelberg

Conclusions

- the **objectives** of the Project and of the event were fully met
- The seminar was a *good stimulus for discussion, even though rather too focused on lectures and less on debate*
- was overall delivered in a rather **effective and efficient manner**
- offered some preliminary **positive impact** and elements of **sustainability** of Project results
- granted **EU visibility and added value**



Evaluation of the seminar in Heidelberg

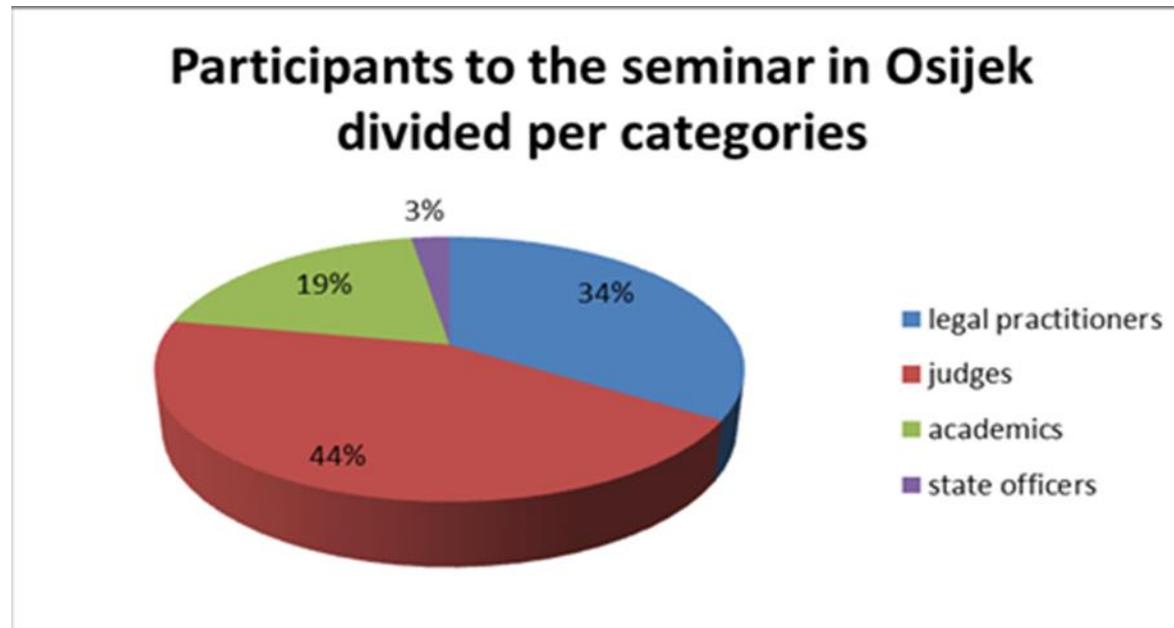
Recommendations

- **to more closely comply with the debate-format seminar** – less lecture-based – as to grant uniformity and better results comparability among seminars, also supporting the Luxemburg international event
- to communicate the aim of the event directly in the programme and **clarify expectations** which shall focus the attention on raising new law cases and exchange views on implementation difficulties



Seminar in Osijek, Croatia

- It was held on 13 and 14 October 2016, for 2 half days as a round table
- The Faculty of Law of the University of Osijek organized and hosted the event, with the scientific and coordinating support of UNIMI
- Not attended by the evaluator



Seminar in Osijek, Croatia

Conclusions

- managed to **raise awareness** on the importance and advantages of cooperation among academics-judges-practitioners-state officers. In fact, difficulties in EU law implementation at national but also some at international level were duly identified, **numerous relevant case studies were analyzed, possible solutions discussed and proposed**
- was delivered in an **highly effective and efficient** manner, led to preliminary positive impact and offered various elements of sustainability of Project results. EU visibility was granted and EU added value ensured beyond initial expectations as **participants outnumbered forecast**



Seminar in Osijek, Croatia

Recommendations

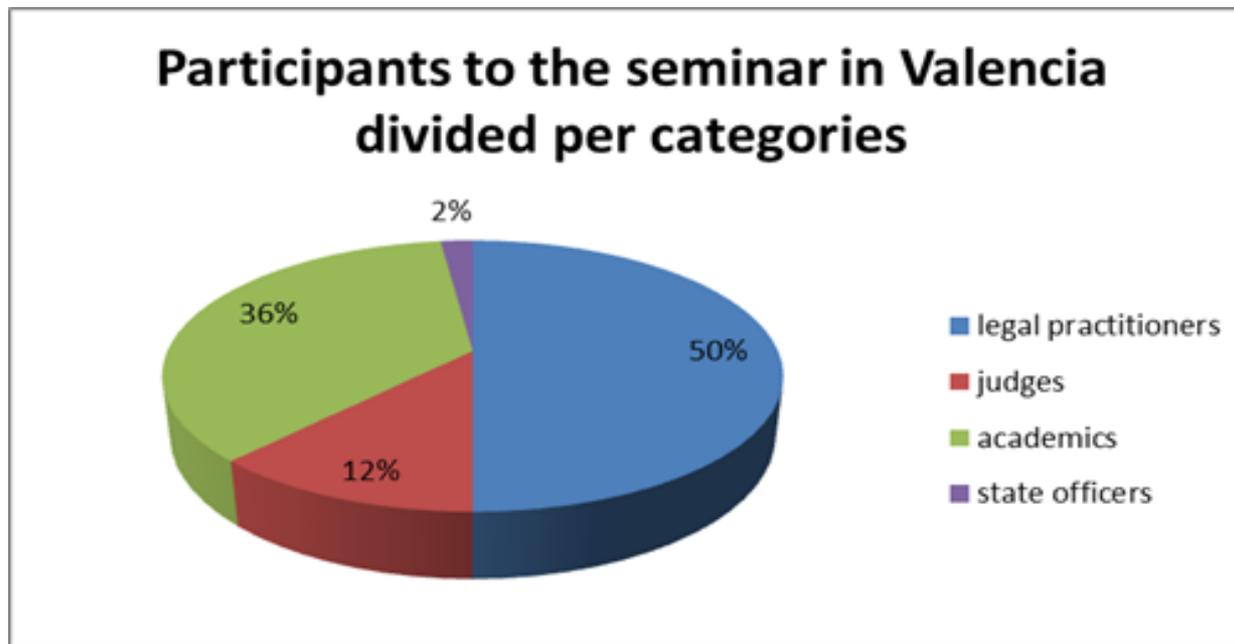
Good practices from this event for future events comprise:

- to provide participants with a **working kit and useful relevant documents during the seminar**;
- to project slides of all presentations and invited to discuss **speakers from different EU countries**, still focusing on national application of EU law;
- to successfully deliver an **ambitious programme** from a scientific and a management point of view;
- **to group collected case law under specific topics** becoming the focus of each discussion session;
- to have a Croatian team member **introducing the problems raised by practice and open detailed discussion** on it



Seminar in Valencia

- It was held on 24 October 2016, for 1day as round-table
- The Faculty of Law of the University of Valencia organized and hosted the event, with the scientific and coordinating support of UNIMI
- *It was attended by the evaluator*



Seminar in Valencia

Conclusions

- was **relevant** to Project and event's objectives, delivered in an overall **effective and efficient manner**;
- was perceived as providing **preliminary positive impact** on participants and offered elements of Project results' sustainability;
- **EU visibility** was duly granted;
- **EU added value** was also incorporated;
- it succeeded in **presenting critical issues and opinions on the main addressed subjects through a lively exchange**



Seminar in Valencia

Recommendations

- **to provide more time for structured practice-oriented debate** - that was already lively in a rather spontaneous manner - to allow for **additional opportunities to exchange and better analyze specific areas of interest**
- **To optimize materials provided** in a kit to all attendants with **a list of cases already selected and given as basis for discussion**



General conclusions on the seminars

- **were dedicated to selected attendants to collect data at national level**
- they were **space of free dialogue and exchange** for academics and legal practitioners on selected case studies that raise concern on correct and coherent application of EU Regulations on family law;
- **best practices** were identified and shared among partners;
- **solutions to difficult cases** were proposed and disseminated in reports
- they focused either on a **round table or a power point presentations** format, reflected by the percentages of participants' categories present
- **collection of case law** was facilitated and fostered, feeding into database
- some data presented at the seminars were extrapolated from the database and effectively discussed in presence, also providing for alternative solutions to related implementation difficulties
- **comparability among national exchange events is granted by outputs** – for format and content of *Internal Evaluation Reports, Best Practices Reports and Questionnaire* on the difficulty of application of Regulations sent to partners' identified contacts in a *Mailing List*, whose results were discussed in the *Luxemburg international seminar*
- The **network** of experts on family law was actually reinforced



General recommendations on the seminars

- **to elaborate a small list of law cases to be disseminated** among participants **beforehand** to allow for preliminary research and analysis of specific cases to be used as a starting point for discussion
- **To offer clearer expectations and direction to the discussion,** possibly also increasing level and depth of the exchange
- **To disseminate paper version of slides / visual material** shown at presentations – possibly limited in number - to focus attention of audience on detailed and informed data, given the complexity of the subject matter



THE DATABASE



Case law database

- Its evaluation also applied **5 EU/DAC evaluation criteria**
- **Project objectives and activity main pillars** are taken into account;
- **full text case-law in original language** was uploaded by partners, indexed in database following list of entries and labels established, plus reflected in a model-form in excel to offer easy access to and manageability of data;
- it covers: EC/EU Regulations No 2201/2003, No 1259/2010, Regulation No 4/2009, Regulation No 650/2012, the 2007 Hague Maintenance Protocol, and the 2007 Hague Recovery Convention;
- **First Assessment Report** on case law collected in the database until 10 June 2016 was drafted by UNIMI to offer a comparative analysis;
- **contained data on over 459 decisions applying EU Regulations on cross-border litigation in family matters** issued by courts of Bulgaria, Croatia, Czech Republic, France, Germany, Greece, Slovakia and Spain – *last entry considered of 23/12/2016*;
- **It is set to support seminars and Final Study** at the end of Project



First Assessment Report

- It provides **useful, consistent and readable data**, but it does not yet offer a statistically solid picture of European practice
- it offers **preliminary overview of data collected**, analyzing them in light of main private international law matters (jurisdiction, applicable law, recognition and enforcement of judgments) in database
- it is well structured and easy to read, providing **main findings and observations** at the end of each section



Conclusions on the database

- it is a valuable tool for academics, judges and legal practitioners working on EU family law
- could be offered only a preliminary assessment of structure and content of the database, its use and potential both during and after the Project
- large amount of topics covered and time coverage
- appears as efficient tool with elements of sustainability, as it will constitute the basis for the Final Study and be accessible afterwards
- but it is not representative of all relevant law cases existing in Europe nor of research undertaken at national level in respective countries
- target countries were enlarged to cover also Czech Republic and Slovenia not initially planned, to be equally involved in Questionnaire on difficulties of Regulations implementation



Recommendations on the Database

- to include on Project web site - where the database is published – a brief description of how it is structured, how to access it and how to do a search using it;
- to better integrate EU visibility in the initial excel sheet of the electronic tool by including the EU emblem and the logo of the Project;
- to continue feeding it with relevant cases



Closing remarks

- The Mid-Term Evaluation Report covered the **technical implementation of 4 national exchange seminars** (Verona, Heidelberg, Osijek, Valencia), their preliminary results and related deliverables
- The Report also covered the **elaboration and preliminary results of the database on case-law**, main related deliverable as the First Assessment Report
- **Project partners successfully delivered what planned** in an overall relevant, effective, efficient and sustainable manner, also providing for preliminary positive impact and fully satisfying EU visibility and added value



To keep in mind...

- to possibly **reduce number of power-point presentations** in seminars and use them more as a stimulus for **practice-oriented discussion**;
- to **communicate more clearly to the respective audiences the scope and format of the seminars** (practice-oriented and for the collection of cases) as to meet more adequately attendants' expectations and offer higher uniformity and comparability to the events;
- to **offer the participants some complete background material beforehand**, including a small list of law cases to be used as a starting point for the discussion, coupled by a paper copy of the slides of all presentation as reference for the audience;
- to **improve EU visibility on the database and provide a brief presentation and explanation** on how to use it at best on the Project web site where it is published, in order to improve its efficiency





The evaluator sees that:

most recommendations – that is possible to follow at this point of project implementation - have already been taken up by the partners for which they are praised before the EC





For any additional information please consult the Mid-Term Evaluation Report from which these slides' pie charts and data were extrapolated or contact:

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