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## Mid-term Performance Evaluation of the Justice for All Program

**November 2015**

This publication was produced at the request of the United States Agency for International Development. It was prepared independently by Marilyn Zelin, Kyra Buchko, Dr. Uttam Das, and Naim Mostafa for Social Impact, Inc.

Cover Photo: JFA Program participants in a focus group discussion. Photo Credit: Marilyn Zelin)

# **MID-TERM PERFORMANCE EVALUATION OF THE JUSTICE FOR ALL PROGRAM**

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## **DISCLAIMER**

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

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# ACRONYMS

ADR	Alternative Dispute Resolution
BDGPE	Bangladesh Democracy and Governance Programs' Evaluations
BLAST	Bangladesh Legal Aid and Services
BWJA	Bangladesh Women Judges Association
CCN	Cooperating Country National
CG	Caretaker Government
COP	Chief of Party
DCOP	Deputy Chief of Party
DLAC	District Legal Aid Committee
DLAO	District Legal Aid Officer
EQ	Evaluation Question
FGD	Focus Group Discussion
GiZ	German Society for International Cooperation
GOB	Government of Bangladesh
IFCE	International Framework for Court Excellence
IP	Implementing Partner
IR	Intermediate Result
JATI	Judicial Administration Training Institute
JFA	Justice for All
JSF	Justice Sector Facility
JUST	Judicial Strengthening
KI	Key Informant
KII	Key Informant Interviews
LASA	Legal Aid Services Act
M&E	Monitoring and Evaluation
MOLJPA	Ministry of Law, Justice, and Parliamentary Affairs
NCSC	National Center for State Courts
NGO	Non-Governmental Organization
NLASO	National Legal Aid Services Organization

ODG	Office of Democracy and Governance
PMP	Performance Management Plan
RFA	Request for Applications
SOW	Scope of Work
TOT	Training of Trainers
ULAC	Upazila Legal Aid Committee
UNDP	United Nations Development Program
UP	Union Parishad
UPLAC	Union Parishad Legal Aid Committee
USAID	United States Agency for International Development
USG	United States Government
Wiji	Women in Justice Initiative

# EXECUTIVE SUMMARY

## INTRODUCTION

The United States Agency for International Development (USAID)'s Bangladesh Office of Democracy and Governance contracted with Social Impact, Inc. to undertake a mid-term performance evaluation of the Justice for All (JFA) Program, implemented by the National Center for State Courts (NCSC). The JFA Program has a performance period of five years, from October 2012 through September 2017, and a budget of 7,997,747 United States dollars. This evaluation covers the first half of the JFA performance period from inception until March 2015. The evaluation field work was conducted in September 2015. This performance evaluation will help to inform the management of the JFA Program in the second half of its performance period.

## THE DEVELOPMENT PROBLEM AND USAID'S RESPONSE

### Development Problem

The constitution of Bangladesh guarantees an independent judiciary and equality under the law for all citizens. However, the judiciary faces many challenges, the first being its continued dependence upon the executive branch of the government. The judiciary is perceived as corrupt and slow, with large case backlogs creating long delays. In this context, access to justice is a challenge for most citizens. Widespread poverty exacerbates the problems of access, as many citizens cannot afford legal services. The Legal Aid Services Act (LASA) in 2000, established the National Legal Aid Services Organization (NLASO), which oversees the activities of 64 District Legal Aid Committees (DLACs) around the country, supported by committees in the Upazila Legal Aid Committees (ULACs) and Union Parishad Legal Aid Committees (UPLACs). While this was an important legal reform, it was hindered by slow implementation at the center and largely inoperative DLACs.

### JFA Program

JFA is USAID's first rule of law program in Bangladesh and supports Development Objective I in USAID's Country Development Cooperation Strategy for Bangladesh fiscal year 2011-2016: Citizen Confidence in Governance Institutions Increased, and specifically Intermediate Result 1.3: Improved Access to Justice. The design of the program was informed by the 2011 Rule of Law Assessment prepared for USAID. The program is based on three objectives designed to contribute to improved access to justice intended according to the Development Hypothesis below.

- Objective 1: To Improve Delivery of Legal Aid in the Formal Justice Sector
- Objective 2: To Increase Self-governance of the Judiciary to Better Serve the Public
- Objective 3: To Increase Citizen Awareness of Legal Rights and Responsibilities on Selected Legal Issues

### Development Hypothesis

The JFA Program is predicated on the hypothesis that gains in efficiency and responsiveness of legal aid services as well as performance and governance of the judiciary will create the enabling environment for citizens to access effective legal remedies within the formal justice sector. Support for legal literacy will increase the awareness of citizens of their rights and their capacity to make meaningful choices to access and utilize legal aid services and formal justice institutions. Increased use of improved services will, in turn, lead to concrete outcomes that directly benefit the lives of disenfranchised communities while increasing citizen confidence in government institutions—which can be used by institutions as a catalyst for continued reform. Success of the program was predicated on six critical assumptions, several of

which were challenges during the evaluation period.

## **PURPOSE OF THE EVALUATION**

The objective of this mid-term performance evaluation is to assess the technical and programmatic validity; assess JFA and its implementing partners (IPs) (sub-grantees) performance to date in achieving actual results against targeted results; find whether the program is on course to meet set objectives; and assess sustainability aspects of the program. The audience for this mid-term performance evaluation includes USAID/Bangladesh, the NCSC, the United States Embassy and State Department in Bangladesh, the USAID Asia Bureau, other bi-lateral and multi-lateral donors working for democratic governance, and other concerned development partners.

## **EVALUATION METHODOLOGY**

The evaluation team, hereinafter referred to as “the team,” used qualitative methods for answering the evaluation questions (EQs). The data collection methodology primarily consisted of key informant interviews (KIIs), small group discussions, focus group discussions (FGDs), and an analysis of JFA’s documentation and Performance Management Plan database. The team conducted 54 KIIs and 25 FGDs in 22 locations. Qualitative methods and reliance on KIIs often involve methodological limitations, including recall, response, and selection bias—which are exacerbated by the technical nature of rule of law programs. Nonetheless, the team took steps to mitigate such bias, by using multiple sources of data to triangulate on the evaluation issues.

## **FINDINGS AND CONCLUSIONS**

### **To what extent has JFA been successful in improving delivery of legal aid in the formal justice sector?**

The team found that JFA provided needed assistance to the NLASO, including preparation of a comprehensive diagnostic assessment that evaluated NLASO’s compliance with the fundamental principles of its strategic plan (2012-2017) and provided recommendations for improving the legal and operational framework, assistance drafting an amendment to LASA, and implementing regulations. JFA worked with eight pilot districts, providing training and mentoring to District Legal Aid Officers (DLAOs) to improve compliance with NLASO standards. JFA sub-grantees are “activating”<sup>1</sup> legal aid committees at the Union and Union Parishad (UP) level (ULACs and UPLACs, respectively) and those committees have started referring cases to the DLACs. Based on the findings, the team concludes that JFA has been generally successful in improving the delivery of legal aid in the formal justice sector, met Year 3 expected results, and is on track to achieve expected program outcomes.

### **To what extent has JFA been successful in increasing self-governance of the judiciary to better serve the public?**

The team found that JFA encountered strong resistance from the Chief Justice and Minister of Justice, Law, and Parliamentary Affairs (MOJLPA) while introducing the International Framework for Court Excellence (IFCE) as a toolkit to consider and improve judicial self-governance due to the IFCE’s judicial independence component. JFA revised its approach and focused its interventions on less controversial aspects of self-governance—including court administration and case management. JFA is now cooperating with two pilot court excellence districts and introducing its core competencies curriculum at the Judicial Administration Training Institute (JATI). Based on the findings above, the team concludes that JFA activities to promote self-governance within the judiciary during the evaluation period had

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<sup>1</sup> Activation refers to the first meeting of the legal aid committee at which sub-grantees conduct an initial orientation for members to familiarize them with their responsibilities and to help establish goals, meeting schedules, etc.

mixed results but the revised, narrower focus is gaining traction and may assist the Bangladesh judiciary in improving efficiency to better serve the public. The team further concludes that, despite initial obstacles and delays, the program has generally satisfied expected mid-point outcomes (increased understanding of benefits of self-governance by subordinate judges) and is on track to achieve expected results.

### **To what extent has JFA been successful in increasing citizen awareness of legal rights<sup>2</sup> and responsibilities on selected legal issues?**

The team found that the awareness strategy, developed by JFA, was an important tool for developing key messages for NLASO, preparing awareness raising materials, and guiding sub-grantee activities in the JFA pilot districts. The team concludes that, as a result of activities of JFA and its sub-grantees, the availability of information and awareness about legal aid, i.e. functional legal rights, among citizens increased significantly and the program is on track to achieve expected results.

### **How effective has the project been in stimulating demand for legal services through DLACs and in providing services that meet established standards that are responsive to client needs?**

The team found that data in the JFA monitoring and evaluation plan indicates both an increase in approved applications and compliance with NLASO standards for DLACs in the pilot districts to varying degrees. In 2014, the number of legal aid cases in pilot districts increased 54 percent compared to 28 percent nationally. There was a modest increase in referrals through ULACs and UPLACs as they were only recently activated. Based on the findings, the team concludes that activities conducted by JFA and its sub-grantees helped stimulate demand and improve service delivery.

### **How effective have the implementer's strategies been in promoting self-governance within the judiciary?**

JFA's initial efforts to promote self-governance<sup>3</sup> within the judiciary using the IFCE framework had limited effect due to resistance from the then Chief Justice. JFA, in coordination with USAID, responded to this challenge by reexamining points of entry and modifying implementer's strategies to focus on other aspects of the IFCE framework. The team concludes that the revised strategy, which narrows activities and tailors them to the most pressing needs and interests of the judiciary, may be effective in addressing the courts' major problem—a slow and inefficient management system. This would also address citizen complaints regarding the delivery of legal aid services and increase citizen confidence in the courts overall.

### **How effective has the implementer been in activities to promote equal opportunities for female judges? In what way do the activities conducted by JFA promote women as change agents in the judiciary?**

JFA expanded this activity to include all female legal professionals due to concern from the MOJLPA that an exclusive focus on women judges suggested discrimination in the judiciary. JFA conducted a gender mapping exercise to document the status, opportunities, and constraints for women law students and legal professionals, and established the Women in Justice Initiative (Wiji). The team found that Wiji is

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<sup>2</sup> JFA focused on increasing awareness of functional legal rights (e.g. the right to legal representation and a remedy) rather than substantive legal rights pursuant to a strategic decision made in consultation with USAID based on the critical need to build awareness of legal aid and that substantive rights awareness was being covered by other donor programs.

<sup>3</sup> Self-governance, as defined in the JFA M&E Plan, means concepts of self-management of the judiciary, core competencies in judicial administration, professional ethics and integrity, procedural fairness, and court excellence affecting the operation of the judiciary as a professional, independent, ethical branch of government.

providing space for open discussion of challenges faced by women legal professionals as well as networking opportunities through its Women in Justice Forum and Women to Women Dialogues, implemented by its sub-grantee, Bangladesh Legal Aid and Services (BLAST), in five districts. The team concludes that this initiative has been an effective tool for increasing opportunities for female legal professionals and developing future change agents.

**Management: How successful was the IP in managing their sub-grants to achieve the project objective? Were there any other alternative approaches that could be taken to maximize sub-grantee performance?**

JFA provided sub-grants to organizations in its pilot districts to activate and assist ULACs and UPLACs and facilitate awareness raising activities to inform citizens about legal aid. The team found that JFA sub-grantees were generally satisfied with the training and support they received from JFA staff. JFA intervened to correct sub-grantee activities that were not in line with program objectives. The team concludes that JFA provided sufficient orientation and initial technical support for a successful launch of sub-grantee activities. However, the team also concludes that some sub-grantees would benefit from frequent targeted site visits by JFA senior management to address issues where their direct involvement would enhance program performance and reputation with high-level Government of Bangladesh (GOB) counterparts at district and local levels.

**Relevance: Are the activities under component-2 aimed at promoting policy reforms to strengthen judicial independence through the use of the IFCE still relevant in the current political context? Are there any challenges and/or opportunities that the activity can explore and address?**

The team found that several key informants (KIs) believe that the current Chief Justice and Minister of Law are more reform minded than those in office when JFA began. However, other KIs disagreed and several noted that democratic space is shrinking. Nonetheless, the team concludes that JFA should continue with the approach discussed above, focusing on less controversial aspects of court management. In terms of other challenges and/or opportunities, the team learned that of the two United Nations Development Program (UNDP) projects that has some overlap with JFA and shared the same GOB counterpart (MOJLPA and JATI), one recently ended and the other will end in December 2015<sup>4</sup>. The team concludes that this may present an opportunity for JFA and USAID to discuss changes in the JFA approach and activities during the last half of the program.

**Client Satisfaction: How far the implementer has been successful in building and sustaining relationship with the GOB counterparts Union, Upazila, DLACs, and non-governmental partners such as law firms, university faculties, and professional associations?**

National level counterparts at NLASO and JATI reported very good cooperation with JFA's, as did DLAOs. Also, the legal aid committees maintained good relations with the sub-grantees. Cooperation with law faculties is on an ad hoc basis, although no institutional relationships exist at this stage. JFA does not have direct relationships with the Bar Council, District Bar Associations, or law firms, as those relationships are through the DLACs. Based on the findings, the team concludes that JFA and its sub-grantees were successful in building relationships with their primary counterparts.

## **RECOMMENDATIONS**

### **EQ Results and Effectiveness (Objective I)**

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<sup>4</sup> UNDP reported that the Justice Sector Facility Program is at a hiatus but that UNDP is seeking funding for follow-on activities.

1. JFA should assist NLASO with preparation of the short-term action plan referred to in the report on the strategic plan review conducted in March 2015 to help continue the forward momentum for implementation of its strategic plan. This will further clarify and set deadlines for the steps NLASO and JFA will take to improve delivery of legal aid during the final two years of the JFA Program.
2. The JFA Chief of Party, together with the NLASO Director or Deputy Director, should present the short-term action plan, updated Pilot Court Progress Report, and improvement plans to DLACs, UPLACs, and ULACs as a first step in improving communication and collaboration through the four levels of the legal aid system.
3. JFA should support DLAO skills training and experience sharing meetings at the division level to strengthen relationships among districts and ease the burden of traveling to Dhaka for more distant DLACs.
4. In the event that UNDP discontinues training on Alternative Dispute Resolution (ADR) for DLAOs, JFA and USAID should consider whether JFA should organize practical skills training on ADR and client counseling for DLAOs to build their capacity to perform the additional duties resulting from the LASA amendment.

### **EQ Results and Effectiveness (Objective 2)**

1. JFA should continue court administration and case management training at JATI as well as introduction of the core competencies curriculum. In doing so, JFA should consult the JATI needs assessment prepared by the UNDP Justice Sector Facility (JSF) project and any materials or lessons learned from training provided by UNDP's Judicial Strengthening (JUST) project.
2. JFA should explore building upon lessons learned from JUST's judicial leadership program with the Supreme Court, which focused on leadership development, change management, code of conduct, disciplinary procedures, and strategic planning, to introduce similar leadership skills components into JATI training of district judges.
3. JFA should work with its sub-grantee BLAST to build upon the initial successes of the WiJl to strengthen networking and professional development of women working in the justice sector and expand activities into all JFA pilot districts.

### **EQ Results (Objective 3)**

1. JFA should work directly and through sub-grantees to identify and provide ongoing support to selected female members of ULACs and UPLACs who have expressed interest in, or taken initiatives to, raise awareness about legal aid, assist legal aid clients to access the system, and mentor other women to do the same. USAID should ensure that these women are included in its upcoming human rights/gender assessment.
2. JFA and USAID should review the recommended strategies in the *Access to Justice for Women: An Overview of Constraints and Remedial Strategies* and consider which strategies, if any, should be incorporated into future programming.
3. JFA, in cooperation with DLACs, should establish Mobile Legal Units (MLUs) in all pilot districts to help bridge the gap between increased awareness and demand for legal aid services at the grassroots level and the supply of service providers. The MLUs would consist of a small team (one to three) district panel lawyer(s) who would travel rotationally to Ups around the district to provide legal information and basic legal advice to citizens regarding potential cases.

### **EQ Management**

1. JFA should develop a sustainability plan for current sub-grantee awareness-raising, sensitization, and ULAC/UPLAC capacity-building activities to continue following the end of the project.
2. JFA senior management should consult with each sub-grantee individually during quarterly coordination meetings to determine if there are any particular challenges or sensitive issues that have emerged with DLAC, ULAC, or UPLAC officials that should be addressed by a field visit by a JFA senior manager.

### **EQ Relevance**

1. JFA should conduct any strategic (re)introduction of the IFCE model carefully and in collaboration with the Chief Justice as well as other judges that are familiar with the IFCE as a result of participation in regional conferences supported by JFA.

### **EQ Client Satisfaction**

1. JFA and USAID should continue to engage new high-level GOB counterparts and leverage existing relationships (former NLASO Director, now Registrar General of the Supreme Court; Chief Justice who was the recipient of the Judicial Self-Governance Award) to create or strengthen necessary buy-in for continuation and expansion of activities.
2. JFA should establish strategic, institutional partnerships with the Bar Council, selected Bar Associations, and university law faculties—focusing on institution-to-institution cooperation to promote sustainability over the long term.

## **LESSONS LEARNED**

Lessons learned at the mid-point of the JFA Program, which have been integrated into the JFA Program, are listed below. These lessons learned are also relevant for future USAID programming.

- Realign planned activities in light of shifts in program counterparts and other donor programs.
- Coordinate closely with government counterparts to tailor activities to their needs.
- Adjust programs design in response to local reality.
- Closely monitor sub-grantees and provide appropriate staffing.
- Be mindful of the entrenched nature of hierarchy, not only at the highest levels of government, but at district and local levels.
- Education and information programs, resources, and materials must be analyzed and customized for the target audience.
- Develop detailed contingency plans to enable work to progress under a range of difficult circumstances.
- Program management and staff must be committed to traveling from headquarters to district and local offices to meet with and support counterparts.

# INTRODUCTION

Bangladesh is the world's fifth most densely populated country with a current population of nearly 170 million.<sup>5</sup> In recent years, the country experienced significant economic and social change. The economy grew at an annual average of about six percent since 1996, largely as a result of the garment industry. Not to mention, the rate of poverty fell from over 50 percent to approximately 30 percent in 2010. Forty-seven percent of the labor force is employed in agriculture, 13 percent in industry (of which 80 percent is garment), and 40 percent in services. Although the unemployment rate is approximately five percent, 40 percent of the labor force is underemployed, working only a few hours a week for low wages.<sup>6</sup> The country achieved several of the Millennium Development Goals, including reducing poverty. The country is poised to reach the Vision 2021 goal of becoming a middle-income country by the 50<sup>th</sup> anniversary of its independence. Supporting this goal has been the centerpiece of United States Agency for International Development (USAID) assistance to Bangladesh since 2011.<sup>7</sup>

The country's relative successes in promoting economic growth and reducing poverty has not been accompanied by similar improvements in democratic governance. Indeed, since the return to democracy at the end of the caretaker government (CG) in 2009, there has been an erosion of democratic institutions and the executive branch maintains tight control over the judicial branch.<sup>8</sup> For example, a "Supreme Judicial Commission," established in 2008 by the last CG, combined high-level officials from the judicial and executive branches to control all aspects of appointment, tenure, and discipline of judges, and to take over certain judicial branch management functions from the executive branch. This new institution was not maintained by the subsequent AL government. Rather, the president continues to appoint the Chief Justice and other Supreme Court justices based on nominations from the prime minister, and the Supreme Court controls appointments to the Appellate and High Courts. Further, the Ministry of Law, Justice, and Parliamentary Affairs (MOLJA) is the primary executive branch institution, with authority ranging from legislation drafting to subordinate court administration, criminal prosecution, and access to legal services. The MOLJA even runs the judicial training institute and therefore controls who does and does not successfully complete a program of training to become a judge. Thus, politicization of judges begins early in their careers with appointment by the executive branch and continues through promotion and higher appointments.

The erosion of democracy is evident in other areas as well. In electoral politics, the Election Commission Bangladesh has been politicized to an extent that it is not been able to ensure free and fair parliamentary or upazila elections in 2014 and 2015, respectively. The current parliament, with no effective opposition presence, appears to be an appendage of the executive. The nominally independent executive branch watchdog agencies established under the CG have been politicized, given limited authority and budgets. Parallel to the weakening of the rule of law and political accountability, administrative effectiveness and accountability are undermined by unchecked corruption, politicization of the police, security force impunity, and a spike in arbitrary detention and arrests, extrajudicial killings (death in "crossfire" or in custody), and disappearances of detainees,

The USAID's Bangladesh Office of Democracy and Governance (ODG) designed and implemented a range of programs in response to the challenges and opportunities for strengthening institutions of democratic governance in Bangladesh since 2009. The ODG's programming covers most of USAID's

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<sup>5</sup> See <http://www.mapsofworld.com/world-top-ten/world-top-ten-most-densely-populated-countries-map.html>

<sup>6</sup> See <https://www.cia.gov/library/publications/the-world-factbook/geos/bg.html>

<sup>7</sup> See USAID Bangladesh Country Development Cooperation Strategy (2011-2016), p. 5.

<sup>8</sup> See analysis in the USAID/Bangladesh Democracy, Human Rights, and Governance Assessment. Social Impact, August 25, 2014.

focus areas in democracy, human rights, and governance, promoting participatory, representative, and inclusive political processes and government institutions; greater accountability of institutions and leaders to citizens and to the law; and protecting and promoting universally recognized human rights. With respect to support for institutions and systems that enable the rule of law, USAID initiated its first-ever program to promote justice sector reform, the Justice for All (JFA) program, implemented by the National Center for State Courts (NCSC). The JFA Program has a performance period of five years, from October 2012 through September 2017, and a budget of 7,997,747 United States dollars.

This report contains the findings, conclusions, and recommendations from a mid-term performance evaluation of the JFA Program, conducted by Social Impact Inc. under the Bangladesh Democracy and Governance Programs' Evaluations (BDGPE) project. The evaluation covers the first half of the JFA performance period from inception until March 2015. The field work was conducted in September 2015. This performance evaluation will help to inform the management of the JFA Program in the second half of its performance period. It looks at program results, i.e., the extent to which JFA's different components have been successful in achieving the stated objectives; effectiveness of the implementer's strategies in each program component; program management, particularly in managing sub-grants; continued relevance of the JFA Program activities; and satisfaction of program counterparts (Union Parishad (UP), Upazila, and District Legal Aid Committees (DLACs)) and non-governmental partners.

# THE DEVELOPMENT PROBLEM AND USAID'S RESPONSE

## THE DEVELOPMENT PROBLEM

The request for applications (RFA) for the JFA Program stated the development problem as follows: The constitution of Bangladesh guarantees an independent judiciary and equality under the law for all citizens. After more than four decades since its adoption, the rights guaranteed by the constitution remain unclear despite somewhat gains in independence at the highest levels of judiciary in Bangladesh. The same goes with the efforts of a vibrant civil society to bring legal services to all citizens. The Government of Bangladesh (GOB) has undertaken an ambitious vision 2021, including establishing judicial independence, judicial accountability, gender equality, and protection of the rule of law.

The judiciary faces many challenges, the first being its continued dependence upon the executive branch. Higher courts gained some degree of independence and self-governance, but the executive remains in charge of all career and administrative governance decisions affecting lower court judges and operations. Also, the judiciary is widely perceived as corrupt and slow.<sup>9</sup> Large case backlogs are causing long delays for citizens in both civil and criminal cases, leading to high levels of pretrial detention and general dissatisfaction with the financial and time cost of justice.

In the prevailing context, access to justice is a challenge for most citizens. Formal justice institutions are complex and fraught with delays, resulting in low levels of acceptance—especially within rural communities. Widespread poverty hinders access, as citizens cannot afford the costs of litigation or even physically shuttling to the court. Thus, access to justice is reserved for the privileged and powerful. To ensure legal rights and creating access to justice requires citizen awareness first. An aware citizenry can make use of the available legal aid services. Required, too, is an enabling environment for where all the citizens pursue legal options as and when they need it without any hindrances, be it accessibility, cost, or other obstacles.

The Bangladesh Rule of Law Assessment (April 2011) found that the fundamental challenge for development of the rule of law in Bangladesh is the polarizing competition between the two major political parties, the Bangladesh Nationalist Party and the Awami League. Unrestrained political confrontation constitutes a significant challenge to an independent and impartial judicial system that gives practical effect to the rule of law. Polarization is seen in the weakening of judicial independence and accountability; the lack of efficiency and integrity in the justice system; widespread impunity and violations of human rights; inadequate access to justice; and unequal protection under the law.

The assessment noted two program areas that could address these challenges: judicial self-governance and improved legal assistance for the poor and disadvantaged. It also cautioned that a rule of law program in Bangladesh is a difficult task, and one not to be undertaken lightly. It recommended programming in strengthening judicial self-governance and expanding legal aid based on the conclusion that these areas corresponded to priorities of GOB and judiciary as well as the United States Government (USG). The assessment noted eight guiding principles: local ownership; alignment with Bangladesh and USG interests; a phased, iterative approach with clear benchmarks; integration with other USAID projects; sufficient USAID staff to coordinate with GOB, local stakeholders, and

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<sup>9</sup> See the surveys reported in Transparency International Bangladesh. 2012. *Overview of corruption and anti-corruption in Bangladesh*. Berlin: Transparency International/U4 Anti-Corruption Resource Center/Chr. Michelson Institute, "Half of the citizens think the judiciary is corrupt and two thirds of the respondents report having paid a bribe to this institution in the last 12 months." p. 7.

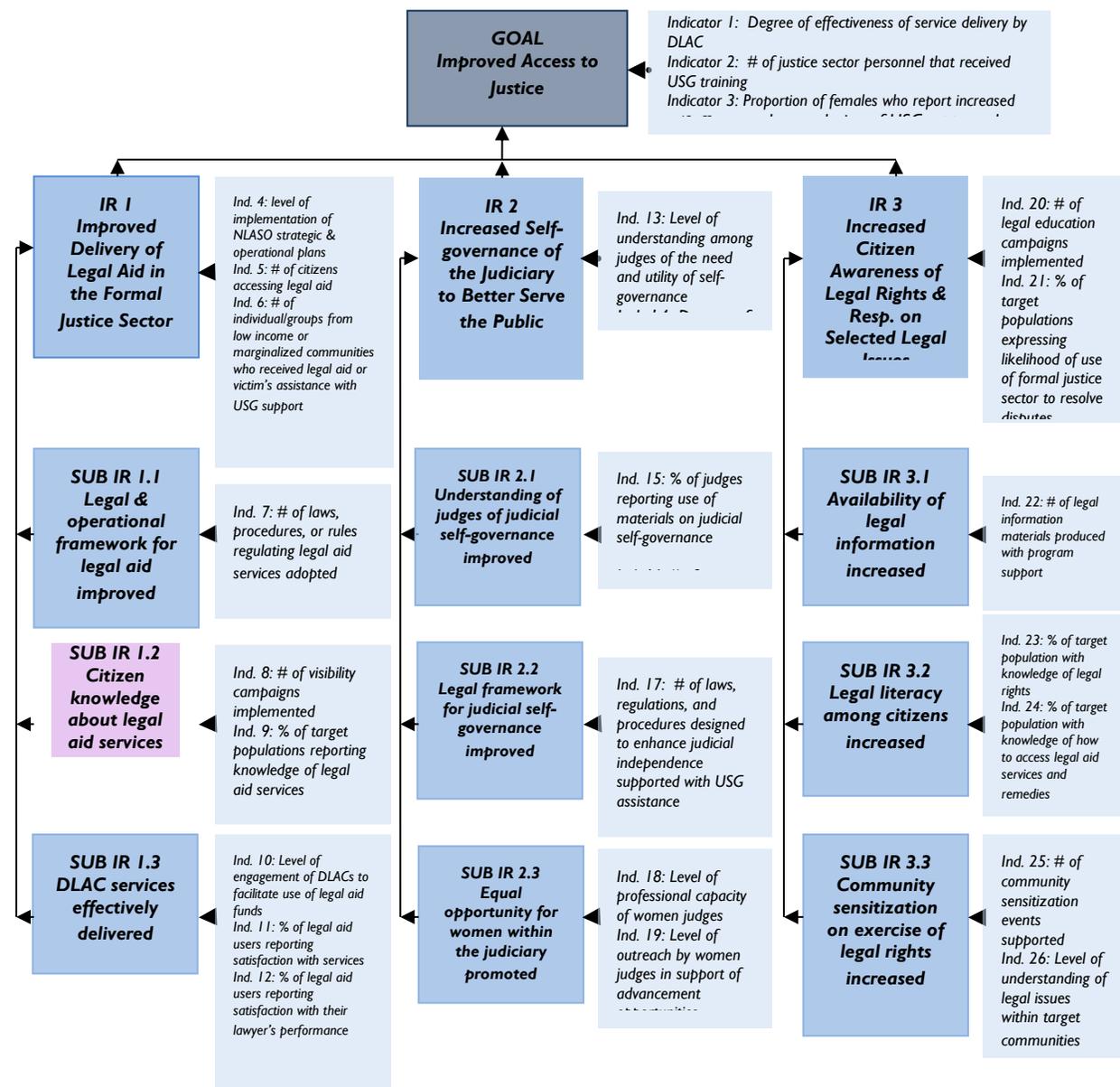
international donors; and USG diplomatic involvement.

## USAID’S RESPONSE

The JFA Program has three main objectives:

- Objective 1: To Improve Delivery of Legal Aid in the Formal Justice Sector
- Objective 2: To Increase Self-governance of the Judiciary to Better Serve the Public
- Objective 3: To increase Citizen Awareness of Legal Rights and Responsibilities on Selected Legal Issues

Figure I. JFA’s Results Framework



JFA's results framework is shown in Figure 1 above. JFA operates from an office based in Dhaka and is managed by an expatriate Chief of Party (COP) and cooperating country national (CCN) Deputy Chief of Party (DCOP). A three-person legal team, all CCNs, has primary responsibility for implementing Objective 1 and 2 activities under the supervision of the DCOP (for Objectives 1 and 2, Result 2.3) and the COP (for Objective 2, Results 2.1 and 2.2). The Communications and Awareness Manager and the Monitoring and Evaluation (M&E) Officer, also CCNs, have primary responsibility for Objective 3.

## **DEVELOPMENT HYPOTHESIS**

JFA is predicated on the hypothesis that gains in efficiency and responsiveness of legal aid services and in performance and governance of the judiciary will create the enabling environment for citizens to access effective legal remedies within the formal justice sector. Support for legal literacy will increase the awareness of citizens of their rights and their capacity to make meaningful choices to access and utilize legal aid services and formal justice institutions. Increased use of improved services will, in turn, lead to concrete outcomes that directly benefit the lives of disenfranchised communities while increasing citizen confidence in institutions—which can be used by institutions as a catalyst for continued reform.

Success of the JFA Program was predicated on six critical assumptions:

- Assumption 1: GOB counterparts will remain engaged and supporting of JFA objectives throughout the life of the program.
- Assumption 2: Statistical and numerical data will be made to the program in a timely manner and will be complete and error free.
- Assumption 3: Grantee-generated data will be consistent in terms of definitions, data collection methodologies, and data validity.
- Assumption 4: Perception data will not be skewed to negative or positive extremes.
- Assumption 5: Sensitization activities will lead to understanding and acceptance.
- Assumption 6: External actors and/or factors will not excessively interfere with the completion of tasks and activities.

Assumptions one, five, and six are related to program activities and effectiveness, while assumptions two, three, and four are related to measuring results according to the program's M&E plan.

The first assumption was affected to a limited extent by a shift in the donor environment between the release of the JFA request for applications (RFA) in February 2012 and the program launch, seven months later. This meant that JFA had to compete for GOB counterpart's attention, resulting in a modest delay in implementation of some activities. Further, with respect to Objective 2, the MOJLPA and Chief Justice showed no interest in issues related to judicial independence and governance, and the MOLJPA also objected to the focus in intermediate result (IR) 2.3 on female judges. These challenges are discussed further in the Lessons Learned section.

Assumption five was problematic for Objectives 1 and 3. Sensitization activities resulted in greater awareness of the problems of the most disadvantaged and vulnerable as well as the need for legal aid, but did not lead to significant changes in behavior in all cases, particularly among practicing lawyers who did not become involved in the legal aid system. However, the greatest obstacle was the slow and inefficient court system that makes it extremely difficult to instill in citizens the trust and confidence necessary for any reforms to take hold.

Assumption six also proved to be problematic, as there was significant unrest and political tension associated with the January 2014 parliamentary election and local elections; ongoing hartals;

international and domestic concerns regarding the extremely poor working conditions in the garment industry—resulting in over 1000 deaths (including the Rana Plaza tragedy); and publicity surrounding the high level of corruption throughout the GOB.

With respect to assumptions related to M&E, assumption two was problematic, as National Legal Aid Services Organization (NLASO) and DLAC did not maintain good record keeping, particularly at the beginning of the program. Assumption three was not a problem, as JFA provided good training and M&E tools, which were used by sub-grantees. Regarding assumption four, although JFA devoted considerable resources to M&E, measurement of several indicators was highly subjective and dependent on public opinion surveys conducted by Nielsen for JFA, which included perception data that seemed to be skewed to positive extremes (quantitative data suggests a very high level of citizen awareness and satisfaction with legal aid that is not in line with qualitative data or data from other sources).

# PURPOSE OF THE EVALUATION

## EVALUATION PURPOSE

The purpose of this mid-term performance evaluation is to assess the technical and programmatic validity; assess JFA implementers' performance to date in achieving actual results against targeted results; find whether the program is on course to meet set objectives; and assess sustainability aspects of the program. In answering these questions, the evaluation team, hereinafter referred to as "the team," assessed both the performance of NCSC and that of the implementing partners (IPs) (sub-grantees).

The audience for this mid-term performance evaluation includes USAID/Bangladesh, NCSC, the United States Embassy and State Department in Bangladesh, the USAID Asia Bureau, other bi-lateral and multi-lateral donors working for democratic governance, and other concerned development partners.

## EVALUATION QUESTIONS

The prioritized evaluation questions (EQs) set out in the scope of work (SOW) for this evaluation are:

### **Results:**

- To what extent have the three components been successful in achieving project objectives?

### **Effectiveness:**

- How effective has the project been in stimulating demand for legal services through DLAC and in providing services that meet established standards that are responsive to client needs?
- How effective have the implementer's strategies been in promoting self-governance within the judiciary?
- How effective has the implementer been in activities to promote equal opportunities for female judges? In what way do the activities conducted by JFA promote women as change agents in the judiciary?

### **Management:**

- How successful was the IP in managing their sub-grants to achieve the project objective? Were there any other alternative approaches that could be taken to maximize sub-grantee performance?

### **Relevance:**

- Are the activities under component-2 aimed at promoting policy reforms to strengthen judicial independence through the use of the International Framework for Court Excellence (IFCE) still relevant in the current political context? Are there any challenges and/or opportunities that the activity can explore and address?

### **Client Satisfaction:**

- How successful has the implementer been in building and sustaining relationships with GOB counterparts UP, Upazila, DLACs, and with non-governmental partners, such as law firms, university faculties, and professional associations?

# EVALUATION METHODOLOGY

## DATA COLLECTION METHODS

The team used qualitative methods for answering these EQs. Therefore, data collection methodology primarily consisted of key informant interviews (KIIs), small group discussions, focus group discussions (FGDs) as well as an analysis of JFA’s documentation and the Performance Management Plan (PMP) database (see Table I below for participation statistics for the data collection methods used). All data collection tools were developed and finalized in coordination with USAID/Bangladesh, and all data was thoroughly analyzed to establish credible answers to the EQs and identify major trends and issues. The evaluation was participatory in its design and implementation. Annex II includes a table of data collection strategies by EQ and Annex III includes a list of illustrative KII questions and FGD protocols.

For purposes of collecting data from DLACs, Union Parishad Legal Aid Committee (UPLACs), Upazila Legal Aid Committees (ULACs), sub-grantees, and citizens, the team split into two groups and traveled to four pilot districts: Mymensingh and Tangail in the Dhaka Division, and Rajshahi and Bogra in the Rajshahi Division. These sites were selected for two primary reasons. The first reason was to allow the team to visit first and second round pilot districts and observe what was accomplished in a first round pilot district over a two-year period compared to a second round pilot district over a one-year period. Not to mention, these sites would allow the team to ascertain how lessons learned and best practices are being applied. Secondly, the team would gain insight into JFA performance and results in both urban and rural locations.

**Table I. Summary of KIIs and FGDs Conducted**

District		Key Informant Interviews	Focus Group Discussions	Subtotal	Total
Bogra	Males	7	23	30	45
	Females	1	14	15	
Dhaka	Males	26	10	36	53
	Females	10	7	17	
Mymensingh	Males	2	39	41	69
	Females	1	27	28	
Rajshahi	Males	4	23	27	47
	Females	3	17	20	
Tangail	Males	3	38	41	64
	Females	0	23	23	
Total		57	221	Male: 175	278
				Female: 103	

Parallel analysis was used to analyze the evidence from KIIs, FGDs, small group discussions, and mini-surveys distributed at FGDs. The mini-survey was completed by all of the FGD participants (summarized in Table 1 and disaggregated by location and sex). In this analytical approach, each type of data for an activity is analyzed in parallel, and then across data type. For example, the team first analyzed KIIs with staff from the NLASO, DLACs, ULACs, and UPLACs on improvements in the delivery of legal aid to develop preliminary findings; second, the team analyzed the data from the FGDs and mini-surveys on this activity to develop preliminary findings; third, the team analyzed relevant materials to develop preliminary findings; and finally, the team analyzed preliminary findings across the types of data to develop activity-level findings.

## **LIMITATIONS**

The essence of evaluation is comparison—typically across time or geography, better still across both. In the context of the program subject to this mid-term evaluation, however, there may be barriers to comparison, and hence to the task of drawing valid conclusions.

There are some noteworthy limitations on comparison, and hence attribution. First, recall bias may be present, for example as NLASO or the Judicial Administration Training Institute (JATI) staff respond to the team’s questions with answers related to activities conducted by the United Nations Development Program (UNDP). A similar problem is that participants in multiple training activities may be blending their experiences into a composite memory, e.g., district legal officers or lower court judges may have received training in March 2014 on the IFCE and in March 2015 on case management and court administration. Subsequently, they may not distinguish between them as separate activities.

Second, response bias is a common problem for program evaluations. For example, a sub-grantee may give the interviewer positive remarks about training and support provided by JFA because the organization would like to be awarded another grant in the future. Similarly, a DLAC, UPLAC, or ULAC may give positive remarks about the sub-grantee because it hopes to continue receiving assistance from JFA and its sub-grantees. The team fully expects that NLASO staff, JATI staff, or District Legal Aid Officers (DLAOs) may understand that a negative evaluation could mean the end of a project that provided them with needed training or assistance. Finally, selection bias in the form of contacts provided by the implementer can mean that an evaluation team only hears from people with positive experiences. However, very few of the key informants (KIs) were suggested by the implementer and the team conducted site visits at some locations that were not recommended by JFA.

The most effective approach to combating bias is to use multiple sources of data to triangulate on an evaluation issue, as is often accomplished through qualitative reliability matrices. By combining information found in documents or interviews from multiple sources, any one piece of biased data would not skew the analysis. Another approach that pertains specifically to interviews is the inclusion of KIIs from organizations that do not directly benefit from the evaluated program and the use of questions about specific examples of knowledge use.

## **EVALUATION PROCESS**

The mid-term performance evaluation of the JFA Program began with a review of program documentation supplied by BDGPE to the team on August 22, 2015. The team members and BDGPE leadership then prepared a draft work plan for submission to USAID/Bangladesh on August 31. This draft work plan was revised based on a team planning meeting on September 2 and separate briefings with JFA personnel and USAID/Bangladesh on September 3. The final work plan was submitted to USAID/Bangladesh on September 6.

The team began data collection in Dhaka on September 4 and traveled to four districts between September 12 and 16. The team had a total of 54 KIIs and held 25 FGDs with DLAC, ULAC, and

UPLAC members, panel lawyers, citizens, and beneficiaries in 10 locations. Upon return to Dhaka, the team devoted one business day for analysis as well as preparation of an annotated report outline and presentation. On September 20, the team submitted an annotated report outline and draft presentation to USAID/Bangladesh and continued data collection and analysis in Dhaka.

A formal debrief for USAID/Bangladesh was held on September 23, followed by a presentation to JFA the same day. The team leader departed the following day (the other expatriate team member departed on September 21). After departure from Bangladesh, the team members completed data analysis and finalized the evaluation report. The full schedule is presented in Annex I of this report.

# FINDINGS AND CONCLUSIONS

**Results: To what extent have the three components been successful in achieving project objectives?**

***Objective 1. To what extent has JFA been successful in improving delivery of legal aid in the formal justice sector?***

## FINDINGS

JFA assisted NLASO with comprehensive review and improvement of legal and operational framework.

Early in the program, JFA conducted a comprehensive review and analysis of the government legal aid system in Bangladesh and produced the diagnostic assessment that included: (1) an evaluation of NLASO's compliance with the seven fundamental principles in its strategic plan (2012-2017), and (2) national and district level recommendations that addressed both the legal and operational framework. JFA collaborated with NLASO to draft amendments that created the DLAO position, expanded DLAC services to include Alternative Dispute Resolution (ADR) and legal advice, modified eligibility requirements, and increased fees for panel lawyers, among other provisions. JFA reviews strategic plan implementation with NLASO quarterly based on the Matrix of Service Delivery Standard and JFA activities. A joint JFA-NLASO review was conducted with NLASO staff in March 2015. The conclusions of the review highlight priorities that should be the focus of assistance through 2017. Based on KIs with JFA Management, JFA plans to assist NLASO in addressing these gaps and provide targeted assistance within JFA's SOW.

JFA focused on access to justice for women.

The team found that to inform its approach to ensuring access to justice for women, JFA conducted a gender mapping exercise and the data was compiled and published in *Access to Justice for Women: An Overview of Constraints and Remedial Strategies*, June 2014. This report noted that the predominant factors hindering access to justice for women in the formal justice system are poverty, a lack of knowledge of their rights, and options available to protect and exercise those rights. As such, the report argues that a holistic approach that went beyond traditional “women’s issues” was required. The program approach would need to address the trust deficit and the general constraints in the formal legal system—complexity and slowness, high cost of access, and low acceptance of use at the community level. The team found that the mapping exercise and resulting report was primarily used to inform Objective 3 awareness raising and sensitization activities, although no specific intervention based on it was mentioned in JFA Progress Reports or in meetings with JFA management.

JFA conducted activities to increase citizen (stakeholder) knowledge of legal aid services.

The team found that JFA conducted several activities to raise the visibility among stakeholders of NLASO and its network of DLACs, ULACs, and UPLACs. To reach the legal community and policy makers, JFA translated the NLASO Strategic Plan into Bangla, assisted with broad dissemination of the plan, and helped NLASO develop a framework for its 2013 Annual Report. Preparation of a NLASO Annual Report has been institutionalized with funding from the GOB budget beginning in 2014. Other activities designed to raise public awareness, which also reached the legal community, include National Legal Aid Day events; printed materials—such as a calendar with key legal aid messages; and media coverage. All DLACs interviewed reported organizing 2014 National Legal Aid Day celebrations and most DLAC, ULAC, and UPLAC members interviewed were aware of, and attended, at least one National Legal Aid Day event. Most DLACs surveyed reported holding press conferences about legal aid services and all DLACs reported receiving press coverage. The NLASO 2015 desk calendar was visible

in the offices of all district judges and DLAOs visited as well as in most ULACs.

With regard to practicing lawyers, the team found that most JFA-supported interventions focused on panel lawyers and that neither the NLASO, DLACs, nor JFA had organized meetings or activities with the National Bar Council or District Bar Associations to inform other lawyers in providing legal aid. One KI reported that NLASO sought support from the National Bar Council in 2013, when the legal and operational framework for government legal aid was evolving, but was not successful. Many KIs reported that the National Bar Council does not support government legal aid and a majority of KIs were pessimistic about obtaining support from the National Bar Council or District Bar Associations. Another KI noted that the recent formation of the Supreme Court Legal Aid Committee, on which the new National Bar Council President is an ex-officio member, might present an opportunity to gain support. The team notes that JFA made a strategic decision to focus on panel lawyers and restructure panel lists as a result of the diagnostic assessment.

The team found that during Year 2, JFA initiated activities to increase the visibility of government legal aid services among law students. This includes support for Student Legal Aid Fora at Dhaka University and Rajshahi University as well as a legal aid internship program at the Dhaka and Rajshahi DLACs. Many KIs noted the importance of introducing the concept of legal aid and pro-bono lawyering during law school.

#### JFA activated DLACs and supported institutional development.

In cooperation with NLASO, JFA selected five pilot districts in Year 1—Dhaka, Khulna, Mymensingh, Rajshahi, and Rangpur—followed by an additional three districts in Year 2—Bogra, Dinajpur, and Tangail. JFA support to pilot districts includes inception meetings facilitated by JFA management, followed by quarterly site visits and communication with JFA's three-person legal team. According to JFA Performance Management Reports and KIs with JFA management, DLAC progress is measured against customized improvement plans for each district that were finalized after the DLAC inception meeting. The customized improvement plans are internal JFA documents based on a template that covers four areas: 1) DLAC office management; 2) monitoring of DLAC services use and satisfaction; 3) activation and training of ULACs and UPLACs; and 4) local level outreach and awareness.

From May to June 2014, JFA conducted a full review of progress achieved by pilot districts during the previous 12 months. The JFA Pilot District Progress Report noted increases in the volume, quality/responsiveness and timeliness of services, increased awareness of legal aid services, and an increase in the number of applications approved. The progress report also identified priorities for next steps in each district.<sup>10</sup>

In FGDs with DLAC members, the following improvements in delivery of legal aid were mentioned: judges and court staff are more aware of legal aid and the needs of clients; legal aid case files are now marked so the judge is aware that the case is urgent and gives it priority scheduling; and the DLAC holds monthly meetings as well as quarterly coordination meetings with panel lawyers, judges, court staff, and clients to gather feedback on the functioning of the DLAC. The most common challenges mentioned by the DLAC members were: low quality of service provided by panel lawyers owing to their relative inexperience and to the fact that they take legal aid cases only when they do not have paying clients; the lack of human and financial resources; and difficulty in reaching grassroots level committee members and citizens because of the difficulty and cost of traveling to UPs and upazilas. Two of the four DLAO respondents reported making a few visits to ULACs and UPLACs, but said that this was difficult

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<sup>10</sup> Common priorities were improvements in record keeping (regularly updating registers), daily monitoring of the status of cases, monitoring/replacement of panel lawyers, and coordination with ULACs, UPLACs, jails, and NGOs. The progress reports were updated in June 2015, after the evaluation period.

due to their many responsibilities, travel time, and lack of funds for travel.

In KIs with DLAC Chairs, several respondents noted problems implementing legal aid. One judge stated that “GOB supports legal aid in principle, but needs to work at the grassroots level.” A few said that it is difficult to coordinate with ULACs/UPLACs because of political tensions between the chair (an elected position) and the member-secretary (an administrative position). Others indicated that awareness has increased, while sensitization to the needs of the disadvantaged and vulnerable people has not. Non-DLAC judge KIs also mentioned this. All DLAC Chairs cited insufficient staff as a critical obstacle to fulfilling their duties to promote and deliver legal aid. Many noted that panel lawyers are inexperienced and that lawyers who have no cases become panel lawyers and use this as “free advertising.”

#### DLACs improved monitoring of panel lawyers.

All DLAO respondents reported more rigorous monitoring of panel lawyers than before and organizing regular coordination meetings. This was confirmed by panel lawyer respondents. Three DLAOs reported that DLACs removed panel lawyers from the DLAC list based on performance and attitude and one DLAO reported that he was going to start this practice. In an FGD with DLAC members in Mymensingh, one lawyer member believed that the increase in the number of legal aid clients indicated people’s awareness and confidence in the system and stated, too, that although the panel lawyers are relatively fresh, their skills are improving. In contrast with the views of the DLAC members, in FGDs with beneficiaries who have no previous experience with lawyers, the majority of respondents that had used legal aid reported satisfaction with the quality of services. However, they also said that their case was not resolved quickly. The minority of dissatisfied beneficiaries noted that their panel lawyer requested payment for services or did not keep clients informed about the status of the case.

#### Legal Aid Committee members seek greater communication and coordination in providing services.

The team found that most KIs and FGDs with DLAC members perceived a lack of communication and cooperation through the four levels of the legal aid system, which the interviewees see as caused by low staffing levels as well as the lack of time and resources to travel to ULAC/UPLAC sites. Three DLAC respondents said there was no communication or support from NLASO. They also noted the absence of JFA senior management in the field, although JFA senior management tries to visit each DLAC once a year. In FGDs with ULACs and UPLACs, the majority stated they had never been contacted by the DLAC or visited by a DLAC representative. One ULAC chairman stated that the DLAC has never contacted him and, although he receives monthly updates from the district, there was never any information on legal aid. The only information regarding their role and the availability of government legal aid was from the sub-grantee. In addition to the problems of insufficient staff and resources for travel, the team notes that this may be the result of recent activation of the ULAC or UPLAC.

#### DLAOs reported receiving some training and capacity building, but need more.

The capacity-building activities conducted by JFA include an initial orientation/training, semi-annual capacity building and exchange workshops to which DLAOs from non-pilot districts are invited, and continuous on-the-job training provided by JFA’s legal team. All DLAO respondents reported that these activities were useful and that the semi-annual workshops provided the opportunity to share best practices and lessons learned. The team also found that the DLAOs are very active in the National Legal Aid Forum Facebook group and are using this as a tool to share information and resolve problems on their own. All DLAO respondents noted that they need specific training to perform the additional duties (mediation and client counseling) resulting from the amendment to the Legal Aid Services Act (LASA) regulation, although the team notes that NLASO has arranged for UNDP to provide this training, not JFA. District Legal Aid Office staff participated in JFA training on office management and reported that this training helped them to perform their duties.

## CONCLUSIONS

Based on the above findings, the team concludes that JFA has been generally successful in improving the delivery of legal aid in the formal justice sector through assistance to the NLASO and pilot districts, and is on track to achieve expected program outcomes. As a result of amendments to the LASA and the regulations, an improved legal and operational framework has been adopted and implementation in accordance with the NLASO Strategic Plan in pilot districts is improving.

Capacity building support for DLACs, and in particular for the DLAO, has contributed to the professionalization of DLAC services. However, as many aspects of the strategic plan are yet to be implemented, the delivery of legal aid by DLACs is not uniform. The team notes that the diagnostic assessment prepared by JFA, in collaboration with NLASO, was critical to success, as it provided a road map for improvement of both the legal and operational framework for government legal aid service and identified priorities. The diagnostic assessment, along with tools developed by JFA to monitor implementation of the strategic plan, such as the Matrix of Service Delivery Standards and JFA activities, the March 2015 joint review of the strategic plan, and the progress report for pilot DLACs, will guide future progress.

The team further concludes that citizen (stakeholder) awareness improved as a result of DLAC/ULAC/UPLAC activation, although many members, particularly at the UPLAC/ULAC level, are not fully aware of, nor engaged in, their duties. A culture of legal aid is slowly developing with student legal aid fora and internships at universities in two pilot districts.

Finally, the team concludes that communication and collaboration between the NLASO and DLACs is lacking and between DLACs and ULAC/UPLACs is just beginning. Greater support and engagement at the national level would provide needed motivation for DLACs, ULACs, and UPLACs.

***Objective 2: To what extent has JFA been successful in increasing self-governance<sup>11</sup> of the judiciary to better serve the public?***

## FINDINGS

GOB counterparts did not demonstrate buy-in to Objective 2 goals of increased self-governance.

As discussed in the JFA Performance Management Report for Quarter 1, shortly after the program launch, while introducing the IFCE as a toolkit to consider and improve judicial self-governance, JFA and USAID learned that the then Chief Justice was not interested in judicial self-governance and was unwilling to cooperate with JFA. In response, JFA prepared a Points of Entry Memo outlining alternative approaches and entry points for Objective 2. The memo noted operational obstacles, such as the need for high-level approvals for activities and “client capture” by UNDP’s Judicial Strengthening (JUST) Program, and substantive obstacles, including sensitivity to concepts of judicial independence and self-governance. Accordingly, JFA decided to leverage GOB buy-in for Objective 1 to establish MOLJPA as its Objective 2 counterpart and replicate its pilot district model.

JFA then organized several activities to promote understanding and acceptance of court excellence principles among high-level GOB counterparts. A JFA court excellence volunteer conducted consultations with the Minister of Law and Chief Justice; the Chief Justice and another Supreme Court Justice attended a meeting of the Asia-Pacific Judicial Reform Forum in Singapore in October 2013; and a High Court Justice and the Administrative Director of JATI attended the Conference on International

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<sup>11</sup> Self-governance as defined in the JFA M&E Plan means concepts of self-management of the judiciary, core competencies in judicial administration, professional ethics and integrity, procedural fairness, and court excellence affecting the operation of the judiciary as a professional, independent, ethical branch of government.

Perspectives in Justice Administration in Sydney, Australia in September 2014. The team found that there was no specific follow-up to the program in Singapore, as the trip was funded by, but not planned in coordination with, JFA.<sup>12</sup> However, the team found that attendance at the Sydney Conference yielded important results as the High Court Justice is one of the key advisors for the Women in Justice Initiative (Wiji) and the JATI Administrative Director applied knowledge gained to design the court administration and case management training.

#### Two pilot court excellence districts conducted limited activities.

JFA conducted a training for district judges from the five pilot districts and Dhaka court judges in March 2014. Two districts, Mymensingh and Khulna, were selected to pilot court excellence activities based on the interest of the district judges. JFA conducted inception meetings in Khulna and Rajshahi (Rajshahi replaced by Mymensingh due to reposting of the Mymensingh District Judge). Both courts identified two areas of court excellence—efficiency and transparency—as priorities, and developed action plans. However, further activities were postponed in early 2015, as the Khulna district judge retired and the Rajshahi district judge was transferred. The team was informed that activities resumed in Khulna in September 2015, when a JFA court excellence volunteer visited that district.

#### Core competencies training incorporated into JATI training curriculum.

JFA prepared an outline for a six-module curriculum on core competencies. Based on JATI interest, JFA conducted a training on court administration and court management for 24 subordinate court judges in March 2015, which included a one-day Training of Trainers (TOT). In an FGD with six Dhaka judges that attended the training, the participants reported using techniques they learned at the training, such as maintaining their own schedules rather than a clerk doing so. Participants stated that although these are simple techniques that do not involve any expense, they would not have thought of them but for the JFA training. JATI also conducted an orientation on the IFCE and how to use this methodology to facilitate problem solving and change oriented discussions for seven JATI staff. JFA and JATI have agreed to incorporate the Core Competencies modules into the JATI training curriculum.

#### Limited donor coordination and minimal collaboration in the field reported.

Two significant donor-funded judicial reform projects launched a few months before JFA began. The UNDP JUST Program (2012-2014), a joint activity with the Supreme Court, focused on improving court administration and reducing backlogs, with a particular focus on the disadvantaged and vulnerable populations. Beginning in three pilot districts, the program later expanded to six, with JUST and JFA both operating in Dhaka and Rajshahi.<sup>13</sup> JUST also initiated a Justice Leadership Program (JLP) for senior judges which, according to a KI, was designed to engage both senior level and subordinate judges on leadership development, change management, code of conduct, disciplinary procedures, and strategic planning. The same KI indicated that while 132 Supreme Court and subordinate court judges were introduced to concepts aligned with court excellence through JUST, the project ended with much more remaining to be done. UNDP's Justice Sector Facility (JSF) Program (June 2012 to June 2015), a joint activity with the MOLJPA, worked to improve communication, cooperation, and coordination across justice sector institutions at the national and local level (two pilot districts). This included a needs assessment for JATI. According to JFA Progress Reports, JFA maintained close contact with UNDP technical advisors to avoid overlap or duplication of activities, and consulted JUST early on for advice on

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<sup>12</sup> JFA sponsored attendance at the request of the Chief Justice's office as the Chief Justice had received an invitation for the Forum as Bangladesh was being considered as the venue for the next Forum. Participation in the Forum had not been planned in cooperation with JFA.

<sup>13</sup> Achievements include: Supreme Court issued a practice direction in September 2014 to establish court management committees in each district; Judicial Leadership Program established at Supreme Court; and promoted use of mediation in family disputes by raising awareness and training lawyers.

entry points with judicial leadership. JFA also suggested that the MOJLPA organize donor coordination meetings, but none were organized. Despite JFA's reported attempts to coordinate with these UNDP projects, meaningful cooperation has been limited to support for National Legal Aid Day events, and contribution of training materials for a JATI training on case management in 2014.

### JFA began review of legal framework for self-governance in Year 3.

JFA began activities to improve the legal framework for judicial self-governance in Quarter 9. This included: (1) a review of the legal framework for the judicial career, and (2) a review of the Civil and Criminal Rules of Order (the procedural codes). On the basis of these reviews, JFA is now preparing policy memoranda that address the need for revisions to the legal framework as well as strategies for improving judicial self-governance and court-excellence. The team was informed that this review was requested by the new Chief Justice appointed in April 2015.

### Goal of promoting equal opportunity for women in judiciary expanded to include all women legal professionals.

The team learned that the scope of this activity was expanded to include all women legal professionals due to MOJLPA's concern that an exclusive focus on women judges suggested that there was discrimination within the judiciary. As such, the cooperative agreement was modified in September 2013 to expand Activity 2.3 to include all women legal professionals and law students. Following this modification, JFA resumed its gender mapping exercise—a survey that documents the status, opportunities, and constraints for women law students and legal professionals, and produced *Finding Our Voices: Gender Mapping of Women in the Legal Professions, March 2014*, which informed the design of JFA's Wijl.

Subsequently, JFA provided a two-year sub-grant to Bangladesh Legal Aid and Services Trust (BLAST) to implement certain Wijl activities, including Women-to-Women dialogue sessions organized at various universities and the Women in Justice Forum. JFA conducts other activities directly. The Women in Justice Forum, established in the last quarter of 2014, is an open forum composed of both senior, experienced professionals, younger professionals, and law students, that meets quarterly. The Forum provides a problem-solving, debate, and mentoring venue for women professionals to identify challenges, solutions, and advocacy initiatives to promote women's advancement and visibility in justice sector professions. The Forum completed an action plan in the first quarter of 2015, which was informed by the 2015 *Finding our Voices survey and report*. In an FGD with Wijl participants in Dhaka, the team learned that the Wijl activities provided needed opportunities for women. For example, women law students found internships with women lawyers—a welcome development, as it is often difficult for women law students to secure internships, which are a prerequisite to taking the bar exam.

*The Will fellowship program is 'unique and groundbreaking' for Bangladesh. Law student fellows participate in BLAST activities and have the opportunity to be involved in court proceedings with senior lawyer mentors. - Senior Lawyer in Rajshahi*

The team also found that JFA attempted to work with the Bangladesh Women Judges Association (BWJA) since the program started, although activities have been very limited. A BWJA KI confirmed that BWJA is not active and attributed this to the fact that it is not a formal association with a legal identity—thus inhibiting its ability to receive grants or other support—and that it has no office or staff.

## **CONCLUSIONS**

Based on the findings above, the team concludes that JFA activities to promote self-governance within the judiciary during the evaluation period had limited success due to high-level resistance to the concept of judicial independence. Initial activities conducted to expose high-level GOB counterparts to the IFCE

framework as a tool for introducing and improving self-governance did not create buy-in at the highest levels. JFA and USAID's immediate attention and exploration of alternative entry points allowed the program to start introducing judges in pilot districts to court excellence principles and identify less controversial aspects of court excellence on which to focus.

Adopting a narrower focus that addresses critical issues that judges encounter daily appears to be gaining traction, although work in the two pilot districts has been delayed. Furthermore, partnering with JATI on core competencies training has the potential to expose more judges to the aspects of court excellence that they believe are most relevant for them. The team further concludes that the policy memoranda mentioned above represents an opportunity to work on self-governance and indicates buy-in from the new Chief Justice. Therefore, the team concluded that JFA has met expected Year 3 outcomes and is on track to satisfy program outcomes, though significant improvements in judicial independence are not certain.

With respect to promoting equal opportunity for women legal professionals, the team concludes that JFA took time to expand the scope of this activity and revise planned activities, which significantly delayed progress. However, the team also concludes that Wiji is an important and effective program initiative that is providing a forum for women legal professionals to discuss and address the challenges they face.

### **Objective 3: To what extent has JFA been successful in increasing citizen awareness of legal rights and responsibilities on selected legal issues?**

#### **FINDINGS**

##### JFA Awareness Strategy guided sub-grantee outreach, legal literacy, and community sensitization activities.

The team found that JFA developed an awareness strategy that provided a framework for all outreach, legal literacy, and community sensitization activities for JFA and its sub-grantees, NLASO, and DLACS. The JFA Awareness Strategy included five key messages and highlighted mechanisms for disseminating information. As part of this strategy, JFA developed templates for a wide variety of printed materials (signboards, billboards, posters, banners, brochures/leaflets, stickers, postcards, calendars, etc.) explaining concepts and services, including the right of low-income and marginalized Bangladeshis to government-sponsored legal aid as well as details regarding eligibility and how to access legal aid services. JFA also developed training resources (flip charts, booklets, etc.) to support their outreach, legal literacy, and community sensitization activities.

##### Sub-grantees disseminated materials and resources among a range of stakeholders.

Using JFA sub-grant funds, sub-grantees printed copies of outreach, informational, and educational materials and distributed them to a range of stakeholders, including citizens, law students, and members of UPLACs, ULACs, and DLACs. During KIIs with all sub-grantees visited, the team saw or received copies of printed materials that were reported to have been distributed to beneficiaries by those sub-grantees. In nine of the upazillas and UPs where the team conducted FGDs and KIIs, large signboards in Bangla explaining the legal aid citizen charter, NLASO functions, legal aid eligibility requirements, etc., were visible in public places. In two localities, no permanent signage was seen. In four of the localities visited, signage—such as permanent billboards featuring logos of other donors, i.e., UNDP or the United Kingdom's Department for International Development—were prominent. In several villages, the team saw that legal aid templates had been reproduced as wall paintings, which are more permanent than posters. The impact of these dissemination activities is discussed in the section on Objective 3, below.

##### Sub-grantees conducted a variety of awareness-raising activities to reach more citizens.

In all of the FGDs, discussants reported knowledge of, or participation in, awareness-raising activities focused on legal aid, including: film screenings in public places; mikings throughout the village or locality; courtyard dramas performed by professional actors; mock trials conducted by lawyers and law students; public hearings; rallies; and the *gambhira* folk theatre, especially popular in the Rajshahi district. Some FGD participants reported participating in National Legal Aid Day celebrations in 2014 at the district level. According to JFA reports, sub-grantees distributed caps, t-shirts, pens, festoons, etc. for National Legal Aid Day events produced by JFA. The team noted that sub-grantees integrated oral and graphic methodologies in activity design to reach illiterate and low-literate citizens more effectively.

JFA performance management and M&E reports state that thousands of people have been reached through dissemination of materials and participation in activities. In KIIs with four sub-grantees, the methodology for quantifying legal aid awareness outreach and program participation was explained. Sub-grantees reported that for some activities, such as courtyard meetings or cultural programs with smaller audiences, an exact headcount may be taken at the start and end of the program. For activities where materials are distributed, the number of participants is based on how many copies of brochures, leaflets, or stickers were made, and how many were left at the end of the program. For large public events and activities—such as public hearings, mikings, *gambhira*, etc.—sub-grantees report that during the activity, random members of the public located at different vantage points are asked to estimate the number of participants or passers-by exposed to the event. The sub-grantee then takes the average of the responses from the citizen estimates and reports participation and outreach based on that number. JFA informed the team that although sub-grantees include numbers for participation in large public events in their reports, JFA excludes those numbers and any other unreliable data from Progress and M&E Reports submitted to USAID.

#### Most ULAC/UPLACs are aware of duties but many report needing more information.

Efforts by JFA sub-grantees to activate ULACs and UPLACs were recognized by all ULAC and UPLAC members the team met, most of whom reported that they were not aware of their membership in the ULAC/UPLAC prior to notification from the sub-grantee organization in their locality. Many FGDs reported positive impressions and/or satisfaction with the involvement of sub-grantees in activating the ULAC/UPLAC and providing information about legal aid. This included notifying members of meetings, preparing agendas and creating records of meetings, and conducting introductory sessions on the legal aid system.

In FGDs with ULACs and UPLACs, almost all committee members reported having no knowledge or information about legal aid prior to the initiation of sub-grantee activities. In five out of eight FGDs with ULACs/UPLACs, committee members stated they needed additional information about their roles and responsibilities or other assistance to understand and execute their duties. In one FGD, a ULAC Chairman reported fear or inability to interfere in some cases, such as child marriages.

The team found that a few ULACs and UPLACs have started to implement their own awareness raising activities. Documents are being uploaded on web portals in some UPs in Tongail to make information more widely accessible on a permanent basis. In Mymensingh and Rajshahi, some ULACs/UPLACs have set aside their own funds to implement awareness initiatives or replicate messages in local community meetings or through local mosques.

#### Female UPLAC members conduct activities that reach poor, disadvantaged village women.

Based on KIIs and FGDs with UPLAC members as well as program beneficiaries, the team found that female members of UPLACs, who are also UP committee members, were very active in their communities. In five locations visited, they conducted one or more courtyard meetings with residents in villages and wards in their UPs. Many of these women also report interacting with citizens in the community on an individual basis, and three indicated that they assisted a victim/aggrieved person (in all

cases, a woman) to access legal aid services—including traveling to the DLAC with them and paying their transportation costs.

In Bogra District, the team interviewed a young woman who was divorced and facing problems obtaining support from her ex-husband. She attended courtyard meetings arranged by JFA and learned that she was entitled to receive free legal assistance to file a case against her ex-husband for non-payment of support for her and her child. She was assigned a panel lawyer and another woman from her village who was a member of the UPLAC accompanied her on several visits to the district court. The young woman was satisfied with her lawyer, who helped her obtain back payments of support and set up payment arrangements with the ex-husband going forward. Even though it was a difficult process, she would consider using the formal court system again.

#### Citizens report increased knowledge about legal aid.

In FGDs with citizens/beneficiaries, all of the participants reported that they had no knowledge about the right of the poor to free legal aid prior to a courtyard meeting or other outreach/awareness-raising activities conducted by the sub-grantee organization. When asked about what they learned as a result of courtyard meetings, miking, cultural programs, or other activities, almost all FGD participants at the village level stated that they understand that ‘poor people have the right to free legal aid.’ In FGDs with citizens, all participants reported being informed about legal aid. A few participants reported that they would go to their UPLAC for assistance; many others indicated that they would contact the sub-grantee if they needed legal aid services.

#### Citizens and ULAC/UPLAC members report preference for informal mechanisms to resolve disputes.

In FGDs, the majority of citizens who reported knowing about legal aid indicated they would consider using the formal government legal aid system, but a number of obstacles prevented ready access to the district court. Obstacles most often reported included the cost of transportation as well as inconvenience and safety issues involved with travel, especially for women. The other major barrier discussed was fear due to uncertainties about the process, unfamiliarity with the court system, and not knowing the people involved. A wide majority of FGD citizen participants would prefer to settle disputes through informal mechanisms, such as *shalish* or the local village court. This preference was echoed by most of the ULAC/UPLAC members, who indicated that despite the availability of free legal aid, committees prefer to refer disputants to the informal system, for many of the same reasons cited by citizens.

## **CONCLUSIONS**

Based on these findings, the team concludes that as a result of JFA activities, including preparation of the awareness strategy, the availability of information about legal aid increased significantly. JFA and the sub-grantees developed and distributed a wide range of attractive and creative materials that are well tailored to the topics and intended audience(s). The team applauds the balance of materials developed, including graphic materials, audio-visual aids, and live-action events, which are specially designed to reach illiterate and low-literate citizens. The team notes, however, that the printing of materials is limited to distribution at a specific event, and additional materials are generally not produced or made available after the initial dissemination.

On the basis of the fieldwork, the team concludes that legal literacy, as it pertains to legal aid, also increased as a result of JFA activities.<sup>14</sup> Since the JFA Program started, more citizens are knowledgeable about the concept of government legal aid and the mechanisms available at the UP, upazilla, and district

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<sup>14</sup> The terms “legal information” (SUB IR 3.1) and “legal literacy” (SUB IR 3.2), while quite broad in scope, were found by the team, in practice, to refer more narrowly to information or literacy **about legal aid**.

levels, that can connect them to the formal court system. This is reflected in all FGDs as well as JFA reporting. While the percentage of citizens who report being aware of their rights is still quite low, this may be improving, albeit slowly. Considering that the number of JFA pilot districts is also quite small relative to the total number of districts in the country, it follows that a more significant increase in literacy, both regarding legal aid and legal rights more generally, is likely to result from expanding awareness-raising activities.

Similarly, the team concludes that community sensitization about the exercise of legal rights—again, related specifically to legal aid—has also increased in pilot districts. Citizens are more aware about the rights of the poor, marginalized, and “helpless” to access government legal aid system, even while they understand the practical reality of “free” legal aid includes expenses related to transportation, court fees, among other costs. Many DLAC, ULAC, and UPLAC members are also more aware of the rights and needs of the poor and marginalized in their localities as a result of sub-grantees’ efforts, both with legal aid committees directly and with their communities as a whole. However, the majority of DLACs, ULACs, and UPLACs require additional information, coaching, and/or monitoring from JFA to adequately fulfill their duties as committee members.

Overall, according to JFA performance and M&E reports, the numbers and range of activities as well as the number and types of participants reached by JFA activities have all exceeded the targets established by the program. Regarding sustainability, most outreach, legal literacy, and community sensitization activities have been implemented by sub-grantees and the team heard no discussions or plans for the sub-grantees to sustain these activities once the JFA sub-grants end. However, UPLACs and ULACs are beginning to take steps to ensure continued availability of information about legal aid. In all, at the mid-term point of the program, the team concludes that JFA has successfully raised citizen awareness of legal rights and responsibilities related specifically to government legal aid.

## **Effectiveness**

**How effective has the project been in stimulating demand for legal services through DLACs and in providing services that meet established standards that are responsive to client needs?**

## **FINDINGS**

As discussed above in the findings about the results under Objective 1, JFA’s 2014 Progress Report for Pilot District Courts noted increases in the volume, quality, responsiveness, and timeliness of services; increased awareness of legal aid services; and an increase in the number of applications approved. In response to this question on effectiveness, the team seeks to analyze which interventions were most effective and prospects for sustainability of activities.

### **Demand for legal services through DLACs increased in JFA pilot districts.**

To accurately measure effectiveness (in terms of causation) of JFA interventions in stimulating demand, detailed comparative data from pilot and non-pilot districts would be required, which is beyond the scope of this performance evaluation. However, data from JFA performance management reports and the 2015 Nielsen survey provide useful information on awareness and demand—including changes since the baseline survey conducted in 2013.<sup>15</sup>

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<sup>15</sup> The Nielsen survey, conducted for JFA between February and May 2015 (JFA Survey 2015), provides detailed information on knowledge of, use of, and satisfaction with government legal aid services in the eight JFA pilot districts and 17 non-pilot districts. The survey is based on both a qualitative (FGDs and KIs) and quantitative

According to JFA's Year 2 M&E report, in 2014, government legal aid cases surpassed the 2012 baseline data by 28 percent nationally<sup>16</sup> (18 percent for men and 39 percent for women).<sup>17</sup> The increase in JFA pilot districts was 54 percent (46 percent for men and 60 percent for women), ranging from 40 percent in Dhaka to 94 percent in Mymensingh.<sup>18</sup> Data for the five JFA pilot districts for 2014 (full year) compared to 2013 showed increases ranging from four percent in Dhaka to 113 percent in Rajshahi.<sup>19</sup>

During the first quarter of 2015, demand increased in three of the five first round pilot districts and in all three second round pilot districts compared to the first quarter of 2014.<sup>20</sup> The increases ranged from 56 percent in Dinajpur (a second round district) to one percent in Mymensingh (first round district). In the two districts having a downturn (Dhaka and Khulna), the DLAO and staff were on leave for at least part of the quarter. During all periods, the largest source of referrals was from the jail, followed by non-governmental organizations (NGOs) and ULAC/UPLACs.<sup>21</sup> Gender distribution indicates that women represent a majority (two thirds) of legal aid beneficiaries. According to JFA, increases/decreases in applications vary by quarter and generally stabilize over time.

#### JFA and sub-grantee activities raised legal awareness.

As discussed above under EQ Results: Objective 3, a variety of resources were used to raise awareness and stimulate demand. Sub-grantees organized public events which were reported to reach thousands of citizens and smaller programs that reached a much smaller audience. The majority of respondents reported knowing nothing about legal aid before this. In KIIs and FGDs with DLACs, ULACs, and UPLACs, the team learned that the committees have not maintained data on how beneficiaries learned about legal aid, making it difficult to determine which activities were most effective. Still, the team is able to draw some findings from data gathered in FGDs with target beneficiaries.

At the village level, the majority of FGD respondents (all women) reported learning about legal aid at courtyard meeting organized by female ULAC members or through personal conversations with those members. In some villages, respondents said that the UPLAC member used the flip chart developed by JFA in her presentation, and in a few villages, the team was shown wall paintings about legal aid. The team notes that each village level courtyard meeting can only reach a limited<sup>22</sup> number of people. For example, in one village, the courtyard meeting had been organized on one side of the lake so women that lived on that side had attended, but women on the other side of the lake had not.

According to the 2015 Nielsen survey, nearly one fourth of the survey respondents (22 percent) stated that they knew something about government legal aid offices, an increase of six percent from the result of the previous year's study. Of this pool of 452 respondents, 400 (88 percent) used legal aid while 52 (12 percent) had not—indicating that the increase in awareness is due to responses of non-users of legal aid, which increased from two percent to three percent during the period. Awareness is twice as high among the urban population and among women. There is no difference between pilot and non-pilot districts.<sup>23</sup> The survey also found that of the respondents reporting awareness of legal aid, the primary

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(public opinion survey) study. The public opinion survey included semi-structured interviews with 400 legal aid users and 1700 members of the general public.

<sup>16</sup> Increases are based on monthly averages. See Year 2 M&E Report, p. 9-10.

<sup>17</sup> Data provided by NLASO.

<sup>18</sup> Data provided by DLAOs.

<sup>19</sup> See JFA Progress Report for Q 9, p. 14.

<sup>20</sup> See JFA Progress Report for Q 10, p. 15.

<sup>21</sup> For the first quarter of 2015, ULAC/UPLACs made three percent of referrals in pilot districts with the highest percentage of UZLAC/UPLAC referrals in Rangpur and Mymensingh.

<sup>22</sup> Courtyard meetings held at UP and upazila compounds may reach 50-100 people, but at the village level, the number is generally 15-25.

<sup>23</sup> The survey was administered to 2,100 persons, of which 37 percent resided in pilot districts.

channel of awareness for users is word of mouth (from a neighbor or relative), followed by panel lawyers. For non-users, the primary source was television, followed by neighbors and relatives.

#### UPLAC/ULACs referring cases to DLACs, but significant variation exists in ULAC and UPLAC activities.

Referral of cases by ULACs and UPLACs increased significantly during the program, rising from no referrals in Year 1, to 91 in Year 2 and 286 in Year 3. In KIs and FGDs at the ULAC and UPLAC level, the team learned that some ULACs are more active than others. Individual circumstances are important. For example, in an FGD with one UPLAC, the chair reported referring several cases to the DLAC. In that UPLAC (a BLAST UPLAC), the chairman is a BLAST panel lawyer; the sub-grantee arranged a special meeting between the chairman and the district judge; the upazila is close to Mymensingh, so transportation for clients is not a problem; UPLAC members provide information to clients; and the member-secretary assists clients with applications and processes referrals. In contrast, at an FGD with members of another UPLAC in the same district, most members were newly elected and reported that they needed more training. FGD participants also noted that the member-secretary referred a few cases to the sub-grantee or DLAC, but did not have time to assist clients with applications.<sup>24</sup>

#### DLACs improved compliance with NLASO standards and deliver more responsive services to users.

As discussed under Objective 1, JFA provided initial training to DLAOs and holds quarterly coordination meetings. Further, the JFA legal team monitors pilot DLACs on a quarterly basis. The progress report prepared by JFA indicated improvements in quality/responsiveness in all five first round pilot districts. The report noted that DLAOs conduct quarterly client consultation meetings to collect feedback on the quality, timeliness, and responsiveness of legal aid services, which is shared with DLACs to address shortcomings. The DLAOs also use client feedback for monitoring performance of panel lawyers. In FGDs with panel lawyers, they reported that the government legal aid program was significantly improved since DLAOs were appointed, although they said that the officers were overburdened and needed additional support. According to JFA performance management reports, the most common client complaints are difficulties in collecting legal documents, failure of witnesses to appear, and insufficient time dedicated by panel lawyers. During FGDs with beneficiaries (users and non-users), respondents repeated these complaints. Both KIs and FGD respondents at the ULAC and UPLAC levels stated that one of the main obstacles to obtaining government legal aid was the inability to cover transportation costs. With respect to property disputes, collection of legal documents was a major problem.

The 2015 Nielsen survey findings regarding client satisfaction show a general decline in user satisfaction, as 77 percent of users were satisfied with the quality of services in pilot and non-pilot districts, compared to baseline of 84 percent for pilot districts and 94 percent for non-pilots. Of the 30 percent of users that reported some dissatisfaction, the survey also showed that the major problem was duration of case (18 percent), followed by request for payment from panel lawyers (six percent). During FGDs with panel lawyers, they confirmed that clients often complain because the litigation process is extremely slow and they do not have funds to make multiple trips to the court.

#### DLAOs serve short terms.

The team found that several DLAOs in the pilot districts were transferred back to the position of a sitting judge in less than three years. In this regard, several respondents stated that the DLAO position ought to be a permanent one, occupied by a professional who was committed to legal aid. Several respondents also stated that it was not logical to make a sitting judge a DLAO, as there was a severe

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<sup>24</sup> While it is not the duty of any legal committee member to assist with applications, it helps to build the trust of the beneficiary and expedite the application process.

shortage of judges that contributed to the growing case backlog. The team learned that making the DLAO position a non-judicial position was carefully considered during the process of drafting the LASA amendments and ruled out for a number of reasons.<sup>25</sup> Respondents noted that the judiciary itself supports this view.

## CONCLUSIONS

Based on the findings above and in EQ 1: Results for Objectives 1 and 3, the team concludes that without comparative data for pilot and non-pilot districts, it is difficult to determine the extent to which JFA interventions are contributing to increased demand for government legal aid services. The Nielsen survey shows an increase in awareness nationwide, but no difference between pilot and non-pilot districts. This might suggest that the JFA Awareness Strategy and interventions by NLASO, such as sending text messages to inform people about legal aid, airing public service announcements on television, or placing billboards outside of district courts, accounts for the increase in applications rather than more localized activities conducted by or in cooperation with JFA sub-grantees. Awareness-raising activities conducted under the JSF Program might also have a “spillover effect,” thus impacting national demand.

Trends in demand for legal aid in JFA pilot districts might indicate which awareness raising activities are actually stimulating demand. Unfortunately, DLACs have not maintained detailed records on referrals, let alone how clients learned about legal aid. Not to mention, most ULACs and UPLACs have not monitored the status of cases referred by them. Furthermore, due to limitations in time and resources, the team was not able to conduct a detailed comparison of sub-grantee activities to determine the correlation between sub-grantee activities and increases in demand. The decline in demand in two pilot districts in the first quarter of 2015 may be a function of lower capacity to process applications in the absence of the DLAO as well as a nationwide strike and intercity blockade. The referral of cases from ULACs and UPLACs in JFA pilot districts increased modestly, suggesting that the activation of those committees and assistance from sub-grantees had a positive effect. However, the lack of coordination or communication from NLASO to DLACs, and from DLACs to ULACs and UPLACs, is clearly an impediment to increased referrals.

The team concludes that JFA interventions have had a positive effect on delivery of services by DLACs. DLACs are meeting regularly, though the level of engagement varies between districts. The team further concludes that the training, including semi-annual workshops and regular follow-up with DLAOs and staff, has been effective. The semi-annual workshops have facilitated cooperation and communication among the officers to share lessons learned, best practices, and resolve operational issues themselves. Similarly, the quarterly coordination meetings of DLACs and key stakeholders that are facilitated by JFA have had a positive effect. The team further concludes that the inability of JFA to conduct training for panel lawyers undermines efforts to improve the quality of legal aid. Omitting this from the JFA SOW was based on the assumption that UNDP would conduct this training.

The team’s primary concern relates to the sustainability of the activities discussed above, given the limited financial and human resources available to NLASO, DLACs, ULACs, and UPLACs. For example, will NLASO have funding to support the awareness strategy and to what extent will legal aid committees assume responsibility for raising awareness and coordinating referrals? While the JFA sustainability strategy provides for ULACs and UPLACs to assume sub-grantee activities, the team notes that the committees rely heavily on JFA sub-grantees for awareness raising and referrals as well as for organizing committee meetings and other activities. Similarly, will the NLASO have the capacity to take over training of DLAOs and staff, even if JFA assists in producing a training curriculum and materials

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<sup>25</sup> Reasons included: 1) DLAO needed to be lawyer to perform additional duties from the LASA amendment—legal counseling and ADR; 2) the public and government perceive judges to be more trustworthy than lawyers.

before the program ends? This is a critical issue given the constant turnover in DLAOs.

**How effective have the implementer’s strategies been in promoting self-governance within the judiciary?**

**FINDINGS**

To avoid repetition in presentation of evaluation findings, please see findings under EQ 1: Result, Objective 2 above.

**CONCLUSIONS**

Based on the findings above, the team concludes that initial strategies to promote self-governance, including participation of high-level judges at regional conferences and the IFCE training at JATI, had a limited effect. Although the preparation of materials, such as the *Compilation of Court Excellence Materials*, have not been useful to date, they may prove to be useful in the future. The team further concludes that narrowing the focus to case management and case administration through JATI is more effective. Development and further exploration of transparency and efficiency in pilot districts is more effective. However, as evidenced by the delay in pilot district activities due to changes in district judges, activities at the district level are highly dependent on individuals, which raises the question of sustainability.

**How effective has the implementer been in activities to promote equal opportunities for female judges? In what way do the activities conducted by JFA promote women as change agents in the judiciary?**

**FINDINGS**

To avoid repetition in presentation of evaluation findings, please see findings under EQ 1: Result, Objective 2 above.

**CONCLUSIONS**

As the scope of this portion of the JFA Program was revised to include all women legal professionals, there has not been any meaningful opportunity to promote opportunities for female judges. However, the team will respond to this question in light of the revised scope. Based on the findings above, the team concludes that the gender mapping exercise and publishing of “Finding Our Voices” was extremely useful, as it documented constraints and opportunities for women throughout the legal community and provided a platform for launching future activities. Selecting BLAST as the organization to lead the Wijl was a good choice, as BLAST is a highly respected organization with presence throughout Bangladesh. By providing a space for women legal professionals and law students to meet, the Wijl holds the possibility of molding future women leaders and promoting change agents. The Women in Justice Forum is a significant step in that direction.

**Management: How successful was the IP in managing their sub-grants to achieve the project objective? Were there any other alternative approaches that could be taken to maximize sub-grantee performance?**

**FINDINGS**

Sub-grantees reported satisfaction with the sub-grant solicitation and award process.

The JFA Grants Strategy was developed and adopted in consultation with GOB counterparts. The team found that by the mid-point of the program, nine NGOs had been awarded one or more sub-grants through the JFA Sub-Grants program to implement 12 projects in eight districts. In KIIs with staff of six sub-grantees, all reported that the grants solicitation and award process was fair, open, and transparent. KIIs indicated that organizations were satisfied with the way USAID and JFA conducted the selection

process—from the competition announcement to the information sessions for applicants, the transparency and criteria for evaluation and selection as well as the support provided while awaiting approvals from the NGO Affairs Bureau before sub-grant activity could formally begin.

#### JFA organized sub-grantee orientation and coordination meetings.

According to JFA reports, all sub-grantees were required to participate in Sub-grantee Inception Training, which informed NGOs about the legal aid process and sub-grantee responsibilities. In KIs with sub-grantees, all but one reported that they participated in an initial orientation session organized by JFA. According to JFA Performance Management Reports, sub-grantee coordination meetings were planned to be held on a quarterly basis, and four have been conducted since 2014. All sub-grantees interviewed reported attending sub-grantee coordination meetings to exchange best practices and lessons learned on topics related to program implementation and financial management. One sub-grantee that was not experienced in the legal field stated that additional information or training about the government legal aid system would enhance the sub-grantees' ability to support ULACs and UPLACs.

#### Sub-grantees received ongoing support and technical assistance in the field.

JFA's support in the area of financial management, which includes review of draft reports and spot checking of forms and financial documents, was reported to be very useful by most sub-grantees interviewed. In six KIs, sub-grantees report that they were given helpful M&E tools to use in the field, including evaluation forms, surveys, planning forms, and data collection tools. Sub-grantees report that they received templates and guidance on content for developing a wide range of materials for their awareness-raising and community sensitization activities. However, there is a limited amount of funding in the sub-grant for initial printing of informational and training materials, and once the budgeted amounts are exhausted, there may not be additional resources for reproducing materials. In addition, many sub-grantees interviewed reported that most of their field coordinators travel extensively to organize and implement activities in multiple UPs, which is extremely time consuming.

#### Sub-grantees emphasized the importance of JFA site visits and presence of JFA Management.

In all KIs, sub-grantees reported good relations in general with the JFA staff. Sub-grantees expressed appreciation for the visits JFA staff make to their offices, and especially for the presence of staff at events or activities at the UP or upazila levels. Two sub-grantees noted that while they were visited by mid-level JFA staff, they would welcome periodic involvement and direct participation of JFA senior management, since Bangladeshi culture and the value placed on titles make it difficult to secure buy-in for successful implementation of activities. Two of the sub-grantees interviewed expressed some concern about the degree of independence and decision making afforded by JFA senior management to the sub-grantee in developing project design and implementation strategies. In addition, one sub-grantee noted lack of professionalism and respect for sub-grantee staff members during several interactions with a JFA senior manager.

## **CONCLUSIONS**

Based on the above findings, the team concludes that JFA provided sufficient orientation and initial technical support for a successful launch of sub-grantee activities. To reinforce this support, JFA has conducted four sub-grantee coordination meetings since 2014, where participants exchanged experience and lessons learned on topics related to program and financial management. Sub-grantee satisfaction was highest regarding start-up assistance offered by JFA, from preliminary guidance on the application process to group inception training. The team further concludes that some sub-grantees would benefit from more frequent site visits by JFA staff—particularly senior management who can boost morale; represent the overall program to GOB representatives and other officials in the field; offer status and

credibility; and garner the attention and buy-in of officials and stakeholders. Finally, the team concludes that sub-grantee resources are stretched with some field officers covering nine or more upazilas and UPs. Given heavy dependence of ULAC/UPLACs on sub-grantees, providing sufficient organizational and administrative support for ULAC/UPLAC activities is a challenge for some sub-grantees.

As discussed under EQ Management Recommendations, an alternative approach to maximize sub-grantee performance that should be considered is for sub-grantees to formally engage one or more active ULAC/UPLAC members to serve as liaisons with field officers to facilitate implementation of activities.

**Relevance: Are the activities under component-2 aimed at promoting policy reforms to strengthen judicial independence through the use of the IFCE still relevant in the current political context? Are there any challenges and/or opportunities that the activity can explore and address?**

## FINDINGS

In addition to the findings under Objective 2, the team found that many external expert KIs reported that this is a good time to pursue reform as both the new Chief Justice and Minister of Law are reform minded. However, other KIs disagreed with this view. In addition, a few KIs noted that democratic space is shrinking in Bangladesh, which limits opportunities for civil society to advocate for reforms in justice and other governance areas.

As previously noted, UNDP JUST ended in June 2015 and JSF will end in December 2015, thereby reducing competition for the attention of the Chief Justice and Law Minister. However, the team learned that UNDP is currently exploring options for continued justice sector work, so competition may become an issue again. Meanwhile, it appears that JFA is making some progress on its Objective 2 activities with the judiciary: the Chief Justice's request for JFA to review specific laws and prepare policy memoranda; an agreement with JATI to incorporate the core competencies modules into the JATI curriculum; and resuming work with two pilot courts on less controversial aspects of court excellence. One opportunity that the team found for JFA to partner with another program on court excellence is the Justice Audit<sup>26</sup> that was recently completed with the German Society for International Cooperation (GiZ) support and conducted at the request of the Minister of Law. Again, this suggests that there is space for reform. A GiZ KI noted that JFA and GiZ could organize a joint presentation at JATI.

## CONCLUSIONS

Based on the findings above, the team concludes that focused Objective 2 activities as JFA is currently pursuing are relevant. If JFA is successful in creating buy-in for court excellence and judicial self-governance initiatives at the two pilot courts, then it may be able to introduce it at other pilot courts. However, the team urges JFA to be cautious and not risk alienating justice sector leadership that could negatively impact its other work under Objective 2 or the other objectives.

**Client Satisfaction: How successful has the implementer been in building and sustaining relationships with GOB counterparts Union, Upazila, DLACs, and with non-governmental partners, such as law firms, university faculties, and professional associations?**

## FINDINGS

JFA has established and maintained productive working relationships at the national level.

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<sup>26</sup> See <http://bangladesh.justiceaudit.org>

National level counterparts that worked directly with JFA reported very good cooperation. An NLASO KI reported that cooperation with JFA was more than satisfactory, including cooperation on drafting the LASA amendment and regulations as well as preparation of the diagnostic assessment and identification of recommendations that were possible to implement in the short-term. The KI stated that the other recommendations are very important for future planning. The KI noted that the most helpful activities were awareness raising; upgrading DLAC offices; and training for DLAOs and staff, although DLAOs need more training on mediation.

A JATI KI also reported good cooperation with JFA, noting that JFA published JATI's brochure and developed training evaluation guidelines. The KI stated that the GOB does not understand the value of training and that when JFA started, the JATI board did not want to work with JFA. This KI stated that the UNDP JSF Program conducted a needs assessment for JATI. As a result, JATI is trying to develop a new curriculum based on higher standards for judges, including instruction on case management and court administration as well as sensitization to broader perspectives to improve judges' attitude and behavior toward citizens. The KI noted that JATI is not a strong institution and JFA could support this and that there was a dire need to create a pool of competent trainers rather than relying solely on high court judges.

The team was not able to meet with the Chief Justice or any KIs at the MOLJPA. However, based on JFA performance management reports and KIs with JFA management, it appears that JFA has established a productive relationship with the new Chief Justice and Minister of Law.

DLACs reported good relations with JFA and ULAC/UPLACs are satisfied with sub-grantee support.

All DLACs visited reported very good cooperation with sub-grantees and that sub-grantees assisted in organizing and regularly attended meetings. All of the activated ULACs visited also reported very good cooperation with sub-grantees. Specifically, ULACs indicated that the sub-grantee operating in its locality assisted in organizing ULAC meetings and attended them regularly. Sub-grantees also organized and publicized awareness-raising and other events. In addition, most ULACs reported that legal aid referrals were generally made through the sub-grantees to the appropriate DLAC. In FGDs with UPLAC members, many respondents expressed appreciation for the work of the sub-grantees and indicated that they relied heavily upon sub-grantee assistance to fulfill their duties. A few UPLAC members expressed frustration with lack of ULAC support and were not familiar with the range of sub-grantee activities.

JFA has no institutional level relationships with bar associations, law firms, or law faculties.

The team found no evidence of institutional level contacts with the national-level Bangladesh Bar Council, respective District Bar Association, law firms, or universities. Cooperation with the University of Dhaka Faculty of Law and Rajshahi University Faculty of Law on the Student Legal Aid Forum is an ad hoc activity.

## **CONCLUSIONS**

Based on the above findings, the team concludes that JFA established good working relationships with relevant GOB counterparts despite significant competition for their time. JFA sub-grantees are responsive to the needs of DLACs, ULACs, and UPLACs and have, in most cases, built collaborative, productive relationships. The team notes that the vast majority of ULACs and UPLACs depend heavily on sub-grantees to assist them in carrying out their duties, including making referrals to legal aid. The team questions how well the ULACs and UPLACs will operate after sub-grants end. JFA has not established institutional relationships with bar associations, law firms, or universities.

# RECOMMENDATIONS

## EQ RESULTS AND EFFECTIVENESS (OBJECTIVE 1)

1. JFA should assist NLASO with preparation of the short-term action plan referred to in the report on the strategic plan review conducted in March 2015 to help continue the forward momentum for implementation of NLASO's Strategic Plan implementation. This would further clarify and set deadlines for the steps that NLASO will undertake during the last two years of the plan, what goals will not be met, and begin consideration of a new strategic plan. This exercise would also clarify what interventions JFA will pursue during the last two years of the program. To obtain buy-in from the new NLASO director and engage the NLASO research staff, JFA could organize a two-three day retreat (in-country) for this purpose. As one of the areas that must be addressed is government organization-NGO cooperation on legal aid, USAID and JFA should consider inviting representatives of key NGOs (such as BRAC and BLAST) to the retreat or have a separate pre-retreat NGO consultation. Similarly, USAID and JFA should obtain input from other donors that are implementing legal aid projects or considering starting new ones. This is particularly true of UNDP, as the team understands that consideration of follow-up projects to JUST and JSF is underway.
2. The JFA COP and NLASO director or deputy director should jointly present the short-term action plan and updated improvement plans to DLACs, ULACs, and UPLACs as a first step in improving communication and collaboration through the four levels of the legal aid system. The presentations should take place at DLAC meetings. Chairpersons of ULACs and UPLACs, at least one other member—preferably one of the women members—as well as the sub-grantees working in the district, should be invited. Media, including local, private television stations, should also be invited and a press release should be issued. A Fact Sheet on the short-term implementation plan with updated statistics on legal aid usage should be prepared and NLASO should instruct the ULAC and UPLAC chairperson, in writing, to present the Fact Sheet at the next ULAC/UPLAC meeting. This approach would address the issues of lack of NLASO and JFA management presence in the field as well as communication and collaboration through the four levels of the GOB legal aid system. Further, USAID and JFA should use preparation of the short-term NLASO Strategic Plan as a platform for building consensus among donors regarding government legal aid, including a commitment to jointly advocate for additional resources, as the system is currently underfunded.
3. JFA should support skills training and experience sharing meetings at the division level to strengthen relationships among districts and ease the burden of traveling to Dhaka for more distant DLACs. This would complement the decision by JFA and the NLASO to select new pilot districts that are adjacent to existing pilots in order to maximize efficient resource allocation.
4. In the event that UNDP discontinues training on ADR for DLAOs, JFA and USAID should consider whether JFA should organize practical skills training on ADR and client counseling for DLAOs to build their capacity to perform the additional duties resulting from the LASA Amendment. Ideally, the ADR training would be a week-long training conducted in small groups, but, given time constraints, this training could be part of NLASO/JFA-sponsored DLAO semi-annual workshops held in Dhaka. This could also be coordinated through JATI. JFA should be able to identify a Bangladeshi organization or expert to conduct this training.

## EQ RESULTS AND EFFECTIVENESS (OBJECTIVE 2)

1. JFA should continue court administration and case management training at JATI as well as the introduction of the core competencies curriculum, as such training will address critical issues,

such as the growing backlog, which affect judges' day-to-day work and citizens' access to justice. In doing so, JFA should consider using the JATI needs assessment prepared by the UNDP JSF project as well as materials prepared or lessons learned from previous trainings conducted by JUST on court administration and case management. Given that JFA will close in two years, identification of potential trainers and TOT will be important. Dr. Akhtaruzzaman, Judge, Special Court 5, Dhaka, the former JATI Administrative Director, with whom JFA developed a good working relationship, might be a good candidate.

2. JFA should work with sub-grantee BLAST to build upon the initial success of the Women-to-Women Dialogues. For example, in addition to the current internship program, JFA and BLAST should design a formal mentoring program to match up-and-coming professionals with more senior women lawyers and judges. Mentors and mentees could meet in groups on a monthly basis for a structured program, and would commit to maintaining informal contact on an ad hoc basis.
3. To promote Wiji activities at the district and upazila levels, Wiji "branches" could be established in conjunction with law faculties or local bar associations, with programming support provided directly by JFA or through a sub-grant with an existing JFA sub-grantee or other NGOs.

### **EQ RESULTS (OBJECTIVE 3)**

1. JFA should work directly and through sub-grantees to identify and provide ongoing support to selected female ULAC and UPLAC members who have expressed interest or taken initiatives to raise awareness about legal aid, assist legal aid clients to access the system, or mentor other women to do the same. Poor village women represent the largest percentage of legal aid clients and local women leaders can best gain the trust needed to reach this target group. Preparing and encouraging these women change agents may be the most effective, low-cost way to expand the reach of awareness and sensitization activities. In addition, these trained local women leaders can be encouraged to mentor other DLAC members (female and male) in new pilot or non-pilot districts. USAID should ensure that these women are included in its upcoming human rights/gender rights assessment.
2. JFA and USAID should review the recommended strategies outlined in the *Access to Justice for Women: An Overview of Constraints and Remedial Strategies* and consider which strategies, if any, should be incorporated into JFA programming or how planned activities might be modified to improve effectiveness.
3. JFA, in collaboration with DLACs, should establish Mobile Legal Units (MLUs) in all pilot districts to help bridge the gap between increased awareness and demand for legal aid services at the grassroots level and the supply of service providers. The MLUs would consist of a small team (one to three) district panel lawyer(s) who would travel rotationally to UPs around the district to provide legal information and basic legal advice to citizens regarding potential cases. MLUs would help to bridge the gap between supply (legal representation) and demand (potential clients) due to the costs of traveling to district courts, which are prohibitive for a majority of village residents.

### **EQ MANAGEMENT**

1. JFA should develop a sustainability plan for current sub-grantee awareness-raising, sensitization, and ULAC/UPLAC capacity-building activities to continue following the end of the program. JFA should also engage in specific activities with a view toward sustainability, such as the development of training materials for ULAC and UPLAC members, which would help build ULAC/UPLAC capacity to be able to fulfill their committee responsibilities after sub-grants end.

Further, although JFA encourages sub-grantees to maintain an appropriate ratio of field-level coordinators to UPs/villages as well as sufficient printed materials, the team suggests that JFA proactively review resource allocation with sub-grantees to ensure the most efficient use of resources. To the extent possible, JFA should expand the amount of resources available to sub-grantees for printing training materials and producing other awareness raising items for use by ULAC/UPLAC members to engage in and exponentially expand the reach of Objective 3 activities. Many more copies of the graphic flip charts could be used by many ULAC/UPLAC members as an extension of or complement to their full-time positions working with poor and marginalized communities.

2. JFA senior management should increase their participation in sub-grantee activities in the field to give them greater credibility to the extent that this will not negatively affect their other duties. In order to enhance program credibility, provide support, and strengthen personal relationships with DLAC Chairpersons, JFA senior management should make targeted visits in response to requests from sub-grantees for their presence at particular meetings with DLACs or other events.

## **EQ RELEVANCE**

1. JFA should conduct any strategic (re)introduction of the IFCE-model carefully and in collaboration with the Chief Justice and other judges that are familiar with the IFCE as a result of participation in regional conferences supported by JFA. As a pre-condition, JFA should determine whether the Chief Justice and Minister of Law are truly committed to court excellence principles. As previously noted, many KIs believe that the new Chief Justice and Minister of Law are reform minded, but other well placed respondents disagree. Trainings and presentations about the IFCE model should be better tailored to Bangladeshi realities than the ones used in previous training with visual aids and power point presentations developed according to adult learning best practices. Issues of translation/explanation of unfamiliar terms should be considered, especially for subordinate court judges. Further, to gain broader support in the legal community for the IFCE model, JFA should facilitate introduction of the IFCE model to practicing lawyers through the National Bar Council, Supreme Court Bar, and District Bar Associations. Presentation of principles and practices should be fine-tuned with the assistance of National Bar Council lawyers and Supreme Court advocates who may be familiar with the IFCE model or international standards.

## **EQ CLIENT SATISFACTION**

1. JFA senior management should spend more time in the field to build stronger relationships with pilot district DLACs.
2. JFA and USAID should continue to engage high level GOB counterparts and leverage existing relationships (former NLASO Director, now Registrar General of the Supreme Court; Chief Justice who was the recipient of the Judicial Self-Governance Award) to create or strengthen necessary buy-in for continuation and expansion of activities. In the event that JFA sponsors participation of Bangladeshi judges in regional or international activities in the future, JFA should follow-up with participants to ensure that information and experience is shared appropriately and effectively throughout the judiciary. Examples of useful follow-up include: facilitating visibility of trips through press conferences, articles in media that are posted to relevant GOB websites and distributed to district judges, and presentations at JATI—including foundational training for new judges. Ideally, follow-up mechanisms would be agreed prior to the activity.
3. JFA should establish strategic, institutional partnerships with the National Bar Council, selected bar associations, and university law faculties, focusing on institution-to-institution cooperation to

promote sustainability over the long term. JFA should facilitate NLASO-bar association partnerships by organizing training for panel lawyers on behalf of NLASO. This would contribute to building a culture of legal aid among legal professionals and training and inspiring law students.

# LESSONS LEARNED

The following are the key technical and administrative lessons learned at the mid-term point of the JFA Program. These lessons have been integrated into the JFA Program:

- **Realign planned activities in light of shifts in program counterparts and other donor programs.** As noted earlier, GOB and donor programs shifted significantly between the release of the JFA RFA and the beginning of the program. It is possible that some of the resistance to activities and delay in approving work plans could have been avoided or reduced if USAID had consulted with the MOJLPA and Chief Justice to determine if planned activities should have been modified before activities began.
- **Coordinate closely with government counterparts to ensure activities are tailored to their needs.** As discussed earlier, there was significant resistance to planned Objective 2 activities, and the recommended change in approach was to work through the Objective 1 counterpart and restrict activities to the Objective 1 pilot districts. While JFA and USAID did begin to examine points of entry when resistance became clear, it is possible that the shift in focus to less controversial topics that JFA anticipated could have come earlier in the program.
- **Adjust program's design in response to local reality.** The *Access to Justice for Women: An Overview of Constraints and Remedial Strategies* report highlighted mechanisms outside the formal justice sector that women, particularly rural women, use to settle disputes. This report also documented basic structural problems that hinder women's access to the formal justice system, such as remoteness of courts. However, it was not within the scope of the program to address these problems holistically, which raises the issue of devoting resources to a problem that the program cannot solve.
- **Closely monitor sub-grantees and provide appropriate staffing.** JFA was alerted to the fact that some sub-grantee activities were not well aligned with JFA objectives by a USAID observer. While JFA was able to address the problem, closer monitoring may have avoided this situation. This may have required additional manpower, as the entire JFA grant program is managed by two programmatic and two financial staff.
- **Be mindful of the entrenched nature of hierarchy, not only at the highest levels of government, but at district and local levels.** Starting with program design and securing buy-in, continuing with participation at events, and ongoing program M&E, it is critical to consider protocols to ensure that the "appropriate" counterparts are engaging directly and adequately with individuals they perceive to be at the same professional level.
- **Education and information programs, resources, and materials must be analyzed and customized for the target audience.** Even if English is the common language, terminology, cultural references, breadth, and depth of material must be reviewed, preferably in conjunction local subject matter experts with cross-cultural and language skills. Neglecting that essential aspect of program design and implementation dooms a training activity from the start.
- **Develop detailed contingency plans to enable work to progress under a range of difficult circumstances.** Given the Bangladeshi reality of almost-daily transportation and other logistical roadblocks, it is critically important that programs build in capacity and mechanisms for working off-site or conducting virtual meetings and conference calls with partners outside the capital.

- **Program management and staff must be committed to traveling from headquarters to district and local offices to meet with and support counterparts.** There is often no substitute for a face-to-face meeting or in-person exchange. Decentralized administration and implementation from the beginning of a program will reinforce buy-in, local ownership, and sustainability.

# ANNEXES

## ANNEX I: EVALUATION SCOPE OF WORK

### . Scope of Work for the Justice for All (JFA) External Mid-term Performance Evaluation USAID/Bangladesh Office of Democracy and Governance

#### Program Identification Data

Program Title	: Justice for All (JFA) Program
Program Number	: AID-388-A-12-00004
Program Dates	: <b>October 2012 – September 2017</b>
Program Funding	: <b>\$2,500,000</b> (of total estimated amount \$7,997,747)
Implementing Organization	: National Center for State Courts (NCSC)
Agreement Officer Technical Representative (AOR)	: Habiba Akhter

Evaluation Period : August-November, 2015

#### I. Background

The constitution of Bangladesh guarantees an independent judiciary and equality under the law for all citizens. After more than four decades of its adoption the rights guaranteed by the Constitution continue to be unclear despite somewhat gains in independence at the highest levels of judiciary in this country. The same goes with the efforts of a vibrant civil society to bring legal services to all citizens. The Government of Bangladesh (GOB) has undertaken an ambitious vision 2021 including establishing judicial independence, judicial accountability, gender equality, and protection of the Rule of Law. Vague

The judiciary faces many challenges, the first being its continued dependence upon the executive branch. Higher courts have gained some degree of independence and self-governance, but the executive remains in charge of all career and administrative governance decisions affecting lower court judges and operations. Also, the judiciary is perceived in multiple surveys as corrupt and slow. Large case backlogs are causing long delays for citizens in both civil and criminal cases, leading to high levels of pretrial detention and general dissatisfaction with the financial and time cost of justice.

In the prevailing context, access to justice is a challenge for most citizens. Formal justice institutions are complex and fraught with delays, resulting in low levels of acceptance especially within rural communities. Widespread poverty hinders access as citizens cannot afford the costs of litigation or even physically shuttling to the court. Thus access to justice is reserved for the privileged and powerful. To ensure legal rights and creating access to justice requires citizen awareness first. An aware citizenry can make use of the available legal aid services. Above all an enabling environment for where all the citizens pursue legal options as and when they needed it without any hindrances be it accessibility, cost or other. USAID's Justice for All (JFA) Program is a response to ease the legal options for the common citizens.

#### Development Hypothesis

Gains in efficiency and responsiveness of legal aid services and in performance and governance of the

judiciary will create the enabling environment for citizens to access effective legal remedies within the formal justice sector. Support for legal literacy will increase the awareness of citizens of their rights and their capacity to make meaningful choices to access and utilize legal aid services and formal justice institutions. Increased use of improved services will in turn lead to concrete outcomes that directly benefit the lives of disenfranchised communities while increasing citizen confidence in institutions which can be used by institutions as a catalyst for continued reform.

### **Critical Assumptions**

**Assumption 1: GOB counterparts will remain engaged and supporting of JFA objectives throughout the life of the Program.** Programmatic impact and successful data gathering requires counterpart cooperation and buy-in. JFA performance targets are contingent upon continued participation of GOB counterparts.

**Assumption 2: Statistical and numerical data will be made available to the Program in a timely manner and will be complete and error-free.** Statistical and numerical data is generated by GOB counterparts internally. Data validity cannot be guaranteed and substituting data generation would be both costly and against JFA's capacity building objectives. In addition, data is collected and reported according to set timetables that may or may not correspond to JFA Program quarterly and annual work flow. JFA will mitigate these risks by working with NLASO to strengthen internal data recording and reporting mechanisms.

**Assumption 3: Grantee-generated data will be consistent in terms of definitions, data collection methodologies, and data validity.** JFA will take mitigation measures to ensure grantee-generated data is collected and submitted in a uniform, consistent manner. All JFA grantees will receive an M&E orientation as part of their induction training. The orientation will include discussion of PIRS and training on the proper use of standard data collection tools. Regular monitoring by the M&E Specialist will ensure that the tools are applied consistently.

**Assumption 4: Perception data will not be skewed to negative or positive extremes.** JFA has elected to combine sampling of legal aid service users with sampling of the general public to capture data that provides a focal point as oppose to using a broad survey that measures public opinion generally. Measuring the views of legal aid service users rather than simply collecting perceptions will mitigate risks of overly negative or overly positive perceptions that are disconnected from the reality of service responsiveness, accessibility, quality, etc.

**Assumption 5: Sensitization activities will lead to understanding and acceptance.** Certain activities are geared toward building sensitivity to key concepts, practices, or behaviors. Achieving project goals will require that the topics subject of the sensitization activities be first disseminated, then understood, and finally accepted.

**Assumption 6: External actors and/or factors will not excessively interfere with the completion of tasks and activities.** Certain indicators are contingent upon factors or decisions by actors external to the Program such as the effective adoption of proposed laws and the effective promotion of women within the judiciary. While these indicators are important measures of program impact, demonstrating progress is partially dependent upon institutions that are not direct program counterparts.

Result Framework: Attached as Annex-A

### **Objectives of the Program**

USAID's Justice for All Program's overarching goal is to improve access to justice for all Bangladeshi citizens. The Program is structured around three complementary objectives designed to lead to increases in access to legal aid services and formal justice sector remedies. The information outlined in

this section is drawn from the Year 1 Work Plan, as approved by USAID on December 13, 2012.

**IR 1: Improved delivery of legal aid in the formal justice sector.**

Over the life of the Program, NCSC will assist the MOLJPA and NLASO in improving the effectiveness and use of legal aid services to ensure equal access to justice for all citizens. As a result of program activities, counterparts at the national, district, and local level will have increased capacity, tools, and systems to deliver more effective and responsive legal aid services to citizens. Specific activities will demonstrate progress toward IR 1 by achieving the following sub-IRs:

Sub IR 1.1: Legal and operational framework for legal aid services improved.

The legal framework regulating the organization and administration of legal aid services is improved. Legal aid services operate uniformly and the District Legal Aid Committees fulfill their obligations under the legal framework.

Sub IR 1.2: Citizen knowledge about legal aid services increased.

NLASO and its network of DLACs, ULACs, and UPLACs are more visible and target beneficiaries of legal aid services are aware of such services and how to access them.

Sub IR 1.3: DLAC Services effectively delivered.

Legal aid services are delivered more holistically and tailored to the needs of applicants. The delivery of services meets uniform standards in compliance with the legal framework and the aspirations set in the NLASO Strategic Plan.

**IR 2: Increased self-governance of the judiciary to better serve the public.**

Over the life of the Program, NCSC will assist judges within the lower judiciary to improve operational efficiency and strengthen integrity. NCSC will also assist women judges to obtain equal consideration for promotion and judicial leadership positions. As a result of program activities, judicial leadership and lower judiciary judges will have increased understanding and acceptance of best practices and resources on self-governance, integrity, and self-examination, creating a critical mass for judicial self-governance reforms. Specific activities will demonstrate progress toward IR 2 by achieving the following sub-IRs:

Sub IR 2.1: Understanding by judges of judicial self-governance improved.

Judges understand the parameters and benefits of judicial self-government in the context of improved access to justice and service delivery for citizens. Judges effectively advocate for improvements in the legal and regulatory framework governing the judiciary to achieve self-governance.

Sub IR 2.2: Legal framework for judicial self-governance improved.

Improvements to the legal framework governing the judiciary introduced to support increased self-governance that leads to access to justice and quality service delivery for citizens.

Sub IR 2.3: Equal opportunity for women within the judiciary promoted.

Women judges demonstrate increased professional capacity and the ability to advocate for equal opportunity within the judiciary. Women participation in the judiciary increases and access to leadership positions reflects equal opportunity.

**IR 3: Increased citizen awareness of legal rights and responsibility on selected legal issues.**

Over the life of the Program, NCSC will work with the MOLJPA, civil society, and professional associations to transfer critical legal knowledge and the tools for concrete action to target communities.

As a result of program activities, citizens will have increased awareness of their legal rights and of the mechanisms to exercise them in the formal justice sector, and the enabling environment will be created to ensure they can effectively exercise them. Specific activities will demonstrate progress toward IR 3 by achieving the following sub-IRs:

Sub IR 3.1: Availability of legal information increased.

Legal information is developed and disseminated using multi-media mechanisms. Legal information is updated to meet the information needs of target populations. The availability of legal information is maintained and progressively expanded.

Sub IR 3.2: Legal literacy increased.

Target beneficiaries of legal aid services have actual understanding of their rights and remedies and how to exercise them. The willingness to exercise rights and remedies in the formal justice sector increases.

Sub IR 3.3: Community sensitization on exercise of legal rights increased.

Pro-poor, pro-women, and pro-youth sensitivity is increased among target communities. Community leaders and members demonstrate acceptance of the exercise of legal rights and remedies in the formal justice sector.

## **Gender**

JFA Program pursues gains in gender equality by targeting women as beneficiaries and partners. The Program also promotes an enabling environment within which women professionals have increased access to opportunities and women beneficiaries can make meaningful choices to exercise their legal rights.

## **Sustainability mechanisms**

The JFA Program has devised six sustainability mechanisms so that the achievements from its effort do not get lost once the project comes to an end with no immediate follow up actions. These are:

- a) Ensure counterpart ownership and commitment from the planning stages
- b) Develop local capacity to act and participate
- c) Facilitate knowledge transfers
- d) Institutionalize tools and systems
- e) Creating a demand for accountability
- f) Demonstrate impact.

## **II. Objectives of the Evaluation**

The objective of this mid-term performance evaluation is to assess the technical and programmatic validity, assess JFA implementers' performance to date in achieving actual results against targeted results, find whether the program is on course to meet set objectives and assess sustainability aspects of the program.

The audience for this mid-term performance evaluation includes USAID/Bangladesh, National Center for State Courts (NCSC), US Embassy state department in Bangladesh, the USAID Asia Bureau and, other bi-lateral and multi-lateral donors working for democratic governance and other concern development partners.

### III. Evaluation Questions

This Scope of Work is for a mid-term performance evaluation of the JFA program implementation from October 2012 to March 2015. The evaluation should review, analyze, and evaluate the JFA program using the following prioritized questions. The evaluation should make conclusions based on the findings, identify opportunities and make recommendations for improvement. In answering these questions, the Evaluation Team should assess both the performance of the National Center for State Courts (NCSC) and that of the implementing partner(s).

#### **Evaluation Questions**

##### **Results:**

- To what extent three components have been successful in achieving project objective?

##### **Effectiveness**

- How effective has the project been in stimulating demand for legal services through DLAC and in providing services that meet established standards that are responsive to client needs??
- How effective are the implementer's strategies been in promoting self-governance within the judiciary?
- How effective has the implementer been in activities to promote equal opportunities for female judges? In what way do the activities conducted by JFA promote women as change agents in the judiciary?

##### **Management:**

- How successful was the implementing partner in managing their sub-grants to achieve the project objective? Were there any other alternative approaches that could be taken to maximize sub-grantee performance?

##### **Relevance**

- Are the activities under component-2 aimed at promoting policy reforms to strengthen judicial independence through the use of the IFCE still relevant in the current political context? Are there any challenges and/or opportunities that the activity can explore and address?

##### **Client Satisfaction:**

- How far the implementer has been successful in building and sustaining relationship with GOB counterparts Union, Upazila and District Legal Aid Committees and with non-governmental partner such as law firms, university faculties, professional association?

### IV. Proposed Evaluation Methodology

The information collected for this performance evaluation will be analyzed by the Evaluation Team to establish credible answers to the questions and provide major trends and issues. The Evaluation Team's work plan should include a data collection matrix, data collection instruments, and questionnaires, and proposed field visits. The evaluation team is encouraged to use mixed methodologies and suggest alternative approaches during the planning stage. The methodology should use key informant interviews with stakeholders, including USAID personnel, implementer staff, civil society organizations, Government officials, etc. The evaluation team should plan to conduct field visits with 1-2 sub-grantees

under each type of sub-grant. The team may use triangulation design in attempts to confirm, cross validate, or corroborate findings.

The Team will build on the proposed methodology and provide more specific details on the evaluation methodology in the Evaluation Work Plan (see Deliverables below). The evaluation will be participatory in its design and implementation and the evaluation methodology will be finalized through further review and discussion between USAID/Bangladesh and the Evaluation Team.

The methodology narrative should discuss the merits and limitations of the final evaluation methodology. In the final evaluation report, the evaluator should also detail limitations and how these limitations were addressed or how limitations were taken to account in proposing recommendations. The Evaluation Team will design appropriate tools for collecting data from various units of analysis. The evaluation team should include data collection tools in the detailed work plan. The tools could be revised and finalized with USAID during the evaluation and as part of the evaluation report. The evaluation team is encouraged to propose new methods of data collection and analysis in the work plan. At a minimum, the evaluation methodology will include following methods:

### **I. Document Review**

The Evaluation Team shall review relevant USAID and sector specific documents, as well as key documents from USAID's implementing partners and outside sources. A suggested list of documents is included in Annex B.

The Evaluation Team will use this literature to develop an initial response to the questions listed above, and to set forth hypothesized cause-effect relationships that can be tested through field research and interviews. The Evaluation Team will also use the information from the desk review to design tools for conducting key informant interviews and focus group discussions.

### **2. Key informant Interviews**

The Evaluation Team will conduct interviews with key informants from USAID/Bangladesh, relevant USAID/ Washington staff, JFA in Washington and Dhaka, local sub-contractors and sub-grantees, relevant GOB representatives, civil society representatives, the media, donors, stakeholders, and other relevant beneficiaries. These KIIs will help the evaluation team to collect opinion of the stakeholders to analyze the project achievements and challenges. For this purpose, the Team should establish a standard data collection format.

### **3. Focus Group Discussions**

The evaluation should include focus group discussions (FGDs) with different stakeholders to secure detail information about personal and group feelings, perceptions and opinions on overall project performance. In addition these FGDs will help to get in-depth understanding on project impact especially focused on the citizens who received legal aid services from DLAC, UZLAC, ULAC in the JFA working areas.

### **Existing Sources of Information**

USAID/Bangladesh DG Office will provide documents for the desk review that are not available from other sources and contact information for relevant interviewees. The list of documents is presented in Annex-B. The list is not exhaustive and the Evaluation Team will be responsible for identifying and reviewing additional materials relevant to the evaluation.

## **VI. Deliverables**

**All deliverables are internal to USAID** and the evaluation team unless otherwise instructed by USAID. Evaluation deliverables include:

**Evaluation Team Planning Meeting (s)** – essential in organizing the team’s efforts. During the meeting (s), the team will review and discuss the SOW in its entirety, clarify team members’ roles and responsibilities, work plan, develop data collection methods and instruments, review and clarify any logistical and administrative procedures for the assignment and prepare for the in-brief with USAID/Bangladesh;

**Work Plan** – Complete a detailed work plan (including task timeline, methodology outlining approach to be used to answer each evaluation question, and describe in detail the team responsibilities, draft data collection tools and the data analysis plan): the draft work plan will be submitted within 10 working days after commencement of the evaluation; the final work plan will be submitted within 3 days after the international team members’ arrival in Bangladesh. **In-brief Meeting** – An in-brief meeting with USAID/Bangladesh will be held within 2 working days of international team members’ arrival in Bangladesh;

**Evaluation Design Matrix** – A table will be prepared that lists each evaluation question and the corresponding information sought, information sources, data collection sources, data analysis methods, and limitations. The matrix should be finalized and shared with USAID/Bangladesh before evaluation field work starts. It should also be included as an annex in the evaluation report.

**Data Collection Instruments** – Data collection instruments will be developed and submitted to USAID/Bangladesh during the evaluation design phase prior to the commencement of the evaluation field work. These instruments should be the part of evaluation work plan. The completed evaluation report should also include the data collection tools, instruments and list of people interviewed as an annex in the evaluation report.

**Weekly Updates** - The Evaluation Team Leader (or his/her delegate) will brief the Bangladesh Democracy and Governance Programs Evaluation (BDGPE) COR on progress with the evaluation on a weekly basis, in person or by electronic communication. Any delays or complications must be quickly communicated to USAID/Bangladesh as early as possible to allow quick resolution and to minimize any disruptions to the evaluation. Emerging opportunities for the evaluation should also be discussed with USAID/Bangladesh.

**Debriefing with USAID** – A PowerPoint presentation of initial findings, conclusions and preliminary recommendations will be made to USAID/Bangladesh before the international team members depart from Bangladesh.

**Debriefing with Partners** - The team will present the major findings from the evaluation to USAID partners (as appropriate and as defined by USAID) through a PowerPoint presentation prior to the team’s departure from the country. **The debriefing will include a discussion of achievements and activities only**, with no recommendations for possible modifications to project approaches, results, or activities. The team will consider partner comments and incorporate them appropriately in drafting the final evaluation report.

**Draft Evaluation Report** - – The Evaluation team will analyze all data collected during the evaluation to prepare a **draft Performance Evaluation Report** and submit the report within 15 working days on after the departure of international team members from Bangladesh. The draft report must be of a high quality with well-constructed sentences, and no grammatical errors or typos. **The report should answer ALL the evaluation questions and the structure of the report should make it clear how the evaluation questions were answered.** The draft report must meet the criteria set forth under the final report section below. USAID will provide comments on the draft report within ten

working days of submission. The Evaluation Team will in turn revise the draft report into a **final Performance Evaluation Report**, fully reflecting USAID comments and suggestions.

**Final Report:** The Evaluation Team will submit a final Performance Evaluation Report that incorporates Mission comments and suggestions no later than fifteen working days after USAID/Bangladesh provides written comments on the draft Performance Evaluation Report. The format of the final report is provided below.

The final report must meet the following criteria to ensure the quality of the report:

- The evaluation report must represent a thoughtful, well-researched and well organized effort to objectively evaluate what worked in the project, what did not and why.
- Evaluation reports shall address all evaluation questions included in the scope of work.
- The evaluation report should include the scope of work as an annex. All modifications to the scope of work, whether in technical requirements, evaluation questions, evaluation team composition, methodology or timeline need to be agreed upon in writing by the technical officer.
- Evaluation methodology shall be explained in detail and all tools used in conducting the evaluation such as questionnaires, checklists and discussion guides will be included in an Annex in the final report. If possible, also include a Map of the activity areas where the evaluation was conducted.
- Evaluation findings will assess outcomes and impact on males and females.
- Limitations to the evaluation shall be disclosed in the report, with particular attention to the limitations associated with the evaluation methodology (selection bias, recall bias, unobservable differences between comparator groups, etc.).
- Evaluation findings should be presented as analyzed facts, evidence and data and not based on anecdotes, hearsay or the compilation of people's opinions. Findings should be specific, concise and supported by strong quantitative or qualitative evidence.
- Sources of information need to be properly identified and listed in an annex.
- Recommendations need to be supported by a specific set of findings.
- Recommendations should be action-oriented, practical and specific, with defined responsibility for the action.

The format of the final performance evaluation report should strike a balance between depth and length. The report will include a cover sheet, table of contents, table of figures and tables (as appropriate), glossary of terms (acronyms), executive summary, introduction, purpose of the evaluation, scope and methodology, findings, conclusions, lessons learned and recommendations. Where appropriate, the evaluation should utilize tables and graphs to link with data and other relevant information. The report should include, in the annex, any "Statement of Differences" by any team member or by USAID on any of the findings or recommendations. The report **should not exceed 30 pages**, excluding annexes. The report will be submitted in English, electronically in both word and PDF forms. The report will be disseminated within USAID. Upon instruction from USAID, Social Impact (SI) will submit (also electronically, in English) this report **excluding any potentially procurement-sensitive information** to Development Experience Clearinghouse (DEC) for dissemination among implementing partners, stakeholders, and the general public. The DEC submission must be within three months of USAID's approval of the final report.

All quantitative data, if gathered, must be (1) provided in an electronic file in easily readable format; (2) organized and fully documented for use by those not fully familiar with the project or the evaluation; (3) owned by USAID and made available to the public barring rare exceptions. A CD with all the data could be provided to the COR/AOR.

The final report will be edited/formatted by Social Impact and provided to USAID/Bangladesh 15 working days after the Mission has reviewed the content and approved the final revised version of the report.

## **VII. Team Composition/ Technical Qualifications and Experience Requirements for the Evaluation Team**

The proposed team composition will include one team leader and two team members. USAID will select/approve the proposed candidates for each position based on the proposed methodology and the strength of the candidate(s).

**Team Leader (International):** Senior-level Evaluation Specialist with knowledge in different research methodologies and at least ten (10) years of practical experience in Rule of Law, Legal aid service related program or program evaluation, with Bangladesh or Asia experience preferred; LLB or JD qualifications from a recognized university; and graduate qualifications in a related field. Experience conducting USAID evaluations in the referred sector below is preferred. Specific technical experience in the field of justice sector reform and access to justice in developing countries, whether through primary research, policy analysis, program design and management, program evaluation, or sector assessments. Proven experience as Team Leader on multi-person teams conducting assessment or evaluation assignments. Demonstrated ability to work in a politically sensitive or conflict environment; and ability and willingness to travel to multiple areas within Bangladesh. Team leader will provide leadership for the Team, finalize the evaluation design, coordinate activities, arrange meetings, consolidate individual input from Team members, and coordinate the process of assembling the final findings and recommendations. S/he will also lead the preparation and presentation of the key evaluation findings and recommendations to USAID/Bangladesh.

**Team Member (International):** This position requires a Mid-level Evaluation Specialist with knowledge in different research methodologies and at least six (6) years of practical experience in research or program evaluation in the justice sector, LLB or JD qualifications from a recognized university; and graduate qualifications in a related field; specific technical experience in the field of justice sector reform or access to justice issues in developing countries, whether through primary research, policy analysis, program design and management, program evaluation, or sector assessments. The team member will participate in team meetings, key informant interviews, group meetings, site visits, and draft the sections of the report relevant to his/her expertise and role in the team. S/he will also participate in presenting the report to USAID or other stakeholders and be responsible for addressing pertinent comments provided by USAID/Bangladesh or other stakeholders. Ability to conduct interviews and discussion and write well in English is essential.

**Team Member (National):** At least six (6) to eight (8) years of in-depth knowledge and experience of issues relating to judicial reform, and/or legal aid provision in Bangladesh is required. Experience in design, management monitoring and evaluation of justice sector reform, access to justice or similar governance programs Bangladesh is preferred. Prior experience and ability to conduct evaluations, and to write well in English is required. S/he will work with the BDGPE team members to manage focus group discussions (FGD) and other data collection methods, analyze findings and draft inputs for the evaluation report. .

Bangladesh Democracy and Governance Programs' Evaluation (BDGPE) will include Dhaka office based staff) DCOP and Research Specialist) as third and fourth team members for this Evaluation.

The Team will be supported by interpreter/translators (as needed) through the auspices of the Bangladesh Democracy and Governance Program Evaluations (BDGPE) project.

## **VIII. Conflict of Interest**

All evaluation Team members will provide a signed statement attesting to a lack of conflict of interest, or describing an existing conflict of interest relative to the program being evaluated. USAID/Bangladesh will provide the conflict of interest forms.

#### **IX. Scheduling and Logistics/Logistical Support and Government Furnished Property**

The proposed evaluation will be funded and implemented through the BDGPE project. Social Impact will be responsible for all offshore and in-country administrative and logistical support, including identification and fielding appropriate consultants. Social Impact support includes arranging and scheduling meetings, international and local travel, hotel bookings, working/office spaces, computers, printing, photocopying, arranging field visits, local travel, hotel and appointments with stakeholders.

The Evaluation Team will be required to perform tasks in Dhaka, Bangladesh and also will travel to activity sites within the country. The evaluation Team should be able to make all logistic arrangements including the vehicle arrangements for travel within and outside Dhaka and should not expect any logistic support from the Mission. The Team should also make their own arrangements for Team meetings, and equipment support for producing the report.

## Schedule

Task/ Deliverable	Proposed Dates	LOE		
		Team Leader	Team Member (Intl)	Team Member (Natl)
Review background documents & preparation work: <b>Draft work plan</b> submitted to USAID/Bangladesh by 9/3/2015	8/24 – 8/30/2015	3	3	3
Travel to Bangladesh by expat team members	8/31 – 9/1/2015	2	2	
<b>Team Planning Meeting</b> hosted by BDGPE	9/2/2015	1	1	1
<b>In-brief</b> with USAID/Bangladesh	9/3/2015	.5	.5	.5
Meet with JFA staff	9/3/2015	.5	.5	.5
Submit Final <b>Work Plan to USAID</b>	9/6/2015			
Data collection	9/5-9/20/2015	14	14	14
Analysis and product drafting in-country				
Evaluation Team submits <b>annotated report outline and draft presentation</b> for USAID/Bangladesh DG Team review; data collection continues after submission	9/20/2015	-	-	-
USAID provides comments (as needed) on report outline and draft presentation; team continues field work	9/21-9/22/2015	2	2	2
<b>Presentation and debrief</b> with DG Team and USAID/Bangladesh	9/23/2015	.5	.5	.5
<b>Debrief meetings with key stakeholders</b>	9/23/2015	.5	.5	.5
Expat Team members depart Bangladesh	9/24-9/25/2015	2	2	-
Produce draft report to USAID	9/26-10/16/2015	6	6	3

USAID and partners review draft and provide <b>comments</b>	10/17-11/6/2015	-	-	-
BDGPE reviews draft comments, edits, finalizes, and submits to USAID	11/7-11/20/2015	3	3	-
<b>TOTAL</b>		<b>35</b>	<b>35</b>	<b>25</b>

## X. REPORTING REQUIREMENTS

The total pages, excluding references and annexes, should not be more than 30 pages. The following content (and suggested length) should be included in the report:

Table of Contents

Acronyms

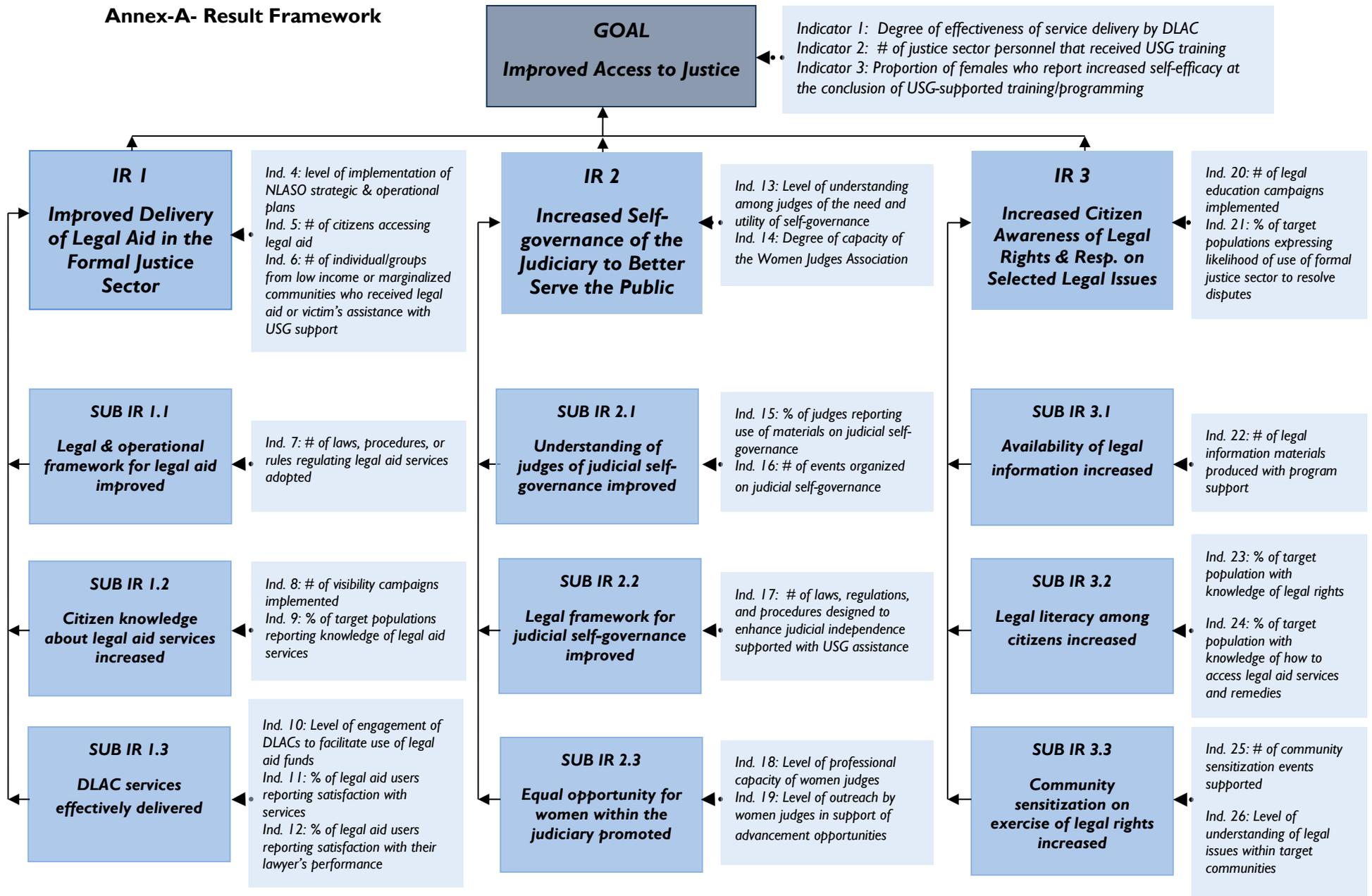
Executive Summary - concisely state the project purpose and background, key evaluation questions, methods, most salient findings and recommendations (2-3 pp.);

1. Introduction – country context, including a summary of any relevant history, demography, socio-economic status etc. (1 pp.);
2. The Development Problem and USAID’s Response - brief overview of the development problem and USAID’s strategic response, including design and implementation of the PHR program and any previous USAID activities implemented in response to the problem, (2-3 pp.);
3. Purpose of the Evaluation - purpose, audience, and synopsis of task (1 pp.);
4. Evaluation Methodology - describe evaluation methods, including strengths, constraints and gaps (1 pp.);
5. Findings and Conclusions - describe and analyze findings for each objective area using graphs, figures and tables, as applicable, and also include data quality and reporting system that should present verification of spot checks, issues, and outcomes (12-15 pp.);
6. Lessons Learned - provide a brief of key technical and/or administrative lessons on what has worked, not worked, and why for future project or relevant program designs (2-3 pp.);
7. Recommendations – prioritized and numbered for each key question; should be separate from conclusions and be supported by clearly defined set of findings and conclusions. Include recommendations for future project implementation or relevant program designs and synergies with other USAID projects and other donor interventions as appropriate (3-4 pp).

Annexes – to include statement of work, documents reviewed, bibliographical documentation, evaluation methods, data generated from the evaluation, tools used, interview lists, meetings, focus group discussions, surveys, and tables. Annexes should be succinct, pertinent and readable. Should also include if necessary, a statement of differences regarding significant unresolved difference of opinion by funders, implementers, or members of the evaluation team on any of the findings or recommendations.

The report format should be restricted to Microsoft products and 12-point type font should be used throughout the body of the report, with page margins one inch top/bottom and left/right.

**Annex-A- Result Framework**



## Annex-B

### List of Documents (not limited to)

1. JFA program documents (RFA, Cooperative Agreement, work plans, etc.)
2. JFA PMP
3. JFA performance reports
4. JFA deliverables and research reports
5. JFA communications materials
6. JFA data bases of participants
7. JFA sub-grants and contracts for program delivery
8. Other relevant reports from DPs
9. Other relevant national level/government reports

## ANNEX II: EVALUATION DESIGN MATRIX

Evaluation Questions	Sources	Questions	Sub-Questions
<b>Results</b>			
To what extent have the three components been successful in achieving project objectives?	(See all below.)	How has access to justice changed since 2012, for better or worse, for all Bangladeshi citizens?	What are the critical factors that are contributing to any progress towards this overarching program goal? What are the main challenges to progress?
<p>IR 1: Improved delivery of legal aid in the formal justice sector.</p> <p>IR1.1: Legal and operational framework for legal aid services improved.</p> <p>IR1.2: Citizen knowledge about legal aid issues increased.</p> <p>IR 1.3: DLAC services effectively delivered.</p>	<p>JFA documentation; external reports; GOB data and reports; other donor and development partner reports; KIs with GOB, NLASO, DLACs, DLAOs, and sub-grantees; FGDs with donors/development partners; lawyers and legal aid providers, sub-grantees; mini-surveys for DLACs, DLAOs, and sub-grantees outside Dhaka and not included in site visits.</p>	<p>Has delivery of legal aid improved?</p> <p>How has citizen knowledge of legal aid issues changed since 2012?</p> <p>How has the delivery of legal aid services changed since 2012?</p>	<p>What are the critical factors that are contributing to improved legal aid?</p> <p>How did recommendations from the JFA Diagnostic Assessment contribute to the improvement?</p> <p>What factors are reflected in the revised LASA? What was not included and why?</p> <p>How is JFA contributing to implementation of NLASO Strategic Plan? What else could JFA do?</p> <p>How have JFA programs and activities affected citizen knowledge about legal aid issues?</p> <p>What are the best methods for raising citizen awareness? What issues, if any, have sub-grantees had in working with UZLACs and UPLACs and visa-versa?</p> <p>Has capacity of DLAOs increased? What additional training or resources are needed?</p> <p>To what extent have DLACs participated in information exchanges? Is there a community of practice emerging? Is it sustainable after JFA ends?</p> <p>What changes have been made in training DLAOs and DLAC staff to reflect lessons learned from first round of pilot DLACs?</p>

<b>Evaluation Questions</b>	<b>Sources</b>	<b>Questions</b>	<b>Sub-Questions</b>
<p>IR 2: Increased self-governance of the judiciary to better serve public.</p> <p>IR 2.1: Understanding by judges of judicial self-governance improved.</p> <p>IR 2.2: Legal framework for self-governance improved.</p> <p>IR 2.3: Equal opportunity for women within the judiciary promoted.</p> <p>**See Relevance EQ.</p>	<p>JFA documentation; external reports; other donor and development partner reports; KIs with MOLJPA; Chief Justice; lower court judges; Women Judges Association; and JFA. FGDs and mini-surveys of lower court judges, women judges, lawyers and law students; and gender experts.</p>	<p>How has judicial self-governance changed since 2012?</p> <p>Have opportunities for women judges, lawyers, and law students improved? How? Are there more women judges being promoted? Are promotion criteria equally applied?</p>	<p>How has the JFA Program affected judges' understanding of judicial self-governance?</p> <p>How has JFA affected the legal framework for judicial self-governance?</p> <p>How have lower court judges advocated for self-governance and court excellence? Have they been successful?</p> <p>What are the key challenges to increased judicial self-governance? Legislation, political will, corruption?</p> <p>Have judges used the self-diagnostic and self-reporting tools developed as part of the court excellence activity? Could they be improved and if so, how?</p> <p>Have judges gained skills by attending court competencies training modules? What specific skills are being applied?</p> <p>How has JFA used the results of the November 2013 Gender Mapping Survey?</p> <p>What are the specific professional challenges for women judges, lawyers, and law students? Does the environment vary from one district to another?</p> <p>What factors/interventions by JFA and others have contributed to improved opportunities for women legal professionals?</p> <p>Has the BWJA been mobilized? Who are the champions of reform?</p> <p>What achievements has the Wijl made? Are there examples of women legal professionals serving as change agents?</p> <p>Are there more women in leadership positions and what are examples?</p> <p>How have women law students been mobilized?</p>

<b>Evaluation Questions</b>	<b>Sources</b>	<b>Questions</b>	<b>Sub-Questions</b>
<p>IR3: Increased citizen awareness of legal rights and responsibility on selected legal issues.</p> <p>IR 3.1: Availability of legal information increased.</p> <p>IR 3.2: Legal literacy increased. (some overlap with IR 2.2)</p> <p>IR3.3. Community sensitization on exercise of legal rights increased.</p>	<p>JFA Program documentation; external reports; other donor and development partner reports; KIs with MOLJPA; Chief Justice; lower court judges; Women Judges Association; FGDs and mini-surveys of lower court judges, women judges, lawyers and law students.</p>	<p>Has the increase in available legal information resulted in a change of behavior or attitudes about the use of legal services, particularly among women?</p> <p>Have sensitization activities contributed to this?</p>	<p>Is JFA measuring whether public awareness campaigns lead to increased knowledge and changes in attitudes and behaviors?</p> <p>Do citizens, particularly women, have more knowledge about their legal rights and how to protect them?</p> <p>What type of information and methods of dissemination/strategies have been most effective?</p> <p>Can any lessons learned or best practices from increased use of informal dispute resolution mechanisms be applied to the formal justice sector?</p> <p>Are JFA legal awareness and sensitization activities adequately coordinated and branded for maximum impact? What other strategies might be additionally or more effective?</p> <p>Are lessons learned or best practices being shared among grantees? What has JFA done to facilitate this?</p>
<b>Efficiency</b>			
<p>How effective has the project been in stimulating demand for legal services through DLAC and in providing services that meet established standards that are responsive to client needs?</p>	<p>See Results: IR 1</p>	<p>Have JFA activities stimulated demand for legal services through DLAC and improved delivery?</p>	<p>JFA-How reliable is the Index (indicator 1) that DLAC compiles?</p> <p>Client FGDs/mini-surveys-Were you satisfied with legal aid provided? Was it timely, etc.</p>
<p>How effective have the implementer's strategies been in promoting self-governance within the judiciary?</p>	<p>See Results: IR 2</p>		

<b>Evaluation Questions</b>	<b>Sources</b>	<b>Questions</b>	<b>Sub-Questions</b>
How effective has the implementer been in activities to promote equal opportunities for female judges? In what way do the activities conducted by JFA promote women as change agents in the judiciary?	See Results: IR 2		
<b>Management</b>			
How successful was the IP in managing their sub-grants to achieve the project objective? Were there any other alternative approaches that could be taken to maximize sub-grantee performance?	Kills with JFA staff responsible for managing sub-grants, sub-grantees; other development partners and external observers.	How would you describe the relationship you have with the JFA Program and staff?	<p>Questions for sub-grantees:</p> <p>How did you learn about the JFA sub-grant program?</p> <p>Did you encounter difficulties in preparing sub-grant reports and complying with requirements? If so, how did JFA handle that?</p> <p>How did the application process compare to that of other donors?</p> <p>Which activities conducted by JFA helped you to achieve expected results under your sub-grant?</p> <p>What were the main challenges in achieving the expected results?</p> <p>How would you rate the initial training that JFA conducted for sub-grantees?</p> <p>Questions for JFA:</p> <p>What were the main difficulties you encountered in administering sub-grants? How did you resolve them? What are you doing differently as a result?</p>
<b>Relevance</b>			

<b>Evaluation Questions</b>	<b>Sources</b>	<b>Questions</b>	<b>Sub-Questions</b>
<p>Are the activities under component-2 aimed at promoting policy reforms to strengthen judicial independence through the use of the IFCE still relevant in the current political context? Are there any challenges and/or opportunities that the activity can explore and address?</p>	<p>Kills with MOLJPA, Chief Justice (and other Supreme Court Justices), District Court Judges, JATI, and JFA; FGDs with donors and development partners.</p> <p>Site visit to one of the Model Courts (assuming this has started).</p>	<p>Does Chief Justice support this initiative?</p> <p>Did JFA achieve sufficient buy-in during Year 2?</p> <p>Are there any barriers in the legal or social environment that are preventing Protecting Human Rights' work from having the full impact it might?</p>	<p>What is the status of Policy Memorandum and Model Law being prepared by JFA?</p> <p>Questions for judges that participated in IFCE workshops:</p> <p>Were these workshops valuable; What aspects of the IFCE workshops did you find the most applicable to your work? Which were the least applicable? Have you been able to apply any new approaches or practices in your court?</p> <p>In your opinion, what is the greatest challenge in achieving court excellence and judicial self-governance in Bangladesh?</p> <p>Same questions for lower court judges (particularly court excellence facilitators) regarding dissemination of and application of information.</p>
<b>Client Satisfaction</b>			
<p>How successful has the implementer been in building and sustaining relationships with GOB counterparts UP, Upazila, DLACs, and with non-governmental partners, such as law firms, university faculties, and professional associations?</p>	<p>Kills with GOB counterparts (MOJPA and NLASO), DLACS, ULACS, and UPLACS; Women Judges Association; sub-grantees, USAID; FGDs or mini-surveys with NGO partners.</p>	<p>To what extent are various stakeholders satisfied or dissatisfied with JFA?</p> <p>Did any stakeholders raise issues regarding cooperation with JFA? If so, how were they addressed?</p> <p>Were DLACs satisfied with cooperation with JFA on preparation of Customized Improvement Plans?</p> <p>What, if any, changes did JFA make in their approach?</p> <p>What, if any, areas of concern or gaps in programming do various stakeholders identify?</p>	<p>How are client and stakeholder satisfaction being measured? Does the PMP capture client satisfaction?</p> <p>How does JFA receive feedback and recommendations about program management? What more could be done to gather this information?</p> <p>How satisfied with JFA are the various stakeholders and USAID and why? What, if any, areas of concern or gaps in programming do these various stakeholders identify? Why do those gaps exist and how could they be addressed?</p> <p>Is cooperation with the NLASO director improving? Is he participating in compiling Index Scores? If not, why and what does that signal?</p>

## **ANNEX III: DATA COLLECTION INSTRUMENTS**

### **Government of Bangladesh / MOLJPA / NLASO / Supreme Court**

#### **Access to Justice/Legal Aid**

1. How has access to justice and the delivery of legal aid changed in Bangladesh since 2012?
2. What are the main challenges to continued progress?
3. How has JFA contributed to improvements in access to justice/legal aid? Preparation of the diagnostic assessment; assistance with drafting and passage of the revised LASA; implementation of the NLASO Strategic Plan? What else could JFA do?
4. Are other donors/implementers providing assistance in this area? If so, what are they doing and is JFA cooperating with them?

#### **Judicial Self-Governance/Opportunities for Women**

1. Has judicial independence increased since 2012? How?
2. How has JFA contributed to the improvement in judicial self-governance/court excellence since 2012? Were IFCE workshops or trainings at JATI useful?
3. How well do lower court judges understand principles of judicial self-governance and court excellence?
4. What are the key challenges to increased judicial self-governance/court excellence? Legislation, political will, corruption?
5. Have opportunities for women judges and lawyers improved? How?

#### **DLAC Officers and Staff**

1. What are the critical factors that are contributing to improved legal aid?
2. Which of these factors have been most important in your district?
3. Have JFA activities stimulated demand for legal services through DLACs? How?
4. What are the main challenges to continued improvements in the delivery of legal aid through the DLACs? Resources; ULAC/UPLAC activities; community awareness and acceptance?
5. Did JFA's training help you to do your job better? Please give an example.
6. To what extent have the Customized Improvement Plans been helpful?
7. To what extent are DLACs participating in information exchanges? Is this useful?

### **Judges (District Level and Women)**

1. How have the JFA programs and training affected your understanding of judicial self-governance?
2. Have district level judges advocated for self-governance and court excellence? Have they been successful?
3. What skills have you gained as a result of participating in court competency training modules? What specific skills are you applying?
4. Have you used the self-diagnostic and self-reporting tools developed as part of the court excellence activity? Could they be improved and if so, how?
5. What are the unique challenges for women judges, lawyers, and law students?
6. What interventions by JFA and others have contributed to improved opportunities for women legal professionals?
7. Are you familiar with the Bangladesh Association of Women Judges? Have you participated in any of their programs or activities?

### **Sub-grantees**

1. How would you describe the relationship you have with the JFA Program and staff?
2. How would you rate the initial training conducted by JFA for sub-grantees?
3. What activities conducted by JFA helped you to achieve expected results under your sub-grant?
4. What were the main challenges in achieving the expected results?
5. Do citizens, particularly women, have more knowledge about their legal rights and how to protect them? Please give an example.
6. What types of information and methods of dissemination strategies have been most effective?
7. What issues, if any, have sub-grantees had in working with ULACs and UPLACs?
8. Are lessons learned or best practices being shared among grantees? What has JFA done to facilitate this?

### **External Observers (professors, lawyers, civil society, other donors and implementers)**

1. How has access to justice changed since 2012 for Bangladeshi citizens overall?
2. What are the critical factors contributing to improvements in the availability, delivery, and quality of legal aid in Bangladesh?
3. Has judicial self-governance improved, in general and in the lower courts specifically, since 2012? To what extent has this been influenced by donor-sponsored activities?

4. What are the specific challenges for women judges, lawyers, and law students? Does the environment vary from one district to another?
5. What are the key challenges to increased judicial self-governance?
6. How have JFA programs and activities affected citizen knowledge about legal aid issues?
7. What are the best methods for raising citizen awareness about legal rights?

### **DLAC Chair (District Judge)**

1. What are the critical factors that are contributing to improved legal aid in your district?
2. Which of these factors have been most important in your district?
3. How have JFA activities contributed to improvement in delivery of legal aid through DLACs?
4. Have JFA supported activities stimulated demand for legal aid?
5. To what extent has the Customized Improvement Plan for your district been helpful?
6. What are the main challenges to continued improvements in the delivery of legal aid through the District Legal Aid Offices? (resources, ULAC/UPLAC activities, community awareness, and acceptance)
7. Has your DLAC participated in information exchanges with other districts? Is this useful?
8. What suggestions do you have for future cooperation with JFA?

### **FGD with DLAC Members**

1. What are the critical factors that are contributing to improved legal aid in your district?
2. Which of these factors have been most important in your district?
3. Are you familiar with the activities conducted by JFA and its sub-grantee to stimulate demand and improve the delivery of legal aid in your district?
4. Which activities have been most useful?
5. Are you familiar with the Customized Improvement Plan for your district? Were you involved in the preparation of that plan?
6. How has this activity helped the DLAC to provide legal aid? How are you monitoring implementation of the plan?
7. What else could JFA do to support your DLAC?

### **Mini Survey**

1. Gender: M or F

2. Age:
3. Position in DLAC: Member / Observer
4. How many DLAC meetings have you attended?
5. Are you familiar with the work of the JFA sub-grantee working in your district?: Y / N
6. Knowledge/awareness about DLAC responsibilities: a lot / some / a little / do not know
8. Knowledge/awareness about legal rights: a lot / some / a little / do not know

### **DLAO**

1. How long have you been in your position? Did you work as a judge in this district before becoming DLAO?
2. Are you familiar with JFA-sponsored activities or services?
3. How would you describe the relationship you have with the JFA Program and staff? (interaction at what levels, methods, frequency of contact, and any cooperation highlights or challenges)
4. How has JFA and JFA sub-grantee activities helped you do your job or what did you learn as a result?
5. What aspects of the support were most positive/useful?
6. Have you attended any DLAO coordination meetings? Was this useful? How?
7. Have you attended activities at the UPLAC/UZLAC level? Which activities are most useful?
9. What suggestions do you have to improve the activity/support from JFA?
10. What suggestions do you have for future cooperation?

### **DLAC staff**

1. How long have you worked at the District Legal Aid Office? What are your responsibilities?
2. How would you describe the relationship you have with the JFA Program and staff? (interaction at what levels, methods, frequency of contact, and any cooperation highlights or challenges)
3. Have you participated in JFA-sponsored training or other activities? Can you give an example?
4. How did this activity(ies) help you do your job or what did you learn as a result?
5. Have JFA or sub-grantee activities improved delivery of legal aid in your district? How?
6. What aspects of the support were most positive/useful?
7. What else could JFA do to support the District Legal Aid Office?

### **ULAC Chair**

1. How would you describe the relationship you have with the NGO sub-grantee? (interaction at what levels, methods, frequency of contact, and any cooperation highlights or challenges)
2. How has the sub-grantee helped the ULAC to ensure that citizens get legal-aid services when needed? Please provide examples.
3. Have you participated in sensitization activities conducted by the sub-grantee? Have the activities been effective and why?
4. What are the greatest challenges for the delivery of legal aid to your citizens? How could these challenges be overcome?
5. Are there alternatives to the DLAC, such as resolving disputes in the village court or seeking assistance from an NGO?
6. What suggestions do you have to improve the activity/support of the sub-grantee or JFA?

### **FGD with ULAC members**

1. Are you familiar with JFA-sponsored (NGO sub-grantee-sponsored) activities or services? Can you give an example?
2. Have you participated in any of these activities?
3. How have these activities helped the ULAC to ensure citizens received needed legal aid?
4. What are the greatest challenges to delivery of legal aid to your citizens?
5. What could the ULAC do to overcome these challenges?
6. How could JFA or the sub-grantee assist with this?

Note: If participants cannot come up with specific activity, we could refer them to “activation” or ULAC sensitization/awareness activity reported by sub-grantee.

### **Mini-survey**

1. Gender: M or F
2. Age:
3. Position in ULAC: Member / Observer
4. How many ULAC meetings have you attended? 1; 2; 3; 4; 5 or more
5. Know something about the work of sub-grantee: Y / N
6. Knowledge/awareness about ULAC responsibilities: a lot / some / a little / do not know
7. Knowledge/awareness about legal rights: a lot / some / a little / do not know

## **FGD with beneficiaries (legal aid clients and citizens)**

### **Legal Aid Users / Clients**

1. What are the main challenges for citizens in your community in obtaining justice?
2. Why did you seek legal aid services?
3. What legal aid services have you received—information, counseling, representation?
4. Who provided these services?
5. How did you find out about the services?
6. Were you satisfied with these services? Why or why not? How could the services be improved?
7. Are there other legal aid service providers available in your community?
8. What other recommendations do you have, if any?

### **Mini-survey**

1. Gender: M or F
2. Age:
3. Occupation:
4. Received legal aid services (information, counseling representation) in last year: Y / N
5. Sought and/or received legal aid services in the past (prior to one year ago): Y / N

### **Citizen beneficiaries**

1. What are the main challenges for citizens in your community in obtaining justice?
2. Are you familiar with the National Legal Aid Service? How did you learn about the service?
3. Are you familiar with the JFA-grantee working in your district? Have you attended any activities organized by that organization? Can you give an example?
4. How did this activity or service help you or what did you learn as a result?
5. What other activities could the JFA-grantee or the ULAC conduct to inform citizens about their legal rights and legal aid services?
6. What could they do to help citizens get legal aid?

### **Mini-survey**

1. Gender: M or F
2. Age:
3. Occupation:
4. Know something about the work of sub-grantee: Y / N
5. Knowledge/awareness about legal rights: a lot / some / a little / do not know

## ANNEX IV: DOCUMENTS REVIEWED

### JFA Program Documents:

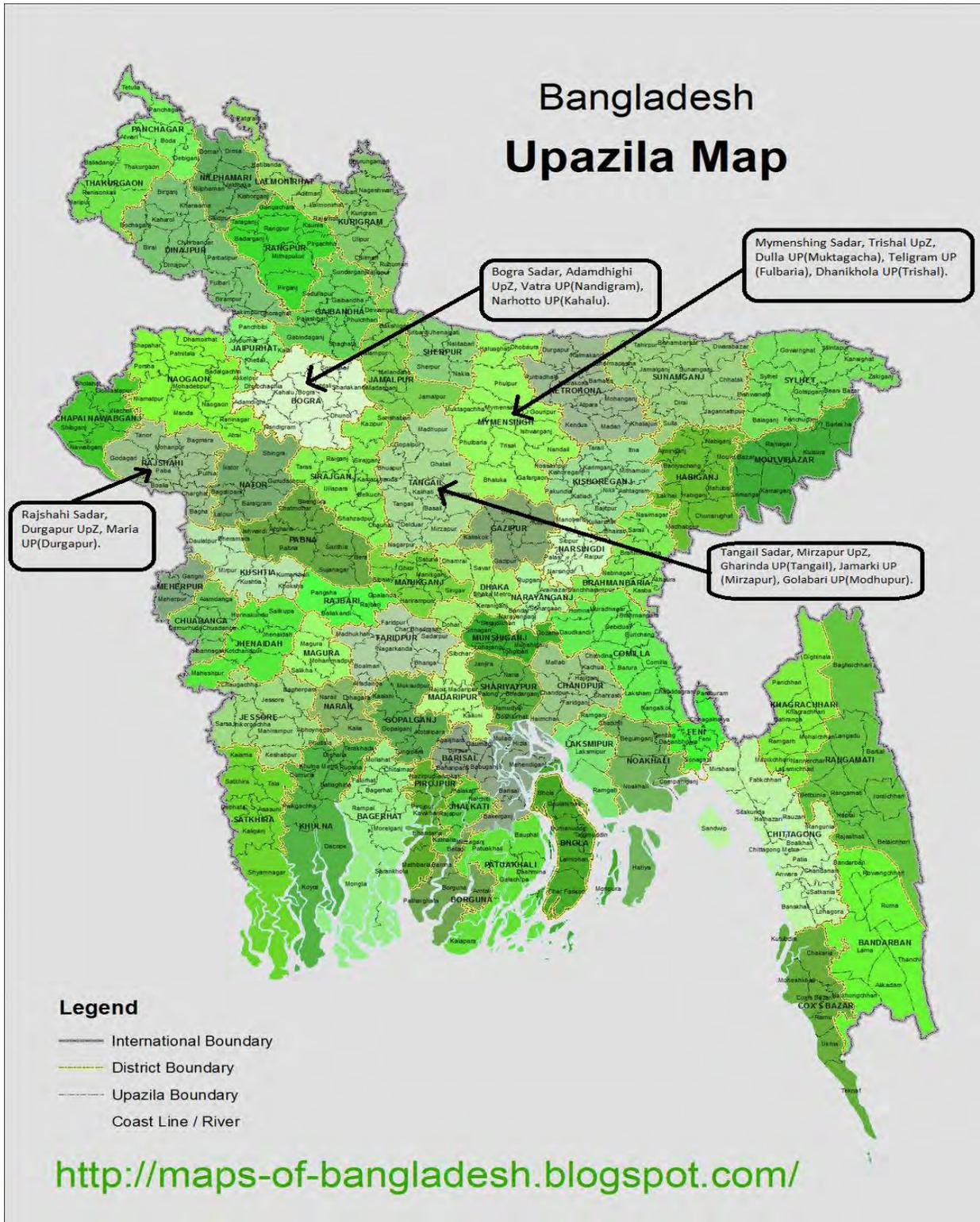
1. USAID/Bangladesh. *Activity in Focus - National Legal Aid Day*. Dhaka: USAID, 2015. Print.
2. USAID/Bangladesh. *Activity in Review: Mock Trials, Justice for All Program*. Dhaka: USAID, 2015. Print.
3. USAID/Bangladesh. *Activity in Review: Special Radio Program, Justice for All Program*. Dhaka: USAID, 2015. Print.
4. USAID/Bangladesh. *Activity in Review: Student Legal Aid Forum Launched , Justice for All Program*. Dhaka: USAID, 2015. Print.
5. USAID/Bangladesh. *Activity in Review: Training of Judges, Justice for All Program*. Dhaka: USAID, 2015. Print.
6. USAID/Bangladesh. *Baseline Survey on Public Perceptions of Government Legal Aid Services*. Dhaka: NCSC, 2014. Print.
7. USAID/Bangladesh. *Cooperative Agreement, AID-388-A-12-00004 NCSC (JFA), Justice for All Program*. Dhaka: USAID, 2012. Print.
8. USAID/Bangladesh. *Cooperative Agreement, AID-388-A-12-00004 NCSC (Modification No-1), Justice for All Program*. Dhaka: USAID, 2013. Print.
9. USAID/Bangladesh. *Cooperative Agreement, AID-388-A-12-00004 NCSC (Modification No-2), Justice for All Program*. Dhaka: USAID, 2015. Print.
10. USAID/Bangladesh. *Cooperative Agreement, AID-388-A-12-00004 NCSC (Modification No-3), Justice for All Program*. Dhaka: USAID, 2014. Print.
11. USAID/Bangladesh. *Court Administration/Case Management ToT Presentation, Justice for All Program*. Dhaka: NCSC, 2015. Print.
12. USAID/Bangladesh. *Court Administration/Case Management Training Materials, Justice for All Program*. Dhaka: NCSC, 2015. Print.
13. USAID/Bangladesh. *Court Administration/Case Management Training Presentation, Justice for All Program*. Dhaka: NCSC, 2015. Print.
14. USAID/Bangladesh. *Court Excellence (IFCE) Training Materials, Justice for All Program*. Dhaka: NCSC, 2015. Print.
15. USAID/Bangladesh. *Court Excellence (IFCE) Training Presentation, Justice for All Program*. Dhaka: NCSC, 2014. Print.
16. USAID/Bangladesh. *Court Excellence (IFCE) Training Presentation, Justice for All Program*. Dhaka: NCSC, 2015. Print.
17. USAID/Bangladesh. *Fact Sheet, Justice for All Program*. Dhaka: USAID, 2013. Print.
18. USAID/Bangladesh. *Fact Sheet, Justice for All Program*. Dhaka: USAID, 2015. Print.
19. USAID/Bangladesh. *Fact Sheet: Legal Aid Committee Activation Study, Justice for All Program*. Dhaka: USAID, 2015. Print.
20. USAID/Bangladesh. *Final Monitoring and Evaluation Plan, Justice for All Program*. Dhaka: NCSC, 2013. Print.
21. USAID/Bangladesh. *Finding Our Voices - Women in Justice Women's Day, Justice for All Program*. Dhaka: USAID, 2015. Print.
22. USAID/Bangladesh. *Guideline for UzLAC- UPLAC Orientation, Justice for All Program*. Dhaka: NCSC, 2014. Print.
23. USAID/Bangladesh. *ICT Training Manual, Justice for All Program*. Dhaka: NCSC, 2014. Print.
24. USAID/Bangladesh. *Legal Aid Committee Activation and Referral Mechanism: An Impact Study, Justice for All Program*. Dhaka: NCSC, 2015. Print.

25. USAID/Bangladesh. *Performance Report, Quarter 1 (October- December), Justice for All Program*. Dhaka: NCSC, 2012. Print.
26. USAID/Bangladesh. *Performance Report, Quarter 2 (January- March), Justice for All Program*. Dhaka: NCSC, 2013. Print.
27. USAID/Bangladesh. *Performance Report, Quarter 3 (April- June), Justice for All Program*. Dhaka: NCSC, 2013. Print.
28. USAID/Bangladesh. *Performance Report, Quarter 4 (July- September), Justice for All Program*. Dhaka: NCSC, 2013. Print.
29. USAID/Bangladesh. *Performance Report, Quarter 5 (October- December), Justice for All Program*. Dhaka: NCSC, 2013. Print.
30. USAID/Bangladesh. *Performance Report, Quarter 6 (January - March), Justice for All Program*. Dhaka: NCSC, 2014. Print.
31. USAID/Bangladesh. *Performance Report, Quarter 7 (April- June), Justice for All Program*. Dhaka: NCSC, 2014. Print.
32. USAID/Bangladesh. *Performance Report, Quarter 8 (July- September), Justice for All Program*. Dhaka: NCSC, 2014. Print.
33. USAID/Bangladesh. *Performance Report, Quarter 9 (October- December), Justice for All Program*. Dhaka: NCSC, 2014. Print.
34. USAID/Bangladesh. *Performance Report, Quarter 10 (January- March), Justice for All Program*. Dhaka: NCSC, 2014. Print.
35. USAID/Bangladesh. *Performance Report, Quarter 10 (January- March), Justice for All Program*. Dhaka: NCSC, 2015. Print.
36. USAID/Bangladesh. *Program Impact Summary- Legal Aid Lawyers Now More Accountable, Justice for All Program*. Dhaka: USAID, 2015. Print.
37. USAID/Bangladesh. *Program Overview: USAID's Justice for All Program*. Dhaka: USAID, 2013. Print.
38. USAID/Bangladesh. *Request for Applications (RFA), Justice for All Program*. Dhaka: USAID, 2012. Print.
39. USAID/Bangladesh. *Success Story- Rajshahi DLAC, Justice for All Program*. Dhaka: USAID, 2014. Print.
40. USAID/Bangladesh. *Success Story- Rangpur DLAC, Justice for All Program*. Dhaka: USAID, 2015. Print.
41. USAID/Bangladesh. *Training Module on Legal Awareness, Justice for All Program*. Dhaka: NCSC, 2014. Print.
42. USAID/Bangladesh. *Training Module on Legal Drafting and Court Procedure*. By Tanvia Roselyn Sultana. Dhaka: NCSC, n.d. Print.
43. USAID/Bangladesh. *Women in Justice Fact Sheet, Justice for All Program*. Dhaka: USAID, 2015. Print.
44. USAID/Bangladesh. *Year 1 Monitoring and Evaluation Report, Justice for All Program*. Dhaka: NCSC, 2013. Print.
45. USAID/Bangladesh. *Year 1 Work Plan, Justice for All Program*. Dhaka: NCSC, 2012. Print.
46. USAID/Bangladesh. *Year 2 Monitoring and Evaluation Report, Justice for All Program*. Dhaka: NCSC, 2014. Print.
47. USAID/Bangladesh. *Year 2 Work Plan, Justice for All Program*. Dhaka: NCSC, 2013. Print.
48. USAID/Bangladesh. *Year 3 Work Plan, Justice for All Program*. Dhaka: NCSC, 2014. Print.

#### **USAID Documents:**

49. USAID/Bangladesh. *Bangladesh Country Development Cooperation Strategy FY 2011 – FY 2016*. N.p.: n.p., 2011. Print.

**ANNEX V: MAP OF EVALUATION SITES**



## ANNEX VI: PERSONS INTERVIEWED

Name	Sex	Position	Affiliation
Fawzia Karim Firoz	Female	President	Bangladesh National Woman Lawyer's Association
Faustina Pereira	Female	Director, Human Rights and Legal Aid Services	BRAC
Sara Hossain	Female	Executive Director	BLAST
Heather Goldsmith	Female	Assistant Professor and Chair, Department of Law	North South University
Salma Ali	Female	Executive Director	Bangladesh National Woman Lawyer's Association
Sumana Binte Masud	Female	Project Management Specialist-Civil Society Organizations	USAID
Ummey Kulsum	Female	Deputy Secretary	Ministry of Law
Shamima Begum	Female	Victim Support Expert, Police Reform Program	UNDP Bangladesh
Sharmeen Farouk	Female	DCOP	JFA, NCSC
Rebecca Singha	Female	Project Manager	BLAST
Rumana Amin	Female	Contracting Officer's Representative, BDGPE	USAID/Bangladesh
Ridwanul Hoque	Male	Associate Professor, Department of Law	University of Dhaka
AKM Mokammel Haque	Male	M&E Specialist	JFA, NCSC

<b>Name</b>	<b>Sex</b>	<b>Position</b>	<b>Affiliation</b>
Yves Del Monaco	Male	Project Manager, National Human Rights Commission of Bangladesh, Capacity Building Project	UNDP
Amir ul Islam	Male	Senior Advocate	Supreme Court of Bangladesh
Gerard Majella Smith	Male	Investigations and Operations Specialist, Police Reform Program	UNDP Bangladesh
ABM Khairul Haque	Male	Chairman	Law Commission
Shah Alam	Male	Member	Law Commission
Akhtaruzzaman	Male	Special Judge, Court 5	Judiciary
Saud Hassan	Male	Joint District Judge, Court 3	Judiciary
Richard Miles	Male	Principle Advisor, Rule of Law Program	GiZ
Malik Abdullah Al-Amin	Male	Director	NLASO
Imman Ali	Male	Judge, Appellate Division	Supreme Court of Bangladesh
Christian Eldon	Male	Chief Technical Advisor	Justice Sector Facilities Project, UNDP
Aminul Islam	Male	Register General, Supreme Court	Judiciary
Mizanur Rahman	Male	Chairman	National Human Rights Commission of Bangladesh
Ratan Kumar Deb	Male	Capacity Building Officer, Police Reform Program	UNDP Bangladesh

<b>Name</b>	<b>Sex</b>	<b>Position</b>	<b>Affiliation</b>
Abdullah Al Hasan	Male	Project Director	Bangladesh National Woman Lawyer's Association
Md. Arifur Rahman	Male	Project Coordinator, Grassroots Justice Project	Bangladesh National Woman Lawyer's Association
Md. Nashid Reza	Male	Senior Legal Officer	JFA, NCSC
Md. Zahirul Islam	Male	Legal Associate	JFA, NCSC
Harold Dampier	Male	COP	JFA, NCSC
Andre Redman	Male	Project Manager, Police Reform Program	UNDP Bangladesh
Md. Mostofa Kamal	Male	Legal Officer	JFA, NCSC
Nanda Lal Sutradhar	Male	Communications and Awareness Manager	JFA, NCSC
Jerome Sayre	Male	Team Leader	Community Legal Aid Services
Wajed Firoz	Male	Deputy Executive Director	Democracy Watch

### Interviews at Rajshahi

<b>Name</b>	<b>Sex</b>	<b>Position</b>	<b>Affiliation</b>
Samina Begum	Female	Staff Lawyer, Rajshahi Unit	BLAST

Name	Sex	Position	Affiliation
Shirina Yasmin	Female	Program Officer	Sachetan
Makammam arMahmud	Female	Woman Affair Officer	Durgapur Upazila, Rajshahi
Mohsin Alam	Male	Project Coordinator, JFA	Sachetan, Rajshahi
Md. Abdus Samad	Male	Coordinator, Rajshahi Unit	BLAST
Hasan Faruk Imam	Male	Chairman	Maria UP, Durgapur, Rajshahi
Md. Nazrul Islam	Male	Chairman	Durgapur Upazila, Rajshahi
Md. Nuruzzaman Sarkar	Male	DLAO (Acting)	Rajshahi

### Interviews at Bogra

Name	Sex	Position	Affiliation
Rashida Khatun	Female	Project Officer, Improved Justice and Legal Aid Services Project	Light House, Bogra
Abdul Mohit Talukdar	Male	Chairman, UP	UP, Adamdighi, Bogra.
Mizanour Rahman	Male	Project Manager, JFA	Light House, Bogra
Taufiqul Islam Rana	Male	Chairman	Vatra UP, Nandigram, Bogra
Md. Nuruzzaman	Male	DLAO (Acting)	Bogra
AM Md. Sayed	Male	District Judge	Bogra
Md. Rezaul Karim	Male	Upazila Nirbahi Officer/Upazila Executive Officer	Adam Dighi Upazila, Bogra

Name	Sex	Position	Affiliation
Abdul Mohit Talukdar	Male	Chairman	Adam Dhighi Upazila, Bogra

### Interviews at Mymensingh

Name	Sex	Position	Affiliation
AH Habib Khan	Male	Coordinator	BLAST, Mymensingh
Banani Biswas	Female	Upazila Nirbahi Officer/Upazila Executive Officer	Fulbaria Upazila, Mymensingh
Rafiqul Islam	Male	DLAC Chairperson	Mymensingh

### Interviews at Tangail

Name	Sex	Position	Affiliation
Moinuddin	Male	Coordinator	Democracy Watch, Tangail
Mahmudul Haque	Male	Chairman	DLAC, Tangail
Shahidul Islam	Male	DLAO	DLAC, Tangail

### FGDs at Tangail

Name	Sex	Affiliation
FGD with DLAC members Participants: 9	Male = 8 Female = 1	DLAC, Tangail
FGD with ULAC members	Male = 9	Mirzapur Upazila, Tangail

Name	Sex	Affiliation
Participants: 11	Female = 2	
FGD with UPLAC members Participants: 7	Male = 6 Female = 1	Gharinda UP, Tangail Sadar Upazila, Tangail
FGD with UPLAC members Participants: 11	Male = 8 Female = 3	Jamarki UP, Mirzapur Upazila, Tangail
FGD with UPLAC members Participants: 10	Male = 7 Female = 3	Golabari UP, Modhupur Upazila, Tangail
FGD with beneficiaries (legal aid clients and citizens) Legal Aid Users / Clients Participants: 13	Female = 13	Puribari, Golabari UP, Modhupur Upazila, Tangail
FGD with panel lawyers Participants: 6	Male = 4 Female = 2	DLAC, Tangail

### FGDs at Mymensingh

Name	Sex	Affiliation
FGD with DLAC members Participants: 9	Male = 8 Female = 1	DLAC, Mymensingh
FGD with ULAC members Participants: 4	Male = 3 Female = 1	Trishal Upazila, Mymensingh.
FGD with UPLAC members Participants: 10	Male = 4 Female = 6	Dulla UP, Muktagacha Upazila, Mymensingh

<b>Name</b>	<b>Sex</b>	<b>Affiliation</b>
FGD with UPLAC members Participants: 17	Male = 15 Female = 2	Teligram UP, Fulbaria Upazila, Mymensingh
FGD with UPLAC members Participants: 8	Male = 7 Female = 1	Dhanikhola UP, Trishal Upazila, Mymensingh
FGD with beneficiaries (legal aid clients and citizens) Legal Aid Users / Clients Participants: 10	Male = 1 Female = 9	Shomuk Boilor, Dhanikhola UP, Trishal Upazila, Mymensingh
FGD with beneficiaries (legal aid clients and citizens) Legal Aid Users / Clients Participants: 8	Male = 1 Female = 7	Village: Union: Dulla, Upazila: Muktagacha, Zila: Mymensingh
FGD with panel lawyers Participants: 9	Male = 6 Female = 3	DLAC, Mymensingh

### **FGDs at Bogra**

<b>Name</b>	<b>Sex</b>	<b>Affiliation</b>
FGD with DLAC members Participants: 9	Male = 8 Female = 1	DLAC, Bogra
FGD with ULAC members Participants: 7	Male = 3 Female = 4	Adamdighi Upazila, Bogra.
FGD with UPLAC members Participants: 9	Male = 6 Female = 3	Vatra UP, Nandigram Upazila, Bogra

Name	Sex	Affiliation
FGD with beneficiaries (legal aid clients and citizens) Legal Aid Users / Clients Participants: 10	Female = 10	Village: Lohajal, Union: Narhotto, Upazila: Kahalu, Zila: Bogra
FGD with Panel Lawyers Participants: 12	Male = 6 Female = 6	DLAC, Bogra

### FGDs at Rajshahi

Name	Sex	Affiliation
FGD with DLAC members Participants: 5	Male = 3 Female = 2	DLAC, Rajshahi
FGD with ULAC members Participants: 8	Male = 7 Female = 1	Durgapur Upazila, Rajshahi
FGD with UPLAC members Participants: 11	Male = 7 Female = 4	Maria UP, Durgapur Upazila, Rajshahi
FGD with beneficiaries (legal aid clients and citizens) Legal Aid Users / Clients Participants: 10	Female = 10	Village: Varuapara, Union: Belpukur, Upazila: Durgapur, Zila: Rajshahi
FGD with Panel Lawyers Participants: 6	Male = 6	DLAC, Rajshahi

### FGDs at Dhaka

Name	Sex	Affiliation
FGD with Women Lawyers Participants: 7	Female = 7	BLAST, Dhaka
FGD with TOT Participants Participants: 10	Male = 9 Female = 1	JATI, Dhaka

## ANNEX VII: DISCLOSURE OF ANY CONFLICTS OF INTEREST

### Disclosure of Conflict of Interest for USAID Evaluation Team Members

<b>Name</b>	Marilyn Susan Zelin
<b>Title</b>	Team Leader
<b>Organization</b>	Social Impact, Inc.
<b>Evaluation Position?</b>	<input checked="" type="checkbox"/> Team Leader <input type="checkbox"/> Team member
<b>Evaluation Award Number(contract or other instrument)</b>	Contract # AID-OAA-I-10-00003 Task Order # AID-388-TO-12-00001
<b>USAID Project(s) Evaluated(Include project name(s), implementer name(s) and award number(s), if applicable)</b>	BDGPE – Justice for All Mid-term Performance Evaluation
<b>I have real or potential conflicts of interest to disclose.</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>If yes answered above, I disclose the following facts:</b> <i>Real or potential conflicts of interest may include, but are not limited to:</i> <ol style="list-style-type: none"> <li>1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated.</li> <li>2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation.</li> <li>3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project.</li> <li>4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated.</li> <li>5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated.</li> <li>6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.</li> </ol>	<p>I have applied for positions with NGESE, but proposals did not win. I did work on a proposal for NGESE for program in Georgia. I have worked for competitors (EWM I and ARSA/ROLI)</p>

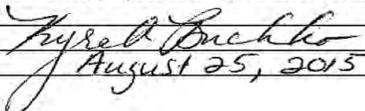
I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

<b>Signature</b>	<i>Marilyn Susan Zelin</i>
<b>Date</b>	8/20/15

Disclosure of Conflict of Interest for USAID Evaluation Team Members

<b>Name</b>	Kyra Audilet Buchko
<b>Title</b>	Team Member
<b>Organization</b>	Social Impact, Inc.
<b>Evaluation Position?</b>	<input type="checkbox"/> Team Leader <input checked="" type="checkbox"/> Team member
<b>Evaluation Award Number(contract or other instrument)</b>	Contract # AID-OAA-I-10-00003 Task Order # AID-388-TO-12-00001
<b>USAID Project(s) Evaluated(Include project name(s), implementer name(s) and award number(s), if applicable)</b>	BDGPE – Justice for All Mid-term Performance Evaluation
<b>I have real or potential conflicts of interest to disclose.</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If yes answered above, I disclose the following facts:</b> <i>Real or potential conflicts of interest may include, but are not limited to:</i> 1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated. 2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation. 3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project. 4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated. 5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated. 6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.	

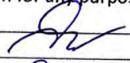
I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

<b>Signature</b>	
<b>Date</b>	August 25, 2015

Disclosure of Conflict of Interest for USAID Evaluation Team Members

<b>Name</b>	Uttam Kumar Das
<b>Title</b>	National Team Member
<b>Organization</b>	Social Impact, Inc.
<b>Evaluation Position?</b>	<input type="checkbox"/> Team Leader <input checked="" type="checkbox"/> Team member
<b>Evaluation Award Number(contract or other instrument)</b>	Contract # AID-OAA-I-10-00003 Task Order # AID-388-TO-12-00001
<b>USAID Project(s) Evaluated(Include project name(s), implementer name(s) and award number(s), if applicable)</b>	BDGPE – Justice for All Mid-term Performance Evaluation
<b>I have real or potential conflicts of interest to disclose.</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If yes answered above, I disclose the following facts:</b> <i>Real or potential conflicts of interest may include, but are not limited to:</i> <ol style="list-style-type: none"> <li>1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated.</li> <li>2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation.</li> <li>3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project.</li> <li>4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated.</li> <li>5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated.</li> <li>6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.</li> </ol>	

I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

<b>Signature</b>	
<b>Date</b>	AUG 27, 2015

Disclosure of Conflict of Interest for USAID Evaluation Team Members

<b>Name</b>	Naim Mostofa
<b>Title</b>	Local Research Specialist
<b>Organization</b>	Social Impact
<b>Evaluation Position?</b>	<input type="checkbox"/> Team Leader <input checked="" type="checkbox"/> Team member
<b>Evaluation Award Number(contract or other instrument)</b>	AID-388-TO-12-00001
<b>USAID Project(s) Evaluated(Include project name(s), implementer name(s) and award number(s), if applicable)</b>	Justice for All Program (JFA)
<b>I have real or potential conflicts of interest to disclose.</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p><b>If yes answered above, I disclose the following facts:</b></p> <p><i>Real or potential conflicts of interest may include, but are not limited to:</i></p> <ol style="list-style-type: none"> <li>1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated.</li> <li>2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation.</li> <li>3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project.</li> <li>4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated.</li> <li>5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated.</li> <li>6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.</li> </ol>	
<p>I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.</p>	
<b>Signature</b>	N. Mostofa
<b>Date</b>	April 13, 2015

U.S. Agency for International Development  
1300 Pennsylvania Avenue, NW  
Washington, DC 20523