



FAIR JUSTICE PROJECT

COURT PERFORMANCE EVALUATION:

A Manual for Using Citizen Report Cards in Courts

Kyiv 2015



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INTRODUCTION

A review of public opinion polls over the past 24 years since the beginning of the transition to democracy in Ukraine clearly indicate that the Ukrainian judiciary has been and remains at the center of a fierce public debate on the importance of judicial reform and the quality of justice. In this debate, a variety of organizations have conducted different and often contradictory sociological surveys on the level of public trust and confidence in the judiciary and satisfaction with the performance of courts. In an effort to bridge the gap between these surveys and actual court performance, the U.S. Agency for International Development (USAID) FAIR Justice Project (FAIR) focuses on creating opportunities for constructive engagement between courts and the communities that they serve to support comprehensive and sustainable judicial reform that includes policymakers, judges, court staff, court users and civil society organizations in a dialogue on court quality and ways to strengthen judicial independence, transparency and accountability.

The Citizen Report Card (CRC) methodology provides a simple and powerful tool for such a dialogue through the collection of systematic feedback from court users to improve the delivery of court services.

Although national public opinion surveys are regularly conducted in Ukraine, they mostly focus on general public perception of the judiciary, whether it is open and transparent or not and the level of public awareness about the courts. Here, it is important to distinguish between general sociological surveys that measure, for example, the level of trust or distrust of the judiciary which may be based solely on perception and a survey that is based on the first-hand experience of a court user. This is where the CRC methodology has proven its effectiveness. It provides a platform for active interaction between courts and court users, helps courts facilitate open and proactive discussions on their performance, empowers civil society organizations in monitoring courts, and enables policymakers and courts to plan and set priorities.

Since 2008, FAIR facilitated cooperation between courts and civil society organizations in conducting court user satisfaction surveys using the CRC methodology. This process helped courts to identify the strengths and weaknesses of the services that they provide, pinpoint areas to improve court performance, and evaluate and benchmark progress in addressing gaps in performance over time. Although the CRC methodology was originally based on citizen satisfaction with local government services, FAIR modified it for the courts by evaluating court performance from the court user perspective on such criteria as access to court facilities and court information, the performance of judges and court staff, timeliness in decision making, and the quality of court judgments.

Over the past years, FAIR supported 15 civil society organizations who partnered with more than 200 courts in 15 regions in conducting CRC surveys that included over 35,000 court users who provided hundreds of recommendations on how to improve court performance. Key findings included:

- 32% of courts received recommendations to improve physical accessibility of court, including providing more parking places near the courthouse and improving access for people with disabilities.
- 26% of courts received recommendations to improve timeliness in considering cases by avoiding unjustified delays and postponements. This included recommendations to adhere better to set trial dates and send summonses in a timely manner.

- 24% of courts were recommended improve the quality of court decision, making them well-grounded in law and more understandable to ordinary citizens and litigants.
- In 18% of courts the level of comfort in the courthouse may be improved by providing more space to wait and prepare documents and greater access to toilets and related amenities for court users.

In addition, partner civil society organizations developed a number of specific recommendations for national level policymakers to institutionalize critical themes in the delivery of court services, such as improving access to services, enhancing transparency in service provision and limiting costs incurred in using a service. These results indicate that court user satisfaction surveys can be a very effective tool in promoting court practices that contribute to increased levels of public trust and confidence in the judiciary.

This manual is a revised version of the first edition published in 2010. It reflects lessons learned and recommendations from additional rounds of conducting CRC surveys in more courts with more civil society organizations. This revised manual also builds on the analytical reports prepared by civil society organizations with their partner courts which captured the results of the CRC program since its inception in 2008. It is intended for use by courts and civil society organizations that wish to use the CRC methodology to improve the quality of court services.

Section 1.

Why Court Performance Can and Should be Evaluated

It is often noted that court performance should not be evaluated externally as it may interfere with the independence of the judiciary, which is a fundamental principle of the rule of law in a democratic society. However, international and recently Ukrainian national best practices have proven the opposite – external court performance evaluation does not threaten the independence of the judiciary; on the contrary, it promotes it.

There is no doubt that the judiciary as a separate and independent branch of government must operate in an efficient and effective manner to ensure quality performance. At the same time, it is difficult to measure the quality of court operations based solely on quantitative measures and statistics about the number of cases and motions filed, cases considered or verdicts rendered. It is also impossible to assess the quality and efficiency of court operations based on decisions in high-profile cases in individual courts, even if they are widely covered in the media.

In measuring the quality of courts, it is important to know whether a court user who directly files a case in court is satisfied with court performance. Here, the focus should not only be on the belief that the person who wins a case is satisfied and the person who loses a case is dissatisfied. No less important is how courts directly interact with court users, creating an appropriate level of comfort in courthouses, providing timely access to court information, as well as ensuring that judges and court staff perform in a professional manner. All these issues are factors that have an impact the performance of individual courts and level of public trust and confidence in the entire judiciary.

Public opinion polls on the performance of courts and judges related to the level of public trust or distrust in the judiciary are common. Typically, such surveys are conducted based on a representative sample of all groups of the population, including both those who have experience in courts and those who have never had such experience and base their opinion on outside sources, such as the media. Although surveys on the level of public trust or distrust in government are very important and in line with international best practices, such polling data as trust or distrust is a psycho-emotional state of a person which occurs as a result of a range of social factors which very often are not directly related to the subject of survey itself. Factors related to trust or distrust in the judiciary may include public perception of other branches of government and agencies, such as police and prosecutors.

At the same time, it is critically important to collect the opinion of court users, litigants or other court visitors who have first-hand experience in courts. This type of direct feedback provides useful information about how effectively and efficiently courts operate which is particularly crucial given the judiciary's role in resolving disputes and protecting fundamental rights and freedoms. External court performance evaluation through court user surveys also is a clear and simple way of measuring levels of court user satisfaction. Furthermore, a comparative analysis of court user satisfaction with court performance provides valuable information to set priorities to improve court operations. Moreover, court performance evaluation allows for the identification of ways to address problems in court operations to meet public expectations. Therefore, court performance evaluation through surveying court user satisfaction is a means to improve court administration and management, justify the use of

public funds to support court operations, a key concern for taxpayers, and promote public trust and confidence in the judiciary which is essential to strengthen judicial independence.

In Ukraine, the USAID FAIR Justice Project supports both external court performance evaluations using court user satisfaction surveys based on the CRC methodology and internal court performance evaluation focused on the timeliness in decision making, the quality of court decisions, and judges and court staff satisfaction. On April 2, 2015 the Council of Judges of Ukraine in its decision No 28 approved a CPE framework “Court Performance Evaluation Framework: Standards, Criteria, Indicators and Methods” and Annex 1, point 6 of which recommends to conduct surveys of citizens-court users once every three using citizen report card methodology, inter alia (<http://court.gov.ua/rsu/rishennya/risksjdfh>).

Section 2.

Citizen Report Card Methodology

The Citizen Report Card is a simple but powerful tool to provide public agencies with systematic feedback from users of public services. By collecting feedback on the quality and adequacy of public services from actual users, CRC provides a rigorous basis and a proactive agenda for communities, civil society organizations or governments to engage in a dialogue with service providers to improve the delivery of public services.¹ In practice, CRC provides a basis upon which to identify the level of public satisfaction with the quality of various services and to evaluate the efficiency of service providers through user surveys that do not require highly sophisticated and expensive measurement tools.

The Citizen Report Card methodology was developed in the early 1990s in Bangalore, India as a result of a survey conducted by a group of local municipal service providers regarding the quality of services. Based on a representative survey of the city's population, the group identified the most serious problems that troubled local residents, including the residents of the poorest districts of the city. The results of the survey were presented as the opinion of users regarding the quality of work of the service providers and the municipality.

Interest in this original pilot survey led to the creation of the Public Affairs Centre² in Bangalore, which later further developed the CRC approach. Beginning in 1999, the Centre conducted regular CRC surveys in India, actively spreading the experience of these surveys in many other countries around the world, including the United States, Canada, Pakistan, Bangladesh, the Philippines, Vietnam, Sri Lanka, Peru, Uganda, Ethiopia, and Congo among others. In Ukraine, the CRC methodology was first applied in 2004 and 2007 as part of the evaluation of the quality of municipal services within projects funded by the World Bank and Canadian International Development Agency (CIDA).

The CRC approach to evaluation is based on and similar to school report cards. A typical student receives a report card that includes information that would indicate areas for improvement and his or her overall performance rating in class.

Sample Report Card of a Bangalore Student

Subject	Max Score	Actual Score	Highest Score in Class
Languages	100	78	78
Mathematics	100	47	98
Natural Sciences	100	58	92
History	100	73	75
Geography	100	63	81
General Performance Rating	500	319	420

Rating in class – 15 out of 35 pupils

¹ See www.citizenreportcard.com

² See www.pacindia.org

In the same way, CRC is used to evaluate the general quality of services provided by public agencies. Through evaluation of CRCs governmental institutions can identify areas where they are doing well and other areas of their activities that need to be improved.

In 2008, the USAID FAIR Justice Project modified the CRC methodology for the courts to measure court user satisfaction with court services based on seven quality measures. CRC surveys provide a generalized picture of the level of the quality of court services. Even if court performance is efficient based on quantitative indicators, a complete understanding of how a court is performing can only be achieved by external evaluation of court users, determining whether they are satisfied with the services provided by the court. Therefore, considering the opinion of court users is essential for identify how a court is actually performing.

Sample CRC Report Card for a Court

Quality Measure	Maximum Score	Highest Score	Lutsk District Court
Physical Access to Court	1.00	0.94	0.79
Level of Comfort in the Courthouse	1.00	0.95	0.62
Access to Court Information	1.00	0.95	0.78
Affordability of Court Fess	1.00	0.78	0.75
Timeliness in Considering Cases	1.00	0.97	0.75
Quality of Performance by Court Staff	1.00	0.95	0.84
Quality of Performance by Judges	1.00	0.97	0.86
Average	1.00	0.94	0.77

As presented in the illustrative table above and discussed in detail below, the modified CRC methodology for courts is based on key quality court performance standards. Each quality standard of court services is accompanied by a framework of indicators.

There are several approaches to evaluating court performance around the world. Nevertheless, the following set of issues is universally considered: who performs evaluation, what standards and measures are used, what data collection methods are used, and how evaluation results are used.

The evaluation of court performance may be internal or external each using different methods. Internal evaluation or self-evaluation of courts is conducted by the courts and judiciary themselves. External evaluation is the evaluation of court performance by those outside the judiciary, including other branches of government, civil society organizations or individual court users as presented in the CRC methodology.

A working group of representatives of the Council of Judges, State Judicial Administration and courts of all levels and jurisdictions supported by the USAID FAIR Justice Project developed standards, measures and indicators for evaluating the quality of court services using the CRC methodology. This working group also developed a framework of evaluation indicators based on general court procedures and practices, including those related to services provided to court users.

The working group developed and tested a framework of indicators evaluating the quality of court services consisting of 7 quality measures, which are in turn evaluated through 25 indicators based upon which court user survey questions were formulated.

Key Quality Measures of Court Performance

Quality Measures	Indicator
1. Physical accessibility of the court	Ease in finding the courthouse for the first time Convenient public transportation to courthouse
2. Level of comfort at the courthouse	Overall level of comfort at the courthouse Sufficient comfortable space for waiting and preparing documents, getting acquainted with case files and preparing for hearings Cleanliness and tidiness of the courthouse Unobstructed access for people with disabilities to the courthouse and ability to use court services Accessible business hours of the court registry office for handling court matters
3. Completeness, accessibility and clarity of court information	Accessible location of informational boards Sufficient level of information available at the court regarding: location of court offices, hearing rooms and other premises; rules of access to court and conduct in court; cases scheduled for hearing; general information about the court; sample documents; procedures for paying court fees, account details and payment amounts Availability of information online on the court's website
4. Affordability of payments and fees	Affordability of the cost for filing and case in court Affordability of legal services if necessary
5. Adherence to deadlines in considering cases	Timeliness in opening hearings Consideration of the needs of court users when scheduling hearings Timely receipt of summons and information on case hearings Justifications in delays/rescheduling of case hearings Sufficient time to become familiar with case materials
6. Perception of the performance of court staff	Attentiveness of court staff Effectiveness of communication by court staff, including positive attitude and respect, desire to help, equal treatment of all visitors regardless of their social status and other factors, discipline, responsiveness, and professionalism
7. Perception of the performance of judges	Respectful and polite attitude toward litigants Level of preparedness of the judge to consider the case Adherence to trial procedures by the judge Ability to speak clearly during trial Ability to clearly explain decisions made during trial Sense of impartiality and independence of the judge, absence of external influence Timeliness in delivering court decision Understandability and clarity of the text of court decision Level of reasoning of the court decision

These indicators should be considered from the perspective of a court user. For example, the quality of a court decision is evaluated based on the understandability and clarity of the text and not the legal basis of the decision. The quality of legal reasoning in court decisions is the subject of internal evaluation where select judges anonymously review judgments of their peers based on a different set of criteria.

These indicators also provide a basis for standardizing the quality of court performance. They may be supplemented by additional indicators to meet the needs and characteristics of an individual court.

For comprehensive and effective external court performance evaluation, surveys should encompass all categories of court users: plaintiffs, defendants, legal counsel or representatives of parties and ordinary court visitors who may be in court to observe a trial or considering whether to file a case or not. Sample approaches to evaluating court performance from around the world are included at Annex 1.

Using the CRC methodology in evaluating court performance provides useful information for court managers interested in improving their court's performance. This includes the following:

- Identify areas for improving access to courts and court information, including how to provide complete, timely and clear information to court users based on their feedback;
- Receive data on the general level of satisfaction of court users with court services. The results of a CRC survey are a clear and simple statement on the level of satisfaction or dissatisfaction with court services. They provide valuable information for setting priorities in improving court operations;
- Evaluate problem areas related to court performance. The CRC approach is based on the interaction between courts and court users, which provides a mechanism for establishing reasons for dissatisfaction, for example, poor availability of information about court services or difficulties related to untimely provision of services;
- Find alternative ways to improve the quality of court services. CRC has as a goal not only to collect the opinion of court users on the quality of court operations, but also identify which actions to take to remedy problems.

Section 3.

Work Planning to Conduct Evaluation

This section provides a step by step approach to planning a CRC survey of court user satisfaction from preparation to sampling.

3.1. Preparatory Stage

Surveys using the CRC methodology are based on a clear set of steps which includes the following stages:

- Develop a scope of work for the evaluation;
- Establish contact with court representatives;
- Prepare a schedule;
- Develop (adjust) survey instruments;
- Prepare and conduct focus group discussions;
- Develop a sampling plan;
- Train supervisors and interviewers;
- Manage the work of interviewers;
- Enter data;
- Analyze data;
- Conduct focus group discussions based on survey results;
- Develop recommendations;
- Prepare analytical reports;
- Disseminate results; and
- Develop action plan to implement recommendations based on survey results.

The work planning stage begins with developing a scope of work, calculating resource availability, negotiating with the court subject to evaluation and making a work schedule.

A scope of work for the evaluation must clearly identify the goal and subject of the evaluation and include a list of issues for evaluation, a description of the methodology, a design of the sample of respondents, a description of the survey tools, a work schedule and requirements for the final report.

The **goal of the evaluation** is to determine the level of satisfaction of court users with court services and other issues related to court performance from the user perspective and develop recommendations to improve overall court operations.

The **subject of the evaluation** are the services provided by a court to court users in filing and accepting cases, conducting court sessions and trials, issuing and receiving court documents, and maintaining conditions and facilities to support court users.

In developing a scope of work, it is important to identify evaluation questions, which may include the following:

- To which extent is the court user satisfied regarding the physical accessibility to court facilities, the level of comfortable at the courthouse, the accessibility of court information, the level of

performance of the court registry office, the timelines in case consideration, and the performance of judges?

- What are the problem issues related to court operations that must be urgently addressed?
- What do court users propose to do to improve court performance?

In developing a scope of work it is also important to formulate direct objectives of the evaluation process, which may include the following:

- Study the opinion of court users regarding the quality of court performance.
- Identify the most acute problems with court operations from the perspective of court users.
- Develop proposals to improve court operations based on court user feedback.

There may also be additional questions for the evaluation related to the operations at an individual court. For instance, it may be useful to measure the impact of the introduction of an automated case management system in a court, which may have improved the experience of court users in their interactions with the court registry office.

An indispensable part of a scope of work is a short description of the evaluation methodology, which in this case is an evaluation conducted by surveying court users at court facilities using a standardized questionnaire and face-to-face interviews together with focus group discussions to ensure proper interpretation of collected data. In addition, the description of the evaluation methodology should include a brief overview of the structure and content of the questionnaire as the key evaluation tool. This section also includes approaches to sampling respondents and outlines a work schedule in a separate block as well as the structure and content of a final report.

For successful application of the CRC methodology, it is critical to engage and establish good communications and working relationship with court leadership, i.e., the chief judge and chief of staff or court administrator. This applies both to courts which have already implemented CRC surveys and those applying the methodology for the first time. It is of utmost importance to have the interest and formal “buy in” from the leadership of the court to conduct the survey in the first place. This should include a clear understanding of the demands for conducting a CRC survey as well as the benefits and expected results of such cooperation. A sample of letter with an invitation for cooperation is provided at Annex 6.

As the CRC methodology is designed to make positive and sustainable changes, it is important to engage representatives of the court from the very beginning, including direct engagement in developing questionnaires. By taking into consideration the opinion of judges and court staff, organizations that conduct the evaluation will be able to formulate questions to obtain feedback from court users regarding those issues that are most important to the operations of that individual court and are necessary for judges and court staff to take into consideration to improve court operations. A written request to the chief judge regarding these issues is useful. The request should contain the goal of the survey, explain how results are going to be used, and list the possible benefits to the court in improving the quality of court services.

Actual Situation: The leadership of the court where a survey of court users is to be conducted is mistrustful and wary of the survey. They demand that official letters and requests should be sent to them.

General Recommendations: Those who conduct surveys have to carefully prepare to be successful. They should start with sending a letter to the chief judge proposing to conduct a survey, briefly explaining the benefits of this effort in improving court performance, how surveys will be conducted, and how the results will be disseminated. This introductory letter should have an official logo of the organization and should be registered with the court's intake office. This formal process will give the survey a more official status. Additionally, an introductory meeting with the court leadership is recommended to help to build trust and allow time for directly addressing any issues of concerns that the court may have. Trust between the parties is a prerequisite for a successful survey.

Key Message: Conduct meetings, discuss and inform the court's leadership about plans, and keep them updated on progress made in conducting surveys. Do not forget about official letters; they are an absolutely necessary element in communicating with courts.

A best practice in encouraging court users to participate in the survey is to encourage the chief judge to not only provide his/her consent to conduct the survey, but also provide a written letter to court users requesting their participating in the survey to help improve court operations. A copy of this letter of support should be provided to interviewers for use when conducting surveys. Another way to encourage respondents is to post information about the survey on the court's information board.

An organization that plans to conduct a survey of court users should also study and learn the legal framework that regulates public access to courts, court decisions and court archives as well as court procedures in conducting hearings. Further, it is important to collect basic background information on the court, the status of court proceedings in that court, as well as progress in issuing and enforcing court decisions. All this will help bring court user satisfaction surveys into context.

In preparing and conducting a survey of court users, an organization may cooperate with other governmental institutions. For example, it may apply to the State Judicial Administration or its territorial departments to collect data about a court. A sample of a letter to requesting court information can be found at Annex 7.

3.2. Developing and Adjusting Survey Tools

The CRC questionnaire is the main survey tool in conducting interviews with court users. A questionnaire is developed by transforming survey objectives into questions. The main components of the questionnaire are as follows:

- Introductory Block – Information about the goal of the evaluation and a message to respondents with a request to participate in a survey;
- Technical Block – The date and time of the interview, information about the interviewer, and space for coding of the questionnaire for processing later;
- Block 1 – Questions related to general characteristics of the respondent;
- Block 2 – The main part of the questionnaire and include questions related to the evaluation by court performance indicators;
- Block 3 – Questions to determine whether any changes have taken place in the court since the

last survey taking into consideration court user recommendations aimed at improving court performance;

- Block 4 – Supplementary space used when a court wants to learn the opinion of court users regarding additional questions or issues related to that specific court.

The **introductory block** contains a message to respondent court users with a request to participate in the survey and brief information about the goal of the survey. This information is very important as every respondent should be aware of what kind of survey he/she is participating in and why it is being conducted. Moreover, awareness of court users about the goal of the survey is an additional motivation to participate in it, encouraging them to provide well-thought out answers to the interviewer.

The **technical block** of the questionnaire contains the following information: last name and code of the interviewer, date of the interview, start time and end time of the interview, and the number of the questionnaire. Socio-demographic characteristics collect baseline information about the respondent, such as age, educational background, and financial status. In addition, this section contains questions related to the respondent's experience of participating in litigation, types of proceedings to which he/she was a party/litigant and stage of consideration of his/her case. This information is used both during the analysis of survey results and the evaluation of the relevance of the characteristics in sampling respondents.

The **main part** includes several blocks of questions the answers to which allow for the collection of data for further analysis on the level of satisfaction of respondents with court performance by select indicators. Specific questions in the questionnaire are directly related to specific court performance indicators: accessibility, level of comfort in the courthouse, understandability and clarity of court information, court staff performance, timelines in considering cases, and the performance of judges. There is a set of specific questions for each indicator and a scale from 1 to 5 is used. It is important to note that numbers are used for data processing only. Scale values correspond to specific answers of respondents.

Sample Question in Questionnaire

Measurements and Indicators	Questions in the Questionnaire	Answer Options	Points for Data Processing
Measurement 7: Timeliness in considering cases	Did the last session in your case start on time according to schedule?	Absolutely no	1
		More no than yes	2
		More or less	3
		More yes than no	4
		Absolutely yes	5

Some questions depend on the answers to other questions and not all respondents are asked to answer them, but only those who have to provide such answers. For instance, only those respondents who have already received the text of a court decision are asked the question related to the understandability of its content. Similarly, only these respondents are asked about their intentions to challenge or appeal the court decision. In addition, the questionnaire includes a question which asks the frequency of visits to a court if the respondent's case is pending or he/she is awaiting a decision in the case.

Most questions in the questionnaire are closed type. Such questions offer the respondent pre-determined answers, for example:

- Alternative: "yes" or "no";
- In the form of a scale, for example: "very good", "good", "satisfactory", "partially satisfactory", and "unsatisfactory";

- In the form of a quantitative scale or within a range, for example: “consideration of the case for less than 1 month”, “consideration of the case from 1 to 3 months”, and “consideration of the case for over 3 months”.

Example of Closed Questions Using Qualitative Scale

Please state according to a five-point scale, the extent to which you agree with the following statements (1 – do not agree at all, 2 – mostly do not agree, 3- hard to decide, 4 – mostly agree, 5 – completely agree, 9 – NC (non-response code)):

1	It was easy for you to find the courthouse for the first time	1	2	3	4	5	9
2	It is comfortable for you to go to the courthouse using public transportation	1	2	3	4	5	9
3	You feel comfortable at the courthouse	1	2	3	4	5	9
4	The court has enough comfortable space for waiting and preparing documents	1	2	3	4	5	9

CRC methodology also recommends including open-ended questions in the questionnaire, i.e., such questions that give the respondent the possibility to give his or her own explicit answers. The typical CRC questionnaire makes use of the most common type of open-ended question – unstructured. An example of an unstructured open-ended question is: “What specific changes you think are necessary to improve the performance of this court today?”

Nevertheless, the questionnaire should not overuse open-ended questions. As questions and answers are to be encoded to facilitate data aggregation, open-ended questions require analysis and disaggregation into groups before encoding can occur. Subsequently, aggregating data from open-ended questions requires additional time and human resources. In addition, it is important to know that ambiguous answers to open-ended questions are very common and may be difficult to generalize for further analysis.

The CRC questionnaire also uses filter questions that help to establish whether the interviewee qualifies as a participant of the survey or determine whether he or she needs to answer the rest of the survey questions.

Example of Filter Questions

8. What is the current status of your case?

The consideration of the case has not started yet	1	→ question 10
The case is under consideration	2	→ question 10
The case has been decided	3	
Other (specify) _____	4	→ question 10

9. What was the decision in your case?
(asked only to those who selected option “3” in answering question 8!)

In your favor (or in favor of the party you represent)	1
Not in your favor (or not in favor of the party you represent)	2
NC (non-response code)	9

Piloting or testing the questionnaire is an important step in quality control for the survey. This can reveal any problems in the following important areas:

- Ability of the respondent to understand the questions – formulation of questions and answers;
- Questionnaire design – navigation from question to question and from one set to another;
- Completeness and sufficiency of the multiple choice answers listed;
- Identification of deficient or unacceptable (impolite) questions;
- Identification of unnecessary questions that do not provide useful information for analysis and overload the questionnaire;
- Logical sequence of questions and their layout;
- Size of the questionnaire and the length of the interview: remember, that a long interview will tire the respondent and lead to the degradation of the quality of information;
- Readiness of the respondents to participate in the survey and answer the main questions on the questionnaire;
- Problems related to data processing.

CRC surveys require face-to-face interviews, i.e., direct contact between the interviewer and the interviewee. The interviewer fills out the questionnaire using the respondent's words; therefore the questionnaire should contain instructions for the interviewer on how to fill in specific answers. It is adequate to engage about twenty respondents to pilot or test the questionnaire. The respondents for piloting need not be randomly selected. In addition, to pilot the questionnaire it is not necessary to form a representative sample. The questionnaire should also be translated into the language most appropriate for the users. A sample questionnaire used in previous surveys is at Annex 9.

3.3. Training Interviewers and Other Participants of the Evaluation

Interviewers, supervisors and data entry operators are all necessary to conduct an evaluation using the CRC methodology, including data processing. Interviewers directly conduct interviews with court users and fill in the questionnaire based on court user responses. Supervisors coordinate the work of interviewers and oversee interviews, check whether the questionnaires are correct and valid and take any other actions to ensure the quality of data collection. After supervisors check the questionnaires, data entry operators process them with the help of specialized software.

In conducting CRC surveys, it is recommended to engage volunteers as interviewer for a number of different reasons. First, engaging volunteers reduces the costs for conducting surveys. Second, engaging volunteers promotes broader public participation, which is particularly important for improving trust and confidence in the judiciary. Finally, engaging law student volunteers is especially valuable as they are possible court users as and potential future court employees or judges. This benefits both the law student volunteer, who will gain practical knowledge about how courts operate, and the courts which profit from greater awareness and understanding about its activities by a key stakeholder.

Experience has demonstrated that volunteer interviewers work very well using CRC methodology. Nevertheless, considering that these surveys are conducted not by professional sociological firms but by civil society organizations, the utmost care should be taken in selecting volunteers. Usually, organizations engage volunteers from among students, not only law students as but also sociology

students and students of other related disciplines. Interviewers may also include more senior civil society activists, existing volunteers of the organization conducting the survey itself, and other active civil society representatives. It is very important that those selected to be interviewers have effective communications skills, as an essential factor of the success of a survey is the ability of interviewers to communicate with different people from different backgrounds. They must also be able to comply with ethical standards for conducting surveys, such as World Association for Public Opinion Research (WAPOR) Code of Professional Ethics and Practices (Annex 14), and be open and comfortable in communicating with complete strangers.

In preparing supervisors and interviewers it is essential to organize training programs on the rules for conducting surveys and techniques on how to use survey instruments and tools. In addition, training programs for data entry operators should also be conducted on developing questionnaires, data entry procedures, as well as primary and secondary data control. A sample agenda for a training program for civil society organizations and court staff on conducting CRC surveys is at Annexes 2 and 3. Each training program should be supplemented with materials, instructions and other related documents.

Training Interviewers and Supervisors

Training programs for supervisors and interviewers should take place prior to the beginning of the actual survey. The training of supervisors and interviewers may last for a day or several hours depending on the level of their previous experience in conducting surveys. It is important that both supervisors and interviewers have clear understanding and knowledge about each question in the survey instrument.

Instruction should cover the following topics:

- An overview of the CRC survey methodology;
- The goal and objectives of each individual CRC survey and the interviewer's role;
- Details on the survey instrument and tools.

A conceptual understanding of the CRC methodology is critically important. Interviewers should understand the overall goal of the survey, as well as the objectives of the organization undertaking the survey and their role in this process.

As part of the training program, interviewers should gain a detailed understanding of the content of the questionnaire, as well as all other survey tools and documents related to the survey, namely:

- Copy of a letter to the chief judge;
- Letter from the chief judge;
- Interviewer identification card;
- Instructions for interviewers;
- Interviewer log.

During the interviewer training program, they should become aware of ethical standards, including the Ethics and Rules of Conduct of Volunteers in Court (Annex 13) that was used during the pilot CRC survey of court users in 2008, as well as other ethics related materials, including Rules for Admitting Persons to Court Facilities (Annex 15), the Code of Judicial Ethics (Annex 16) and the Rules of Conduct for Court Staff (Annex 17).

In order to ensure a thorough understanding of the survey questionnaire by potential interviewers, it is crucial to engage one of the questionnaire developers or any other person who has in depth knowledge about the questionnaire. This will assist the interviewer navigate through the questions in the questionnaire as regards to order and content. It is important to dedicate enough time to clarifying unclear issues in the questionnaire and other survey tools.

An Excerpt from the Interviewer Instructions from a Sample Survey of Court Users

Procedure for filling out the questionnaire:

- 1) An interviewer should clearly and audibly read out questions on the questionnaire.
 - 2) An interviewer should carefully circle the number of the answer that a respondent selects.
 - 3) While reading out a question, an interviewer should not prompt an answer of “hard to decide” or “hard to say”. Only if the respondent self-selects this option, should the interviewer circle such an answer.
 - 4) There should not be unanswered questions on a filled out questionnaire.
 - 5) Should a respondent, for any reason, refuse to answer a certain question (might be that he/she simply does not know the answer), an interviewer should circle “NC” for non-response code.
-

After introductory instruction has been given, every potential interviewer should be tasked to conduct a simulation or trial survey. Training participants may be divided into pairs to survey each other. After completing trainings, it is important to form groups to conduct surveys (1 supervisor and 4-6 interviewers) and provide time to discuss and agree upon the work schedule.

Remember that clear instructions for interviewers and their understanding of them are important prerequisites for collecting adequate and unbiased data. Sample instructions for interviewers and supervisors are at Annex 11.

Training Data Entry and Processing Operators

Training data entry operators involves conducting training on preparing questionnaires for processing, data entry procedures and primary and secondary data control. As a general rule, organizations conducting CRC surveys usually do not engage outside data entry operators, but rely mainly on researchers or volunteers. The functions of data entry operators include not only mechanical entry of answers to questions on questionnaires, but also quality control of completed out questionnaires and primary data processing.

Proceeding from the functions and responsibilities of data entry operators, their training program should cover the following issues:

- Preparation of the questionnaires for data entry, including visual control of accuracy of filled out questionnaires;
- Using statistical software;
- Principles and means of processing survey results.

Data entry operators should be equipped with the following materials:

- Statistical software needed for data input;
- Completed questionnaires for test data input;
- Instructions and guidelines for data entry operators.

3.4. Sampling

The main goal of any sample survey of the public is to receive objective information about a group of persons based on answers from a specific segment thereof. A method allowing for the scientifically significant selection of the population segment for the survey from the total number (in the language of statistics – general population) is called sampling, while the selected segment of the total population is called the sample.

In using the CRC methodology to evaluate court performance, the general population is all court users while a sample is that segment of court users who must be interviewed in order to obtain information about the attitudes of all court users.

The organizational and logical model of a sample and the principles for forming it is defined by a sampling design or plan. The quality of a sampling plan impacts the sample representation.

Experience of the previous stages allows making a conclusion that the highest level of representation can be achieved by using a sample of 200 respondents, and 100 for small courts. A minimum acceptable sample is 30 respondents for small courts and 70 respondents for medium and large courts. The following table shows the calculated minimum sample depending on the number of court users on one working day:

Average number of court users for 1 day	General number of court users for 10 working days	Scope of sample	Average number of court users, to be surveyed for 1 day	Procedure of surveying court users
2	20	30	2	It is necessary to survey all court users during 15 visiting days
3	30	30	3	It is necessary to survey all court users during 10 visiting days
4	40	40	4	The same as in the previous case
5	50	50	5	The same as in the previous case
6	60	60	6	The same as in the previous case
7	70	70	7	The same as in the previous case
8 -12	80-120	70	7	First 7 court users every day during 10 visiting days
13-17	130-170	70	7	Every second court user during 10 visiting days
18-22	180-220	70	7	Every third court user during 10 visiting days
23 and more	230 and more	70	7	Any 7 court users to be evenly distributed during the day <i>For example,</i> 1st,4th,7th,10th,13th,16th,19th court user

Selection of respondents may be based on a random or quota method.

Random sampling is based on the principle that all without exception separate units of analysis in general population are given an equal probability to be selected. Accordingly, to form a sample, each unit of observation (in our case, each court user) is assigned a number. Subsequently, the numbers are drawn randomly, using a random number table or a computer generator of random numbers, or any other similar means. This method is easy to apply and to explain to others; nonetheless, representation of important elements of the general population may be insufficient.

Quota sampling requires surveying separate groups (subsets) of respondents, which is related to the peculiarities of general population. In case of court user survey this may be division according to the categories of parties to a dispute (plaintiffs, defendants), demographic characteristics (age, gender), etc. In this case, the number of respondents in each group to be represented in the sample will depend on their proportion in the general population and will correspond with their quantitative proportion in the sample.

An Example of Selecting Respondents According to Quota Sampling

As of (date), before the beginning of the survey, a court considered civil cases with 1,000 court users and administrative cases with 1,800 court users. It will be necessary to select 350 court users to participate in the survey. Therefore, quota sampling, that is a number of respondents per each category of case, should be established in proportion to the overall quantity of the population, namely:

$$1000+1800 = 2800 \text{ persons, which is } 35\%+65\% = 100\%$$

Therefore, court users to survey:

$$\text{In civil cases} - 122 \text{ persons } \left(\frac{35\% \cdot 350}{100\%} = 122 \right);$$

$$\text{In administrative cases} - 228 \text{ persons } \left(\frac{65\% \cdot 350}{100\%} = 228 \right).$$

The selection of respondents may take place either at the place of residence of the respondent or during his/her visit to the courthouse either at the entrance or inside the court building itself.

Section 4.

Conducting Court User Surveys

4.1. Key Steps in Conducting Field Work

Field work means conducting an actual survey of court users by specially trained interviewers. In performing this task it is important to take into consideration some factors that are related to, among other things, the location of an interviewer and his/her adherence to the rules while conducting interviews at the courthouse.

So, where to conduct a survey?

The best and the most acceptable option is directly in the courthouse. However, there may be some cases when it is impossible to do this physically (lack of space, lack of cooperation and coordination with court leadership, etc.). In such cases an option may be surveying at the exit to the courthouse. Those who leave the building must be interviewed, since they already have direct experience of interaction with the court.

Taking into consideration the uneven flow of court users during the day, the so called “peak hours” should be identified with surveying planned accordingly throughout the course of the working day. At the same time, some trial courts may have their own peculiarities. For instance, if a court is located in the district center and its operations cover mainly rural areas, the survey should not be scheduled at the end of business hours, since the flow of court visitors decreases and people are limited by public transportation schedules to be able to travel home.

Location of interviewers in the courthouse should be agreed upon with the chief of staff or court administrators, since their work must not create additional inconvenience for court users. Not all courts in Ukraine have facilities which are spacious enough. Many trial courts are housed in rather unaccommodating buildings. Therefore, interviewers should select place that would give a possibility to be in sight of court users and be convenient for conducting a survey.

There are also specific difficulties associated with conducting surveys when large groups visit courts. For example, there have been mass filings of cases regarding the lack of payment of social benefits all at one time in a court. Mass filings of this type significantly create limitations to court operations and increases the workload of court registry office. All this is accompanied by dissatisfaction of the public and court users. Conducting interviews under such circumstances actually narrows the sample down to one category of court users which will result in failing to determine the representative opinion of the population.

It should be also taken into account that the survey is individual rather than collective. Therefore, there should be enough space for other visitors not to interfere and for the respondent not to feel certain “pressure” on the part of outsiders while giving answers.

Each interviewer should have a special identification card with information about the survey, its goal and project implementer. It should be shown to persons who are being interviewed as part of the

survey. A sample interviewer identification card is below and includes clear information about the identity of the interviewer and his/her authority to conduct a survey.

[Organization's name and/or logo, contact details]

INTERVIEWER IDENTIFICATION CARD No ____

(first name and last name)

Is authorized by civil society organization
[CSO name] to conduct a sociological survey in the period between [date]
of court users of court [name of court]

_____.

The survey is taking place under the project *"Improving the quality of court performance through studying the opinion of citizens"* (survey of court users on the quality of court performance using citizen report cards, Oblast [name of Oblast]). The survey is conducted with support of (state the name of donor organization).

This ID is valid on condition of availability of a valid personal ID.

Project Manager [first name and last name]

During the survey, it is also important to calculate the need and numbers of interviewers and evenly distribute their workload.

Interviewer instructions are a supplementary document for conducting a survey and contain information about the procedure of selecting respondents, rules of completing questionnaires, suggestions for completing difficult questions and requirements for writing reports based on the results of field work.

Excerpt from Interviewer Instructions on Conducting a Random Survey of Court Users

Beginning of the Interview: The interviewer introduces him-/herself, shows the identification card and explains the goal of the survey:

"Good day, my name is _____. I would like to ask you to participate in a survey of court users to determine the level of satisfaction with the performance of this court. The survey is being conducted to objectively evaluate the quality of services provided by this court. The information collected during the survey will be used to develop effective recommendations to improve the quality of court services and increase the level of public trust in courts. This surveying is random and you have been randomly selected. The information that you provide is confidential and your answers will be used in a generalized form. The quality and completeness of the information that will provide a general picture of the performance of this court depends on your sincere and honest attitude to the survey."

The interviewer informs about the consent of court administration to conduct such survey and if needed shows a copy of a letter from a chief judge, and asks the respondent for his/her consent to take 10-15 minutes of his/her time to answer the questions on the questionnaire.

A sample interviewer identification card and diary is at Annexes 11 and 12.

To calculate the number of interviewers one needs such indicators as sample size, number of days for data collection and a number of questionnaires per one interviewer for one working day. The latter is established based on the specifics of a certain survey, scope of methodology (number of questions on the questionnaire), sample type, accessibility of respondents, etc. This influences the amount of time the interviewer spends on interviewing one respondent. This time is determined in the course of a pilot survey (5-7 persons may be interviewed). In the result, the norm of respondents to be interviewed per day is determined. In our case with CRC such number may be 5-7 respondents per day per one interviewer, from 20 to 25 for the whole time of the survey. Such “standards” are of an advisory nature only. For accurate calculations we can use the following formula:

$$I = N/A \times t, \text{ where}$$

I – optimum number of interviewers;

t – terms (number of days), within which a survey is planned to be conducted;

a – number of respondents to be interviewed per day (in case of personal interview – not more than five-seven persons);

n – sample size (number of respondents to be surveyed).

Each court user has a right to refuse to be interviewed. However, a record of such refusals must be made. So, each interviewer must have a special log where he/she will write down the list of all contacts he/she has made with court users during the day.

Interviewer log is a form of record of field work. It is filled out by an interviewer in the end of each working day.

The interviewer log should contain the following information:

- The date of field work (by days);
- Total number of established contacts (attempts to conduct interview), including the number of persons with whom he/she made an interview and number of persons who refused to be interviewed;
- Number of instances of negative attempts to take an interview for the following reasons: the respondent refused to participate in the survey, the respondent is not a court user, and a quota by respondent categories was exceeded.

4.2. Survey Quality Assurance

During an interview, supervisors should control survey quality to ensure collection of reliable and accurate data. There are five main types quality assurance of interviewers:

- Interview accompanied by an observer;
- Random checks;
- Repeated checks;
- Final check of the accuracy of the data collection process;

- Constant updating of data in the data base.

Interview accompanied by an observer is necessary in order to ensure impartiality of the survey process and its compliance with procedures. The supervisor should accompany each interviewer and observe several interviews. It is useful to have at least 10% of the interviews accompanied by supervisors.

Random checks – unexpected visit of a supervisor during an interview: he/she can choose to simply be present at the interview, or to repeat questions to respondent to compare his/her answers with the answers recorded in the questionnaire.

Repeated checks – when a survey supervisor selects 30% of the completed questionnaires based on the probability principle and conducts repeated checks. A repeated check is essentially a selection of several main questions and getting answers of respondent to these questions (confirmation of the previously received answers in the course of the repeated check testifies to the high quality of the conducted survey). The purpose of this type of check is to ensure that information recorded in the questionnaire truly reflects respondents' opinion. A control survey may be conducted at a respondent's home or during a telephone conversation. As a rule, repeated checks cover 25-30% of interviews.

Final verification of the accuracy of the data collection process – a survey supervisor should check the questionnaires after the survey is completed and when all questionnaires are collected; while a selected group of surveys should be checked for accuracy of the data collection process at the end of every day of the survey.

During survey check, after the interview has been conducted, it is necessary to verify the accuracy of the collected data to ensure accuracy of the information recorded in the questionnaires. The survey supervisor should thoroughly check every questionnaire daily to make sure that they are filled out correctly. Should such verification identify unanswered questions or answers that seem contradictory, the supervisor should ask the interviewer to go back to the respondent (if such possibility exists, unfortunately, it is often unrealistic for court users surveys) and correct the mistake. Should doing so be impossible, doubtful questionnaires should not be used and an additional survey should be conducted in order to ensure the necessary number of respondents.

Having conducted quality assurance checks of the questionnaires, a trained group should conduct a general check of the accuracy of the filling out of questionnaires. This group should review each questionnaire to ensure continuity and accuracy of the process (for example, whether interviewers have coded each questionnaire, whether all answers have been recorded, whether the question-to-question transition scheme has been observed).

Visual control of the completeness and quality of completed questionnaires is to ensure:

- Verification of accuracy of questionnaires' completion and identification of unclear or inaccurate answers;
- Identification of trends in the answers of the respondents surveyed by the same interviewer;
- Detection of omitted questions that should have been asked but were omitted unreasonably;
- Compliance with the question-to-question transition scheme and observance of the questionnaire completion instruction by the interviewer;
- Correction of detected errors.

An interviewer's instruction should serve as an auxiliary tool during such checks, along with the visual control guidelines.

Start Quality Control with Checking the Appearance of Questionnaires

Clean, unwrinkled questionnaires claimed to have been used for a survey are doubtful and give grounds to believe that they were completed by an interviewer. Also, there may be doubts about truthfulness of the information in a questionnaire if the questionnaire contains numerous corrections, is filled out by different pens and in a different handwriting.

After a check is completed, conclusions should be drawn whether:

- Respondents answered all questions the questionnaire;
- Each interviewer followed all instructions;
- Answers make sense and do not contradict each other.

Survey quality should be checked effectively. Any data that was incorrectly collected or of a biased nature will harm the general legitimacy and reliability of the survey.

Actual Situation: The court building is small. The interview of a visitor requires confidentiality. How to deal with this situation? To interview visitors when they exit the court building?

General Recommendations: It is important prior to the survey to examine the court building together with representatives of court staff and choose the best place for conducting the survey. Also it will be a good idea to place on the information board a respective announcement stating that from such and such date through such and such date the survey will be conducted. Avoid interviewing visitors outside the court premises. This may essentially impact the content of responses by respondents.

Key Message: Be certain to plan in advance when selecting a location for conducting interviews.

Actual Situation: Court premises are guarded therefore there are certain rules for accessing the building. How to ensure an interviewer's access to court premises?

General Recommendations: Before interviewers start working in court an official letter from the organization conducting the survey should be sent to the chief judge stating the interviewer's names and containing a request to allow the interviewers to the court premises. When going to court each interviewer should carry his/her passport and produce it when requested by guards. It would be wise to provide each interviewer with a certificate confirming his or her status as an interviewer and the fact that he/she acts on behalf of organization conducting the survey. It is also important for each interviewer to have a badge indicating his or her name.

Key Message: The organization conducting the survey should send a letter to chief judge providing information about the interviewers who will work in the court. When conducting the survey each interviewer should have a badge clearly indicating his or her name.

Section 5.

Data Processing and Analysis

5.1. Ensuring Data Entry and Accuracy

The next step after collecting completed questionnaires from the team of interviewers is to enter data of the questionnaires to a special computer database for further processing. Thanks to data entry, analysis and interpretation the unprocessed primary information collected from court users is transformed into survey results of court performance using the CRC methodology.

Data can be entered and analyzed with the help of available data processing software products; first of all, this is an application using electronic spreadsheets Microsoft Excel and data base application Microsoft Access. Using these software applications allows also analyzing data, and data bases created based on them can be easily used for analysis using more professional software to process sociological questionnaires.

As concerns professional software products designed to process and analyze data, today, the most often used are OCA, SPSS, SAS, and Statistica. These software packages and applications which directly perform statistical analysis are expensive. Therefore, before investing in application, one should study its characteristics and determine whether it meets the necessary requirements for analysis. If an organization does not deal with statistical surveys on a standing basis, except for court performance evaluation using CRC, purchasing specialized professional software is not expedient.

Answers of respondents to previously coded (closed) questions can be entered to the data base directly. Answers to open questions must be disaggregated by groups into categories and coded manually. Depending on the sample size and number of questionnaires, the stage of data entry may take from two to four weeks.

To check the accuracy of data entry in the questionnaires it is necessary to perform their random check. To do this:

- Randomly select a batch of questionnaires and check whether answers in the questionnaires and the ones stored in the data base match;
- “Download” frequencies and averages for identified questions in order to verify the accuracy of the entered data;
- Identify distribution of respondents according to social and demographic characteristics: for example, calculate the proportion of males and females encompassed by the survey and compare these data with analogous characteristics of general population; if the representation of males and females in both the general population and sample coincide, one can speak about adequate accuracy of the collected data.

5.2. Analyzing Survey Results

Concurrently with the creation of a database of answers on the questionnaire, it is necessary to start results generation. Firstly, one should analyze the collected data – at least compile basic tables for

analysis and create relevant cross-tabulation tables for drawing further conclusions.

General results of the court user surveys on the quality of court performance using CRC methodology fall into several categories:

- By various aspects of court services (e.g., related to timeliness of case adjudication, quality and comfort of stay at the courthouse, judicial performance, etc.);
- By various groups of court users-litigants (defendants and plaintiffs, males and females; those who lost a case and those who won the case);
- By different time periods.

Basic tables for analysis should contain collected answers to all the questions in the general population or subsets that are of interest for the survey (for example, by a group of users, certain aspects of court operations, etc.).

The following indicators are used for data analysis:

- Averages (e.g., average number of visits of court hearings);
- Data range (respondents' income, age, duration of court proceedings, etc.);
- Frequencies (e.g., part of users satisfied with services).

One may also analyze the data using analytical tools of a more technical nature which must be in line with the CRC survey goals. Among the methods that are most frequently used are the following:

- Analytical grouping;
- Statistical tables and charts;
- Analysis of series/ranks prediction distribution;
- Forecasting (firstly in regards to value indicators);
- Econometrical modes for assessing the correlation between services and factors that influence the satisfaction level.

Once initial tables have been compiled, one should spend some time working on cross-tabulation tables that reflect the data concerning the most important aspects of the survey. Cross-tabulation tables show the correlation between two or more variables to facilitate a better understanding of the nature of a phenomenon. Compiling cross-tabulation tables (which can be done using any basic database application), creates an effective toolkit to conduct further analysis of feedback from citizens.

Suggestions regarding Data Analysis:

1. It is reasonable to assign a single person to carry out the basic analysis. This way, one can ensure continuity, consistency and accuracy of the process. Should there be doubts regarding the type of tables to be used, one should review the initial goals of the CRC survey.
 2. One should be careful using auxiliary survey data. If such data is collected specifically for a certain service (or a certain aspect of court operations), then one should analyze only the specific subset of questions as opposed to all the survey questions. That is, the data collected during such surveys should not be used to draw conclusions regarding the population composites. Such conclusions will be inaccurate.
 3. One should base analysis on the corresponding sample size. One should make sure that there is sufficient number of answers to each question available. One should not start analysis until there is a sufficient quantity of answers available.
 4. One should learn whether it is reasonable to use weighing, that is to proceed from absolute characteristics of the sample and characteristics of the general population. Before filling out the basic data table, it is useful to draw basic demographic charts.
 5. Having identified that the tables are drawn in coordination with the population or subset (subsets) that are of interest for this type of survey, one should proceed to further analysis.
 6. If demographic data of the sample deviate from the demographic data of the general population, weighting should be used.
-

Example of a Cross-Tabulation Table of the Frequency of Taking Legal Recourse

Is the procedure of taking legal recourse clear?	Is it your first time to take legal recourse?	
	Yes, first time	No, not the first time
Yes, strongly agree		
Rather yes than no		
Rather no than yes		
Strongly disagree		

This simple cross-tabulation table above reflects the degree of dependence of clarity of the legal recourse procedure (receiving services) on the frequency of taking legal recourse.

Interpretation stage requires skills to reveal trends and dependencies and explain them based on the collected data. Any number of people that have strong knowledge about the survey purpose may interpret the data. Henceforth, based on the interpretation of the received results, one may prepare recommendations to facilitate improvement of the quality of services.

In a general form, data analysis process includes transformation of collected data into necessary information with further getting of required knowledge about the survey object:

Collected data → **information** → **knowledge**

It is also important to understand that survey data compilation is not analysis yet. In other words, determining the proportion of answers to this or that question does not mean that surveyors have received analytical information. For example, if distribution of answers to the question “Are information stands conveniently placed in the courthouse?” is received, this is a mere statement of fact. One must further understand what such distribution means and identify the dependence of answers on certain factors (e.g., respondent’s gender and age). In such a way we receive analytical information about the processes and their trends.

General algorithm of data analysis may consist in the search of answers to the following questions related to collected data:

- Identified processes and trends (exposition of data);
- Explanation of identified processes (interpretation of data and interrelations between them); and
- Important findings and recommendations.

5.3. Conducting Focus Group Discussions

The CRC surveys are based on the assumption, that the connection established with the community through sampling surveys is a precursor for the dialogue and partnerships between the community and the service providers to improve the quality of services.

Initial feedback becomes possible through focus group discussions, during which it is possible to select groups of issues related to specific aspects of court performance that are important for the

citizens – court users. Therefore, it is important to get comments, interpretation of certain trends on the part of both judges and court staff and on the part of court users.

Focus groups are a widely used method to ensure quality in surveys. The focus group discussion is a discussion of the researched topic with target audience representatives which is conducted by a professional moderator (or a person with good moderation skills).

The target audiences for focus group discussions in conducting surveys on the quality of court performance are judges, court staff, lawyers, plaintiffs, defendants and representatives of the parties.

The participants of the focus group have to be selected from all the categories, to include both the users and the providers of court services. It is worth noting, that sometimes focus groups are organized for different user groups especially when the evaluation of different areas of court operations by different target audiences substantially differs.

In general, court users may be divided into categories as follows:

- Category of trial participants (plaintiffs and defendants);
- Type of process (criminal, civil, administrative and commercial);
- Material status (poor and rich);
- Age (young people, of working age and of pension age);
- Sex (men and women).

The focus group moderator has to stimulate the participants for discussion, support group dynamics and offer each participant of discussion to express his/her opinion on the topic. Apparently, the moderator also has to understand the general CRC methodology, the goal of the survey and, in general, goal of court performance evaluation.

The main goal of the focus group in the field of court performance evaluation has to be the discussion of urgent problems with which the users are concerned. Answers for how to resolve these problems can be suggested through the results of the survey.

As a rule, a tape script of all information collected during the focus group is made or this information is recorded with the help of audio means for its further analysis, therefore, it is important to take care of adequate technical support during the focus group well in advance.

The focus group, as a rule, follows a pre-prepared scenario – the guide. The guide includes instructions for the moderator on conducting the focus group discussion, and a list of questions to be discussed at the focus group.

As mentioned above, samples focus group scenarios for court personnel and court users are provided at Annexes 4 and 5.

Questions for the focus group are formulated based on the previously conducted data analysis. That is, when certain trends in the answers have been revealed, it is important to know the opinion of respondents, court staff and judges as to what this may mean, what factors have caused such trend, etc.

Elements of Focus Group Discussion Scenario

- Start of discussion
 - Welcome to participants
 - Brief overview of topic for discussion
 - Rules of conduct of participants
 - Main part of discussion
 - Block 1 questions
 - Block 2 questions
 - Block 3 questions
 - Final part of the work of the focus group
-

Getting such information allows making the conclusions and recommendations based on court user survey results in a more quality manner.

When organizing focus group discussion consider the following advice:

- The optimal size of the focus group is 8–12 persons;
- The number of coordinators must not exceed 2 persons per group;
- Questions and topics should be formulated in a language that is clear for all participants;
- Inform the participants about your intention to use a camera or recorder to record the focus group discussion.

Section 6.

Report Preparation

An important stage in completing the evaluation process in the preparation of an in-depth analytical report about court user survey results. This document contains and describes evaluation results, emphasizes the revealed problem issues, formulates conclusions and generalizes recommendations on how to improve court performance. At this stage, the authors of report decide which results should be broadly outlined and which should be given special attention. If the survey has been conducted previously, it is important to track the dynamics of changes.

The content of report should be structured and understandable to users; therefore one should avoid giving complicated sociological information. The main users of the report will be courts, judicial bodies, the public, the media and other stakeholders.

The report must be balanced and contain information about strengths and weaknesses in court operations. Remember that the main report and further dissemination of the survey results should convey a complete picture and avoid biased judgments.

The Analytical Report Should Consist of the Following Sections:

An effective analytical report about survey results is a well-structured document that is worded clearly and concisely. Sample analytical report structure is provided at Annex 18.

- I. Introduction
 - II. Major Results
 - III. Findings and Recommendations
-

Introduction is placed at the beginning of report. An introduction briefly outlines the goals of the survey, methodology and main CRC results. The introduction is one or two pages in length. This section may be an independent document designed for dissemination in the media, among the public and other stakeholders.

Major Results. This section concerns generalized survey results and their importance for the target audience. The preamble to this section should briefly state background information about the court, social, demographic and procedural characteristics of litigants and data on the awareness of respondents of the work of the court and judges in general.

To demonstrate generalized major results tables should be used. The most interesting results should be highlighted with the help of graphical means. Results may be also disaggregated by certain measurements. The presented materials have to reflect both positive and negative performance indicators.

One should be careful while analyzing auxiliary survey data; otherwise your results will be biased. One should not start the analysis before making sure that there are a required number of answers to questions of importance.

Findings and Recommendations. This part of the report contains answers to the question “What’s next?” as well as findings, formulated based on the survey data.

Findings should be based on the facts and consider certain limitations of the survey. This section

may contain recommendations regarding service quality improvement (for example, explanations regarding possible positive impact that the change of certain processes, new procedures, human resources trainings may have on the overall services quality). Recommendations may be structured by quality measurements.

With regard to recommendations, one should not go beyond the scope of the assumptions drawn from the survey results.

The general scheme of setting out recommendations may be as follows:

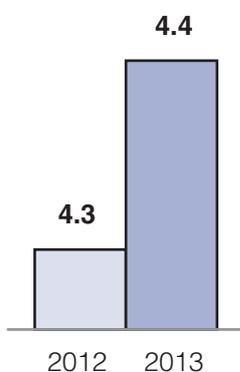
- In your opinion, what should a specific court, chief judge, chief of staff, employee, etc. do?
- Why do they have to do this?
- How should they do this?

Data Visualization. Survey data visualization is very important: making charts, diagrams, tables, presentations, etc. Modern range of information technology offers a wide choice of various visualization means.

Apparently, the more information you have, the more difficult it is to work with it. It becomes much more complicated to find what is needed and single out the main thing, see interrelations and trends; and in decision-making it is already impossible to take into consideration each and every fact. Modern consumers want information to be convenient to work with, go to different levels of data metallization in reports and add new parameters. Interactivity and ability of flexible personalization of the form of analysis results' presentation increase manifold the convenience of work with data and simplify their interpretation.

At first glance, there is nothing special in a simple process of making various charts and diagrams. However, the look of such charts and diagrams can influence the perception of presented information. Below is the chart which reflects the comparison of changes in the evaluation of performance of a given court. In fact, in terms of figures, changes are insignificant. But the chart is drawn in such a way that it is visually perceived as a significant leap of positive changes.

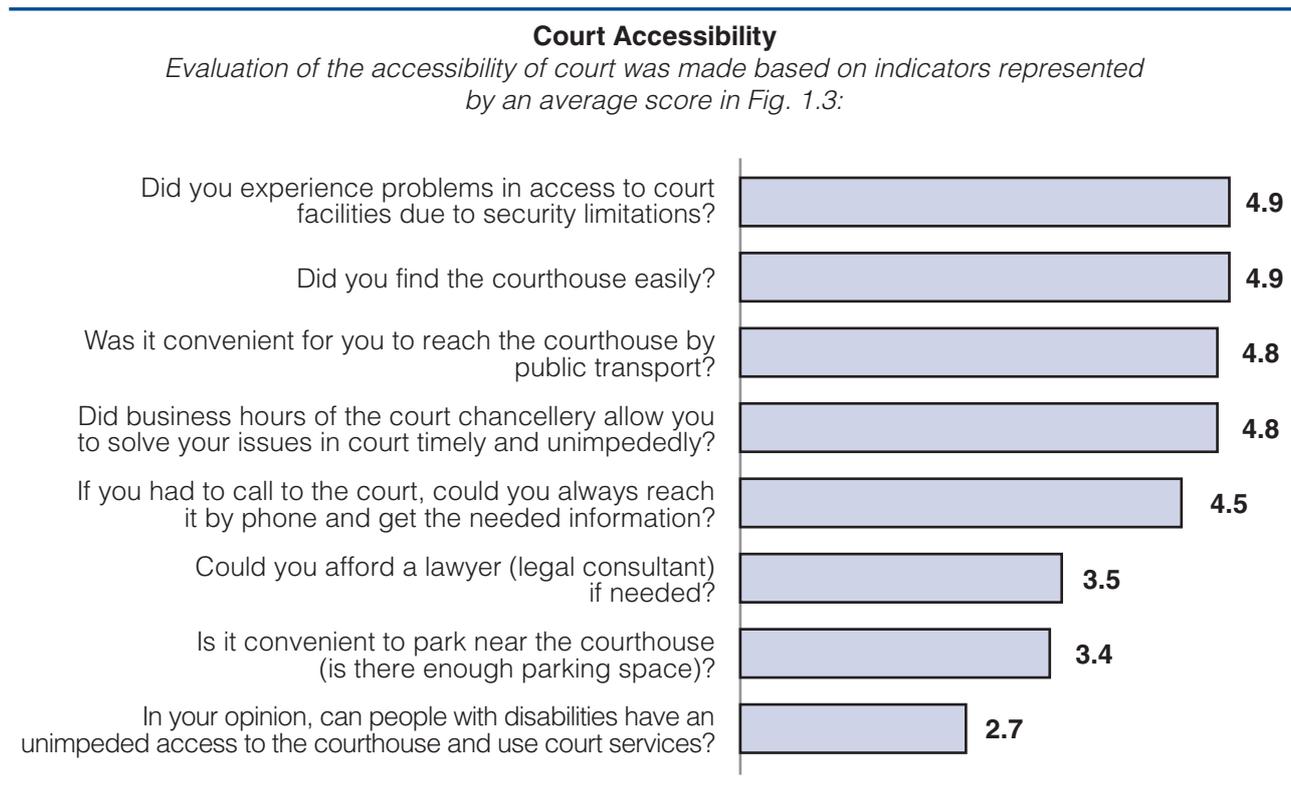
**Performance
evaluation by years**



It is also important to select an adequate type of a diagram to visualize these or that data. Round diagram is mainly used to demonstrate a proportion of certain answers in the total aggregation of answers. Linear diagrams are good to show the dynamics of these or that indicators.

Below is an example from survey results using citizen report card methodology to evaluate the quality of some aspects of operations of the Vinnytsia Circuit Administrative Court and Vinnytsia Appellate Administrative Court. The survey was conducted by the civil society organization “Podilska Human Rights Foundation” under the program of court user survey on court performance evaluation in 2012 which was implemented with the support of the USAID FAIR Justice Project.

Fig. 1.3. Court accessibility (average score on a 5-point scale)



Detailed reports of civil society organizations with results of court user surveys using the Citizen Report Card methodology to evaluate court performance in 49 courts in Ukraine from 2008 to 2014 can be found at <http://www.fair.org.ua/index.php/index/library/7> and will be useful in preparing new reports.

Actual Situation: The survey results are known and discussed, recommendations are developed. What is next? Is it worth conducting public events? Probably it is sufficient to only distribute or mail press releases to the media?

General Recommendations: The difference of CRC methodology from a regular sociological survey is that it envisages a mandatory publicizing of the data. How it can be done in the best way? Undoubtedly a press release should be prepared highlighting the key areas of the survey results. However the information should be adjusted for the public to be able to understand it. Professional information not always can be correctly understood by ordinary citizens. Journalists often tend to find and propel negative facts. That is why the survey organizers have to develop key messages showing that the identified issues should be perceived as a challenge to improve courts' operation. It is also advisable to conduct a press conference or briefing with the participation of both civil society and court representatives. At this event the comments are given regarding the survey results and explanation about the received score. It is very important to explain what is behind every score of the evaluation, what tendencies have been identified, and, what is most important, what are the ways to solve the identified problems or how to ensure the sustainability of success or positive changes. It is recommended to explain that the survey results pertain to a certain court and cannot be extrapolated to all court system; the results have nothing to do with determining the level of trust to court or identifying the instances of corruption, etc. During a press-conference attention should be drawn to the fact that a specific or distinctive feature of this survey, unlike traditional of well-known surveys, is that this survey covers citizens who have personal experience of turning to court, are participants to court proceedings.

Key Message: the survey results should be made public by way of preparing and mailing press-releases with mandatory conducting special event for journalists. A report may also be target-mailed to the authorities, public libraries and placed on the Internet.

Section 7.

Report Publication

What is the best way of disseminating the collected data for the public which has a right to have access to them?

In evaluating court performance it is important to preliminarily provide court representatives with the results. When should court be provided with the data? This can be done immediately after processing the collected data when first distribution of answers and scores become obvious. As a part of efficient long-term cooperation, court leadership must be informed about major trends, findings, tentative content of recommendations before preparing an analytical report. This will allow survey organizers to collect additional information from the court, necessary for a more qualitative data analysis. In addition, draft analytical report, before its publication must be discussed with court representatives in order to eliminate some inaccuracies, verify statistical indicators of court performance if such are used.

Properly designed and efficient strategy of publishing the collected data is a key to success in a survey based on the CRC methodology. Positive effect of a survey will be limited if its results are not disseminated and they are not used to improve the quality of services provided by courts.

Actual Situation: The survey results are already known. Is it worth to preliminary showing them to the court management?

General Recommendations: The survey results immediately after it is finished – serves only as a primary data base for further in depth analysis. In order to interpret the data appropriately it is necessary to meet with the chief judge and chief of staff. Discussed at this meeting should be the identified tendencies in court visitor's responses. The reasons (the causes) for such tendencies should be analyzed. Also important are focus group discussions with judges and court staff. Time and resources permitting it would be wise to conduct separate discussions with participation of those judges and court staff who according to their duties directly deal/communicate with citizens. This will make the discussion more meaningful and will create the atmosphere of trust. Preliminary discussion of the survey results with court representatives before the results are disseminated will help build trust and may become the foundation for further cooperation.

Key Message: It is necessary to discuss the preliminary results of the survey with the court management before the results are disseminated.

The publication of survey results is directly related to CRC goals. Results should be reported to the target audience in a timely manner: these matters for further actions. By dedicating several hours to developing a strategy of data dissemination, you will achieve the desired goal: your target audiences will get information.

There are three phases in the strategic planning process:

- Identification of a target audience (audiences);
- Selection of a method (methods) to establish contact with it; and
- Consideration of key issues for managing the process.

Target audiences may consist of the following groups of recipients:

- Judges and court staff, officials of territorial departments of the State Judicial Administration of Ukraine, etc.;
- Civil society organizations (regional, national and international);
- The media – the press, radio and TV (regional and national);
- General population;
- Local and national government authorities; and
- Donors or adherents.

It is common for one or several of the following methods of disseminating information to be used:

- Presentations before publication of the results;
- Press conference;
- Publications in the press;
- Presentations after results have been published; and
- Other creative methods.

At this stage of a CRC survey, it is helpful to have a group of people with public relations skills. Those who have established good relationships with the local media are perfect for organizing press conferences. In particular, personal invitations are more likely to attract the desired audience. In addition, comprehensive press releases aimed at attracting target audiences are also important. A sample press-release can be found at Annex 19.

Optimally, the presenters for the representatives of the judiciary should be persons who have participated in developing the particular CRC strategy and who have strong command of the survey methodology. The presenters must have well-developed communication skills and be able to find connecting points between the results and the audience interests. A common practice is to form a team of two well-equipped presenters

Presentations and relevant written documents should be prepared by survey implementers who are experienced in this field, have experience of data interpretation, and have excellent writing skills. Depending on the number of services covered by the CRC survey, at this survey stage, one or two employees would be required to work for at least one or two weeks

Recommendations for Effective Dissemination of Unbiased Information

- Provide complete information. Both positive and negative aspects of the survey results should be reported.
 - Reflect different nuances. Characteristics like wait times and percentage of fully satisfied users allow reflecting feedback with various nuances.
 - Neutral judgments while reporting on survey results. Do not use subjective adjectives or make biased statements.
 - Publish survey results in a “question-answer” format. Practice proves that this format for presentations facilitates easy comprehension. Adjust questions to match the types of questions asked by people.
-

While giving a presentation, one should avoid tiring the audience by giving a list of statistical data about different aspects of provision of services by different judicial bodies. Instead, one should ask the question: “What exactly needs to be improved in the court’s work?” While answering the question, one should give several comments. Emphasize different aspects of service provision that were negatively evaluated by the citizens. At the same time, if the questionnaire contained any direct questions about those areas of court operations that need to be improved, one may report these specific survey results

Publication of the results of court performance evaluation through surveys using citizen report card methodology is a starting point in the process of improving main indicators of service provision. Nonetheless, achieving this goal requires more than mere reporting of the results.

While presenting survey results for the media it is important to emphasize that the collected evaluation indicators should not be carried over onto the whole judiciary. Performance evaluation of one individual court is only an indicator of this court. In addition,, attention should be drawn to the fact that this is the opinion of those citizens who have directly been participants to court hearings or directly visited the court with some issues. Usually, sociological surveys conducted in Ukraine and related to the level of public trust in the court or level of corruption in courts encompass people regardless of their personal experience with courts.

In communicating with journalists one should explain that comparing the collected scores in a general form of a 5-point scale is not very proper. Changes of indicators in dynamics since the time of previous surveys must indicate the significance of such changes. Say, if changes took place within the range of 0.1, this is not significant and here one must be sure that the change is statistically significant.

Rather often one wants to compare indicators of different courts and based on this make a conclusion “who’s better”. But such comparison will also be inappropriate. The public and journalists must be aware that the CRC methodology is used to evaluate the performance of each individual court and cannot be in such form adequate enough to compare indicators of different courts. Say, rather high score of 4.5 may be both at a trial court in a district of the regional center and at a trial court in a rural area. However, having compared these courts one can see that although the scores are equal there are significant differences, since each court has its own specifics, both in terms of working conditions of judges and court staff and in terms of groups of users and case categories.

Section 8.

How to Use Evaluation Results to Improve Court Performance

Evaluation results are a tool of change management in court operations aimed at its more efficient and transparent performance, as well as a foundation for developing an action plan to improve the performance. Court users, on their part, express their impressions, attitude and identified problems. Then, court representatives together with civil society organizations identify specific steps to eliminate the existing flaws or enhance positive trends. It is good when court representatives and civic activists jointly develop recommendations' implementation plan which is based on the expressed recommendations on the part of organization which conducted the survey.

However, one should understand that the extent of consideration of recommendations depends on court leadership who can agree with recommendations completely or partially. The court may disagree with proposals and look for solutions to existing problem revealed by court users as it likes. However, it is important to understand such position of court administration and justification of rejecting reasonable recommendations.

8.1. Action Planning

It is important to work with the courts to develop a strategy for planning further steps based on survey results. There are many ways which a court may choose in using survey results and findings to improve its operations. The following actions are possible:

- Improving the process of work with court users,
- Identifying the need to be guided by special needs of different groups of population, e.g. senior citizens or people with disabilities,
- Planning internal improvements and conditions of stay (e.g., automation of case management processes, staff training, improving the condition of the building, equipping additional rooms to work with documents, introducing additional services by installing payment terminals, coffee makers, newspaper kiosks, etc.),
- Mobilizing additional resources to change policy/regulations or improve the implementation of existing ones.

The sequence of steps a court may take to develop action plan to eliminate the identified problem issues following the results of CRC survey:

- (1) A starting point is a rating in a survey using different indicators of

“There have been no cases when the court disagreed with the opinion of court users. There have been instances when the court did not understand why this or that score. In the court's opinion, the area identified as problematic operated well, however, they accepted the opinion of court users that something had to be improved and the court worked on improving its performance.”

Iryna Pidkurkova, Expert of the Institute of Applied Humanitarian Research on her experience in conducting surveys using the CRC methodology

court performance, e.g. access, quality, reliability, etc. The collected scores may demonstrate certain gaps, imperfection or complications in the organization of court work with users.

- (2) Probing the causal factors underlying low scores or content of the provided comments regarding improvements is the next step in developing an action plan. In their turn, representatives of civil society organizations and the court need to have a good understanding of the standards of service providing by quality measurements that are evaluated during the survey.

For example, in developing recommendations to improve access to justice for people with disabilities it is necessary to take into consideration international standards (the UN Convention on the Rights of Persons with Disabilities which was ratified by our state and came into force on March 6, 2010, and adopted by the UN General Assembly in 1993”The Standard Rules on the Equalization of Opportunities for Persons with Disabilities”), Ukrainian legislation (Law of Ukraine “On the Principles of Social Protection of People with Disabilities in Ukraine” of March 21, 1991 No 875-12) and state construction norms (DBN B.2.2-26:2010). If needed, additional experts and representatives of civil society organizations may be engaged in data analysis and developing recommendations, focus groups and trainings may be conducted, etc.

- (3) Determining actions, responsible persons, resources, list of needs and possibilities of reforming and actions which can effectively correct and improve the identified problem issues – is the last step in the sequence of actions. Often, a combination of reforms is needed. Domain knowledge and expertise are critical to the identification, selection, and way of implementation of reforms.

Since reforms can upset the status quo and go against the interests of influential groups, it is also important to strike a balance between the ideal and the practical. Broad-based internal discussions could help identify practical reforms/responses. A model template to capture the ideas and reflections is depicted below:

From Problems to Reforms: Options Generated to Respond to Findings and Recommendations Based on Survey Results

Key Findings and Recommendations	Position of Court (completely agree, partially agree, reject)	Suggested Measures	Expected Results	Timeline

Also please see the Annex 21 with a sample of action plan for implementing activities based on court user surveys. The methodology and survey results are of interest for Ukrainian law-makers. Committee of the Verkhovna Rada of Ukraine on the Issues of Pensioners, Veterans and Invalids which has powers on exercising control over the implementation of legislation, including ensuring the rights of invalids, has placed on its website results of an analytical report “Ensuring Equal Access to Justice for People with Disabilities” conducted by Lviv Civil Society Foundation “Law and Democracy” in six regions of Ukraine as an example of successful civic campaign on the protection of the right to fair justice for people with impaired vision.

http://komvti.rada.gov.ua/komvti/control/uk/publish/article?art_id=48640&cat_id=44734

8.2. Monitoring Changes

Each subsequent survey using CRC methodology is aimed at recording the dynamics of changes. Herewith, one should comply with certain periods. The experience shows that annual survey does not actually demonstrate dramatic changes in scores, although there are cases when within a year previous positive trends can be lost or a breakthrough can be made. The most optimal is an interval in surveys of 2-3 years.

However, nongovernmental organizations should limit themselves to the survey itself and preparation of a report and recommendations. It is necessary to conduct external monitoring of what the court does to eliminate problem situation or strengthen positive outcomes.

It should be kept in mind that in our context monitoring is continuous tracking of the operations in order to compare the current status of actions with the plan. In fact, this concerns scanning the situation. The tasks of such monitoring include the following:

- Identify, how the provided based on survey results recommendations were implemented in court in practice;
- Identify key preconditions and obstacles in the process of implementing recommendations developed and provided based on the results of CRC survey; and
- Prepare a generalized overview of results of implementing recommendations developed and provided based on the results of CRC survey.

During monitoring the following methods can be used:

- Analysis of official/open source information;
- Interview with the leadership of courts and court staff; and
- External open observation (registration of facts) and visual examination.

The mentioned methods when used in complex can provide a possibility to determine:

- To what extent each provided recommendation was implemented;
- If a recommendation was not implemented, what obstacles exist; and
- Preconditions and resources to implement recommendations in full.

Key precautions in conducting monitoring. It is important to keep in mind what exactly the object of monitoring is. One should take into account that each recommendation taken into consideration by court, each action of the court to implement a recommendation must contain a framework of indicators which can help to track the progress. In addition,, one should take care that the process of monitoring itself using such methods as focus group interviews and individual in-depth interviews is not perceived by court as a check, but rather as steps which allow taking an outside look and making sure that court team has responded to court user opinion and implemented recommendations with which it agreed.

It is expedient and handy to present monitoring results in the following form:

No	Content of recommendation	Status of consideration of recommendation by court: not considered, under consideration, rejected, accepted	Characteristics of the complexity of implementing recommendation: can be implemented without additional resources, requires additional resources, can be implemented under certain conditions, etc.	Status of implementation of recommendation: in progress, partially implemented, completely implemented, not implemented	Results of partial or complete implementation of recommendation (list of positive changes in court operations).	Comments and explanations: for rejected recommendation – reason for rejecting, for accepted but not implemented – what is missing or under what conditions it can be implemented, for implemented – what difficulties were faced and what has helped to have it implemented.

Monitoring results become a starting point in conducting analysis of the dynamics of changes while conducting the next surveys using the CRC methodology.

Actual Situation: Recommendations based on the survey results have been developed and promulgated. Is there a need to monitor and evaluate their implementation?

General Recommendations: The benefits of the survey are also ensured by further actions such as monitoring or evaluation of the recommendations implementation. Monitoring of the recommendations implementation – is tracking both in dynamics and in time what has been implemented and to what extend the planned indicators are reached in correcting the situation. Evaluation of the recommendations implementation – is a one-time cross-section of the situation and analysis of what has been achieved as a result of recommendations implementation. After recommendations have been developed and provided to the court it is necessary to determine a system of indicators for their implementation, identify sources of information to obtain data by indicator, as well as how often the data should be collected. Monitoring of implementation of recommendations is taking place for a certain period of time and may start immediately after receiving data from court regarding the action plan for implementation of recommendations. Evaluation of implementation of recommendations should take place in a certain period time after the survey is conducted. Enough time should be allowed for implementing the action plan.

Key Message: based on the developed recommendations and action plan for their implementation a system of indicators should be developed. The next step should be monitoring and evaluation. This helps ensure the practical aspect of the survey.

Annex 1.

Sample Court Performance Evaluation Instruments and Approaches

General Court Performance Standards

- Standards link human rights norms and daily judicial practice.
- Standards are not statutes, nor are they rules; they are statements of aspiration (goals) that courts and communities can use to:
 - Articulate their vision;
 - Guide court policies and operations;
 - Evaluate a court's performance.

Example: “The court establishes and complies with guidelines for timely case processing while, at the same time, keeping current with its incoming caseload.”

- Standards articulate core values for court practices and define excellence. They can be also used to establish agreed expectations between a court and community.
- Standards unite legal and societal expectations in a single clear statement.
- Standards define court performance, not individual judicial performance.
- Standards focus on the specific, daily activities of the court.
- Standards focus on court users not “court insiders”.
- Standards may be established for a single aspect of court performance - such as disposition times for child custody cases – or for the entire range of court activities.

A court's progress in meeting standards is assessed by “measurements” that reflect important aspects of each standard.

Example of standard: “Judges and other court personnel are courteous and responsive to the public, and accord respect to all with whom they come in contact.”

Sample measurement: “Observers' assessment of court staff courtesy and responsiveness”.

Standards can simply establish principles or they can articulate detailed expectations; they are organized according to the particular legal culture of a jurisdiction

Finnish Quality Criteria³

The Finnish Quality Criteria set out six aspects of adjudication and enunciate quality criteria for each aspect.

- The process
- The decision
- Treatment of parties and the public
- Promptness of the proceedings
- Competence and professional skills of the judge
- Organization and management of adjudication

US Court Performance Standards⁴

The US Trial Court Performance Standards set out five areas of court performance and enunciate standards for each area.

- Access to Justice
- Expedition and Timeliness
- Equality, Fairness and Integrity
- Independence and Accountability
- Public Trust and Confidence

U.S. Court Standards – Court Tools⁵

Court Tools is a set of ten trial court performance measures developed based on the main fields of court functioning:

- Access and fairness;
- Clearance rates (ratio of cleared cases to number of cases submitted to court);
- Time to disposition;
- Age of active pending caseload;
- Trial date certainty;
- Reliability and integrity of case files;
- Collection of monetary penalties;

³ See. “How to assess the quality in the courts? Control court performance indicator values are a means for improving court operations”, Ministry of Justice of Finland, Court Quality Assessment Project in Rovaniemi Appellate Circuit, Finland (2005), <http://www.courtexcellence.com/~media/Microsites/Files/ICCE/QualityBenchmarksFinland.ashx>

⁴ See Trial Courts Performance Standards, NCSC (1997), http://www.ncsconline.org/D_Research/tcps/index.html

⁵ See CourTools, NCSC (2008), http://www.ncsconline.org/D_Research/CourTools/tcmp_courttools.htm

- Effective use of jurors;
- Court employee satisfaction;
- Cost per case.

New Unified Court Performance Measurement Framework⁶

This latest report offers a unified framework structure for the courts that aims to facilitate the use of collected data for improving court operations. The framework aims to combine ten separate criteria (based on “Court Tools”) at a conceptual level, dividing them between four sectors:

- Procedural satisfaction;
- Effectiveness;
- Efficiency;
- Productivity.

Regardless of how they are articulated, court performance standards:

- Are used by individual courts to improve, educate, and communicate;
- Focus on the court, not the individual judge;
- Are not used to compare courts to each other, but as a tool for a single court to improve itself to itself over time;
- Are measured by agreed-upon indicators.

⁶ See «Unified Court Performance Measurement Framework» (2008) <http://contentdm.ncsconline.org/cgi-bin/show-file.exe?CISOROOT=/ctadmin&CISOPTR=1079>

Annex 2.

Model Training Program for Implementation of CRC Surveys

Citizen Report Card Survey Program

“IMPROVING QUALITY OF COURT SERVICES THROUGH USER SATISFACION SURVEYS”

PLANNING AND IMPLEMENTATION SEMINAR

[Add the date]

Venue: [add the venue address]

Seminar Objectives:

Determine common framework for studying court performance by using CRC methodology

Introduce goals, methodologies, and project evaluation perspectives for CRC studies of courts by civil society organizations

Enable participating organizations to plan focused, well-grounded CRC court studies, including development of a communication strategy.

Participants:

Representatives of CSO – project partners

Representatives of courts selected for the program as well as representatives of SJA territorial/regional offices

Seminar Methodology: lectures; small groups’ exercises/case studies.

Seminar Materials

Agenda

List of participants

Outlines of faculty presentations with space for notes, and instructions for plenary and small group exercises

Faculty Bios

Manual on CRC studies of courts, USAID Ukraine Rule of Law Project, Kyiv, 2014

Evaluation form

Seminar Faculty:

[Add a list of faculty indicating their positions, specialization]

AGENDA

Day 1

[add the date]

9:00 Registration of participants, coffee

10:00 Welcome

[add name], representative of NGO or other organization that conducts the seminar
[add name], representative of the judiciary (e.g. Chief Judge or Chief of Staff of the court where pilot survey will be conducted)

10:15 Seminar Overview

Seminar objectives and agenda
Participant and faculty introductions
Expectations
Guidelines for collaboration

[add faculty's name]

11:00 *Break*

11:10 Court Excellence: A Shared Responsibility

[add faculty's name]

Objective: Establish context for examining court performance and community studies of courts

Overview of Pilot Program on CRC Surveys in 2008 – 2013, Goals and Objectives of New Round of CRC Program

[add faculty's name]

Objective: Provide an overview of the pilot program on measuring citizen satisfaction with court operations using the citizen report card methodology conducted in 2008 – 2013

12:00 *Coffee break*

12:10 Introduction to Citizen Report Cards

[add faculty's name]

Objective: This session will provide an overview of specific features of a citizen report cards methodology including international experiences and purposes and uses of citizen satisfaction surveys in courts.

13:00 *Lunch*

14:00 Legal Context for CRC Surveys

[add faculty's name]

Objective: Establish legal context for CSO studies with the emphasis on CRC surveys, especially as it affects access to court proceedings and data sources

14:50 Break

15:00 Court Performance Standards and Measures for CRC studies
[add faculty's name]

Objective: Introduce participants to purpose and uses of court performance evaluation (difference between court and judicial performance), provide with examples on approaches to court performance evaluation from the U.S. and Europe, discuss court performance evaluation criteria and strategies appropriate to the Ukrainian judiciary that can be used by civil society during CRC studies. Define court performance standards and measures appropriate/acceptable for CRC studies.

Court Performance Indicators
[add faculty's name]

Objective: Show what set of indicators can be used to measure the quality of court performance, and specifically to measure the public perception of court performance through CRC surveys.

15:50 Coffee Break

16:00 Methodology: Data Sources and Collection
[add faculty's name]
(20 min.)

Data sources and collection methods

Methodology: Data Sources and Collection (Continued)
[add faculty's name]

Practical aspects working with courts on data collection: possible obstacles, solutions.

Objective: Familiarize participants with methodologies, data sources and data collection instruments used in CSO studies, and particularly in studies based on CRC methodology; share the practices and examples from previous pilot program on CRC survey.

16:50 Break

17:00 Cooperation With the Court
[add faculty's name]

Objective: Identify the best ways to build constructive relationships with courts while maintaining CSO (and courts) objectivity and independence.

Homework

17:50 Q&A

18:00 Adjourn

18:15 Dinner

Day 2

[Add the date]

9:00 Stakeholders for the CSO CRC Studies
[add faculty's name]
(30 min.)

Objective: Identify the persons and institutions that will affect, or be affected by, the study and its results

Advisory Groups
[add faculty's name]
(20 min.)

Objective: Familiarize participants with the composition and appropriate roles of CSO study (particularly study based on CRC methodology) advisory groups

9:50 Coffee break
10:00 Force Field Analysis (Theory and Practice)
[add faculty's name]

Objective: To analyze the forces operating in the environment which can either help or hinder the study and effective use of its results

10:50 Break
11:00 Preparation Of Survey Program
[add faculty's name]

Objective: discuss the structure of the survey program: determination of program goal and objective; hypothesis; selection methodology; implementation plan. The group exercise will focus on preparation of draft survey programs, and agreed timelines of work stages for each organization

11:50 Break
12:00 Preparation of Survey Tools
[add faculty's name]

Objective: During this lecture and group exercise, participants will learn about the survey toolkit with the main focus on the preparation of the questionnaire: structure of questionnaire, types of questions, questionnaire volume.

13:00 Lunch

14:00 Linking Research Findings and Recommendations: Conclusions
[add faculty's name]
(40 min.)

Objective: Enable participants to draw credible and useful standards-based conclusions from their research findings

Guidelines for Developing Recommendations
[add faculty's name]
(10 min.)

Objective: Enable participants to support court improvement and increase public access by developing focused, realistic recommendations and next steps

14:50 Break

15:00 From Findings to Action
[add faculty's name]

Objective: Familiarize participants with post survey actions including: using user feedback as internal change management tool, using CRC for internal court reforms, external dissemination of CRC findings. Participants will be provided with model action plan on how to work with CRC survey findings.

15:50 Coffee break

16:00 Presentations of homework re relations with courts
[add faculty's name]
(15 min.)

Effective communications
[add faculty's name]
(35 min.)

*Objective: Enable participants to define key target audiences for dissemination of study findings and recommendations; familiarize participants with the method of communication cooperation (interaction) on the basis of strategic messages for target audiences; help participants to define strategic messages which will be used during implementation of their projects as well as for disseminating results and findings of the projects.
Presentation, small group work assignment, presentation of small groups, questions & answers*

16:50 Break

17:00 Communication plan of the project. Informational campaigns on the basis of strategic messages
[add faculty's name]

Objective: Introduce participants to effective approaches, ways, forms, and channels to communicate strategic messages to target audiences. Help participants with development of communication plan, informational campaigns for dissemination of study findings and recommendations by using strategic messages for target audiences.

17:50 Q&A

18:00 Adjourn

18:15 Dinner

Day 3

[Add the date]

9:00 Staffing the Study. Managing Project Team
[add faculty's name]
(35 min.)

Objective: Identify the staff, consultants, and volunteer resources for CSO studies and the training and management needs that affect project planning

Project planning
[add faculty's name]
(15 min.)

Objective: Enable CSOs to display their tasks and timelines in a format that facilitates project management, monitoring, and evaluation

9:50 Coffee break

10:00 Project Evaluation
[add faculty's name]
Goals/Outputs/Outcomes/Indicators
Teamwork: 2 project goals/ 2 or more indicators each

Objective: Enable participants to develop appropriate evaluation strategies that reflect both project outputs and outcomes

10:50 Break

11:00 Report back and discuss
[add faculty's name]

11:50 Coffee break

12:00 Coordination of communication activities of partners
[add faculty's name]
Communication strategy of the project
List of informational materials Regulations on branding and marking
Coordination plan of communication activities of the project partners

Objective: Familiarize participants with peculiarities of communication activities of projects implemented with USAID FAIR support. Develop a coordination plan for partners' communication activities.

12:50 *Break*

13:00 Written Evaluations
Award Certificates to CSO Representatives
Closing remarks
[add name]

14:00 *Closing Lunch*

Annex 3.

Model Training Program for Court Staff on Implementation of CRC Surveys

Citizen Report Cards Survey Program

Seminar

USING THE RESULTS OF CRC SURVEYS IN COURT MANAGEMENT

[Add the date]

Venue: [add venue]

Seminar Objectives:

Acquaint the participants with goals, methodologies, and evaluation of CRC court studies; discuss the multiple ways that courts can utilize the survey findings to facilitate improvements in services and for other purposes of court management;

Enable participants to prepare cohesive, realistic post-survey action plan to implement proposed changes;

Introduce participants to the essence and goal of communication strategy: teach them to effectively communicate the results and use the findings of surveys to improve the image of courts and to boost public trust.

Participants:

Representatives of pilot courts selected for the program

Representatives of territorial/regional offices of the State Judicial Administration of Ukraine

Seminar Methodology: lectures; small group exercises/case studies; presentations at plenary sessions.

Seminar Materials

Agenda

List of participants

Outlines of faculty presentations with space for notes, and instructions for plenary and small group exercises

Samples of tools and reports

Faculty Bios

Evaluation form

Training Faculty:

[Add a list of faculty indicating their positions/specialization]

Methodology Expert 1

Methodology Expert 2

International expert

Message Development and Communication Expert

Chief Judge of the pilot court in which the survey is conducted

Chief of Staff of the pilot court in which the survey is conducted

Representative of NGO – implementer of the survey project

Monitoring and Evaluation Specialist

AGENDA

Day 1

[Add the date]

9:00 Registration of participants, coffee

10:00 Welcome

[add name], representative of NGO or other organization that conducts the seminar
[add name], representative of the judiciary, Chief Judge or Chief of Staff

10:20 Training Overview

Seminar objectives and agenda
Participant and faculty introductions
Expectations
Guidelines for collaboration

[add faculty's name]

11:00 *Break*

11:10 Court Excellence and the Rule of Law

[add faculty's name]

Objective: Establish context for examining court performance and community studies of courts to assist courts to meet social expectations and promote the rule of law.

12:00 *Coffee Break*

12:10 National Surveys Comparing to Court Users Surveys: Differences in Potential Impact and Usage

[add faculty's name]

(20 min.)

Objective: Provide an overview of the data from national surveys conducted during previous years comparing to data received from citizen report cards surveys. Identify differences between the general public perception of Ukrainian judiciary and citizens' satisfaction with the selected courts. Discuss how both surveys can be used to improve judiciary.

Overview of UROL Pilot Program on Community Studies to Support Court Improvements in 2006 – 2009

[add faculty's name]

(30 min.)

Objective: Provide a brief overview of the pilot program including the concept and schedule of current round of the program: "Improving Quality of Court Services Through Evaluation of Public Perception"

13:00 *Lunch*

14:00 Introduction to Citizen Report Cards

[add faculty's name]

(20 min.)

Objective: Based on international experience, this session will provide an overview of a citizen report cards methodology as an accountability tool and driver of change, designed to improve the quality of services provided by the state through increasing the level of citizen participation. The lecture will cover purposes, outcomes, and potential benefits of CRC surveys.

Introduction to Citizen Report Cards: Ukrainian Experience

[add faculty's name]

(30 min.)

Objective: This session will provide an overview of a citizen report cards methodology adjusted to the purposes and uses of court performance evaluation in Ukraine, and will engage the participants in discussion on pros and cons of using citizen feedback for improvement of courts (potential impact on effectiveness, timeliness, and relevance of court services, as well as public image of courts).

14:50 *Break*

15:00 Possible Stakeholders for the Court – Community CRC Studies

[add faculty's name]

Objective: Identify the persons and institutions that will affect, or be affected by, the study and its results.

15:50 *Coffee break*

16:00 Force Field Analysis
[add faculty's name]

Small group exercise to identify facilitating and hindering factors
Report back and discussion

Objective: To analyze the forces operating in the environment which can either help or hinder the study and effective use of its results

16:50 Break

17:00 Courts – Community Relations in Ukraine
[add faculty's name]

Objective: Identify the best way to build constructive relationships between courts and representatives of target groups within the communities (court services users, CSOs, state authorities, media, etc.) while maintaining courts and judges' objectivity and independence.

Small group homework

17:50 Q&A

18:00 *Adjourn*

18:15 Dinner

Day 2

[Add the date]

9:00 Courts – Community Relations in Ukraine (Continued)
[add faculty's name]

Objective: small group homework presentations

9:50 *Break*

10:00 CRC Studies of Courts Step by Step: Planning, Designing, and Implementation of CRCs
[add faculty's name]

Objective: cover different aspects and stages in planning, designing, and implementation of CRC studies in courts, as well as provide with main building blocks of a CRC survey process.

10:50 *Coffee Break*

11:00 Legal Context for CRC Surveys
[add faculty's name]

Objective:

Establish legal context for public surveys of courts specifically CRC survey, especially as it affects access to court proceedings and data sources.

Introduce participants to purpose and uses of court performance evaluation (difference between court and judicial performance), provide with examples on approaches to court performance evaluation from the U.S. and Europe, discuss court performance evaluation criteria and strategies appropriate to the Ukrainian judiciary that can be used by civil society during CRC studies.

Identify the court performance standards and measures acceptable to use for CRC survey. Show what set of indicators can be used to measure the quality of court performance, especially during court monitoring by CSO.

11:50 Break

12:00 Methodology: Data Sources and Collection
[add faculty's name]
(30 min.)

Data sources and collection methods

Methodology: Data Sources and Collection (Continued)
[add faculty's name]

Practical aspects working with courts on data collection: possible obstacles, solutions.

Objective: Familiarize participants with methodologies, data sources and data collection instruments used in CSO studies, share the practices and examples from previous pilot program on CRC survey.

13:00 *Lunch*

14:00 Methodology: Analysis of Data
[add faculty's name]

Objective: During this lecture, participants will learn about data analysis methods in CRC research with focus on possibilities, principles, and objectives of comparative research and reporting.

14:50 *Coffee Break*

15:00 Linking Research Findings and Recommendations: Conclusions
[add faculty's name]
(40 min.)

Objective: Enable participants to draw credible and useful standards-based conclusions from their research findings

Guidelines for Developing Recommendations
[add faculty's name]
(10 min.)

Objective: Enable participants to support court improvement and increase public access by developing focused, realistic recommendations and next steps

15:50 *Break*

16:00 From Findings to Action: Introduction
[add faculty's name]

Objective: Familiarize participants with possible post survey actions including: using survey results as internal court reforms tool, wide external dissemination of CRC findings. Participants will be provided with model action plan on how to respond to specific CRC survey findings.

Homework to small groups: small groups select from the list of key findings/recommendations 3 key findings they deem to be critical for improving court performance and identify options/action plan to respond specific findings (possible reasons; suggested measures; specific actions required) according to the proposed scheme.

16:50 *Coffee break*

17:00 Effective Communications with Key Audiences
[add faculty's name]

Objective: Enable participants to define key target audiences for dissemination of study findings and recommendations; familiarize participants with the method of communication cooperation (interaction) on the basis of strategic messages for target audiences; help participants to define strategic messages to be used when implementing the project as well as for communicating results and findings of the surveys.

17:50 Q&A

18:00 *Adjourn*

18:15 Dinner

Day 3

[Add the date]

- 9:00 Using Citizen Feedback as Internal Change Management Tool
 [add faculty's name] court's representative
Objective: This session will address the multiple ways that courts can utilize the survey findings to facilitate improvements in court performance.
- 9:50 *Break*
- 10:00 From Findings to Action – Developing an Action Plan
 [add faculty's name]
- Objective: Small groups reports on developed action plans on how to respond to specific CRC survey findings
- 10:50 *Coffee Break*
- 11:00 Information campaigns based on the Strategic Messages
 [add faculty's name]
- Objective: Introduce participants to effective approaches, ways, forms, and channels to communicate strategic messages to target audiences. Help participants with development of communication plan, informational campaigns for dissemination of study findings and recommendations by using strategic messages for target audiences.
- 11:50 *Break*
- 12:00 Measures and Indicators in Change Management
 [add faculty's name]
- Objective: Enable participants to develop appropriate evaluation strategies that reflect both outputs and outcomes in a process of accommodating changes based on a citizen feedback
- 12:50 *Break*
- 13:00 Strengthening Relations with Media
 [add faculty's name]
- Objective: Provide participants with practical recommendations regarding how to develop and maintain long-term relationships with media, which is a strategic condition to create effective forms and ways of communicating with other target audiences.
- 13:50 Written Evaluations
 Closing Remarks:
 [add name]
- Award Certificates to Courts Representatives
- Closing*
- 14:30 Closing Lunch

Annex 4.

Focus Group Scenario for Court Personnel

I. Beginning of Discussion

Greet the participants. Thank them for the time they agreed to devote to it. Introduce yourself and your assistant to the audience (*it is highly recommended that focus-group should be conducted by a sociologist and a lawyer*). Note the purpose of the meeting: “*We have invited you because we want to improve the quality of work in the courts of Ukraine through court visitors’/clients’ feedback on court performance.*”

Point out present categories of participants (*judges, chief judges, court staff, chiefs of staff, etc.*). Explain how they were selected.

Make a short overview of the theme of your discussion “*We meet with you to discuss questions (issues) which concern the quality of courts’ functioning, or how well they perform. We will talk about quality particularly from the perspective of court visitors and clients, as well as from the perspective of judges and court personnel. We want to diagnose the work of the court, discuss how court quality and performance should be evaluated, and what criteria we can use to measure the level of quality. We intend also to discuss what means may improve the court’s work or what should be the subject of reforms to improve visitors’ satisfaction with court performance. Your thoughts will be used to help develop questionnaires for visitors/clients regarding their level of satisfaction with the performance of the courts.*”

Remind the audience that there is no right or wrong opinions during the discussion. Consequently, participants can freely express their own opinion, even if it differs from the opinion of other participants. Point out one more time that we are interested in both positive and negative comments.

Remind about the rules of conduct (*express thoughts one after another, do not interrupt*). Inform the participants that the discussion is recorded because we do not want to miss a single thought. Underline that you guarantee confidentiality of the conversation, that comments will not be used in connection with any name in further publications or reports.

Note the length of the discussion, how to get coffee, where are the toilets etc.

For example: „*Our discussion will last for two hours without any formal break. Toilets are in the corridor; next to the door you can find a table with coffee and cookies. You may walk out or take coffee during the discussion, however, try to do it quietly not to interrupt the discussion.*”

Start the discussion. Become acquainted with the participants; let every person tell you his/her name⁷, position and the sphere of specialization one after another. Propose the audience to start the discussion with what the participants of the group think about the functioning of the courts they work at, whether they are satisfied with their working environment. Lead the discussion to the question how the participants of the focus group understand the notion “quality” bearing in mind peculiarities of courts’ functioning.

⁷ Prepare beforehand name tags/tents

II. Main Part of the Discussion

Section 1. The notion of quality of court's functioning

Please tell us, how do you think a person that came to a court should be called: "visitor", "client", "court user", etc.? *(maybe you can give your own variant)*

Do you believe that the information received via surveying court users is useful for the evaluation and improvement of the performance of the courts as a whole?

(Summarize the discussion, stressing that currently the court image is mostly being formed through the correlation between the quality of the services and the expectations of the client. Therefore it is impossible to manage court performance without taking into account their needs).

If to consider quality of courts' functioning from the position of a client/visitor, do you agree with the opinion that a visitor/client can be unsatisfied, even if this client was provided with a service meeting all principles/ standards of quality?

Does the level of clients' satisfaction depend on subjective factors? List them *(If necessary, propose to discuss such factors: lack of legal knowledge, presence/absence of the representative of a party, positive/negative decision, poor condition of the facility, etc.)*

Does the level of satisfaction of the users depend on the role of the court visitor (party to a case, lawyer, witness, and victim) and the type of court proceedings (civil, criminal, administrative or administrative offence case)?

Section 2. Court quality measurements

Name the indicators which you think characterize the performance of the court?

In case we would group the indicators you've named into sets, which sets would you offer?

(Summarize the proposals and offer the following seven sets)⁹.

Territorial accessibility of the court

Convenience and comfort of staying in the courthouse

Completeness, accessibility and clarity of information

Acceptability of payments

Observation of timeframes for consideration of cases

Attitude towards the work of court staff

Attitude towards the work of judges

Section 3. Court performance indicators

Point out that further on we would like to find out whether those indicators, proposed by us are correct/adequate/relevant in connection to the 7 quality measurements. Take into account the participant's

⁸ To facilitate this and the consecutive discussions, use a blackboard

proposals regarding the structuring, reduction/expansion of the offered quality measurements and indicators)

Quality measurements	Indicator (questions of the questionnaire)
Territorial accessibility of the court	Was it easy for you to find the court house for the first time?
	Is public transportation to court house convenient?
Convenience and comfort of staying in the courthouse	Do you feel comfortable when staying at the court?
	Does the court have sufficient comfortable space for waiting and preparing documents, getting acquainted with case materials and preparing for the hearing?
	Is the courthouse clean and tidy?
	Do you think that there is unobstructed access of special needs persons to the court and they are able to use court services?
Completeness, accessibility and clarity of information	Is the work schedule of the court chancellery comfortable for resolving matters at the court (file claims, study case files, receive decisions, rulings, etc.)?
	Are the informational boards located comfortably?
	Are you fully satisfied with the information available at the court regarding: location of offices and hearing rooms, other premises; rules of access to the court and conduct at the court; cases scheduled for hearing; general information about the court; sample documents; procedure for paying court fees and state duty, account details and sums of payments?
Acceptability of payments	Have you been able to receive necessary information on the court's Web-page?
	Is the official sum of expenditures connected to applying to court acceptable for you?
Observation of timeframes for consideration of cases	Can you afford lawyer's services in case of need?
	Did the hearing of your case start in time?
	Have your needs been taken into account when scheduling the date and time of the hearing?
	Did you receive summons and information on case hearings in time?
Attitude towards the work of court staff	Do you believe that delays / rescheduling of your case hearings were justified?
	Did you have the possibility to get acquainted with case materials in time?
	Did the court employees work diligently and make no mistakes leading to changing documents and breaching time limits?
	Did court staff show the following traits in the course of communication: positive attitude and respect, desire to help, equal treatment of all visitors regardless of their social status and other factors, diligence, discipline, keeping promises, self-control, professionalism, awareness?

Quality measurements	Indicator (questions of the questionnaire)
Attitude towards the work of judges	Do you think that the judge had correct and polite attitude to all trial participants?
	Did you get the impression that the judge had prepared himself to consider the case?
	Did the judge observe the procedure of the trial?
	Did you have the ability to comment on the position of the opposite party? (Or: Did you have the ability to justify your position during the trial?)
	Do you believe that the judge worked impartially and independently, without outside influence (from authorities, businesses, the public opinion, etc.)?
	Was the text of the decision written in a comprehensive language?
	Do you think that the decision in your case was well justified?

Note:

1) Please discuss in detail only those items which cause special attention of participants.

2) Draw attention of the participants to the following:

Determination of categories of court users for the survey (question 9 or 9-A of the questionnaire)

Possibility to receive information on facilities for special needs persons from ordinary court users (question 18)

List of qualities of court staff: should something be added or removed? (Questions 35-41)

Regarding the ability to comment on the position of the other party: is this an indicator of court performance (question 45)

Section 4. Proposals for improving court performance

Do you think that the quality of work of the courts has improved in the last three years?

How (through which actions) do you think it is possible to improve court performance in Ukraine today?

Are you interested in receiving the results of the survey on the level of satisfaction of court users with court performance?

III. Final Section

In conclusion, summarize the results and make sure you understood everyone correctly. Ask “Are there any other thoughts on our discussion?” or “Did we miss something?”⁹

Thank for the time spent on the discussion!

⁹ If you first turn off the recorder to show that the meeting is over, and then ask the above-mentioned questions, you may suddenly find out interesting thoughts.

Questions for Discussion in Focus Group with Court Personnel

n	Topic	Question	Commentary
<i>The goal of the discussion is to establish based on which criteria court performance should be evaluated from the customer's perspective</i>			
.	Concept of quality of court functioning	<p>Is it expedient to use the notion "quality" in the context of court's functioning? How do you understand it?</p> <p>In what case it is possible to say that court functions qualitatively?</p> <p>How to measure quality?</p> <p>Do you agree with the opinion that a visitor/client can be unsatisfied, even if this client was provided with a service meeting all standards of quality?</p> <p>Does the level of clients' satisfaction depend on subjective factors and which in particular?</p>	<p>If meets certain principles/standards</p> <p>Need criteria</p> <p>Absence of legal knowledge, Decisions based on the consideration of the case, Availability of representative of the party</p>
	Principles/standards of court functioning	<p>Which standards (principles) should court functioning meet?</p> <p>Could the standards (principles) you've named be grouped in the following way: Access to justice Efficiency and timeliness Equality, honesty and integrity Independence and accountability 5. Public trust and credibility</p>	
	Categories of trial participants	<p>Which categories of trial participants may give information on the quality of the work of the court?</p> <p>Which of the above-mentioned principles may be measured from a client's perspective?</p>	Principles: 1.2.3.

n	Topic	Question	Commentary
<i>The goal of the discussion is to establish based on which criteria court performance should be evaluated from the customer's perspective</i>			
<i>Stress that from now on we are considering performance measurement only from the court user's perspective. Our goal is to reduce the number of criteria for each principle.</i>			
Principle 1 Access to justice		<p>It is proposed to measure based on the following criteria:</p> <p>Client's expectations during his visit to the court are being met, he feels comfortably and securely</p> <p>Citizen hours are comfortable and well-scheduled</p> <p>The official payments connected with applying to the court are not burdening the client</p> <p>At the court house the client may receive legal advice if necessary</p> <p>The location of the court is comfortable and poses no access problems</p> <p>The court facility displays enough information to orient the client well</p> <p>Court staff provided exhaustive information on the procedure of staying at the court (on all steps and proceedings)</p> <p>The client is well aware of what services he pays for in court, so the need to pay does not cause irritation</p> <p>The court decision is written in a clear language</p>	Criteria: <i>relevance, physical accessibility and clarity (awareness)</i>
Principle 2 Efficiency and timeliness		<p>May be measured with the following criteria:</p> <p>Court procedures happen timely and according to the schedule</p> <p>The client feels that his case is being considered promptly (no feeling that it is being delayed)</p> <p>Court staff are communicative</p> <p>The justification of the decision is transparent and convincing</p> <p>At the court the employees do not make mistakes leading to re-processing of documents and violation of terms</p>	Criteria: <i>Timeliness, punctuality and reliability</i>
Principle 3 Equality, honesty and integrity		<p>Court staff are attentive and polite to you, ready to assist</p> <p>The judge respects you and your dignity</p> <p>The client has a feeling that the trial was independent and impartial</p>	

Annex 5.

Focus Group Scenario for Court Users

I. Beginning of the Discussion

Greet the participants. Thank them for the time they agreed to devote to it. Introduce yourself and your assistant to the audience (*it is highly recommended that focus-group should be conducted by a sociologist and a lawyer*). Note the purpose of you meeting: “*We have invited you to discuss issues related to the quality of work of the courts of Ukraine*”.

Point out present categories of participants (*plaintiffs, defendants, lawyers, witnesses, other court visitors*). Explain how they were selected. Note, that the group is composed out of persons who had participated in court proceedings for various reasons (or have visited the court at least once).

Make a short overview of the theme of your discussion „*We meet with you to discuss questions (issues) which concern quality of courts’ functioning. We will also discuss the questions, answers to which will help completely evaluate the level of satisfaction of citizens with the quality of services received in court (during court proceedings). When we talk about performance quality, we mean the work of the court that meets established quality measurements and indicators.*

Taking into account the modern experience of judicial reform implementation, it is worth taking into account that the management of the court needs to take into account the needs of court users/visitors. It is also important to know whether the quality of services meets the client’s needs and expectations. Taking into account you thoughts on this subject may become an efficient means to improve court performance and implement reforms.

We will also talk about the ways for improvement of the work of the courts, how you see them. Your thoughts will be used during development of the questionnaires for visitors/clients regarding their level of satisfaction with the performance of the courts.”

Remind the audience that there is no right or wrong opinions during the discussion. Consequently, participants can freely express their own opinion, even if it differs from the opinion of other participants. Point out one more time that we are interested in both positive and negative comments.

Remind about the rules of conduct (*express thoughts one after another, do not interrupt*). Inform the participants that the discussion is recorded because we do not want to miss a single thought. Underline that you guarantee confidentiality of the conversation, that comments will not be used in connection with any name in further publications or reports.

Note the length of the discussion, how to get coffee, where are the toilets etc.

For example: „*Our discussion will last for two hours without any formal break. Toilets are in the corridor; next to the door you can find a table with coffee and cookies. You may walk out or take coffee during the discussion, however, try to do it quietly not to interrupt the discussion*”.

Start the discussion. Become acquainted with the participants, let every person introduce himself¹⁰,

¹⁰ Prepare name cards (tags) for all the participants beforehand

and briefly tell for which reasons (or in which capacity) he/she visited the court, and whether he had been satisfied with the work of the court as a whole.

II. Main Part of the Discussion

Section 1. The notion of quality of court's functioning

Please tell us, what is your level of awareness of the work of the court and the judges? (*ask each participant*)

How do you rate the performance of the court as a whole? (*note which concepts the participants will use: "acceptable, high, satisfactory"*)

What do you think are the main reasons to believe that the quality of work of the court poor? (*ask those who believe that the work of the court is not perfect*)

(*Summarize the discussion, move to preparing the language for questions in the questionnaire answers to which would help identify problem areas.*)

Section 2. Questions for evaluating the level of satisfaction with court performance

(*The goal of the moderator is to establish how the FG participants receive the questions, are those questions unambiguous, do they address all the aspects of quality or not, should some of the questions be removed as irrelevant for court performance evaluation. As far as part of these questions has been discussed in the course of the conduction of the first round of the studies, pay special attention to the questions highlighted in bold.*)

Was it easy for you to find the court house for the first time?

Is public transportation to court house convenient?

Do you feel comfortable when staying at the court?

Does the court have sufficient comfortable space for waiting and preparing documents, getting acquainted with case materials and preparing for the hearing?

Is the courthouse clean and tidy? (*Find out whether this is important in the context of court performance evaluation*)

Do you think that there is unobstructed access of special needs persons to the court and they are able to use court services? (*Find out whether the FG members are able to answer this question*)

Is the work schedule of the court chancellery comfortable for resolving matters at the court (file claims, study case files, receive decisions, rulings, etc.)?

Are the informational boards located comfortably?

Are you fully satisfied with the information available at the court regarding (*which information did not get on the list, and which should not be there*)? Location of offices and hearing rooms, other premises? Rules of access to the court and conduct at the court?

Cases scheduled for hearing?

General information about the court (judges, number of cases, workload, etc.)?

Sample documents (applications, petitions, etc.), procedure for paying court fees and state duty,

account details and sums of payments?

Have you been able to receive necessary information on the court's Web-page? (*Find out how this question is received, did the FG members try this at all*)

Is the official sum of expenditures connected to applying to court acceptable for you?

Can you afford lawyer's services in case of need?

Did the hearing of your case start in time?

Have your needs been taken into account when scheduling the date and time of the hearing?

Did you receive summons and information on case hearings in time?

Do you believe that delays / rescheduling of your case hearings were justified?

Did you have the possibility to get acquainted with case materials in time?

Did the court employees work diligently and make no mistakes leading to changing documents and breaching time limits?

Did court staff show the following traits in the course of communication (*how is the question received*):

Positive attitude and respect?

Desire to help?

Equal treatment of all visitors regardless of their social status and other factors? Diligence, discipline, keeping promises?

Self-control?

Professionalism, awareness?

Do you think that the judge had correct and polite attitude to all trial participants?

Did you get the impression that the judge had prepared himself to consider the case?

Did the judge observe the procedure of the trial?

Did you have the ability to comment on the position of the opposite party? (Or: Did you have the ability to justify your position during the trial?)

Do you believe that the judge worked impartially and independently, without outside influence (from authorities, businesses, the public opinion, etc.)?

Was the text of the decision written in a comprehensive language?

Do you think that the decision in your case was well justified?

Section 3. Evaluation of change

Do you think that the quality of work of the courts has improved in the last three-five years?

Do you think that the court has the necessary resources (logistical support) to perform its functions?

Get the group acquainted with the existing seven measurements that we use as a basis for external evaluation, and try to establish the readiness of the participants to recommend improvements to each of them (based on personal experience of contacts with the judiciary).

III. Final Section

In conclusion, summarize the results and make sure you understood everyone correctly. Ask “*Are there any other thoughts on our discussion?*” or “*Did we miss something?*”¹¹

¹¹ If you first turn off the recorder to show that the meeting is over, and then ask the above-mentioned questions, you may suddenly find out interesting thoughts.

Annex 6.**Sample Letter Seeking Cooperation with a Court**

CIVIC CONSULTING GROUP
«PARTNER»

43005, Ukraine, city of Lutsk, Peremohy av., 1, 3^d floor
 tel.: +380 332 295009; +380 332 295169;
 e-mail: cgg.partner@gmail.com

Outgoing № _____
 Incoming № _____ of _____

Filiuk P. T.
Chief Judge
Volyn Oblast Court of Appeals

Dear Mr. Filiuk!

From September 2009 through March 2010 the «Improving court performance through citizens study» initiative, jointly designed by CCG «Partner», «Lutsk-1432» and Association of Young Reformers (surveying visitors about the quality of court performance using CRC), should be implemented in Volyn oblast. The initiative should be implemented with the support of USAID Ukraine Rule of Law Project.

In September - October 2009 it is planned to finalize under the Project the survey tools, conduct public presentation and the field stage of the survey.

Therefore we ask your assistance in implementing this project by assigning a contact person and involving the representatives of Volyn Oblast Court of Appeals in the following events that will be conducted by the project:

1. Focus group discussion to finalize the survey questionnaire (09.22.2009);
2. Round table – presentation of the project (09.22.2009);
3. Public survey (October-November 2009);
4. Final conference of the project – presentation of the survey results (February 2010).

With respect and hope for fruitful cooperation,

Serhiy Adamchuk

Chairman of the Board

Annex 7.

Sample Letter Requesting Court Information

[Organization's letterhead]

[Add date]

[Addressee, address, telephone and fax]

Dear Mr. / Ms. _____!

On behalf of the Project [add name of the project] I would like to express my respect to you.

Currently our project starts a pilot program to survey court users with the help of CRC with regard to access to court and quality of court services. The results of those surveys will be disseminated among courts and forwarded to the State Judicial Administration. We deem that obtaining public opinion will help courts to improve their performance and administration. We also hope that this program will contribute to building a dialogue between courts and society to improve access to justice, increase transparency and accountability of judicial system as well as build public trust to courts.

It is expected that pilot survey will be conducted during _____ in the following courts:

[Add list of courts]

We request your assistance for the above mentioned program. First of all, for achieving the best quality of the survey we need to use statistical data (including the latest available one) regarding those courts where pilot survey is planned to be conducted. This includes average monthly amount/number of new cases and materials per one judge, structure of arrival of the new cases, timeframe for case consideration, and backlog.

We should appreciate very much if you provide us with this information.

Sincerely yours,

[Name and position]

Annex 8.

Sample Announcement on Court Survey



Committee of Voters of Ukraine

Cherkasy Oblast Organization

18000, a/c 106, (0472) 36-85-47; E-mail: cvu_ck@ukr.net, cvu@uch.net

Dear ladies and gentlemen!

We would like to inform you that starting in December 2009 at Chernobayivskyy District Court Cherkassy Oblast will take place a survey of citizens (court visitors) regarding the performance of this court using citizen report cards.

This survey will take place under the framework of a pilot program implemented by the USAID Ukraine Rule of Law Project and the Committee of Voters of Ukraine in Cherkasy Oblast.

Chernobayivskyy District Court is interested in this survey, therefore, all your critical remarks and suggestions should be considered as recommendations for further improvement.

This survey is voluntary and has to reflect the opinion of citizens regarding the performance of Chernobayivskyy District Court. The survey data will become the basis for recommendations for improvement of the work of this court. Please be active and sincere, as this is done for you – court visitors!!!

Annex 9.

Court User Satisfaction Survey

Код суду

Interview of Court Visitors on Court Performance

Dear Court Visitor!

We offer you to participate in a survey to measure citizen satisfaction with court performance. Citizen satisfaction survey is designed to conduct objective evaluation of court services. The collected information will be used to develop efficient recommendations on improving the quality of court services and increasing the level of public trust in courts.

This survey is random, you were randomly selected. Be sure that the collected information is absolutely confidential and the received answers will be used only in a generalized form. Quality and completeness of information based on which general picture of court performance will be formed relies much upon your sincerity and commitment to the survey.

FORM NUMBER

Interviewer _____

Interviewer's number

Interview date:

Day

Month

1

2

Interview start time:

Hours

Min.

BLOCK 1 Respondent's General Characteristics

1. Age:		2. Education:	
18-25	1	Secondary & Not completed secondary	1
26-39	2	Basic higher	2
40-59	3	Higher	3
60 and more	4	Other (please specify) _____	4
3. Gender:		4. Do you have a university degree in Law:	
Male	1	Yes	1
Female	2	No	2

<p>5. You live in:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>The settlement where this court is located</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Another settlement</td> <td style="text-align: center;">2</td> </tr> </table> <p>7. You consider yourself to be:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Poor</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Lower than average income person</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Average income person</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Well to do</td> <td style="text-align: center;">4</td> </tr> <tr> <td>Rich</td> <td style="text-align: center;">5</td> </tr> <tr> <td>NC (no answer code)</td> <td style="text-align: center;">9</td> </tr> </table>	The settlement where this court is located	1	Another settlement	2	Poor	1	Lower than average income person	2	Average income person	3	Well to do	4	Rich	5	NC (no answer code)	9	<p>6. In court you represent:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Yourself (you're plaintiff / defendant / witness / victim)</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Another person (you're attorney, lawyer-consultant)</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Other (please specify) _____</td> <td style="text-align: center;">3</td> </tr> </table> <p>8. How often you've been a party to court proceedings:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>It's my first court process</td> <td style="text-align: center;">1</td> </tr> <tr> <td>2-5 times</td> <td style="text-align: center;">2</td> </tr> <tr> <td>6 times and more</td> <td style="text-align: center;">3</td> </tr> </table>	Yourself (you're plaintiff / defendant / witness / victim)	1	Another person (you're attorney, lawyer-consultant)	2	Other (please specify) _____	3	It's my first court process	1	2-5 times	2	6 times and more	3
The settlement where this court is located	1																												
Another settlement	2																												
Poor	1																												
Lower than average income person	2																												
Average income person	3																												
Well to do	4																												
Rich	5																												
NC (no answer code)	9																												
Yourself (you're plaintiff / defendant / witness / victim)	1																												
Another person (you're attorney, lawyer-consultant)	2																												
Other (please specify) _____	3																												
It's my first court process	1																												
2-5 times	2																												
6 times and more	3																												
<p>9. In which court process in this court you are participating:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Civil</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Criminal</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Administrative</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Administrative offense case</td> <td style="text-align: center;">4</td> </tr> </table>	Civil	1	Criminal	2	Administrative	3	Administrative offense case	4	<p>10. Please specify the stage of your case hearing</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>The case hearing has not started yet</td> <td style="text-align: center;">1</td> </tr> <tr> <td>The hearing is in process</td> <td style="text-align: center;">2</td> </tr> <tr> <td>The hearing is over</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Other (please specify) _____</td> <td style="text-align: center;">4</td> </tr> </table>	The case hearing has not started yet	1	The hearing is in process	2	The hearing is over	3	Other (please specify) _____	4												
Civil	1																												
Criminal	2																												
Administrative	3																												
Administrative offense case	4																												
The case hearing has not started yet	1																												
The hearing is in process	2																												
The hearing is over	3																												
Other (please specify) _____	4																												

11. To what degree/extent you are aware of the work of courts and judges in general

Completely aware	Aware in general	Almost not aware	Do not know at all	NC
1	2	3	4	9

12. Using the 5-point scale, please estimate the quality of this court performance:

(1 – Very poor, 5 – excellent, 9 – NA):

1	2	3	4	5	9
----------	----------	----------	----------	----------	----------

BLOCK 2 Main part– evaluation by quality measurements

Using the 5-point scale, please, answer the questions below

(1 – definitely no, 2 – at most no, 3 – more or less (yes and no), 4 – at most yes, 5 – definitely yes, 0 – difficult to say, 9 - NA).

Interviewer, offer to a respondent Card #1

Accessibility of court

13.1	Did you easily find the courthouse?	1	2	3	4	5	9
13.2	Is it easy to reach the court using public transportation? (Якщо Ви не користуєтеся громадським транспортом, дайте відповідь на наступне запитання)	1	2	3	4	5	9
13.3	Is it convenient to park (are there enough parking places) near the courthouse?	1	2	3	4	5	9
14	Did you face any obstacles in accessing court facilities due to security limitations?	Yes – 1, No – 2					9
15	Do you think that people with special needs can easily get to the court premises and use court services?	1	2	3	4	5	9
16	When you tried to call to the court, did you always manage to reach it and get all the necessary information by phone?	1	2	3	4	5	9

17	Are business hours of the chancellery convenient for you to attend to your matters (to file a case, review materials, get a copy of decision/ruling/verdict, etc.?)	1	2	3	4	5	9
18	Could you afford hiring a lawyer (legal counsel) if needed?	1	2	3	4	5	9

How convenient and comfortable it is to be in court

	<i>Is the following typical of a courthouse:</i>						
19	- Enough comfortable areas/seats in the court to wait, file documents, review files and prepare for hearings?	1	2	3	4	5	9
20	- Free access to amenities (toilets)?	1	2	3	4	5	9
21	- Facilities are clean and tidy?	1	2	3	4	5	9
22	- Enough lighting?	1	2	3	4	5	9

Completeness and clarity of information

23	Are information stands (boards) in the courthouse conveniently placed?	1	2	3	4	5	9
----	--	---	---	---	---	---	---

Are you fully satisfied with the information placed in court regarding:

24	- Location of offices, courtrooms and other facilities	1	2	3	4	5	9
25	- Rules to access and be in court	1	2	3	4	5	9
26	- Cases scheduled for hearing	1	2	3	4	5	9
27	- Samples of documents (applications, petitions, etc.)	1	2	3	4	5	9
28	- Procedure for paying court fees, duties, details and amount of fees	1	2	3	4	5	9
29	Have you used the Internet web-site of the court?	Yes – 1, No – 2 → № 31					
30	If you have used the Internet web-site of the court, have you found the required information there?	1	2	3	4	5	9

Perception of the work of court staff

31	Did Court staff work diligently and make no mistakes which led to rewriting documents and deadline violations?	1	2	3	4	5	9
----	--	---	---	---	---	---	---

Did court staff when dealing with you show the following:

32	- Benevolence, respect, readiness to help	1	2	3	4	5	9
33	- Equal treatment of all visitors irrespective of their social status	1	2	3	4	5	9
34	- Professionalism, knowledge of what they had to do	1	2	3	4	5	9

Compliance with deadlines for case disposition

35	Has the hearing of your most recent case started on time (according to the schedule)?	1	2	3	4	5	9
36	Was the date and time of hearing agreed with you?	1	2	3	4	5	9
37	Did you timely receive subpoenas and notifications about your case hearing?	1	2	3	4	5	9
38	Do you think the delays/rescheduling of hearing was justified?	1	2	3	4	5	9

Perception of the judge's work

	<i>Was the following typical of a judge who handled your case (alone or as a chief of a panel of judges):</i>						
39	- impartiality and independence (judge resisted external influence if any)	1	2	3	4	5	9
40	- civility, benevolence, courtesy	1	2	3	4	5	9
41	- appropriate level of preparedness to case hearing and knowledge of a case	1	2	3	4	5	9
42	- providing parties with a possibility to substantiate their views	1	2	3	4	5	9
43	- compliance with the procedure of consideration	1	2	3	4	5	9

Court decision (if case disposition is over)

		Yes	No	NC
44	Was decision on your case in your favor?	1	2	9
45	Are you planning to challenge decision on your case?	1	2	9
<i>Interviewer! Those respondents who gave «2» or «9» answers to Q № 45 → to question No 50!</i>				
46	Have you obtained a court decision on your case?	1	2	9
47	Have you obtained the court decision on your case on time?	1	2	9

Using the 5-point scale, please, answer the questions below

(1 – definitely no, 2 – at most no, 3 – more or less (yes and no), 4 – at most yes, 5 – definitely yes, 9 - NA).

48	Was the court decision written in a clear and easy to understand language?	1	2	3	4	5	9
49	In your opinion was the court decision on your case well grounded?	1	2	3	4	5	9

	Specify the total number of:	Number	NC
50	- court sessions on your case that took place	_____	-1
51	- court sessions that did not take place due to improper organization of court activity	_____	-1
52	- visits to the court which were not connected with participation in court sessions	_____	-1

Block 3. Changes and Recommendations (to be filled out by court, optionally)

53. As far as court performance improvement is concerned, what quality measurements you think should be improved first of all? Rate seven quality measurements by their importance for you, where 1 is the most important quality measurement (should be improved first of all) and 7 is the least important quality measurement.

☞ Interviewer, offer to a respondent Card #2

Quality measurement	Rate
Court accessibility	
Level of comfort in the courthouse	
Completeness and clarity of information	
Affordability of court fees	
Timeliness of court proceedings	
Quality of work of court staff	
Quality of work of judges	

54. What specific changes you think are necessary to improve the performance of this court today:

9

55. In your opinion, do available material and technical resources meet the needs of court staff for efficient discharge of their duties?

Yes	No	NC
1	2	9

56. What are your impressions of your today's visit to the court compared with your expectations?

Better than expected	1
Worse than expected	2
Meet the expectations	3
NC	9

57. If you have already been in this court before (last year or even earlier), how, in your opinion, has court performance changed in general?

☞ Interviewer, if the respondent is in this court for the first time, put "9" – "NA"

Has significantly improved	5
Has insignificantly improved	4
Has not changed	3
Has become somewhat worse	2
Has become significantly worse	1
Difficult to say	0
NC	9

THANK YOU FOR YOUR COOPERATION!

Time when interview ended:

--	--	--	--

hours min.

Interviewer's signature _____

Annex 10. Sample Interviewer Identification Card

[Organization's name and/or logo, contact details]

INTERVIEWER IDENTIFICATION CARD № ____

Is authorized by _____

To conduct a sociological survey in the period between

_____ and _____ 20____

of court users of court _____.

This ID is valid on condition of availability of Citizen of Ukraine Passport of the interviewer.

Project Manager _____

Contact tel. _____

Sample:

	<p>Cherkasy Oblast Organization «Committee of Voters of Ukraine» 266/2 Il'yina Str., Tel. (0472)-36-85-47 <i>Interviewer's Identification Card №1</i></p>
<p>Olena Abrazumova</p> <p>Is authorized by Cherkasy Oblast Organization «Committee of Voters of Ukraine» to conduct a sociological survey of court users in the period between 1.12.09 – 31.03.10.</p> <p>This ID is valid on condition of availability of Citizen of Ukraine Passport of the interviewer.</p> <p><i>Project Manager Volodymyr Prysiazhniuk</i></p>	
	<p>Cherkasy Oblast Organization «Committee of Voters of Ukraine» 266/2 Il'yina Str., Tel. (0472)-36-85-47 <i>Interviewer's Identification Card №2</i></p>
<p>Is authorized by Cherkasy Oblast Organization «Committee of Voters of Ukraine» to conduct a sociological survey of court users in the period between 1.12.09 – 31.03.10.</p> <p>This ID is valid on condition of availability of Citizen of Ukraine Passport of the interviewer.</p> <p><i>Project Manager Volodymyr Prysiazhniuk</i></p>	

Annex 11.

Instructions for Interviewers and Supervisors

INTERVIEWER INSTRUCTIONS

On conducting of a Sampling Survey of Court Users

The goal of the survey is to evaluate the level of citizen satisfaction with the work of the courts. After having identified problem quality areas, respective recommendations for the improvement of the work of the court should be prepared. This makes the receipt of information from the respondents on each questionnaire item exceptionally important.

The survey is conducted by specially trained interviewers by means of directly interviewing court visitors. All the information received from the respondent in the course of the survey is confidential (regardless of whether it is related to the survey or not). The work of the interviewers is managed by a supervisor, who provides the interviewers with interview forms (questionnaires).

Procedure for selection of respondents. The interviewer receives from the supervisor his daily/weekly/monthly work plan coordinated with court hours, and the number of questionnaires to be filled-in during of the survey. The number of questionnaires completed by the interviewer in the course of a field-work day has to be evenly distributed throughout his workday at the court¹², unless there are other limitations connected with the court's schedule of work.

The interviewer surveys the visitors who come out of the court building, as well as in waiting areas inside the building¹³. It is desirable for the interviewer to select a comfortable place for conducting the interview and filling-in the questionnaire.

Participation of court visitors in the survey is voluntary. The interviewer does not have the right to insist on conducting the interview in case the respondent refuses. The interviewer records the refusal in his diary (a reporting and performance evaluation form of the interviewer) and starts searching for another potential respondent.

The interview is conducted only with those persons, who are court clients, i.e. – participants of a case (plaintiff, defendant, representative of a party, witness, or victim).

Judges, court staff and other persons who are not participants of court proceedings DO NOT participate in the survey!

Before starting the interview the interviewer explains the potential respondent that in this survey he is interested in the opinion of court users and asks the respondent the filter question “Who are you in court?”.

After the respondent's answer, the interviewer takes one of the following decisions:

(1) this person is outside the target audience: he is not a court user (plaintiff, defendant, representative of a party, witness, victim) → the interviewer thanks the person for being open, but explains the reasons

¹² The FG results have shown that the opinion of the respondents about the quality of the work of the court depends on the time of conduction of the interview. A person who came in the morning and is waiting for the hearing of his case is usually positive, but at the end of the day after there had been delays or the hearing had been re-scheduled at all, the attitude is likely to be negative.

¹³ We do not recommend trying to interview those persons, who just entered the court building. As a rule, at that time people are more interested in settling their business, and refuse to be interviewed.

why the interview ends;

(2) this person is part of the target audience: he is a court user (plaintiff, defendant, representative of a party, witness, or victim) → the interviewer may proceed with the interview based on the scheme provided below.

Beginning of interview. The interviewer introduces himself, shows ID and explains the goal of the survey:

“Good day, my name is _____, I am conducting a brief survey of court users regarding the work of the court. This information will help the court determined how to better organize its work and provide more efficient services to people. You don’t need to be a lawyer to answer these questions”.

The interviewer has to stress that this is a sampling survey and that he randomly selected the respondent. The interviewer guarantees complete confidentiality of information and ensures, that all the data will be aggregated. Then he asks for the consent of the respondent to spend 10-15 minutes to answer the questions in the questionnaire.

The survey

The survey of respondents is conducted in the form of an interview, i.e. no documental confirmation of the answers is required.

Interviewer, inform the respondent that there are no right or wrong answers. We are interested in the opinion of each visitor.

The interviewer does not give the questionnaire to the respondent, but fills it in himself in the course of the interview. When answers are given to questions №№13-46 and № 53 the interviewer gives the respondent Cards №1 and №2 respectively.

How to fill in the questionnaire

The interviewer reads aloud the question in a clear voice. He gives the respondent time to think of the answer, and then uses a ball-point pen to accurately circle the number of the answer selected by the respondent. When offering possible answers to the respondent, the options «hard to say» and «no-answer code» should not be mentioned.

The answer «0» – *hard to say* may be marked in the questionnaire only in one case:

The respondent takes too much time to give an answer, and finds it hard to select one

The answer «9» – *no-answer code (NC)* may be marked in the questionnaire only in two cases:

The respondent refuses to answer the question point blank

The question is not applicable to the respondent’s experience (in questions №№26, 28, 57)

The questionnaire should not contain unanswered questions, with the exception of cases, when the questionnaire provides for skipping several questions for respective categories of respondents, which is required by the logic of the questionnaire (after questions 40, 47, 57)

Legend

(→) The horizontal arrow shows that the next question to be read by the interviewer has to have the number to which the arrow points.

(☞) Next to this symbol are provided additional instructions to the interviewer.

In case the interviewer marked the wrong answer by mistake, it is necessary to cross it out (X) and circle the code of the correct answer. In a blank field of the form near the mistake it should be written: „circled by mistake” or „answer corrected by respondent ”.

Comments to separate questions

Questions №№ 1-10 (except Question №6)

Characterize the respondent and do not contain opinions. Absence of answers to these questions is inadmissible.

Question № 7

Key to the sampling of respondents – court users. Only those persons that meet the criteria of Question №7 may participate in the survey.

Question № 10

Question-filter, the answer is a key to navigation through the questionnaire. For example, the respondent answered to Question № 10: «1» - *the consideration of the case hasn't started yet*, so he does not need to answer to Questions №№ 41-52. In other words, after answering Question №40, the respondent moves to Question №53. The questionnaire contains respective instructions to the interviewer:

Interviewer! The respondents who answered «1» to Question № 10 → to Question № 53!

Question №№ 13-46

To get answers to these questions use Card №1, which contains an answer scale? The questionnaire contains respective instructions to the interviewer:

Interviewer! Offer Card № 1 to the respondent.

Do not mention the answers «hard to say» and «NC» to the respondent.

Question № 26

Asked only to those respondents who have had experience using the judiciary Internet portal. In case the respondent said he did not have this experience, mark the answer «9» – NA. The questionnaire contains respective instructions to the interviewer:

Interviewer! If the respondent did not have experience using the Internet, mark the answer «9» – «NA»!

Question № 28

The question is asked only to those respondents who do not use the services of a lawyer and do not represent the interests of the state in this court. If the respondent stated, that he uses the services of a lawyer or represents the state, mark «9» – «NA». The questionnaire contains respective instructions to the interviewer:

Interviewer! If the respondent stated, that he uses the services of a lawyer or represents the state, mark «9» – «NA»!

Question № 40

After answering Question №40, the respondent who answered to Question № 10: «1» - *the consideration of the case hasn't started yet*, does not answer to Questions №№ 41-52, and moves to answering Question №53. The questionnaire contains respective instructions to the interviewer:

Interviewer! The respondents who answered «1» to Question № 10 → to Question № 53!

Question №№ 48-52

The question is asked only to those respondents, who answered «1» - Yes to Question 47.

If the respondent answered to Question № 47 «2» - No, or the interviewer marked the answer «9» - NC, Questions №№48-52 are not asked to this respondent, and he moves to answering Question № 53. The questionnaire contains respective instructions to the interviewer:

Interviewer! The respondents who answered to Question № 47 «2» or «9» → to Question № 53!

Question № 53

To answer this Question use Card №2, which contains seven measurements of quality that have to be sorted out? The questionnaire contains respective instructions to the interviewer:

Interviewer! Offer to the respondent Card № 2.

Question № 54

This is an open question. The interviewer has to write down a brief answer of the respondent in printed letters. In case the respondent refuses to answer this question, circle answer «9» - NC.

Question № 57

The question is asked only to those respondents who have not visited this court for the first time, but had this experience a year ago, or even earlier. If the respondent stated that he came to this court for the first time, mark answer «9» – NA. The questionnaire contains respective instructions to the interviewer:

Interviewer! If the respondent is in this court for the first time, mark answers «9» – «NA»!

End of interview. Thank the respondent for his/her answers.

Interviewer, be attentive while filling-in the questionnaire, as you will not have the possibility to meet the respondent again in case there are discrepancies or missed questions!

Interviewer's reporting. The interviewer submits the filled-in questionnaires and interviewer diary according to the sample (attached).

The diary is filled in by the interviewer at the end of each day of fieldwork. The columns of the diary should contain the following information: date (column A), total number of contacts established (interview attempts) (Column 1), number of successful interviews (Column 2), and those persons with whom interviews have failed (Column 3). Column 2 + Column 3 = Column 1.

When processing the results of the survey, the information about the percentage of respondents who refused to participate at the survey is very important. For this reason, the interviewer fills in columns 4-5 noting whether the respondent refused to participate (Column 4), or the person addressed by the interviewer did not fall within the target audience (for example, the respondent was neither a plaintiff, nor a defendant, nor a representative of a party, a witness or a victim-- Column 5). Column 4 + Column 5 = Column 3.

WE WISH YOU SUCCESSFUL WORK!

SUPERVISOR INSTRUCTIONS

On conduction of sampling survey of court visitors

Before starting the survey it is necessary to make the decision about the number and composition of staff for the conduction of the survey.

The number of staff required for the conduction of the survey is established based on the following factors:

- Volume of sampling;
- Time required for one interviewer to fill out one questionnaire;
- Time allocated for the conduction of the whole survey.

In this survey it has been established based on a pre-estimate that the minimal size of sampling of respondents per court should amount to 200 persons out of the following categories: _____
_____. The estimated time for filling out a questionnaire is 15 min. (to be verified in the course of the piloting of the questionnaire at trainings for interviewers). The time, allocated for the conduction of the survey is 4-5 weeks during respective court working days according to the court's work schedule. **Start of the survey – November 2, 2009.**

Before the beginning of the survey the supervisor determines the workload of interviewers. It depends on the organizers of the survey. As a rule, the workload is distributed evenly throughout the whole period of the survey (only in certain cases there may be a need to make the workload uneven, for example, because of the working (hearing) hours of the court)¹⁴. To determine the workload of an interviewer, the size of the sampling is divided by the number of available days and productivity of one researcher (average number of questionnaires that the interviewer may fill out during one day of work in the field).

Example of establishing the interviewer's workload

The volume of the sample amounts to 200 respondents to be surveyed in the course of 4 weeks, however, there are only 12 working days available (3 days a week based on the court's work schedule). It is planned to use 4 interviewers for the conduction of the survey. Therefore, each interviewer has to survey 50 respondents ($200/4 = 50$), collecting on average 4-5 filled-in questionnaires per day of field work ($50/12 = 4, 5$).

Directly in the course of conduction of the survey the supervisor may decide to change the interviewer's workload, for example, because of a high rate of refusals of respondents to participate in the survey.

The supervisor should remember that he is responsible for controlling the sampling, the observance of quotas of respective categories of respondents and the timely informing of the interviewers about that¹⁵.

Before starting the actual survey, it is necessary to prepare the interviewers. In case they do not have experience in conducting the survey, they need to go through a training course. The training course usually includes the following stages:

¹⁴ In the case of conduction of the survey based on CRCM when preparing the sampling plan the supervisor needs to study himself the specifics of providing services to persons at pilot courts, Afterwards he needs to decide based on which principle the respondents should be selected.

¹⁵ It is not recommended for the supervisor to assign each interviewer to a separate category of court visitors as this will impact the effectiveness of the interviewer's work.

- Introduction and orientation;
- Role-play interviews and selection of interviewers;
- Training of selected interviewers.

It is important for the interviewers to have a clear understanding of the general goal of the survey, and know each question in the questionnaire. Orientation includes the following topics:

- General overview of methodology of the survey;
- Goal of the specific CRC and role of interviewer;
- Details on survey toolkit.

The trainers of interviewers have to:

- Remind the interviewers that they would collect inaccurate data in case they do not work with the form correctly, write down wrong answers and fail to follow the sampling plan;
- Discuss the process for establishment of relationships with respondents and stress, that a deeper study of the respondents may be necessary to receive feedback;
- Explain the interviewers in which cases and how they may use their awareness of the questionnaire to assist the interviewees when answering hard questions;
- Help the interviewers understand, that the completion of the sampling plan is a mandatory requisite to ensure adequate sampling representation of the general public.

After official training it is necessary to discuss daily surveying procedures, including the issues related to logical control of the filled-in forms and the rules for filling-in the diary – a form for reporting and control of the interviewer’s performance.

Remember, that clear instructions to the interviewer are one of the pre-requisites for receiving adequate and unambiguous data. Therefore, clear instructions at the start of the interview and at the beginning of each section will “oil” the interview, and specific internal directions «skip question» (when the actions of the interviewer depend on the answers of the respondent) help ensure correct work with the form.

The supervisor provides the interviewers with interview forms (questionnaires). Before handing out the forms, the supervisor has to put down the following information into each form:

- Code of pilot court, received from project coordinator;
- Number of form (consecutive numbering for every court);
- Code of the interviewer

Survey quality control

During the interview each supervisor has to verify the quality of the survey in order to ensure data reliability and accuracy. There are several types of verification of the quality of work of the interviewers. Taking into account the specifics of surveying court users, we suggest the following two checks:

- Interview in presence of observer, and
- Unexpected checks.

The interview in presence of an observer is necessary to become sure that the interview is conducted in a neutral and due way. The supervisor should be present at least during three interviews conducted by each interviewer.

Unexpected checks – unexpected arrival of the supervisor during an interview: he may just be present, or ask the interviewee certain questions for a second time to compare his answers with those answers already written in the form.

At the end of each day of field work, the supervisor has to check each questionnaire to see if they have been filled-in correctly. In case something has been skipped or there are controversial answers, the supervisor has to inform the interviewer thereof, or even fine him in case of flagrant mistakes.

The supervisor also counts the questionnaires by category of respondents, in order to timely inform the interviewer that the quota had been reached.

After having checked the forms, the supervisor conducts a general check, in order to ensure consistency and correctness of filling-in the forms, availability of answers to all questions of the form and the observance of rules for navigation from question to question.

Upon completion of this work the supervisor must ensure the following:

- The respondents have provided answers to all the key questions of the survey;
- Each interviewer followed the instructions («move to question», etc.);
- The answers make sense and do not internally contradict each other.

Supervisor! *Be efficient in checking the quality of the survey!*

Any wrong or biased information corrupts the general integrity and reliability of data!

Annex 12. Interviewer Diary

Interviewer Diary

Name of Interviewer _____

Name of Court _____

Interviewer Number

Code of the Court

	Date	Number of attempts to take an interview – total, persons	Out of them:		Persons have not been interviewed because of:	
			interviewed, persons	not interviewed, persons	refusal to participate in the survey	are not court visitors
	A	1	2	3	4	5
1		13	8	5	4	1
2	
3		15	6	9	4	-
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
20						

Annex 13.

Ethics and Rules of Conduct of Volunteers in Court

We have established some important guidelines regarding ethical behavior. Please adhere to these principles and contact a staff member if questions arise.

Court monitors should seek to provide an honest opinion without bias toward the judge or any participant of the case they are observing.

Court monitors should maintain confidentiality if they are made aware of any confidential information through their monitoring activities.

Court monitors should not engage in conversation with the judge, litigants, court staff, etc., nor should they disclose any business witnessed in the court being monitored.

Court monitors should not participate in monitoring for personal political reasons or to promote the agenda of a political party.

Court monitors should never participate in monitoring for personal gain. If you have a case pending before the judge or court being monitored, or you have been asked to gather information for someone who does, notify our staff and withdraw from monitoring in that court.

Court monitors may not provide legal advice to any litigant, witness, lawyer, or other participant in a case being monitored.

Court monitors may not solicit business in court where he/she is monitoring.

If a court monitor has been a victim of a crime or has participated in a case of the kind to be monitored he/she should consider whether it is possible to conduct the monitoring in an unbiased manner. If unable to provide an unbiased opinion about a case the monitor should refrain from participation and contact our office.

COURTROOM ETIQUETTE

DO sit quietly and attentively.

DO arrive on time for monitoring assignments.

DO give up your seat to participants in the case and family members.

DO treat others as you would like to be treated. Be courteous, discreet and respectful to all present in the courtroom and courthouse.

DO turn off your cell phone upon entering the courthouse for a monitoring visit.

DO leave electronic devices at home.

DON'T bring gum, food, drinks, newspapers or other reading materials into the courtroom.

DON'T chat with your neighbor, listen to music, or sleep during the proceeding.

REPRESENTING US

As a citizen court monitor, representing [Name of Organization] and society, you should demonstrate objectivity and discretion in all of your actions while monitoring the court.

DO maintain a neutral demeanor and an arms-length relationship with judges and court staff.

DO wear your badge whenever in the courthouse on a monitoring visit.

DO limit interaction with judicial administrators or judges to identifying yourself as a court monitor and answering a question about your presence in the court.

DO report any uncomfortable situations or problems to our office following your monitoring visit.

DON'T discuss the case with the judge, court staff, prosecutor, lawyers, plaintiff, defendant, accused, witnesses or victims [modify language depending on type of case].

DON'T laugh, sigh, make faces, comments, or express your opinion in any way in response to what you see or hear in the courtroom or any other room in court.

DON'T comment on the case to your colleagues or neighbors in the courtroom.

DON'T discuss what you have seen or heard if there is any chance that it may be overheard in elevators, hallways, or public areas.

DON'T argue with judges or court staff.

DON'T make any comments to the press in or outside of the courtroom. Refer all press inquiries to our office.

Annex 14.

WAPOR Code of Professional Ethics and Practices

I. INTRODUCTION

1. The World Association for Public Opinion Research (WAPOR), in fulfilling its main objective to advance the use of science in the field of public opinion research and in recognition of its obligations to the public, hereby prescribes principles of ethical practices for the guidance of its members, and a framework of professional standards that should be acceptable to users of research and to the public at large.

2. In an increasingly complex world, social and economic planning is more and more dependent upon public opinion reliably studied. The general public is the source of much of this information. Consequently, members of WAPOR acknowledge their obligations to protect the public from misrepresentation and exploitation in the name of research. At the same time, WAPOR affirms the interdependence of free expression of individual opinion and the researcher's freedom to interview.

3. Members of WAPOR recognize their obligations both to the profession they practice and to those who provide support for this practice to adhere to the basic standards of scientific investigation.

4. This code defines professional ethics and practices in the field of public opinion research. Adherence to this code is deemed necessary to maintain confidence that researchers in this field are bound by a set of sound and basic principles based on experience gained over many years of development.

II. RULES OF PRACTICE BETWEEN RESEARCHERS AND SPONSORS

A. Responsibilities of Researchers

5. The objective study of facts and data, conducted as accurately as permitted by the available resources and techniques, is the guiding principle of all research.

6. In executing his/her work, the researcher should make every reasonable effort to adhere exactly to the specifications proposed to and accepted by the sponsor. Should the researcher find it necessary to deviate from these specifications, s/he should obtain the sponsor's prior approval.

7. The researcher should in every report distinguish his/her actual data from observations or judgments that may be based on other evidence.

8. The researcher should not select tools of data collection analysis because of the likelihood that they will support a desired conclusion, if that conclusion is not scientifically warranted.

9. Whenever data from a single survey are provided for more than one sponsor or when data are provided to several sponsors, the researcher should inform each sponsor of the fact.

10. Respondents should be informed of the sponsor of a survey unless the researcher and sponsor believe this will bias responses.

11. All information and material supplied by the sponsor for the research must remain confidential unless otherwise agreed between them.

12. Without prior consent of the sponsor, no findings from the commissioned research should be

disclosed by the researcher except as provided for in Section 18C. However, unless there is agreement to the contrary, the research techniques and methods, such as sampling designs, names of interviews, survey instructions, etc., used for the study remain the researcher's property, if s/he has developed them.

13. Except by mutual consent, data should not be sold or transferred by either the sponsor or the researcher to parties not involved in the original contract work.

14. Unless it is customary or specifically agreed to the contrary, all data, research documents (such as interviews and tests of sample households) or any other material used in the survey work should be the property of the researcher. The researcher is, however, required to provide for storage of this material for whatever period is customary in a particular country. This obligation should be considered fulfilled by storage in a recognized data archive, if necessary, with restricted access.

15. Upon completion of a research study and after the researcher has submitted his/her final report, the sponsor may request, according to previous, mutually agreed upon specifications, a duplicate set of all data prepared from the questionnaire, provided that the sponsor should bear the reasonable cost of preparation of such duplicates, and that respondents remain unidentified.

16. The researcher should be accurate in providing prospective sponsors with information about his/her experience, capacities, and organization.

B. Responsibilities of Sponsor

17. Potential sponsors asking for research proposals and quotations recognize that, in the absence of a fee being paid, such proposals and quotations remains the property of the researcher. In particular, prospective sponsors must not use the proposals of one researcher competitively in order to obtain a lowering of the price from other researchers.

18. Reports provided by the researcher are normally for the use of the sponsor and his/her agents. The researcher and the sponsor should agree regarding the means of dissemination of the complete or partial results of a research study.

(a) The sponsor and researcher should try to ensure that any publication of survey results will not be quoted out of context or distort any facts or findings of the survey.

(b) The researcher must be consulted in regard to the form of publication and is entitled to refuse to grant permission for his/her name to be quoted in connection with the survey where s/he considers clause (a) has been violated.

(c) If the researcher becomes aware of the appearance in public of serious distortions of the research, the researcher should publicly disclose what is required to correct these distortions, including, as appropriate, a statement to the public media or other groups, in or before which the distorted findings were presented.

C. Rules of Practice Regarding Reports and Survey Results

19. Every complete report on a survey should contain an adequate explanation of the following relevant points:

(a) For whom the survey was conducted and by whom it was carried out;

(b) The purpose of the study;

(c) The universe or population to which the results of the survey are projected;

(d) The method by which the sample was selected, including both the type of sample (probability, quota, etc.) and the specific procedures by which it was selected;

(e) Steps taken to ensure that the sample design would actually be carried out;

(f) The degree of success in actually carrying out the design, including the rate of non-response and a comparison of the size and characteristics of the actual and anticipated samples;

(g) a full description of the estimating procedure used for all results that are reported, including the sample size on which it was based and weighting procedures used to adjust raw data;

- (h) A full description of the method employed in the survey;
 - (i) The time at which the survey, if any, was done, and the time span covered in collecting data;
 - (j) The findings obtained;
 - (k) (Where the nature and the research demand it) the characteristics of those employed as interviewers and coders and the methods of their training and supervision;
 - (l) A copy of the interview schedule or questionnaire and instructions.
 - (m) Which results are based on parts of the sample, rather than the whole sample?
 - (n) A description of the precision of the findings, including, if applicable, estimates of sampling error.
20. Technical terms should be employed in a survey report in accordance with their commonly understood scientific usage.

III. RULES OF PRACTICE BETWEEN RESEARCHER AND RESPONDENTS

D. Responsibility to Informants

21. No informant or respondent must be adversely affected as a result of his/her answers or of the interviewing process. The researcher should use no methods or techniques by which the informant is put in the position that s/he cannot exercise his/her right to withdraw or refuse his/her answers at any stage of the interview.

22. No response in a survey should be linked in any way to an identifiable respondent. The anonymity of respondents should be respected, except in rare cases, with the respondent's specific permission. The interview method should never be used as a disguise for a sales solicitation.

23. For Interviewers

(a) Research assignments and materials received, as well as information from respondents, should be held in confidence by the interviewer and revealed to no one except the research organization conducting the study.

(b) No information gained through a research activity should be used, directly or indirectly, for the personal gain or advantage of the interviewer in his/her relations with the respondents.

(c) Survey work should be conducted in strict accordance with specifications. No interviewer should carry out more than one assignment in contact with the same respondents unless this is authorized by the research organization and its clients.

IV. RULES OF PRACTICE BETWEEN RESEARCHERS

24. The principle of fair competition, as generally understood and accepted, should be applied by all researchers, even in cases where they may be the sole operators in their country.

25. In their personal and business relationship, researchers will be governed by the tradition of common respect among colleagues in the same profession.

26. No outside pressure, political or commercial, can be used by a research organization to justify violation of this code.

27. Members should not try to turn to account or put into evidence the fact of their membership in WAPOR as a token of professional competence. Membership implies no guarantee of qualification, but it does imply acceptance of this code.

Annex 15.

Rules of Admitting Persons to Court Buildings and Vehicles to Court Premises

STATE JUDICIAL ADMINISTRATION OF UKRAINE
MINISTRY OF INTERNAL AFFAIRS OF UKRAINE

ORDER

September 12, 2005 # 102/765
Registered at the Ministry of Justice of Ukraine
On November 2, 2005 under
1322/11602

On Approving Rules of Admitting Persons to Court Buildings and Motor Vehicles on their Territory

In order to fulfill requirements of Laws of Ukraine “On the Judiciary of Ukraine” (3018-14), «On Police» (565-12) **we hereby ORDER:**

1. To approve Rules of admitting persons to court buildings and motor vehicles to their territory (attached).

2. To the heads of the territorial SJA offices in the Autonomous Republic of Crimea, oblasts, the cities of Kyiv and Sevastopol, jointly with heads of the Ministry of Internal Affairs (MIF) main departments in the Autonomous Republic of Crimea, the city of Kyiv and Kyiv Oblast, MIF departments in oblasts and the city of Sevastopol, in line with the requirements of these Rules, to take actions to ensure proper working conditions in courts for judges and court employees, to ensure their personal safety, safety of persons visiting court buildings, to ensure detection and cessation of public order offences in court buildings, to support the order of entry of motor vehicles on the territory of court institutions.

3. To the SJA Department of Organization of Work of Bailiffs, Safety and Independence of Judges (V.D. Gayduchenko) to ensure submission of this Order in accordance with the established procedure for registration with the Ministry of Justice of Ukraine.

4. Control over implementation of the Order rests with Deputy Head of the State Judicial Administration of Ukraine L.V. Bogdanov and Deputy Minister of Internal Affairs of Ukraine V.M. Rudik

Head of the State Judicial Administration of Ukraine

I.I. Balaklytsky

Minister of Internal Affairs of Ukraine

Y.V. Lutsenko

APPROVED:

Head of the Department of the State Guard of Ukraine
Deputy Chief Justice of the Supreme Court of Ukraine

P.V. Pliuta

M.P. Selivanov

APPROVED

Order of the State Judicial Administration of Ukraine
And the Ministry of Internal Affairs of Ukraine of

1.1.2005 #102/765

Registered at the Ministry of Justice of Ukraine on
November 2, 2005 # 1322/11602

RULES**On Admitting Persons to Court Buildings and Motor Vehicles to Their Territory****1. General Provisions**

1.1. These Rules are called to establish a procedure for admitting persons to court buildings and motor vehicles to their territory to maintain civil order in courts, cease displays of contempt for court, as well as to protect court premises, to fulfill the function of state protection of judges and court employees, and to ensure safety of parties to proceedings.

1.2. These Rules should not extend to admitting persons to buildings of the Constitutional Court of Ukraine, Supreme Court of Ukraine and the High Commercial Court of Ukraine.

1.3. Should an official attend a court which is under state protection, the order and procedure of interaction with the police and military of the Department of the State Guard of Ukraine should be established by a joint regulation by the Department of the State Guard of Ukraine, the Security Service of Ukraine, and the Ministry of Internal Affairs of Ukraine.

1.4. The admittance procedure/order should be carried out by employees of the special unit of the police “Griyfon” (hereinafter referred to as “Court Police”).

1.5. While carrying out their functions to admit persons to court buildings, police employees’ actions should be based on the effective legislation of Ukraine and these Rules.

1.6. The admission procedure and maintaining of the public order in court buildings may not be associated with activities that cause persons physical or moral sufferings as a result of physical or psychological influence or degrading treatment.

1.7. At the entrance to court buildings, there should be crossing/security points equipped with corresponding technical means of control and communication.

1.8. For storing items that are prohibited from entering court premises, there should be lockers next to security points.

1.9. Equipping the security points and lockers should be the responsibility of corresponding courts.

1.10. Control of admitting persons to court buildings should be given to the commanding officer of the court police unit.

1.11. These Rules should be placed in a court building in a visible and easily accessible location

2. Procedure of admitting persons to court buildings

2.1. Information about court visitors should be entered into a visitors log by court police employees.

2.2. Admittance of people's deputies of Ukraine of the current convocation should be carried in accordance with Part three of Article 17 of the Law of Ukraine "On the Status of the People's Deputy of Ukraine" (2790-12).

2.3. Admittance of retired judges to court buildings should be carried out in accordance with Part eleven of Article 44 of the Law of Ukraine "On the Status of Judges" (2862-12).

2.4. The following categories should be admitted to court buildings using special technical means:

2.4.1. Court employees of the corresponding court upon presenting their staff ID pass.

2.4.2. Employees of law enforcement bodies, courier services, and special communications units upon presenting their staff ID pass.

2.4.3. Persons who participate in criminal, civil and administrative proceedings, in accordance with a list made by the court chancellery or upon producing a subpoena, court resolution and their ID.

Should a visitor fail to present his/her ID, a police officer via a bailiff (a trial secretary) should identify the visitor, and act in accordance with the presiding judge's instructions.

2.4.4. Trainees and other persons who are temporarily involved in carrying out activities in the court premises, according to the list approved by a chief judge of the corresponding court, upon presenting their ID.

2.4.5. Visitors attending open court hearings upon producing their ID.

2.5. Admittance of visitors to court buildings and on their territory should be allowed on business days in accordance with the established in court work hours.

3 From 22:00 till 6:00 the admittance of visitors to court premises should be prohibited.

2.6. On days off, national holidays and non-working days, judges and court employees of the corresponding court should be admitted to the court building in accordance with the list approved by the chief judge and upon presenting their staff ID pass.

2.7. The mass media should be admitted upon producing their ID. Audio, video or film recording of court hearing should be carried out in accordance with the procedure established by the procedural legislation.

2.8. To court premises with firearms, gas spray guns, and devices that use cartridges with rubber or similar shells of non-lethal effect, sprays filled with substances with tear or irritation effect, should be admitted law enforcement body officers, courier services employees fulfilling their official duties, as well as court employees upon producing a permit for such arms.

Firearms and cold steel arms, other items dangerous to the life and health of citizens, objects and substances that are evidence in cases that are being decided, should be allowed in court premises only if accompanied by a procedural document and a bailiff.

2.9. ER medical staff, fire and emergency services, should be admitted to court buildings only after a corresponding entry in a visitors' log has been made.

2.10. Should there be an emergency, disruption of technical communications, court police officers should admit employees of corresponding city repair services after having entered their family names

and time of work into a visitors' log, and immediately inform a chief judge, court police officer on duty, and a local city, rayon department of internal affairs officer on duty.

3. Procedure of admitting motor vehicles to court territories

3.1. Admittance of motor vehicles to court territories should be carried out via a security point for motor vehicles, equipped with technical control and communications means, followed by an entry in a motor vehicle entrance (exit) log.

3.2. The following motor vehicles should be allowed to enter court territories:

Motor vehicles in accordance with the list approved by a chief judge;

Special motor vehicles escorting defendants, upon a request to enter made by the senior officer of the convoy unit;

Motor vehicles that take special measures to ensure safety of court employees, law enforcement bodies and persons that participate in criminal proceedings, after the senior officer of the unit presents a staff pass and the senior office of the personal guard unit certificate/ID of an established form.

On call ambulance motor vehicles, fire and emergency services motor vehicles accompanied by and under control of court police officers that carry out admittance of persons to court premises.

3.3. Entrance (exit) of motor vehicles during the dismounting (mounting) from special motor vehicles of persons that have been transported to court hearings under police escort should be prohibited.

3.4. Entrance (exit) to court territories of persons via security check points for motor vehicles should be prohibited.

4. Limitations regarding admittance of persons to court premises

4.1. During closed court hearings, admittance of persons to the court room should be limited in accordance with the justified resolution of the presiding judge.

4.2. It should be prohibited to admit persons to court premises:

If they are intoxicated, which insults human dignity and morals (alcohol or narcotic intoxication);

With animals;

If they carry highly inflammable, explosive, radioactive or poisonous substances;

If they carry cut and thrust objects;

If they have luggage; big bags, packets whose dimensions exceed 45x35x15 cm.

Deputy Head
SJA of Ukraine

L.V.Bohdanov

Head of the Pubic Security Department,
Ministry of Internal Affairs

V.I.Mayevsky

Annex 16.

Code of Judicial Ethics

APPROVED by the XIth Congress of Judges of Ukraine on February 22, 2013

PREAMBLE

Ensuring everyone's right to judicial protection based on the rule of law principle and rendering justice on behalf of the state of Ukraine solely on the basis of the Constitution, laws of Ukraine and international treaties of Ukraine to the binding nature of which the Verkhovna Rada of Ukraine gave its consent present high requirements to moral qualities of every judge.

Realizing the importance of their mission, with the aim of strengthening and maintaining public trust in the judiciary, judges of Ukraine should deem they are obliged to demonstrate and promote high standards of conduct, therefore, they voluntarily commit themselves to substantial limitations as to the conformity with the rules of ethics both while rendering justice and off the bench.

Governed by the Constitution of Ukraine, Law of Ukraine on the Judiciary and Status of Judges, taking into account Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms according to which everyone is entitled to a fair trial, International Covenant on Civil and Political Rights; the UN Basic Principles on the Independence of the Judiciary which were approved by Resolutions of the UN General Assembly dated November 29 and December 13, 1985; Procedures for the Effective Implementation of the Basic Principles on the Independence of the Judiciary approved by the Resolution of the UN General Assembly dated December 15, 1989; Bangalore Principles of Judicial Conduct approved by the Resolution of the Economic and Social Council of the United Nations dated July 27, 2006; European Charter on the Statute for Judges; Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities, the Congress of Judges of Ukraine approves this Code of Judicial Ethics the provisions of which are aimed at establishing ethical standards pertaining to the status of a judge.

SECTION I

GENERAL PROVISIONS

ARTICLE 1

A judge should serve as an example of strict observance of the law, rule of law principle and judicial oath and compliance with high standards of conduct to strengthen public trust in the integrity, independence, impartiality and fairness of a court.

ARTICLE 2

A judge should avoid any improper influence on his/her activities pertaining to the administration of justice and be independent of his/her colleagues in the process of making decisions. He/she is not entitled to use his/her judicial status to advance personal interests or interests of other persons or allow other persons to do this.

ARTICLE 3

A judge should make every effort for his/her conduct to appear impeccable to a reasonable, law-abiding and well-informed person.

ARTICLE 4

Violation of the rules of ethical conduct established by this Code cannot by itself be used to establish grounds for judicial disciplinary liability and determine the gravity of misconduct.

SECTION II
JUDICIAL CONDUCT IN THE ADMINISTRATION OF JUSTICE**ARTICLE 5**

Judicial independence in the administration of justice constitutes the precondition for implementing the rule of law principle and is an integral part of a fair trial.

ARTICLE 6

A judge should discharge his/her official duties independently and be governed only by the facts established by way of his/her own assessment of evidence, based on his/her understanding of law, and rule of law which is a guaranty of a fair trial, regardless of any external influences, stimuli, threats, interferences or public criticism.

ARTICLE 7

A judge should discharge the duties entrusted to him/her diligently and impartially and take actions to improve his/her knowledge and practical skills.

ARTICLE 8

A judge should render justice within the limits and according to the procedure established by procedural law and demonstrate tact, courtesy, self-control and respect towards the participants in proceeding and other persons.

ARTICLE 9

In rendering justice a judge should avoid showing any signs of disrespect to a person based on race, sex, nationality, political views, social and economic status, disability, etc. and should not allow others to do this.

ARTICLE 10

A judge should discharge his/her judicial duties impartially and without bias and refrain from any conduct, actions, or statements that may raise doubts as to the equal status of judges, assessors, and jurors in the administration of justice.

ARTICLE 11

A judge should demonstrate respect to the right to information about court proceedings and should not allow violations of the principle of openness of court proceedings. A judge, within the procedure established by law, may provide the media with a possibility to obtain information, while not violating the rights and freedoms of citizens, damage of their honor and dignity, authority of justice.

ARTICLE 12

A judge should not make public statements, comment in the media on pending cases and cast doubt on judgments that came into force. A judge should not disclose information which became known to him/her in connection with consideration of a case.

ARTICLE 13

A judge, who occupies an administrative position in court, should avoid conduct, actions or statements

that may raise doubts as to the equal status of judges and the fact, that professional judges collectively address issues regarding the organization of court operations.

ARTICLE 14

A judge should avoid ex parte communication with one of the parties or its representative in the absence of other parties.

ARTICLE 15

Impartial consideration of cases is a principal duty of a judge. A judge has a right to self-recusal in cases provided for by procedural law, if there is bias towards one of the parties and if a judge has personal knowledge of evidence or facts which may influence the outcome of the case.

A judge should not abuse the right to self-recusal.

A judge should recuse himself/herself if it is impossible for him/her to make an objective judgment in a case.

SECTION III JUDICIAL CONDUCT OFF-THE-BENCH

ARTICLE 16

A judge may not belong to any political party and professional unions, participate in any political activity, have a representative mandate, occupy any other paid positions or do any other paid work, except for academic, teaching and works of art. A judge should give priority to judicial functions over all other activities.

ARTICLE 17

A judge has a right to participate in civil society activities, public events, if they do not damage his/her status and authority of a court and cannot influence the administration of justice, however, he/she has to avoid unrighteous contacts which can influence his/her independence and impartiality.

ARTICLE 18

A judge should be aware of his/her financial interests and take reasonable steps to be aware of the financial interests of his/her family members.

ARTICLE 19

A judge should take into account that family, social, or other relationships and interference from legislative and executive branches should not impact judicial conduct in rendering judgments.

ARTICLE 20

It is acceptable for a judge to have a social network account, use Internet-forums and other forms of online communication, however, a judge may post and comment only on information which does not undermine the authority of a judge and the judiciary.

Annex 17.

Rules of Conduct for Court Employees

Approved by the Council of Judges of Ukraine

February 6, 2009

Preamble

These Rules are aimed at establishing standards of moral integrity and appropriate conduct for court employees on the basis of observance of personal, professional and organizational ethics in order to uphold the prestige, independence and efficiency of the judicial branch and to enhance public confidence in the courts.

These Rules establish the general conduct requirements by which court employees must be guided when (and beyond) performing their official duties.

Conduct requirements for individual court employee categories must comply with those established by these Rules.

Chapter I. General Provisions

1.1. These Rules should apply to any person working in a court except for judges. Apart from these Rules, state employees of courts should also be subject to the General Rules of State Employee Conduct.

1.2. These Rules is a supplementary document to the policies, procedures and provisions of court employee employment agreements.

1.3. The Rules should be part of labor conditions, an integral part of job descriptions, provisions and agreements regulating the employment of court employees after they confirm that they are familiar with the rules and give their consent to observe them from the moment of being employed by the court according to the legislation of Ukraine.

1.4. A court employee should observe high standards of conduct to ensure the independence of the judiciary.

1.5. A court employee should require of other employees under his/her supervision to observe these Rules.

Chapter II. Personal Ethics

2.1. The ethical conduct standards for a court employee should be based on the norms of life in society and on respect for human dignity.

A court employee may lose dignity through any act disgracing his/her dignity as a human being and negatively impacting the professional prestige and trust in him/her as a court employee and in the court as a specific state establishment and an institution of the judiciary in general.

2.2. *Respect for others* (*respect for colleagues, mutual assistance*)

Each court employee should:

treat all court visitors, employees and users in a polite and respectful manner;

remember that each person applying to court has a right to respectful treatment, assistance and attentive service and that his/her problems cannot be regarded as burdensome.

2.3. A court employee should be obliged to:

respect the experience, professional expertise and efficiency of efforts of his/her colleagues as well as professionals in other areas;

practice necessary cooperation in order to enhance the quality of services;

respect different viewpoints and practical experience of colleagues as well as other professionals,

avoid no constructive criticism of colleagues and assume individual responsibility for public criticism of their work;

avoid spreading deliberate rumors or using abusive words as inadmissible;

strive for new knowledge and experience through exchange of information with colleagues and other specialists so as to improve qualification;

promote discussions of ethical violations among his/her team members.

2.4. *Tolerance*

A court employee should:

perform his/her duties with respect for human rights and freedoms;

treat all and everyone without bias or discrimination (by word or action) on grounds of race, religion, ethnicity, gender, political affiliation, social origin, proprietary or official status, language of communication or other circumstances;

grant no advantage to public or religious associations, professional or social groups, organizations, companies, or citizens;

show respect for moral customs and traditions of peoples taking into consideration cultural and other specific features of different ethnic or social groups or religious confessions/denominations.

Chapter III. Standards of Court Employee Conduct

3.1. *Legality*

In his/her professional as well as outside court activities, each court employee should be obliged to:

observe the Constitution of Ukraine and the laws of Ukraine;

strive to be informed of all requirements of laws, bylaws, rules and procedures regarding his/her official duties and steadily observe them.

3.2. Professionalism (*promptness of work, politeness, good verbal communication skills, punctuality, observance of business ethics requirements, culture of telephone communication, teamwork, continuous education, respect for others, conscientious performance of duties, efficient use of working time*)

A court employee should:

perform his/her official duties fairly and conscientiously, according to the job description, at a high professional level, in a timely and efficient manner;

resolve tasks related to performance of official functions in a self-reliant, highly organized, exacting and principled way;

abstain from actions preventing other court employees from performing their official duties;

not assume without an order from the manager any responsibilities beyond the scope of the official duties.

A court employee's professional approach to working with colleagues and visitors may be demonstrated through his/her expedient efforts to reach a result, good written communication skills, good verbal communication skills, punctuality; observance of norms of etiquette; culture of telephone communication; wiliness to do the work; teamwork skills; continuous training (self-perfection, systematic improvement of his/her professional level); demonstration of respect for others; compliance with the professional dress code; performance of his/her duties in a conscientious and polite manner.

3.3. Fairness and impartiality. Responsibility to the public

A court employee should:

be impartial and effective, perform all his/her duties in the best way, skillfully, justly and understandingly, taking into account social interests and relevant circumstances of the case;

treat citizens, experts, witnesses, lawyers, prosecutors, judges, and other employees in a respectful manner, be patient, polite and benevolent;

avoid expressing his/her own assessment and comments regarding court decisions.

3.4. Appearance

A court employee should be tidy, wear decent business attire and avoid extravagance; wear a badge indicating his/her last name, first name and patronymic, give his/her name at the first request of court visitors.

3.5. Composure

A court employee should:

maintain a high standard of communication with citizens, participants in court proceedings, judges, and his/her own colleagues;

be friendly, communicate in a smooth, calm tone of voice, avoid excessive gesturing;

not respond to insults, accusations or criticism from citizens, participants in court proceedings or other court employees in a similar way or through other manifestation of aggression which disgraces the honor and dignity of a person.

Tolerant and conscientious court employees may expect support and understanding from their administration/management in case of conflicts.

3.6. Confidentiality of information

A court employee should:

at the first request, provide information according to the law, rules and requirements related to the court in which he/she works;

take measures to ensure security and confidentiality of information for which he/she is responsible or which he/she comes to know;

not try to get access to information which he/she is not authorized to have;

conscientiously use information which he/she may obtain during work or which is related to the performance of his/her official duties.

The duty of court employee to maintain confidentiality of information is not limited in time, is unrelated to working hours or to the employment period.

3.7. Understanding and assistance

A court employee should:

perform his/her functions taking into account the level of knowledge of the person who turned to him/her for help and use the terminology that such person can understand ;

provide assistance regarding the information on standard court procedures without giving any advice of a legal nature while doing so.

3.8. Consistency

A court employee should be obliged to act at all times in a manner that maintains and promotes public confidence in the integrity, impartiality and effectiveness of the judiciary.

3.9. Prevention of conflict of interest

3.9.1. Conflict of interest – a conflict between private/personal interest of a public servant and his/her official duties. Such competing interests can impact the objectivity and impartiality of decision making as well as actions or failure to act in the course of his/her official activities.

3.9.2. Private interests – any interests of a public servant conditioned by personal, family, friendly or any other off-the-office relations with other persons including personal property interests and nonproprietary interests.

3.9.3. A court employee should be obliged to:

avoid any situations which might cause a conflict of interest;

not resort to any actions which might be beneficial to any of the parties to a case or lawyers taking part in the proceeding;

abstain from actions which might create an appearance of favoring one of the parties over the other.

3.9.4. A court employee must not:

influence or try to influence the process of consideration of cases by judges;

allow his/her personal, family, social or other relations to influence his/her official activities;

use his/her official position for personal benefit or in the private interests of other persons.

3.9.5. Court employees should be prohibited from deliberately promoting or recommending their close relatives to be employed by the court in a manner of by-passing the established procedure.

3.10. *Incompatible external interests*, (*prevention of corruption, susceptibility to external influence, political or public activities, gifts, proposals or advantages, financial activities, disclosure of income*)

3.10.1. A court employee must act in a politically neutral way.

A court employee should be prohibited from receiving, directly or indirectly, gifts from legal entities or individuals:

for decisions, actions or failure to act in their interests,

if acceptance of such a gift might cause a conflict of interest or create an impression of such a conflict;

if the person presenting the gift is subordinate to the subject of fair conduct;

in the event of other motives which would not arise if the person receiving the gift were not a public servant.

3.10.2. A court employee who believes that there is an attempt to force him/her to act in a way which is unlawful, inappropriate or unethical, related to unfair administration or in any other way failing to comply with these Rules must immediately report this to the relevant body or to a person designated by the chief judge.

3.10.3 Gifts should not include any benefits received not only by the court employee but also by other subjects and which are not the reason for granting of illegitimate benefits or advantages to certain persons by the subject and are not perceived as a reward for certain actions or failure to act on the part of the subject of fair conduct in the interests of other persons.

3.10.4 Gifts should be recognized as having been presented in an indirect way if:

the gift was received by persons who are close relatives of the subject of fair conduct or by other individuals or legal entities related to him/her, if the subject of fair conduct was aware or should have been aware of it;

the gift was presented to any other individual or legal entity upon consent, recommendation or through other analogous manifestation of the will of the subject of fair conduct.

3.11. *Conduct of a court employee*

A court employee's out-of-court conduct must neither cause any doubt as to his/her decency and honesty nor have a negative impact on the operation or reputation of the court.

Court employee should avoid situations which might endanger the health or security of their colleagues; avoid causing harm to the environment.

During non-working hours, court employee should behave so as not to undermine the dignity of his/her profession or public confidence in the judiciary.

Chapter IV. Incentives

4.1. In the event of conscientious observance of these Rules, based on annual assessment (attestation) results, each court employee can expect support, appropriate incentives from the administration, and/or career promotion, etc.

Chapter V. Responsibility

5.1. Improper observance by a court employee of his/her duties or exceeding of his/her authority, depending on the nature of the breach, as well as violation of the requirements of these Rules can serve as a basis for disciplinary, administrative, or criminal liability.

The liability should occur within the limits and according to the procedures established by the current legislation.

Chapter VI. Final Provisions

6.1. These Rules should be an additional resource for interpreting the official duties of court employee and a part of (supplement to) the standard rules of internal labor regulations.

6.2. These Rules should take effect on the date of their approval. Within a month the Rules should be made known to court employees who at the time of the Rules' approval will be in legal labor relations.

6.3. Each court employee should familiarize himself/herself with the Rules and sign the statement (see Appendix 1). The statement must be handed over to the personnel unit to be archived; the employee should keep a copy of the statement.

Appendix No. 1
to Rules of Conduct
for Court Employees

I, _____

(last name, first name, patronymic)

have familiarized myself with the Rules of Conduct for Court Employees and agree to observe them.

I have received a copy of the Rules.

Signed: _____

Date: _____

Annex 18.

Sample Analytical Report Structure

EVALUATION OF COURT USER SATISFACTION WITH THE PERFORMANCE OF COURTS
 (... court, court)
 Report on Study Results

1. INTRODUCTION (prepared by the experts of the project that initiated the survey)

Activity of the project in the field of court performance evaluation by the public, importance of taking into account public opinion;
 Comparison of national opinion surveys and court user surveys (persons with direct experience of dealing with the court);
 General information about the survey: principles for the selection of pilot courts and project partners, expected results, etc.

2. METHODOLOGY OF THE STUDY (prepared by the experts of the project)

Why CRC Methodology?

Survey goals and objectives

Approaches to evaluation of the quality of work of the court

World experience in setting such standards
 Quality standards of court performance in Ukraine
 Indicators of court performance evaluation
 Main measurements for court performance evaluation

Organization and program of the study (stages of the study) (prepared by NGO)

(pay attention to the focus-groups the results of which have been used before and after the survey)

3. RESULTS OF THE STUDY (...1) COURT¹⁶ (prepared by NGO)

Preamble: General information about the court (no more than half a page)

General description of the court
 Number of cases by types of court proceedings (case turnover),
 Staff, workload of judges
 Logistics

Socio-demographic and procedural characteristics of trial participants (descriptive part)

Age (№1), Sex (№2)
 Education (№3,4), Place of residence (№5)
 Welfare (№6)

¹⁶ If possible, the analysis and findings should contain justification/explanations based on the results of FGDs.

Previous experience at the court (№8)
Procedural status (№7), type of court proceedings (№9) stage of process (№10)
Awareness of the work of the court and judges in general (№11) to the questions #1, 4, 8.

3.1. GENERALIZED EVALUATION OF THE QUALITY OF THE WORK OF THE COURT (prepared by NGO)

Results have to be represented as an average score based on a «1» to «5» scale.
Make a preamble and findings before/after each figure.

1) General court performance evaluation (№12)

Link to socio-demographic and procedural characteristics of the respondents, especially with №№ 1, 4, 7, 9, 10, 11

Link to Question №50, marking out the specific category of respondents – those who had lost their case

Link to the question about available logistic support (№55)

2) Impressions from visiting the court (expectations) (№56)

Link to socio-demographic and procedural characteristics of the respondents, especially with №№ 1, 4, 7

3) Changes in court performance as a whole (№57)

Link to socio-demographic and procedural characteristics of the respondents, especially with №№ 1, 4, 7, 8, 9, 10

Link to the implementation of automated case management (№№ 58, 59-коментарі)

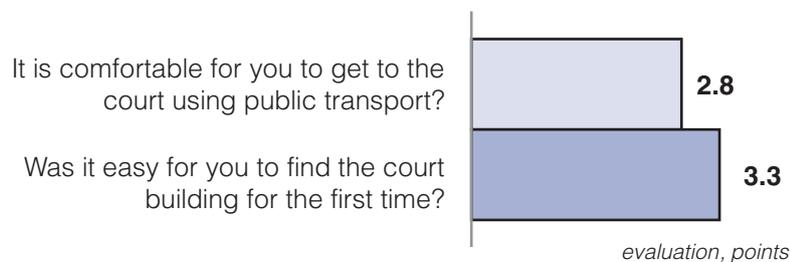
3.2. PERFORMANCE EVALUATION BASED ON SPECIFIC MEASUREMENTS (prepared by NGO)

Prepare conclusions for each figure

Present results as an average score based on a «1» to «5» scale.

On performance measurement figures show the group of indicators that characterizes the measurement as a whole, for example:

Fig. 3.1. Territorial accessibility of the court



Link the analysis to socio-demographic and procedural characteristics of the respondents. The analysis should include only those measurements, the spread of answers to which is interesting (i.e. the availability/absence of connection with additional characteristics gives grounds for interesting conclusions). Below are provided the most recommended for each measurement.

Territorial accessibility of court

(questions №№ 13,14) link with №№ 1, 5, 6

Comfort of stay at the court

(questions №№ 15-19) link with № 1 (with an emphasis on elderly people)

Completeness, accessibility and clarity of information

(questions №№ 20-26) link with №№ 1, 3, 4, 7, 8

Admissibility of payments

(questions №№ 27, 28) link with №№ 1, 6

Observation of terms for consideration of the case (filter by Question 10)

(questions №№ 29-33) link with №№ 4, 7, 8, 9

Attitude towards the work of court staff (filter by Question 10)

(questions №№ 34-40, analyze Question № 34 separately based on text)

Link with №№ 1, 3, 4, 7, 8

Attitude towards the work of judges (filter by Question 10)

(questions № 41-46) link with №№ 4, 8, 9

Mark separately «**quality of court decision**» (questions №№ 48-51)

Stress the category of respondents for whom the process has been completed (№10), but the decision on the case has not been received yet (№47). If possible, indicate the reasons for the delay.

Analyze separately the text of Question № 52

**3.3. PROPOSALS OF THE RESPONDENTS ON PERFORMANCE IMPROVEMENT
(prepared by NGO)**

Analysis of importance of quality measurements (№53) link with:

General evaluation of court performance (№12)

Proposals on specific changes (№ 54). Results have to be provided in table format, ranking the quality measurements from most to least important for the respondents:

<i>Quality measurements</i>	<i>Improvement proposals</i>

Analysis of the issue on the available logistic support (№55) link with socio-demographic and procedural characteristics of the respondents, especially with №№ 4, 7, and 8.

3.4. FINDINGS AND RECOMMENDATIONS (prepared by the NGO)**Findings** (generalized)**Recommendations** (structured according to court performance measurements)

Territorial accessibility of court

Comfort of stay at the court

Completeness, accessibility and clarity of information

Admissibility of payments
Observation of terms for consideration of the case
Attitude towards the work of court staff
Attitude towards the work of judges

4. RESULTS OF THE STUDY AT (...2) COURT (same as the structure of Chapter 3) **(prepared by NGO)**

ANNEXES (prepared by NGO)

Spread of the answers of the respondents to the questions

About the organization that conducted the study (NGO)
About the project – initiator of the survey

General requirements for formatting the report

Font Arial, 12, single space indent
Headlines and sub-headings should be marked in **Bold**
Every section starts from a new page
Numeration of pages – below in center
Titles of tables (above) and charts (below) should be located in center, marked in **Bold**, numeration within the section

Annex 19.

Sample Press Release

[Organization logo]

FOR IMMEDIATE RELEASE

September 29, 2009

Contact: Maryana Kondratiuk

Telephone: add telephone number here

Press Release

In September, a survey project “Improving Quality of Court Services through Evaluation of Public Perception» (Public Satisfaction Survey of Court Performance Using Citizen Report Card Methodology in Volyn Oblast) launches in Volyn.

On Thursday, October 1, 2009 at 11:15 am, the United States Agency for International Development (USAID) Ukraine Rule of Law Project will host a round table discussion in the “Ukraine” hotel (2, Slovatska Street) on “Effective communication: courts and society. Tools for ongoing improvement”. Joined by representatives of Volyn Oblast courts, the event will use Volyn Oblast’s experience in analyzing key communication issues between its representatives and court users to develop effective tools for systematically improving judicial functions and administration.

The presentation will feature a discussion of pressing issues faced by the Ukrainian judiciary, the level of public trust in courts to facilitate development of unified requirements and effective toolkit to improve cooperation between courts and the community.

Lately, we have witnessed a reduced number of citizens that while being in conflict choose not to bring the matter before court. At the same time, percentage of citizens that have addressed a court but felt it was unsuccessful, is growing. Also, we are observing that the public trust in the judiciary is declining.

This is why the project “**Improving Quality of Court Services through Evaluation of Public Perception» (Public Satisfaction Survey Of Court Performance Using Citizen Report Card Methodology in Volyn Oblast)** has been launched in Volyn. Within the frame of its implementation, the main activities will be conducting the Citizen Report Card (CRC) methodology-based surveys in identified courts. Citizens – court visitors will be asked to answer more than 60 questions covering several areas of court operations. The answers analysis and developed recommendations are called to facilitate better openness and efficiency of courts for the public.

Representatives of Volyn Oblast courts, officials, USAID Ukraine Rule of Law Project experts, NGO representatives and other interested parties will participate in the round table discussion.

The “Effective Communication of Courts and Society: Tools for Ongoing Improvement” roundtable is supported by the United States Agency for International Development (USAID) Ukraine Rule of Law Project.

Annex 20.

Sample Letter to the Court with the Survey Findings and Recommendations

By the example of a letter from “CCC Creative Center” to the Chief Judge of the Ivano-Frankivsk Oblast Court of Appeals that participated in the court performance survey in 2008 – 2010.

March 31, 2010 # 01-01/54/2

Tel.: 380 44 574 64 11

Fax: 380 44 574 64 13

To: Mr. Gvosdyk,

Head of Ivano-Frankivsk Oblast Court of Appeals

Dear Mr. Gvozdyk,

Let me express our deep respect and request the following:

From July 2009 through March 2010 the “CCC Creative Center” Charitable Fund with the support of USAID Rule of Law project conducted a study in your court under project “**Improving Quality of Court Services Through Evaluation of Public Perception**” (**Public Satisfaction Survey Of Court Performance Using Citizen Report Card Methodology in Ivano-Frankivsk Oblast**) (Phase II of the program). The objective of the study was to evaluate the level of citizens’ satisfaction with the quality of services provided by three courts of Ivano-Frankivsk oblast and develop recommendations regarding possible ways of improving court performance of those courts from the public perspective.

In the process of the study in your court we examined the conditions under which court provides services to citizens, court facilities, how convenient and comfortable they are for visitors. Monitoring of your court showed that there are appropriate conditions in your court as confirmed by positive feedback from court process participants and conclusions of our experts.

At the same time monitoring identified some problems, the removal of which is quite feasible even under the current resources and possibilities. More details about priority challenges/tasks you can find in RECOMMENDATIONS (see Annex #1 to this Letter).

We hope that those recommendations will be of use to you and will help improve court performance.

We appreciate your support in conducting the study in your court. We highly appreciate your assistance and conscious readiness to do your best to improve court performance.

In our turn, we are ready to further cooperate with your court and provide assistance, specifically in continuing the study, establishing and developing relations with mass media, conducting training for court staff, etc.

With respect,

Volodymyr Kupriy,
Executive Director

Annex 1 to the above Letter

Recommendations

Regarding improvement of Ivano-Frankivsk Oblast Court of Appeals performance

Public monitoring of the performance of Ivano-Frankivsk Oblast Court of Appeals showed that there were certain weaknesses which essentially impact the general perception of the quality of court functioning and the level of public trust. To overcome those weaknesses the following is proposed:

1. Conduct special training for those court staff who under their official duties directly deals with court visitors regarding specific features of dealing with citizens of different age groups, with emphasis on specific features of working with senior citizens.
2. Under public information efforts attention should be paid to additional explanations of how procedural norms impact the frequent incompliance with the schedule of court hearings. All possible efforts should be put into correcting the situation as it is just this measure of court performance which is the most important for court visitors. For example, the court can review the current practice of planning the hearings by increasing extra time for each hearing, concur prior (wherever possible) with parties the most convenient time for hearing, etc.
3. Improve (increase) the information of public on the introduced automated case management. For example, install a special thematic information stand which will present the explanation of advantages of such system and its positive impact on organizing the work of court.

Annex 21.

Sample Action Plan for Implementing Activities Based on Court User Surveys

Group work

Participants work in small groups, selecting from the results (recommendations) list three main results, which they believe to be important for the improvement of court functioning, and prepare a plan for their use (possible causes, improvement activities, necessary actions, etc.) based on the following chart

Main Re- sults	Possible Causes	Suggested Activities	Expected Risks/ Obstacles	Necessary Actions (changes in internal procedures, regula- tions, instructions, or changes in practices, etc.	Who has to initiate actions (changes)?

Annex 22.

Glossary

Questionnaire	- a series of questions and other prompts arranged by the content and form, in the form of a check list or an inquirer
<i>Multistage sampling</i>	- Sampling that is phased as follows: at phase one, the researcher randomly selects rather large sample elements; at phase two, within each selected during phase one element, a sampling base is formed that is used for selecting elements within it, and so forth in accordance with the number of sampling phases
<i>Sample</i>	- The subset of elements of observation selected from a population in accordance with certain rules that provide for the sample representativeness for statistical observation.
<i>Sampling</i>	- Scientifically justified system of rules of selection of units and methods of characterizing the subset of surveyed units under consideration. Sampling provides for an opportunity to make inference to the population.
<i>Random sampling</i>	- Sampling based on objective rules of random sampling in the course of which each element of the frame has a certain distinct from zero probability of selection.
<i>Variation ratio</i>	- Gives an idea about statistical similarity of results of multiple application of sampling` study procedures to similar sample design. Measured in percentage. The smaller the variation ratio is the more reliable data are.
<i>Public opinion</i>	- Reflects a great diversity and at the same time homogeneity of the social consciousness, its commonplace vector set via value judgments about reality.
<i>Sample design (plan)</i>	- Organizational and logical model of a sample structure and principles of its formation. To a great extent, sample plan quality affects the sample representativeness.
<i>Sociological survey objectives</i>	- Method of achieving goals set in a program. In a sociological survey, there are the main and logically connected individual goals aimed at addressing main issues of the survey, as well as auxiliary tasks that are called to address related indirect issues.
<i>Questionnaire questions</i>	- A request made to respondents asking for information connected with the survey subject.

<i>Report on sociological survey results</i>	- The main document that contains summary of sociological data analysis and interpretation, findings, proposals and practical recommendations.
<i>Variable</i>	- Certain property (characteristic) that may be measured and may acquire different value for different analysis objects. Following types of variables are differentiated: quantitative and qualitative, nominal, constant, interval, order (rank).
<i>Interview</i>	- Type of survey in the course of which an interviewer face-to-face asks a respondent oral questions in order to gather sociological information.
<i>Interviewer</i>	- the person that conducts an interview or survey with the help of a questionnaire.
<i>Content analysis</i>	- the formalized method of text interpretation. Is used for studying a body of similar documents that contain similar content units and are of a similar structure.
<i>Interviewer's work quality assurance</i>	- Quality assurance of the filled out questionnaire or control of the conversation between an interviewer and a respondent carried out by outside persons (controllers). Interviewer's work quality affects the primary data quality.
<i>Sociological survey goal</i>	- Expected survey result, its model, key objective to be achieved.
<i>Reliability (Accuracy)</i>	Degree of proximity of estimated parameters to actual (exact) parameter values.
<i>Non-sample errors</i>	Errors connected with the essence of primary data (answers) or deliberate misrepresentation of its certain elements through an interviewer's or respondent's fault.
<i>Survey objects</i>	Social processes or phenomena, as well as social relationships that contain contradictions and cause problematical situations.
<i>Survey subject and object</i>	- Certain reality (its various sides, characteristics and relationships) the survey is aimed at evaluating.
<i>Sample size</i>	- The quantity of units in a sample that secures representativeness and proper quality of the survey results. Sample size depends on the variation of surveyed characteristics and permissible limit sampling error.
<i>Sample unit</i>	- the sampling unit that is a part of a sample.
<i>Social property</i>	- the observed property of a surveyed object that vicariously (via its structure, peculiarities, functions, etc.) Reveals its certain peculiarity, relationship, interaction.
<i>Survey</i>	The process of collecting data about a surveyed object by means of establishing a dialogue between an interviewer and a respondent with the help of formalized questions and answers thereto. A questionnaire is the most common survey tool.

<i>Organization of a sociological survey</i>	- comprehensive support provided in the course of the survey preparation and conduct in compliance with requirements established for a research. Allows for addressing issues in regards to work plan development, contacts with clients, funding, training of implementers, outreach.
<i>Base of a sample</i>	- the arranged in a certain manner inventory, a list of sample units.
<i>Sampling error</i>	- the difference between the actual value of a statistical parameter and its value estimated based on the sample, caused by the fragmented nature of the survey.
<i>Estimation error</i>	- the difference between estimated value of a parameter that characterizes a phenomenon and its actual value.
Problem of a survey	The problem connected with the discrepancy between social reality and its theoretical representation that requires application of certain survey methods, procedures and mechanisms to be addressed.
<i>Trial (pilot) survey</i>	- is called to verify reliability of methods and procedures of the main survey, scheme of its implementation and conduct, and should precede the main survey.
<i>Sociological survey program</i>	The main document of a survey, which reflects its general concept and ideology, establishes the survey procedure and work plan.
Ranking	one of methods of studying advantages when a respondent immediately during the survey process puts objects from a suggested set of items in order, ranking the objects in a questionnaire or ordering cards carrying objects' names.
<i>Representativeness</i>	- the property of a sample to fully and adequately represent main properties of a population.
<i>Respondent</i>	- the person who acts as a source of primary data during a survey
<i>Survey work plan</i>	- the document that reflects main procedures and phases of a sociological research, is a part of a program that defines terms of its implementation, implementers and funding details.
<i>Standard deviation</i>	- the degree of heterogeneity (variation) for properties measured by a metric scale. Square root of an average square of deviation of a parameter means value from its average value.
<i>Standard error</i>	- Square root of deviation of sample parameter values from the parameter value for the population.
<i>Social stratification</i>	- the hierarchical arrangement of population elements (or its part) into groups should they share a certain characteristic.
<i>Focus group discussion</i>	The qualitative method of gathering information based on a discussion between respondents about issues in question.
Sociological data quality	The properties of sociological data, including data collected in the process of a sociological survey, their capacity to accurately reflect social reality, one of elements sociological data quality.

Annex 23

Useful links to Ukrainian and International Resources

The Judiciary of Ukraine

www.court.gov.ua

Information about court practice, court statistics, addresses, names of leadership of judicial bodies, as well as information about international activities.

Unified State Registry of Court Decisions

www.reyestr.court.gov.ua

Pursuant to the Law of Ukraine “On Access to Court Decisions” of December 22, 2005 and the Cabinet of Ministers Resolution of May 25, 2006, access to court decisions must be provided via publication thereof on the official website of the judiciary of Ukraine. All the citizens have the right to access court decisions to foster openness of court operations and the uniformity of court practices.

Supreme Court of Ukraine

www.scourt.gov.ua

The Supreme Court’s web-site offers information about the Supreme Court of Ukraine’s operations, a list of cases under consideration, regulations affecting the judiciary, materials published in the mass media, etc.

Constitutional Court of Ukraine

www.ccu.gov.ua

This web-site provides information about the history and activities of the Constitutional Court of Ukraine, information for citizens, and the Constitutional Court’s by-laws and regulations.

High Administrative Court of Ukraine

www.vasu.gov.ua

This web-site offers information about activities of the High Administrative Court of Ukraine, the system of administrative courts of Ukraine, administrative justice, as well as a data base of the High Administrative Court’s rulings.

High Commercial Court of Ukraine

www.arbitr.gov.ua

This web page offers information about operations of local and appellate commercial courts, the High Commercial Court of Ukraine, and the practices of these courts; one may obtain information about cases under consideration in all commercial courts.

High Council of Justice

www.vru.gov.ua

The High Council of Justice is a constitutional body; its basic objective is to form, together with other state institutions, a highly professional corps of judges capable of qualified, honest and unbiased administration of justice. The High Council of Justice' web page offers information for citizens about the Council's employees and structure, corresponding regulations, and contact information.

State Judicial Administration of Ukraine

<http://www.court.gov.ua/dsa>

This web site offers information about the SJA's status, goals and objectives, the organizational support for courts, cooperation between the SJA and the media, etc.

National School of Judges of Ukraine

<http://nsj.gov.ua/>

The National School of Judges of Ukraine is a state authority that trains qualified specialists for the Ukrainian judiciary. The site offers information about the process of education, events, international activities, etc.

European Court of Human Rights

www.echr.coe.int

The European Court of Human Rights was created to monitor respect for human rights and freedoms proclaimed in the European Convention on Human Rights. The court is an international judicial body; applications can be brought before it only when all other national legal remedies have been exhausted. The web site offers information about the Court, its rulings, press-releases, etc.

Annex 24.

Authors Biographies

DAVID VAUGHN

David Vaughn is an attorney with more than 14 years of experience in designing, implementing, and evaluating legal and judicial reform projects throughout Europe and Eurasia, Africa, and Latin America. He acted as Rule of Law Advisor for the American Bar Association's Central European and Eurasian Law Initiative (ABA/CEELI) in Kazakhstan, helping to establish a legislative drafting office, a regional bar association, and a judicial advocacy organization. Mr. Vaughn also served as Deputy Chief of Party for the USAID Russian-American Judicial Partnership in Moscow, Russia, where he led judicial education and court administration programs. As a Director at Chemonics International in Washington, DC, he supervised and provided technical guidance to rule of law and commercial law reform projects in Albania, Armenia, Bosnia, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Morocco, Nicaragua, Russia, and Zambia. Mr. Vaughn also served as Chief of Party for the USAID Women's Legal Rights Initiative, a worldwide project implemented by Chemonics International that focused on legal drafting, justice sector enforcement, civil society advocacy, and public awareness with activities in Albania, Benin, Guatemala, Madagascar, Rwanda, and regional programs in southern Africa that included Lesotho, Mozambique, South Africa, and Swaziland. He currently serves as Chief of Party for the USAID Ukraine FAIR Justice Project. Mr. Vaughn holds a J.D. from the American University Washington College of Law, as well as a M.A. in political science and B.A. in Russian from the University of Vermont.

TOMAS VERTELETSKY

Monitoring and Evaluation Specialist for the USAID Ukraine FAIR Justice Project. Tomas has 16-years experience with international development programs in democracy and governance area in Ukraine, Azerbaijan, Belarus, Bulgaria, Serbia, Tajikistan and Republic of Chad. Developed tools for measuring complex changes including Index of Citizen Participation and Index of NGO Institutional Capacity. Developed and successfully approbated system of monitoring and evaluation of more than 600 community projects within Community Revitalization through Democratic Action (CRDA) program in Serbia for which received commends from USAID Serbia. Has an experience of managing finances and administration of international programs in Bulgaria, Azerbaijan and Tajikistan. Implemented Assessment of NGO collaboration with local self-governance in Belarus. Developed and successfully approbated interactive trainings for NGOs in project design, financial management and, monitoring and evaluation; and developed grant management manuals for NGOs in Republic of Chad. Native speaker of Ukrainian, fluent in English and Russian, also speaks French and Serbian.

MARYNA RUDENKO

USAID Ukraine FAIR Justice Project Civil Society specialist. Maryna is a Specialist Degree in Political Science having 12 years experience in working for parliamentary committees and units, local self-governance, NGO and governmental sectors mostly in the framework of the international USAID

funded projects. Maryna is working for the USAID Ukraine FAIR Justice Project since 2013. Within the scope of her responsibilities are the following: involving CSOs in a substantive research on pending legislation and organizing public discussions with lawmakers, supporting civic activities on monitoring court performance, monitoring the implementation of judicial reform legislation such as the new judicial and discipline processes.

VOLODYMYR KUPRIY

FAIR Justice Project CRC Methodology Expert and Executive Director of the NGO CCC Creative Centre. Volodymyr Kupriy has essential experience in state and non-state sectors at governing positions and as a manager, project manager, trainer, consultant, and analytic. Mr.Kupriy has a Candidate of Science Degree in of Public Administration.

MARYNA OGAY

Maryna Ogay – a specialist with ten years of experience in economics, statistics, and conducting surveys in Ukraine. Consulted on numerous projects where duties included developing and implementing surveys and analyzing the results. Under the WB project “The voice of the public” participated in all steps of a CRC survey including: development of tools, collection, analysis and dissemination of information. Maryna also served as a trainer for NGOs and civil servants, employees of local councils on conducting sample surveys of the public. Has experience in generating and processing SPSS databases to be used in statistical analysis. Native Ukrainian and Russian speaker has a good command of English. Maryna Ogay is candidate of Economic Sciences, Kyiv National Economics University, city of Kyiv, Ukraine, 2004. Has Master degree in managing statistical surveys/researches from Kyiv National Economics University, city of Kyiv, Ukraine, 2000.

JULIA SEDYK

Julia Sedyk is a lawyer with over 10 years of experience working as legal consultant for numerous Ukrainian and international business and non-profit projects and organizations. Ms. Sedyk has vast experience of conducting legal research and analysis of drafts, newly introduced, and current regulatory acts in the area of judiciary, access to information, regulatory framework for non-governmental organizations, as well as commercial, corporate, and investment laws. Ms. Sedyk joined the Institute for Sustainable Communities (ISC) in June 2006 as a Legal and Civil Society Specialist to work for the USAID-funded Ukraine Rule of Law Project. Julia’s work is focused on improving interaction between civil society groups and the judiciary of Ukraine through number of pilot courts and society programs, e.g., court monitoring and citizen report cards surveys as well as improvement of court performance evaluation framework in Ukraine: Ms. Sedyk initiated and implemented innovative program on application of the citizen report card methodology to the needs of court performance evaluation in order to provide courts with citizen feedback on different areas of court performance, and initiated the development of court performance standards. Ms. Sedyk is a graduate in Law (Diploma Cum Laude) of the Taras Shevchenko National Kyiv University and a graduate in Philology (Diploma Cum Laude) of the same University. She speaks Ukrainian, Russian, Modern Greek, English, and German.

OLEKSANDR SERDIUK

Director of Analytical Center under Institute of Humanitarian Research, associate professor at the Political Sciences and Sociology Chair of the National Law Academy named after Yaroslav Mudryi (Kharkiv). Received Law Degree at National Law Academy named after Yaroslav Mudryi (1994), as well as a Degree of Candidate of Sociological Sciences at Moscow Institute of Sociological Studies under Academy of Sciences of the USSR (1987). Mr. Serdiuk has experience in organizing and conducting research/surveys on court and media relations; developing training materials and conducting training courses for judges. Mr. Serdiuk was one of coordinators of projects on monitoring courts and media relations, and is one of the co-authors of the first in Ukraine manual on courts and media relations published with the support of USAID Ukraine Rule of Law project.

DR. GOPAKUMAR THAMPI

An expert in citizen report card methodology with 17 years of experience researching social accountability, public policy and anti-corruption strategies in Asia, Africa, and Eastern Europe. For UNDP developed citizen report cards on pro-poor services in Tajikistan. For the British Department for International Development and Transparency International, developed user feedback on judicial integrity in Sri-Lanka. Has independently published research for Social Rights Bulgaria. Is well versed in quantitative methodology to design surveys and analyze data. Has assisted Indian and international organizations and businesses in designing surveys instruments, developing the sampling design, carrying out field work, and performing data entry and analysis. Has practiced in working with non-statisticians to carry out citizen report card analyses. Currently Dr. Thampi is Director at Public Affairs Center, Bangalore, India, non-profit organization established in 1994 to improve governance in India, primarily focusing on areas where citizens and civil society organizations can play a proactive role. He is in charge of conceptualizing, supervising, and monitoring all programs and projects of organization. Dr. Thampi's educational background includes Ph.D. in Entrepreneurial Studies, University of Kerala, India, 1998; Advanced International Certificate Programme in Conflict Resolution, European University Center for Peace Studies, Stadtschlaining, Austria, 1993; Post-Graduate Diploma in Journalism and Mass Communication, Institute of Journalism, Kerala, India, 1989; M.A., Economics, University of Kerala, India, 1988.

Annex 25.

About the USAID FAIR Justice Project

The United States Agency for International Development (USAID) FAIR Justice Project (FAIR) started implementation in October 2011. The goal of FAIR is to support legislative, regulatory and institutional reform of judicial institutions in order to build a more accountable and independent judiciary in Ukraine. FAIR builds on achievements of the previous USAID Ukraine Rule of Law Project (UROL) which promoted judicial reform together with a variety of stakeholders from 2006 to 2011.

Mission of the Project: to promote Ukraine's democratic development and economic growth by helping establish a fair, accountable, independent and transparent judiciary.

Vision of the Project: we work to form an independent judiciary with strong leadership that is trusted by the Ukrainian public.

Objectives of the Project are to:

- Promote changes to the constitutional, legislative and regulatory framework for judiciary in line with European and international standards;
- Strengthen the accountability and transparency of key judicial institutions;
- Enhance the professionalism and effectiveness of the judiciary; and
- Increase the role of civil society organizations as advocates for and monitors of the judiciary.

Project's partners: Constitutional Assembly, Council of Judges of Ukraine, High Administrative Court of Ukraine, High Civil and Criminal Court of Ukraine, High Commercial Court of Ukraine, High Council of Justice of Ukraine, High Qualifications Commission of Judges of Ukraine, Ministry of Education and Science of Ukraine, Ministry of Justice of Ukraine, National School of Judges of Ukraine, Presidential Administration, State Judicial Administration of Ukraine, Supreme Court of Ukraine, and Verkhovna Rada (Parliament) of Ukraine. The project also actively cooperates with civil society organizations, higher educational institutions, media and international donors that are active in promoting the rule of law in Ukraine.

PROGRAM AREAS

Improving Legal Framework for the Judiciary

- Ensure expert support to the process of implementation and improving of the Law on the Judiciary and Status of Judges and implementation of constitutional reform;
- Support development and adoption of quality legislative amendments to advance reform and modernization of the judiciary;
- Provide expert analysis of legislative initiatives and draft laws and regulations to evaluate compliance with international and European standards of independence of the judiciary, bar

reform and legal education reform;

- Support events involving the public, media and experts to discuss judicial and legal reform.

Judicial Selection, Ethics and Discipline

- Support quality implementation of legislative provisions regarding introduction of merit-based competitive selection of judicial candidates;
- Provide expert assistance in improving the process of testing and selection of judicial candidates;
- Enhance the capacity of the judiciary to foster compliance with ethical standards by judges;
- Support judicial self-governance bodies in implementing the new version of the Code of Judicial Ethics;
- Support the High Qualifications Commission of Judges of Ukraine in improving judicial discipline practices through applying best practices to the process of filing, verification and adjudication of judicial misconduct complaints; cooperate with the High Council of Justice on the issues of improving the quality of judicial corps and enhancing judicial independence.

Improving the Professionalism of Judges and Court Staff

- Provide expert support for the institutional development of the National School of Judges of Ukraine;
- Assist the National School of Judges of Ukraine in developing and implementing key curricula for ongoing training of judges and court staff on the issues of ethics, opinion writing, rule of law and human rights, human resources management, communications, etc. both for in-class and distance learning;
- Provide expert support for the process of special initial training of judicial candidates;
- Support in building the corps of judges-trainers for the National School of Judges of Ukraine and in developing and publishing training materials and handbooks;
- Cooperate with other donors in the area of legal education reform.

Strengthening Institutional Capacity of Judicial Bodies

- Provide expert support to the Council of Judges of Ukraine and State Judicial Administration of Ukraine in developing a standardized court performance evaluation system;
- Support the process of implementing a long-term strategic plan for the judiciary;
- Promote improvement of court administration techniques;
- Provide expert support to improve budget processes of the judiciary in compliance with the principles of separation of powers and independence of the judiciary;
- Provide expert support to court automation processes with Ukrainian judicial institutions.

Civil Society Engagement in Judicial Reform

- Encourage and support civil society organizations in building a dialogue with the Government and Parliament regarding judicial reform issues;

- Support engagement of the public in promoting the ideas and innovations in judicial reform through civic education programs;
- Support civil society organizations in the processes of independent monitoring of performance of judicial institutions as well as the quality and pace of judicial reform.

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