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Office of Institutional Development Support**

**TECHNICAL ASSESSMENT OF
THE EGYPTIAN MINISTRY OF
JUSTICE AUTOMATION
PROPOSAL**

Final Report

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EXECUTIVE SUMMARY

This report presents a technical assessment of the automation proposal recently developed by the Egyptian Ministry of Justice (MOJ). Our overall approach to conducting the assessment consisted of a series of interviews with officials in the Ministry of Justice, and site visits to a sample of courts in different parts of Egypt. In addition to assessing the technical merits of the automation proposal, the project was designed to identify overall needs and opportunities for automation in the court system. Another major goal of the project was to assess "non-system" factors, including training needs and organizational issues in the courts. The final goal of the project was to recommend the components of a future USAID project to promote automation and other improvements in the administration of the Egyptian courts.

A. SUMMARY OF MAJOR FINDINGS

The MOJ automation proposal involves four distinct initiatives:

- o the development of an automated legal database for use by judges in researching cases;
- o a plan to place personal computers (PCs) in the homes of judges to allow them to access the database;
- o a plan to automate all aspects of the administration of the courts; and
- o the development of a standalone database containing personnel information on judges.

MAXIMUS did not assess the fourth initiative because it is already near to completion by MOJ.

1. ASSESSMENT OF THE PLAN TO DEVELOP THE AUTOMATED LEGAL DATABASE

Based on our interviews and site visits, MAXIMUS endorses the basic plan to develop an automated legal database. In particular, we believe that the database will help to expedite the workloads of the judges and promote greater consistency in judicial decision making. Access to the database may also play an educational role for many judges. However, there is a need to ensure coordination between the efforts of the MOJ itself and the Cabinet of

Minister's Information Decision Support Center, which is involved in a concurrent effort to streamline and automate all of the laws and decrees in effect in Egypt. In addition, we have some concern about possible jurisdictional disputes in this area because a parallel project is being conducted by the People's Assembly to automate the laws of Egypt. Finally, as part of the proposed USAID project, there is a need to provide ongoing technical assistance to MOJ in the continued development of the legal database. This might include (1) ensuring that judges and attorneys have greater input into the design of the search and retrieval system that is being developed to access the database and (2) providing MOJ with feedback on the results of the pilot test of the new system (see below).

2. ASSESSMENT OF THE PLAN TO PLACE PCs IN THE HOMES OF JUDGES TO ACCESS THE DATABASE

MAXIMUS also endorses the plan to place PCs in the homes of judges, since this is the only feasible way to guarantee ready access to the legal database. However, we recommend that, as part of the proposed USAID project, this approach be piloted in two cities before a decision is made to implement it nationwide. A sample of about 50 judges in each of these two cities should be selected to participate. In addition, MAXIMUS strongly recommends that these judges also be required to use the PCs to type their own court decisions, rather than relying on the time-consuming, inefficient, and error-prone procedures now in effect. Other features of the pilot project might include an E-mail capability to allow judges to confer on cases through the use of their PCs. Our report provides preliminary estimates of the hardware requirements for the pilot project.

MAXIMUS also recommends that the USAID project include an independent evaluation of the pilot project to determine the feasibility of the approach and to identify improvements in procedures before nationwide implementation.

3. ASSESSMENT OF THE PLAN TO AUTOMATE THE ADMINISTRATION OF THE COURTS

Our site visits to the different courts revealed that there is currently almost no automation in the Egyptian court system. This situation contributes to a lack of adequate

management controls and accountability, a significant duplication of effort among court personnel, and the use of inefficient and time-consuming procedures. There is also a high risk of documents being misplaced and errors being made in recording case information. Another consequence of the current situation is that private litigants and attorneys often have great difficulty obtaining information about their cases and in ensuring timely action at each stage of the litigation.

For these reasons, MAXIMUS endorses the overall plan to automate the administration of the courts, including all levels of the judicial system. However, this endorsement carries a number of qualifications. First, automation by itself is not likely to have a major impact in reducing case backlogs and delays unless reforms are introduced simultaneously in court management and procedures. Accordingly, automation should be accompanied by progress being made in these areas.

Second, some of MOJ's specific plans for automating the courts are premature in terms of the normal system development life cycle. For example, the Ministry has already developed preliminary plans for the system architecture and for the hardware that will be deployed at each court. Specific decisions about hardware and system architecture, however, should not be made until a detailed Functional Requirements Analysis has been conducted to determine the specific functions and processes that should be automated. This analysis should also include an assessment of expected transaction volumes. The Functional Requirements Analysis should be conducted as part of the proposed USAID project prior to the design and pilot testing of the new system.

Third, the new system should be piloted in one city before it is considered for nationwide implementation. Our report includes criteria for the selection of this city. In the city that is selected, the pilot should be implemented in the Appeals Court and in a First Instance Court. The report provides preliminary estimates of the hardware and equipment costs required for the pilot implementation.

4. MANAGEMENT AND PROCEDURAL REFORMS THAT SHOULD ACCOMPANY AUTOMATION

In order to reduce delays and eliminate other problems in the administration of justice, automation must be accompanied by changes in management practices and legal procedures that contribute to these problems. MAXIMUS recommends that, as part of the proposed USAID project, technical assistance should be provided to establish and support a Task Force to promote reforms in these areas. A select number of local Chief Judges should be represented on the Task Force since their commitment is critical to improved management and administration of the courts.

The major areas where reforms should focus are as follows:

- o procedures for the service of process by bailiffs,
- o use of the MOJ Experts,
- o time limits for the submittal of evidence,
- o the introduction of court reporting using modern technology,
- o appeal procedures and fees,
- o post-judgement court fees,
- o deadlines for Court of Cassation Prosecutors,
- o deadlines for the Commissioners in administrative cases, and
- o the disposition of taxation cases.

Our report discusses each of these areas of reform in detail, as well as the technical assistance that should be provided to the Task Force. MAXIMUS also recommends that, as part of the USAID project, a comprehensive Management Study be conducted of the court system to provide support to the work of the Task Force. This study may identify additional areas for procedural reforms.

5. DEVELOPMENT OF TRAINING PROGRAMS FOR COURT PERSONNEL

A major training initiative will be necessary to provide:

- o training in the proposed automated systems at the pilot sites, and
- o training in "non-systems" areas such as court administration and management.

It is our general conclusion, however, that judges and other court personnel can readily be trained to use the new automated systems, as long as the systems incorporate user-friendly, menu-driven features.

5.1 Training and Technical Assistance Requirements to Support the New Automated Systems at the Pilot Sites

A number of different types of training will be necessary to support the new automated systems at the pilot sites. At the two sites where the use of PCs in the judges' homes will be piloted, it will be necessary for training to be provided to each of the 100 judges participating in the pilot. In addition, ongoing technical assistance will be required to the participating sites to resolve any operational problems that arise. As noted previously, we also recommend that technical assistance be provided to MOJ in the continued development of its legal research database, including a review of the retrieval system by a sample of "end users."

At the pilot site where the new system for automating the courts will be tested, it will be necessary to provide training and technical assistance in a variety of forms. These should include:

- o a "user awareness campaign" for local staff,
- o training in the new procedures that are created as a result of automation,
- o technical training in the new automated applications, and
- o ongoing technical assistance to resolve problems in the piloting of the new system after it is operational.

Our report provides preliminary estimates of the number and type of persons who may require training, and the types of training that will be necessary.

5.2 Training Requirements in "Non-Systems" Areas

In addition to supporting the new automated systems, an enhanced program of "non-systems" training is necessary in order to promote greater efficiency and timeliness in the administration of justice by the courts. The specific types of training should include:

- o continuing education for judges,
- o management training for chief judges and court managers, and
- o training for court reporters.

B. RECOMMENDED TASK PLAN AND SCHEDULE FOR A USAID PROJECT

One of the major goals of the project was to identify the components of a future USAID project for promoting automation and other improvements in the administration of the courts in Egypt. In the various chapters of the report, we have recommended a number of activities that should be included in this future USAID project. Below is a recommended Task Plan and Schedule for the future USAID project. For additional information on each task and sub-task, the reader is referred to the appropriate sections of the preceding chapters.

1. RECOMMENDED OVERALL TIME FRAME FOR THE USAID PROJECT

To complete all of the activities involved in the USAID project, MAXIMUS recommends a twenty-four month time frame from the beginning of the project to its completion. We think that this timeframe is realistic in view of the time that will be required to initiate and organize the project activities in Egypt.

2. SPECIFIC ACTIVITIES AND TIME FRAMES

MAXIMUS recommends the following Task Plan and schedule for the USAID project.

TASK 1: INITIATE AND ORGANIZE THE PROJECT (Month 1)

Task 1.1: Mobilize and Deploy Staff from the United States

Task 1.2: Conduct Initial Meetings With USAID to Review Project Objectives and Methods

Task 1.3: Conduct Protocol Meetings With MOJ Officials

TASK 2: SELECT THE PILOT SITES FOR THE PROJECT (Month 2)

- Subtask 2.1: Finalize the Selection Criteria for Selecting the Pilot Sites for the Use of PCs in the Judges' Homes (Two sites are recommended)
- Subtask 2.2: Finalize the Selection Criteria for the Pilot Site for the New Automated System for Court Administration (This site will be one of the two sites selected for the other pilot)
- Subtask 2.3: Consult With MOJ on the Selection of Sites
- Subtask 2.4: Recommend the Final Sites to USAID

TASK 3: CONDUCT THE PILOT PROJECT OF THE USE OF PCs IN THE JUDGES' HOMES (Months 3 through 24)

- Subtask 3.1: Meet With Local Officials to Review Logistics (Month 3)
- Subtask 3.2: Select the Judges Who Will Participate (Month 3)
- Subtask 3.3: Procure and Deploy the Equipment (Month 3-5) -- about 80 PCs will be deployed.
- Subtask 3.4: Provide Training to the Judges (about 80) (Month 6)
- Subtask 3.5: Work With the MOJ Information Center to Arrange for Support Services for the Judges (Month 6)
- Subtask 3.6: Initiate the Pilot Activities (Month 7)
- Subtask 3.7: Provide Technical Assistance to MOJ and the Participating Sites As Required (Months 7 through 24)
- Subtask 3.8: Provide Technical Assistance as Required by MOJ in the Continued Development of the Legal Database (Months 3 through 24)

TASK 4: CONDUCT THE EVALUATION OF THE PILOT PROJECT INVOLVING THE USE OF PCs BY THE JUDGES (Months 3 through 18)

- Subtask 4.1: Monitor the Usage of the System by the Judges
- Subtask 4.2: Conduct Regular Site Visits to Assess the Pilot
- Subtask 4.3: Prepare a Report of the Evaluation Findings (by Month 18)

TASK 5: CONDUCT THE FUNCTIONAL REQUIREMENTS ANALYSIS FOR THE AUTOMATION OF THE COURTS (Months 3 through 5)

- Subtask 5.1: Select the Sites Where the Analysis Will be Conducted (We recommend four courts located in two cities: Cairo and either Alexandria or Ismailia)
- Subtask 5.2: Consult with Local Officials to Arrange for User Groups to be Identified
- Subtask 5.3: Deploy Teams to the Sites to Conduct the Analysis
- Subtask 5.4: Prepare a Report of the Analysis (by the end of Month 5)

TASK 6: WORK WITH MOJ TO ESTABLISH THE Subtask FORCE TO PROMOTE PROCEDURAL REFORMS (Months 2 through 4)

- Subtask 6.1: Meet with MOJ to Review the Objectives of the Subtask Force and Resolve Issues About the Goals of the Task Force
- Subtask 6.2: Assist MOJ in Identifying Criteria for Selecting the Task Force
- Subtask 6.3: Work With MOJ To Recruit Members of the Task Force

TASK 7: PROVIDE TECHNICAL ASSISTANCE TO THE TASK FORCE (Months 5 through 24)

- Subtask 7.1: Determine the Logistics and Schedules for Meetings of the Task Force
- Subtask 7.2: Provide Logistical Support to the Task Force
- Subtask 7.3: Arrange for Meetings with Relevant Government Agencies to Promote Reforms

TASK 8: CONDUCT THE COMPREHENSIVE MANAGEMENT STUDY OF THE COURTS IN SUPPORT OF THE TASK FORCE (Months 3 through 8)

- Subtask 8.1: Identify the Specific Objectives of the Management Study (Month 3)
- Subtask 8.2: Select the Courts Where the Management Study Will be Conducted (Month 4)
- Subtask 8.3: Conduct the Management Study (Months 5 through 7)
- Subtask 8.4: Prepare a Comprehensive Report (Month 8)

TASK 9: CONDUCT THE PILOT OF THE NEW SYSTEM FOR AUTOMATING THE COURTS (Months 6 through 24)

- Subtask 9.1: Finalize the Architecture and Hardware Requirements for the Pilot (Month 6)
- Subtask 9.2: Prepare the Detailed System Design (Month 6)
- Subtask 9.3: Develop the Software for the New System (Months 7 through 10)
- Subtask 9.4: Install the Software and Conduct Acceptance Testing (Months 11 through 12)
- Subtask 9.5: Develop Training Materials and Procedures Manuals (Months 11 through 12)
- Subtask 9.6: Conduct "User Awareness" Training (Months 11 through 12)
- Subtask 9.7: Provide Training to Local Court Personnel in the New Systems and Procedures (Months 13 through 14)
- Subtask 9.8: Deploy Local Systems Managers for Ongoing Operations (Month 14)
- Subtask 9.9: Operate the New System and Resolve Operational Issues (Months 14 through 24)
- Subtask 9.10: Prepare a Report to USAID on the Operation of the Pilot System (by Month 22)

TASK 10: PROVIDE SENIOR MOJ OFFICIALS AND JUDGES WITH EXPOSURE TO STATE-OF-THE-ART AUTOMATED SYSTEMS IN U.S. COURTS (Months 9 through 15)

- Subtask 10.1: Work With MOJ to Select the Officials and Judges
- Subtask 10.2: Arrange for Systems to be Demonstrated in Egypt
- Subtask 10.3: Arrange for a Select Number of Judges to Travel to the U.S. to Observe Current Systems
- Subtask 10.4: Select the Sites in the U.S. and Make Local Arrangements

TASK 11: DESIGN AND DELIVER A TRAINING PROGRAM IN GENERAL MANAGEMENT PROCEDURES AND COURT MANAGEMENT FOR MOJ OFFICIALS, CHIEF JUDGES, AND COURT MANAGERS (Months 15 through 22)

- Subtask 11.1: Design the Training Program and Curricula
- Subtask 11.2: Deploy Trainers and Arrange Logistics for the Delivery of Training

Subtask 11.3: Select the Persons to be Trained (in conjunction with MOJ) -- approximately 90 persons)

Subtask 11.4: Deliver and Evaluate the Training

TASK 12: DEVELOP FUTURE PLANS AND SCHEDULES FOR THE AUTOMATION OF THE EGYPTIAN COURT SYSTEM (Months 22 through 24)

Subtask 12.1: Develop Plans and Schedules for Providing Each Judge With a PC (contingent on the success of the pilot)

Subtask 12.2: Develop Plans and Schedules for Implementing the Model System in the Remaining Egyptian Courts, Including Training, Hardware Procurement, Hardware Installation, and Software Installation.

CHAPTER I: INTRODUCTION

This report presents a technical assessment of the automation proposal recently developed by the Egyptian Ministry of Justice (MOJ). The report was produced by MAXIMUS under contract to USAID (Cairo).

A. BACKGROUND AND OBJECTIVES OF THE TECHNICAL ASSESSMENT

The Office of Institutional Development Support (IDS) of USAID/Cairo recently received a proposal from the Egyptian Ministry of Justice (MOJ) to expand its computer network beyond the High Court building in which it is established. IDS wished to obtain a formal review and assessment of the MOJ proposal. This is a reflection of USAID's role in helping to improve the efficient administration of justice in Egypt. One area of particular concern to IDS is the existing backlog of cases in the court system, especially the delays in the disposition of commercial and civil. With regard to commercial cases, in particular, the timely and consistent disposition of cases is critical to USAID's efforts to help Egypt develop a market economy. Automation of the courts is of interest to IDS as one way to support Egypt in its efforts.

The first objective of the project, therefore, was to conduct a technical assessment of the strengths and weaknesses of the MOJ proposal. This included an assessment of the training and expertise of the existing court personnel in both automated systems and non-automated functions.

The second major objective of the project was to suggest a focus (based on the MOJ proposal) for a possible project which would improve the administration of justice in Egypt. This objective had the following sub-goals:

- o assess what has already been accomplished in the automation of the court system and the Ministry of Justice,
- o identify alternative approaches and the most appropriate next steps for automation and training,
- o identify specific objectives for automating the courts to improve the administration of justice (including procedures which could best profit from automation), and

- o determine the logical components of a USAID activity (or set of activities) for automation of the court system.

In addition to focusing on automation, IDS asked MAXIMUS to examine "non-system" factors that should be considered in efforts to improve the efficient administration of justice and that might also affect the capacity of the courts to absorb automation.

B. APPROACH USED TO CONDUCT THE ASSESSMENT

Our overall approach to conducting the assessment consisted of a series of interviews and site visits to collect information on the following topic areas:

- o existing court organization, case processing procedures, staffing, and administration;
- o the extent of automation in the court system and the use of non-automated procedures for key functions;
- o opportunities for increased automation;
- o needs for improved management and administration;
- o staff resources, staff qualifications, and training at all levels of the court system; and
- o training needed in the future to support improvements in automated and non-automated procedures.

During the initial week of the project, introductory meetings were conducted with senior MOJ officials, including the Minister of Justice, Counselor Farouk Seif Elnasr. Meetings were also held with Mr. Aly Elkhadem, the President of the State Council; Dr. Assem Ogila, the Director of the National Center for Judicial Studies; and Mr. Mohamed Aly, General Manager of the Ministry of Justice Judicial Information Center. In addition, an interview was conducted with the Chief Justice of the Supreme Constitutional Court, Counselor Awad Elmour.

Following the initial meetings, we began a series of site visits to selected courts to interview court officials and staff and to observe court procedures. Site visits were conducted at the following courts:

- o Court of Cassation,

- o Cairo Court of Appeals,
- o North Cairo Court of First Instance,
- o South Cairo Court of First Instance,
- o Giza Court of First Instance,
- o Ismailia Court of Appeals,
- o Ismailia Court of First Instance,
- o Suez Court of First Instance,
- o Luxor Court of First Instance,
- o Aswan Court of First Instance and the Aswan branch of the Qena Court of Appeals,
- o Alexandria Court of Appeals,
- o Alexandria Court of First Instance, and
- o Cairo Administrative Court.

In selecting these courts, our goal was to provide coverage of the different levels of courts in Egypt and to include different geographic areas. In addition, the list included all of the courts where the Ministry of Justice had installed computer terminals as part of the initial phase of its automation plan (see Chapter II).

At the courts where site visits were conducted, we interviewed a range of respondents, including the Chief Judge, the Administrative Manager, officials in charge of case monitoring, officials in charge of the different administrative departments, and selected judges and prosecutors. We also conducted a tour of each major department at the local courts, including the units responsible for case filing and docketing, service of process, recording of court proceedings, typing, microfilming, records maintenance, assessment and collection of court fees, and statistical reporting. Prior to conducting the site visits, we developed an Interview Guide designed to cover all aspects of court organization and administration.

In addition to the site visits listed above, a follow-up visit was conducted at the Ministry of Justice Information Center. A visit was also conducted at the Cabinet of Ministers Information and Decision Support Center (IDSC).

C. ORGANIZATION OF THE REPORT

Chapter II of the report presents a review of the specific plans that MOJ has developed for automation, including detailed plans and accomplishments that are not fully reflected in the MOJ proposal itself. This overview is based on in-depth interviews with staff at the MOJ Information Center. This chapter also reviews the current status of MOJ automation initiatives and future plans. **Chapter III** of the report presents our technical assessment of each major aspect of the MOJ proposal in terms of the automation needs of the Egyptian judicial system. **Chapter IV** provides a review of management and procedural ("non-system") changes that MAXIMUS believes should be considered in order to enhance the administration of justice in conjunction with improved automation.

Chapter V of the report presents our recommendations for an expanded program of training for different court officials and staff in both automated systems and in non-systems areas such as court administration and management. Finally, **Chapter VI** of the report presents a summary Task Plan and Schedule for a future USAID project designed to promote the automation and improved management of the courts.

CHAPTER II: ANALYSIS OF THE SPECIFIC AUTOMATION INITIATIVES PROPOSED BY THE MINISTRY OF JUSTICE

During the early stages of the project, MAXIMUS interviewed the Director and staff of the MOJ Information Center to find out about the rationale and objectives of the MOJ automation proposal, including the current status of MOJ automation initiatives and future plans. In addition, during our site visits to selected courts, we interviewed staff responsible for the computer terminals that the Information Center has already deployed on a test basis.

A. SPECIFIC COMPONENTS OF THE MOJ AUTOMATION PROPOSAL

Our analysis of the MOJ automation proposal showed that the proposal actually contains four specific automation initiatives:

- o a plan to create an automated legal research database containing Court of Cassation principles and decisions, legislative decrees and statutes, and decisions of the Supreme Constitutional Court;
- o a plan to provide judges with PCs and modems in their homes to access the new database;
- o a plan to automate the administration of the individual courts, including all case processing functions and court management; and
- o a plan to create an automated database of information on individual judges, reflecting the contents of each judge's personnel file.

Each of these automation proposals is reviewed in detail in the paragraphs and sections which follow.

B. CURRENT STATUS AND FUTURE PLANS FOR EACH OF THE MAJOR COMPONENTS

This section summarizes the information that we obtained about the rationale and current status of each of the four components of the MOJ automation proposal. The future MOJ plans for each component are also reviewed.

1. MOJ'S PLAN TO CREATE AN AUTOMATED LEGAL DATABASE

The plan to create the legal database is designed primarily to provide judges and prosecutors with improved access to the principles of the Court of Cassation, the decisions of the Supreme Constitutional Court, and current statutes and legislative decrees in force in Egypt. (The principles of the Court of Cassation are summaries of new legal principles established in cases heard by the Court of Cassation). The MOJ has already implemented certain aspects of this initiative. Specifically, the staff of the MOJ Information Center have already arranged for the key entry of the principles of the Court of Cassation from 1931 to 1985. In addition, on a test basis, the staff have key entered selected decisions from the eight published volumes of the Supreme Constitutional Court (up to the end of 1992). The material from these two courts has been key entered onto the Information Center's IBM mainframe.

The Information Center has also developed a software package for the search and retrieval of information from the database. This package, which operates on the mainframe, is an Arabized version of the IBM "Storage and Information Retrieval System" (STAIRS) software, which is a menu-driven package that allows users to search the database with user-friendly screens. The Center is planning to upgrade to the more powerful IBM "Search Manager" software later this year.

The Information Center is planning to continue adding the Court of Cassation principles and the decisions of the Supreme Constitutional Court until the database is current. The Information Center is also considering scanning the full text associated with each case involving the Court of Cassation principles.

In addition, the MOJ Information Center hopes to supplement the database with the complete text of existing laws and decrees. The MOJ has been coordinating in this area with the Cabinet Information and Decision Support Center, which is in the process of streamlining and automating all existing laws and decrees issued since 1824. The Cabinet Information Office is planning to key enter the text of 60,000 laws and decrees enacted onto an automated database, also using IBM equipment and retrieval software. The IDSC also has plans to consolidate the 60,000 laws and decrees into approximately 4,000-5,000 by

streamlining the laws and eliminating those that have been canceled by subsequent legislative action. This initiative is part of a legislative reform program designed to support economic development by eliminating the current confusion in existing legislation and decrees. The IDSC is planning to privatize the operation of the new database, while retaining control over the updating of the database with new laws and decrees. Users will be charged subscriptions fees and usage fees.

The MOJ proposal calls for an upgrade of its IBM mainframe to support the expected number of end users of its new legal database nationwide. For a mainframe, the MOJ machine has relatively low capacity for the storage and processing of information.

2. MOJ'S PLAN TO PROVIDE JUDGES WITH PERSONAL COMPUTERS

According to MOJ officials, the rationale for placing personal computers in the judges' homes is that judges currently do not have their own offices at the courthouses and have to conduct all of their research at home. On an interim basis, the Information Center has already deployed IBM "dumb terminals" at the Court of Cassation and at the following local courts: the Cairo Court of Appeals, the North Cairo Court of First Instance, the Giza Court of First Instance, the Ismailia Court of Appeals, and the Alexandria Court of Appeals. (Terminals have also been placed in the law library at the National Center for Judicial Studies). Two terminals have been deployed at each of the local courts and these have been connected to the mainframe through the EgyptNet (X.25) telecommunications network. These terminals have been stationed in the court buildings (usually in the law libraries), not at the homes of individual judges. The terminals are set up to access the STAIRS software which operates on the mainframe. If PCs are eventually placed in the judges' homes, the plan is to link the PCs to the mainframe through a dial-up connection between the judges' homes and the Egyptnet network, using the Search Manager mainframe software (IBM has not developed an Arabized version of the software for use on standalone PCs). The initial deployment of PCs in judges' homes will have to be limited to those areas of Egypt covered by Egyptnet, but plans exist to expand the network to the whole country.

During our site visits to the courts where the terminals had been installed by MOJ, we found that the judges had not actually been trained to use the terminals directly. Instead, a staff of three to four persons had typically been designated to conduct the searches on behalf of the judges. These staff members, who included a number of college and law school graduates, had been provided training by the MOJ Information Center in the use of the new system. The appointment of these staff as intermediaries may have been viewed as a way to facilitate the use of the system by the judges, given the fact that only two terminals were placed at each court. However, in our view, the net effect was probably to make it less likely that judges would use the system. Specifically, the judges have to go through a cumbersome process of writing down their search requests, reviewing printouts provided by the staff, and then submitting additional follow-up requests for more information.

3. MOJ'S PLANS TO AUTOMATE THE ADMINISTRATION OF EACH COURT

This component of the MOJ proposal is the least well-developed of the four in terms of concepts, specific plans, and development activities. The MOJ proposal provides a brief listing of some of the case processing functions that MOJ wishes to automate at each court (such as filing, docketing, recording of case actions, and fee collection). However, the written proposal contains no specifics on such questions as detailed functional requirements, system architecture, database content or design, local hardware for the courts, or timetables.

Our interviews with the staff of the Information Center revealed that this aspect of the automation proposal is still in the "planning stage." However, the Information Center Director and staff have developed some preliminary thoughts about the design of the proposed system and about hardware issues.

Specifically, the Center is currently assuming that each of the Courts of Appeal and the Courts of First Instance would have an IBM mid-size AS-400 computer that will be connected to the existing mainframe through Egyptnet. The AS-400 at each court would be used to maintain and process information on each court's caseload, and would also support such functions as personnel, accounting, and management reporting. Each court will also be provided with a number of PCs connected to the AS-400. The PCs would be used by the

court staff to enter data on new case filings, docketing, case actions, court fees and other items. The PCs would also be used for case monitoring, case updates, management reporting and accounting functions. Because of the current lack of trained Systems Managers to maintain the local systems, the systems would function as "unattended nodes" -- in other words, the local sites would not have Systems Managers responsible for troubleshooting the local systems or performing routine maintenance activities. In the event that a local system went out of operation for any reason, the local court could switch to the mainframe temporarily to conduct all of its computer operations.

The Information Center has not developed any specific plans for the types of information that would be maintained on the local systems. However, the current plan is to design and implement the system as a pilot at the Cairo Court of Appeals (which is co-located with the Information Center at the High Court Building). On the issue of whether the AS-400s might be used to store all of the case records for each court case, the staff are considering this as an option, but were also considering the option of relying largely on the use of microfilm systems for storage purposes.

4. MOJ'S PLANS TO BUILD A PERSONNEL DATABASE OF JUDGES

This standalone database will be designed to maintain information on the entire personnel record of each judge, including personal data, professional history, the results of monitoring reviews, and other items. MOJ has already begun building this database and expects to have it completed by mid-year. Accordingly, MAXIMUS did not conduct a technical assessment of this aspect of the MOJ proposal.

CHAPTER III: ASSESSMENT OF THE MOJ AUTOMATION PROPOSAL

During our site visits and interviews, MAXIMUS collected detailed information for purposes of evaluating the technical merit of each of the major automation initiatives being proposed by MOJ. This chapter presents the results of our assessment, as well as our recommendations for the future activities regarding the automation of the Egyptian judicial system.

A. ASSESSMENT OF THE PLAN TO CREATE AN AUTOMATED LEGAL DATABASE

Based on our site visits and interviews, MAXIMUS endorses the basic concept of creating the automated legal database. The proposed database will address a number of problems in the current procedures used by judges to research cases. The judges currently rely on the use of (1) law books containing the principles of the Court of Cassation and the decisions of the Supreme Constitutional Court, and (2) hard copy versions of existing laws and decrees. These are cumbersome and time-consuming to use compared to an automated database that will allow quicker and more exhaustive research of specific legal topics and issues. In addition, there is currently a time lag in the publication of the principles of the Court of Cassation, the decisions of the Supreme Constitutional Court, and the new statutes and decrees. For example, the most recent volume of Court of Cassation principles is for the year 1987. This means that judges are often making decisions without knowing the most recent legislation or legal principles in a particular topic area.

Improved access to legal principles and statutes should result in higher quality decision-making by judges, thereby enhancing the consistency of judicial decisions and reducing the number of appeals. In addition, the database may play an educational function by allowing judges to review a wider volume of cases and statutory provisions than they might otherwise be able to consider.

MAXIMUS recommends, therefore, that the MOJ be supported in its current efforts to add the remaining principles of the Court of Cassation and the decisions of the Supreme Constitutional Court and to continue to update the database. In addition, MOJ's plans to add the existing statutes and legal decrees to the database should also be supported.

Although we endorse the basic concept of the automated legal research database, there are several concerns that need to be addressed. First, the search and retrieval software must be simple for judges to use and must be designed to allow a thorough but flexible search of relevant legal principles and statutes in each case. In this regard, there is some concern that MOJ has opted to use and adapt the IBM STAIRS and Search Manager software without adequate input from judges and other persons who will eventually be using the system for their legal research. One of the Chief Judges whom we interviewed expressed the view that the Index used in the current STAIRS software application was not as specific as the Index available in the hard copy volumes of the Principles of the Court of Cassation. In addition, concern has been expressed that the software for the database should include a thesaurus of synonyms designed to allow users to search easily across closely related topic areas (such as "commercial transactions," "trade," or "merchandise") without being forced into a narrow set of search patterns based on a single word. In addition, the software should ideally be designed to include a system of cross-references between court decisions and relevant statutes. Accordingly, we recommend that a Work Group of judges and other end users be identified to provide input into the final design of the Indexes and other aspects of the search and retrieval software before the system is implemented nationwide. In addition, the evaluation of the proposed pilot test of the new system (see below) should include an assessment of the views of the participating judges about the design and ease-of-use of the search and retrieval system.

Second, MOJ should coordinate its plans with the activities of the Cabinet Information Office in term of access to the legislative database. In practical terms, this means that arrangements will probably have to be developed to build an interface between the MOJ mainframe and the Cabinet Information Office mainframe on which the laws and decrees are to be key entered. When judges or other users wish to access the MOJ database to search for statutes and decrees, their search will be conducted on the Cabinet Information Office

mainframe but through a linkage with the MOJ mainframe to which their PCs are connected. In addition, the IDSC's plan to privatize the operation of the database may have hardware implications for MOJ since it is possible that, under a privatization procurement, the bidders might be asked to provide their own computer hardware to operate the data system, rather than using the IDSC mainframe.

Third, it should be noted that the People's Assembly is in the middle of a parallel effort in which the laws and decrees of Egypt are also being automated, with no coordination with the Cabinet Information Office. There may eventually be jurisdictional disputes between the Cabinet Information Office and the People's Assembly on the question of which body has the final authority over the content and format of the automated laws and decrees. These disputes might present an obstacle to timely development of the database of laws and decrees, and may delay MOJ's plans to add this component to its own database. Ideally, the Cabinet Information Office database of 4,000 streamlined laws should be added to the MOJ database prior to piloting. However, even if delays occur in this area, MAXIMUS recommends that the MOJ database should be piloted in selected courts based simply on the updated principles of the Court of Cassation and the decisions of the Supreme Constitutional Court.

Fourth, MAXIMUS recommends that the legal database be supplemented with the texts of such materials as legal commentaries, legal textbooks, and publications of jurisprudence so that these materials are more readily accessible to judges. The Work Group that we recommend be established for assessing the search and retrieval software should also be responsible for identifying such additional materials that would be useful to judges and practicing lawyers.

Fifth, consideration should be given to expanding the legal database to include the decisions of the various Courts of Appeal and possibly the Courts of First Instance. Although the decisions of these courts are not technically binding on the judges (unlike the Court of Cassation principles), a number of chief judges expressed the view that the decisions of these courts would be a valuable addition to the database. As the Egyptian legal system evolves, it might be expected that the decisions of the Courts of Appeal and Courts of First Instance may play an increasingly important role as precedents, especially in cases

involving complex commercial issues. In addition, it will be a relatively simple process to begin adding the decisions of these courts to the legal database if, as we recommend later in the report, the decisions of the judges are captured on word processing equipment rather than being typed or handwritten as currently. Once the decisions of the judges have been stored on a PC, for example, the text can be uploaded to the legal database without additional keying.

A final issue that needs to be addressed is the option of eventually privatizing the operation of the legal database. If the Cabinet Information Office is planning to privatize the operation of its legislative database, it may make sense for the MOJ to follow the same policy, while retaining control over all updates of the database. This approach might help minimize the operating costs of the database since users could be charged subscription fees and line charges. In addition, privatization might help ensure the benefits of private competition in the supply of hardware, system operations and maintenance, and staffing.

B. ASSESSMENT OF THE PROPOSAL TO PLACE PERSONAL COMPUTERS IN THE HOMES OF JUDGES

MAXIMUS also endorses the basic plan to place PCs in the judges' homes. Our site visits confirmed that the judges do not have sufficient office space for installing individual PCs at the courthouses, even in the sites where new court buildings have been constructed in the last three years (Suez, Ismailia, and Luxor). Another factor that supports the placement of PCs in the judges' homes is the rule that, except for the courts in Cairo and Alexandria, judges may not be appointed to courts in their home towns. This rule has created a system of itinerant judges who have to commute between their home towns and the courts where they have been assigned. These judges stay in dorms or other housing for several days while they are hearing cases, and then conduct their research while at home. To require these judges to use a PC only in the courthouse to which they have been assigned would mean that they would be away from their families six days per week.

Although we endorse the basic concept of placing PCs in the judges' homes, we recommend that the following activities be undertaken. First, the approach should initially be implemented on a pilot basis, with an independent evaluation of its nationwide feasibility.

The pilot should be conducted in two cities that will provide a test of the basic approach and that are currently connected to Egyptnet. In addition, we recommend that in each city, the approach should be piloted at the Appeals Court and in a First Instance court. Specifically, MAXIMUS recommends that the following courts be selected for participation:

- o **Cairo Court of Appeals AND the North Cairo Court of First Instance:** MOJ has already expressed a wish to use the Cairo Court of Appeals as a pilot for its automation initiatives. At the North Cairo Court of First Instance, the Chief Judge has expressed considerable interest in automation and other improvements in the administration of justice.
- o **The Court of Appeals and the Court of First Instance in EITHER Ismailia OR Alexandria:** Outside of Cairo, Ismailia and Alexandria are the only cities which are currently connected to Egyptnet and which have an Appeals Court and a Court of First Instance.

Second, in each of the two cities that are selected, the PCs should be provided to a limited number of judges (approximately 40) in order to contain the costs of the pilot test. The judges might be selected on a voluntary basis or may include a mix of volunteers and designated judges. The judges should be selected to provide a mix in terms of types of cases (for example, civil v. criminal, senior v. junior, and prior experience using computers).

Finally, as a condition of the pilot, the judges should be required to use the PCs to prepare their own judgements through a word processing package. Under current procedures, the judges handwrite their judgements in pencil. In civil cases, the handwritten judgements are given to a court typist, who types the judgement on a manual typewriter. The judge then has to spend time reviewing the typed judgement for errors, and has to wait for the errors to be corrected before signing the judgement. In criminal cases, the judgements are usually never typed but remain in the case records in handwritten form. If the handwritten or typed judgements are lost or misplaced, they can never be replaced since there is no electronic storage system. The judgements are also subject to tampering and to breaches of confidentiality. There is also a high risk of the judgements being misfiled. Finally, retrieval of the judgements is time-consuming and cumbersome.

Another rationale for having the judges type their own judgements is that several of the judges whom we have interviewed believe that, when researching a case, it would be

very useful for them to be able to review their own prior decisions in similar types of cases. Currently, this is difficult because decisions below the Court of Cassation are not published. If judges were able to type and store their own decisions on their PCs, they would be in a position to retrieve and review past cases and to transfer some of the text of these previous decisions into their new judgements, if appropriate. This would expedite the tasks of researching cases and preparing the judgements, potentially saving considerable time for the judges. The requirement that judges use the PCs to type their judgements might be limited to those judges who volunteer to participate in the pilot.

During our visit to the South Cairo Court of First Instance, we were introduced to a local District Court judge who has been using his own PC at home for the last five years to type up his decisions. This judge has a 386 IBM compatible PC and uses an Arabic word processing package with Windows 3.1. The judge also has a printer at home and is able to print and sign his decisions without relying on the court typists.

The judge indicated that the use of the PC had saved him a considerable amount of time and had allowed him to keep up with his caseload. He noted that the cases that he hears tend to follow common patterns. These include landlord-tenant cases and small commercial and contract cases. For the rent cases, the judge has developed about 20 "model" judgements reflecting the most common scenarios and has stored these on the PC. In preparing the model decisions, the judge has entered the references to relevant laws and the text of applicable principles of the Court of Cassation. When he is writing his decision in a rent case, he selects the model which most closely approximates the case in question and simply has to add in the names of the parties, the date of the case, and the amounts in dispute. This approach has helped avoid time-consuming and repetitious handwriting tasks and has also saved time because it is no longer necessary to review and correct the work of the court typists. As part of the pilot, laser printers should be set up in the homes of all the judges who participate to allow them to print out their judgements for review and signature. Another option is to place printers in the courthouses rather than in the homes of the judges. On balance, MAXIMUS recommends the placement of printers in the judges' homes (see the discussion of hardware requirements in Section 3 of this chapter).

Another design option that should be considered is to allow judges to copy extracts from the legal database into their judgements. For example, if the judge identifies a relevant statute or principle and wishes to incorporate some of the text into the judgement as a reference, the system would be designed to allow the judge to block the relevant text and retrieve it to the PC through the telecommunications link. This material could then be integrated into the text of the judgement. This design option, however, should probably be considered only after the basic system has been evaluated during the pilot.

The independent evaluation of the pilot project should be designed to gather a wide variety of information at each site. This might include:

- o **Information on Usage Patterns:** Use of the database by each judge could be monitored by programming the MOJ mainframe to compile information on the number of dial-ups each month from each judge's PC, including the time of each search session. This data could be analyzed by characteristics of the judge and type of case.
- o **Information on the Reliability of the Modem Linkages Between the Judges' Homes and the Mainframe via Egyptnet:** The pilot should examine whether the line speeds are adequate to support typical usage requirements and whether disconnect rates are minimal.
- o **Information on the Ease of Use of the Retrieval Software:** The evaluation should obtain the opinions and recommendations of the participating judges about any modifications that might be made to the retrieval system to make the database more useful or quicker to use for the typical search session.
- o **Information on the Use of the PCs to Type Judgements:** This might be monitored by searching a random sample of case records to identify decisions that have been printed as opposed to being handwritten or typed on a manual typewriter.
- o **Information on Attitudes and Factors Associated With User Acceptance or Non-Acceptance:** Interviews and site visits should be conducted with the judges who participated in the pilot and with the local Chief Judges and court personnel. These interviews would determine reasons for the acceptance or non-acceptance of the new procedures and their impact on overall court operations.
- o **Information on the Replicability of the Approach and on Feasibility Issues:** The evaluation should identify factors responsible for the success or failure of the experiment at each site and determine

whether the approach should be implemented nationwide with or without modifications.

The issue of whether to levy charges against the judges during the pilot must be assessed in the context of the need to ensure adequate levels of participation for test purposes.

Finally, as an alternative to deploying PCs in the judges' homes, dumb terminals could be considered for use in the pilot. The MOJ's current plans, in fact, will involve using the PCs as dumb terminals for the legal research function, since there is currently no Search Manager software in Arabic for use on PCs. If dumb terminals are used instead of PCs, the judges would have to do all of their word processing on the mainframe via Egyptnet. This raises concerns about the cost-effectiveness of the approach as well as issues concerning the confidentiality of the judgements. In addition, the capacity of the judges to type their own judgements using the modem linkages to the mainframe might be jeopardized by problems in the telephone connections. In addition, judges would be limited in their capacity to store their prior decisions and retrieve text from these decisions for use in current judgements. Since there is no longer a significant price differential between PCs and dumb terminals, it would appear that the use of PCs is preferable for the pilot, based on all considerations (see Section 3 of this chapter for further discussion of this issue).

C. ASSESSMENT OF THE PLAN TO AUTOMATE THE ADMINISTRATION OF THE COURTS

Based on our site visits to the courts, MAXIMUS strongly endorses the overall proposal to automate the administration of the courts, including the Courts of Appeals, the Courts of First Instance, and the Court of Cassation itself. However, our endorsement carries the following qualifications.

- o Although automation will improve the efficiency of the courts and make it easier to identify and resolve the causes of court delays, automation by itself is unlikely to have a major impact on delays on the processing of court cases in Egypt unless it is accompanied by changes in overall court management and in selected court procedures.

- o The changes in court management systems and procedures (which are discussed in detail in the next chapter of this report) will involve a "process re-engineering" approach to eliminate current inefficient and error-prone procedures rather than automating these procedures as they currently exist.
- o The system should be piloted at a single site before any plans are developed for nationwide implementation. MAXIMUS recommends that the pilot test be conducted as one of the components of the future USAID project.
- o As part of the USAID project, a detailed Functional Requirements Analysis should be conducted to identify all of the specific court functions and processes that should be automated. This analysis will provide the groundwork for the Detailed System Design and the software development.
- o The system architecture and hardware options that are currently being contemplated by MOJ (such as the proposed use of AS-400 mid-size computers) are premature in terms of the normal cycle for system design and implementation. Specific decisions about these issues should be made as part of the next USAID project after the proposed Functional Requirements Analysis has been completed and after the development of more precise estimates of transaction volumes. This approach will help ensure the most cost-effective design and implementation of the new system at the pilot site.

We found in our site visits that there is a large degree of consensus among the chief judges and senior court administrators about the need for automation and for changes in management systems and court procedures. The support of these local court officials is critical to the successful introduction of management reforms.

In the rest of this section, we describe our rationale for endorsing the automation of local court administration, including a review of the key functions that need to be automated. We then present a discussion of the optimal approach to automating the administration of the courts.

1. COURT FUNCTIONS THAT NEED TO BE AUTOMATED

During our site visits to the courts, we conducted a brief assessment of the organization and procedures of the different courts, as well as specific case processing activities. Our major finding was that the courts at all levels are currently relying almost

exclusively on the use of inefficient, error-prone, manual procedures to perform their work. These procedures also make it very difficult for the senior court officials to manage the court caseloads and to expedite case processing. Our specific findings were as follows.

- o Manual log books are utilized by each of the major court departments to record case information and activities. This includes such processes as docketing, process serving (summons department), maintaining information on court actions, referral of cases to Experts, storage and retrieval of case records, processing of court fees, and enforcement of judgments.
- o Word processing equipment is not used in the courts. Instead, court decisions are either typed with the use of manual typewriters or are left in handwritten form.
- o The courts do not use court reporting machines. The court proceedings are recorded in handwritten form by the Secretaries of each court circle and are not subsequently typed.
- o Court accounting functions (such as the processing of court fees) are performed by manual procedures involving log books and manual calculations.
- o Some of the courts have established microfilm departments to microfilm the documents in civil cases only. Some of the microfilm departments are using PCs, but only for the purpose of storing basic information on each case so that they can retrieve records in response to requests from the litigants. In all of the courts, the case files in criminal cases are stored and retrieved purely through the use of manual systems.
- o Communications among different courts are handled in an entirely manual fashion rather than through the use of electronic linkages or FAX machines. This often results in cases being postponed because the contents of case records and other case information have to be shipped from other courts.
- o Management reports are currently produced through a time-consuming and error-prone process of manual compilation that provides limited information for senior court managers.

This situation has a number of negative consequences for the administration of the courts, including:

- o duplication of effort and error-prone procedures; and
- o lack of management controls and accountability.

1.1 Duplication of Effort and Error-prone Procedures

The use of manual procedures is responsible for considerable duplication of effort among court personnel, as explained later in this section. In addition, manual procedures raise the likelihood of errors in the recording of information and the misplacement of records or documents. This problem can be illustrated by examining the typical procedures involved in the processing of civil cases by the First Instance Courts. These procedures vary slightly from one court to another and from one case to another. However, the description below provides an overall illustration of current procedures.

1.1.1 Typical Procedures Currently Used to Process Civil Cases

As the first step in a civil case, the plaintiff goes to the Fee Department and is assessed an initial fee based on the type of case and the amount involved. The fee amount is written down by the Fee Department staff on the back of the complaint document that the plaintiff has submitted. The plaintiff then goes to the Cashier to pay the fee. The fees charged at this stage are processed manually and are not recorded on an automated system. The plaintiff then takes the stamped complaint document to the Docketing Department, where a staff person uses a set of log books to record the basic information about the case, including the names of the parties, the type of case and the date of filing. The staff at the Docketing Department then review the court calendars that have been prepared by the Secretaries of the judicial circles which are authorized to hear the type of case in question. These calendars consist of manually prepared sheets of paper showing the scheduled dates of the upcoming hearings for the different circles and the number of cases that have already been assigned to each hearing (manually computed). The Docketing staff use this information to set a date for the initial hearing of the case and also assign a serial number for the case. This is recorded in the log book and is written on the complaint form. The Docketing Department maintains several shelves of log books, which are organized by year and serial number.

The plaintiff then goes to the Summons Department to arrange for the subpoena to be served on the defendant(s). The staff of the Summons Department use a log book to record

the basic information about the case, including the names and addresses of the parties, the type of case, the serial number, and the date of filing. The cases are assigned to individual bailiffs based on a manual count of the number of cases that each bailiff currently has to process. The name of the bailiff is recorded in the log book, as well as the results of all efforts to serve the subpoena.

Pending the successful service of the subpoena, the case file is maintained by the Secretary of the circle which will hear the case. Prior to the hearing, the Secretary makes copies of the case file contents for each of the three judges in the circle.

When the hearing is held, the Secretary is responsible for manually recording all of the proceedings, including all oral testimony by plaintiffs and defendants. The Secretary is responsible for ensuring an accurate verbatim record of this testimony and is required to ask the presiding judge to halt the proceedings if necessary to maintain an accurate transcript of the testimony. The Secretary uses a standard form to record the proceedings as well as the names of the parties, the date of the hearing, the names of the three judges, and the number of the judicial circle.

The Secretary is then responsible for maintaining a manual record of all the court decisions reached during the day by the circle (such as judgements, postponements, and referrals to Experts). After the hearings are completed for the day, the Secretary goes to the Docketing Department and gives the manual list to the Docketing staff, who then retrieve the log books for each case on the list and write the court action in the appropriate row and column.

If the judges decide to refer the case to the Experts Department, the Secretary takes the case file to the Experts Department, where the basic information about the case is entered into a another log book (names of the parties, the serial number of the case, the date when the case record was received, and the name of the expert to which the case is assigned).

In some cases, the judges have to request case records from other courts because one of the parties cites previous litigation in their pleading. The court then has to send a request to the other court for information on the case or must ask for the entire case file to be sent.

These procedures are typically handled by mail. In addition, if the other case has been appealed, it is not always possible to determine where the case record currently resides.

When a final or interim judgement is reached in a case, one of the three judges prepares a handwritten version of the judgement. This handwritten version has to be reviewed and signed by the other two judges. It is then given to the Secretary, who takes it to the Typing Department. Here, the judgment is typed on a manual typewriter. Often, the Secretary has to sit with the typist to interpret the judge's handwriting. After the judgement is typed, it is sent back to the judge, who reviews it and sends it back for the correction of major errors. The corrected version is then signed by the judge who wrote the initial handwritten judgement.

After the final judgement is reached, the Secretary takes the entire case file, including the typed judgement, the handwritten testimony and proceedings, and any other documents to the Archives Department for storage. If the court has a Microfilm Department, the documents in the case file will be microfilmed by the Department and the hard copy file will be sent to Archives (in some courts, individual documents are microfilmed as they are received, rather than waiting for the entire case record to be completed at the end of the litigation). The Archives Department places the case records on shelves, where they are stored and retrieved by year and serial number. By law, the case records must be maintained for a period of 15 years. This time period, and the subsequent disposition of the cases, is tracked manually.

The Secretary must also notify the Collections Department that the case has reached a final judgement, so that the post-judgement fees and any other outstanding fees in the case can be computed and collected. Manual procedures are used to compute the fees. Log books are used to enter information about the case and to record all payments received and amounts due. If the plaintiff encounters difficulty collecting on a judgement, the plaintiff must go back to the Summons Department to ask for help from the bailiffs in seizing property or taking other action. The log books in the Summons Department are used to record this activity.

If the case is later appealed to the Court of Appeals, the Archives Department is usually responsible for sending the case record to the Appeals Court. A log book is used to track case records that have been sent to other courts, including the basic case information and the date when the case was sent. When a case reaches the Appeals Court, a similar set of manual procedures and log books are used to re-record all of the basic information on the case.

The above example provides an illustration of the extensive use of manual procedures to process civil cases. The same overall reliance on the use of manual procedures is also true for criminal cases as well as the cases processed by the administrative courts.

1.1.2 Automation As a Way of Eliminating Duplication and Error-prone Procedures

A well-designed automated system would eliminate the duplication of effort and the risks that are inherent in the above procedures. First, the above process involves significant duplication in the recording of information. In each case, for example, the names of the parties, the serial number, the type of case, and other case information are recorded in log books by several different court departments. If the courts had a fully integrated automated database, it would only be necessary for this information to be entered once (when the case is initially filed). During subsequent phases of case processing, the different court staff would be able to access the case on the database (using PCs or terminals) and would have to enter only the new information on the case at each stage. For security purposes, the system would be programmed to ensure that the staff in each department would only be able to add or modify information in authorized fields.

Second, the current process provides ample opportunity for errors in the transcription of case information and in the misplacement of files. Staff in the different departments, for example, might easily enter information in the log books next to the wrong case. Log books may be damaged, stolen or misplaced. In addition, there is no effective system for tracking the whereabouts of individual case records. While cases are in litigation, the case records are typically in the hands of the Secretaries for each circle, thereby making it difficult for court personnel to determine the location of a file in response to a request by one of the

parties. Similarly, there is no simple way to identify case records that may have been sent to other courts. Finally, manual log books and individual case entries are subject to tampering. An automated system would help eliminate these problems by ensuring a more secure and better protected system for storing case information. In addition, an automated system will largely preclude the potential for errors in the recording of case information. Finally, an automated tracking system will ensure that the location of individual case records can be readily identified.

Third, an integrated automated database would enable courts to take advantage of the calculating capabilities of computers to replace the current manual calculation procedures. For example, the automated system could be programmed to calculate the amount of the post-judgement fees and any outstanding balances on the initial filing fees. This would be based on the prescribed formulas for computing the fees and the amount already paid, as recorded on the automated system.

Fourth, an integrated automate database would preclude the need for the current time-consuming process of preparing court calendars manually. As each case is assigned to a particular hearing by the Docketing Department, this information would be entered onto the automated system. The system would then be programmed to provide automatic counts of the number of cases that have already been scheduled on a specific date for a particular circle. The system would generate automated court calendars that the Docketing Department would use in scheduling cases for hearings. A similar approach would be possible in the Summons Department in balancing the caseloads of the bailiffs.

Finally, as discussed previously, the use of word processing equipment and printers in the homes of the judges would eliminate the time-consuming and error-prone procedures involved in the preparation, typing, and storage of court judgements.

1.2 Lack of Management Controls and Accountability

Because of the current manual procedures being used in the courts, senior court officials and other staff have a limited capacity to manage court caseloads or to ensure accountability for appropriate and timely case activity. In each of the courts that we visited,

selecting either of these two cities, therefore, the pilot test could readily assess the use of the new system to provide automated interfaces between the Court of First Instance and the Court of Appeals. In contrast, if Cairo were selected as the pilot site and only one of the Courts of First Instance were included (e.g., North Cairo), only a small proportion of the new cases reaching the Court of Appeals would be originate from the pilot Court of First Instance. It might also be emphasized that, once the model system has been successfully piloted at one site, it will not require a lengthy period of time to install the system at other sites where MOJ thinks that it has the greatest problems. In addition, if the success of the pilot is jeopardized by the problems facing the Cairo Court of Appeals, the overall time period required to implement the system may be significantly longer.

Final decisions on the selection of the pilot site should be made as part of the proposed USAID project after further review of site selection criteria and additional consultation with MOJ.

2.2 Conduct a Functional Requirements Analysis to Identify the Specific Requirements That the New Automated System Must Meet .

In the typical system development life cycle, the initial step is to conduct a thorough "Functional Requirements Analysis" for the new automated system. The goal of the Functional Requirements Analysis will be to develop an exhaustive inventory of the processes and sub-processes that need to be automated. Ideally, the automated court system should encompass the maximum number of specific processes within the judicial system, including:

- o case filing, docketing, and calendaring;
- o the service of subpoenas;
- o recording the results of court hearings;
- o the processing of cases by Experts;
- o the recording of judgements;
- o the archiving and retrieval of case records;
- o the calculation and tracking of court fees and payments;
- o communication of information among different courts;

- o management reporting; and
- o personnel administration, payroll, and fiscal reporting.

For some functions, however, it may not be cost-effective to automate. For example, some judges indicated that they wish to be able to review the documents contained in case records at other courts. This would allow them to review cases that have been referenced by the litigants in a case which they are hearing and would preclude the delays involved in arranging for the case record to be mailed. Storage of all the case documents on the automated system, however, may be very expensive in terms of computer hardware capacity requirements. There, it is still an open question whether the entire contents of each case record should be entered onto the automated system (by a combination of keying and scanning) or whether a combination of microfilming and FAX is a more cost-effective approach to storing and transmitting some of the documents in the case file. This type of issue should be resolved on the basis of additional analysis of the costs and benefits of each option.

The basic methodology for the Functional Requirements Analysis is to conduct intensive work group sessions with designated "user committees" at a representative sample of courts. These sessions will be used to identify the specific functions that the user committees wish to see automated. The product that will result from the Functional Requirements Analysis is a detailed "checklist" of requirements for the new system, organized by major functions, processes and sub-processes. The Functional Requirements Analysis, however, should not contain specifications on the system architecture or other aspects of the system design. The Functional Requirements Analysis should be conducted over a three month period.

MAXIMUS recommends that the Functional Requirements Analysis be conducted in four courts, even though not all of these courts will actually be selected for the pilot. Two of these courts should consist of the Cairo Court of Appeals and the North Cairo Court of First Instance, and the remaining two should consist of EITHER:

- o the Alexandria Court of Appeals and Court of First Instance, OR,
- o the Ismailia Court of Appeals and Court of First Instance.

Even though only one of these three cities will actually be selected for the pilot of the new automated system, it is important that the Functional Requirements Analysis be conducted in two cities in order to ensure that a representative analysis is conducted of the different information processing needs and priorities of the courts in different locations. In addition, it is important that the Functional Requirements Analysis include Appeals Courts as well as Courts of First Instance since these two types of courts will have different information processing flows and requirements. MAXIMUS also recommends that the Functional Requirements Analysis be extended to include a sample of Summary (or "District") Courts in the two cities. The Summary Courts should be included in any subsequent nationwide automation effort.

2.3 Establish General Standards for the Design of the New Automated System at the Pilot Site

USAID should identify general standards for the proposed automated system at the pilot site. These general standards are as follows:

- o **Single Point of Data Entry:** The new automated system should incorporate the design principle that each data element on a case has to be entered only once on the database. The different Departments will be able to access a common database of information on each case and need add only the data that is not already resident on the database.
- o **Systems Integration and Data Synchronization:** The new automated system should be based on the design principle of an integrated database rather than a set of fragmented and unconnected databases. This requires data synchronization in the sense that specific data elements will automatically be updated when other data is added or modified. For example, when a member of the Docketing Department assigns a new case to a judicial circle's schedule, the court calendar is automatically updated to reflect this action.
- o **Menu-Driven Screens:** The new automated system should be user-friendly and should not require knowledge of computer language for use by court personnel. Accordingly, the system must incorporate menu-driven screens reflecting everyday language.
- o **On-Line Data Entry and Retrieval:** The system should allow for on-line entry of data onto the database to the maximum extent feasible (rather than using "batch" procedures in which large volumes of

updates are entered in a group, usually in an overnight procedure involving tape matches). On-line retrieval of data should also be required except in cases where hard copy reports are considered acceptable.

- o **Automated Edit Checks:** The new automated system should include automated edit checks to prevent the entry of information that is clearly inaccurate. In addition, the system should be designed to ensure that court personnel cannot dispose of cases or complete a data entry session unless certain mandatory fields have been completed on a case.
- o **Automated Ticklers, Exception Reports, and Management Reporting:** The new system must include a series of automated ticklers designed to alert court managers and staff to overdue case actions in specific cases. In addition, the system should be programmed to generate a series of Exception Reports listing cases where required actions have not been taken by individual staff. Finally, the system should allow the production of standardized and ad hoc management reports by court managers.
- o **Centralized Index of Cases:** Based on the concerns expressed by judges, the new automated system should incorporate a Centralized Case Index containing basic case information for identifying the location of specific cases and case records in different courts. Based on the outcome of the functional requirements analysis, this Index might be expanded to allow judges in local courts to review detailed information on selected cases in other courts.
- o **Security and Back-Up:** The new automated system must include such features as passwords and "read only" controls to ensure that only authorized personnel are given access to the database and the capacity to change specific data elements. The system should also incorporate adequate back-up and disaster recovery procedures.

In addition, the new system must provide for office automation telecommunications in the form of word processing packages, spreadsheet programs, E-mail, and FAX.

In terms of overall system architecture, emphasis should be placed on the localized processing and storage of information to the maximum extent feasible, except for those applications which clearly have to be conducted on the central mainframe (such as maintaining a nationwide Index of cases). This approach will help to minimize telecommunications costs associated with the new system.

As noted, the architecture for the new system should encompass the different branches of the Appeals Courts and First Instance Courts, as well as the Summary (District) Courts. The specific hardware that would be necessary at the branch courts and Summary Courts will depend upon the applications to be run at these courts. This should be clarified through the Functional Requirements Analysis.

2.4 Evaluate Alternative System Architectures and Designs for the Pilot Based on the Functional Requirements Analysis

The proposed USAID project should include an assessment of alternative system architectures and designs, based on the Functional Requirements Analysis. As indicated earlier, MAXIMUS recommends against following MOJ's current plans for system architecture and hardware without further assessment of alternatives as part of the next USAID project. This includes the plan to deploy IBM mid-size AS-400 computers in each major court, and to leave the courts as "unattended nodes." Rather, different specific architectures and hardware configurations for the pilot project should be determined as part of the next USAID project on the basis of:

- o the detailed checklist of requirements from the Functional Requirements Analysis;
- o the general design standards described in the preceding section; and
- o estimates of the caseloads and volumes of transactions at each of the two courts in the city where the system will be piloted.

It is quite possible, for example, that the hardware capacity proposed by MOJ for each court is more than is required for the specific applications to be automated at the pilot site. In addition, until the Functional Requirements Analysis is completed, it will not be possible to determine the types of linkages that should exist between the local data system at the pilot site and the central mainframe. In addition, the Functional Requirements Analysis will provide a basis for developing more precise requirements for the number of local PCs, terminals, and printers that should be deployed to support local case processing functions at the pilot site.

With regard to the issue of establishing the local systems as "unattended nodes," this plan may be a result of concern by MOJ that they will not be able to find trained personnel to function as local Systems Managers or Database Administrators. It is our view, however, that, as part of the USAID project, such personnel should be deployed at the pilot site to troubleshoot the local system, fix any hardware problems, and perform software and systems administration as required. This is preferable to an approach where local courts have to switch to mainframe processing in the event of problems with the local system.

3. PRELIMINARY ESTIMATES OF HARDWARE REQUIRED FOR THE PILOT TESTS

As noted above, the hardware required to conduct the pilot test of the two systems can only be specified in detail after a study of the specific requirements. However, we can provide a preliminary hardware plan that should enable reasonable estimates of the costs. In this section, we will provide the preliminary hardware plan for each system to be tested in the pilot and the rationale for the approach.

3.1 Pilot of the Personal Computers in Judges' Homes

Although the discussions about this portion of the effort continually refer to placing PCs in the judges homes, it is not clear that this is the best approach. An alternative would be to use terminals instead of PCs. The terminals are lower in cost, easier to maintain, and simpler to operate. However, the terminals are also less flexible and totally dependent upon the quality and reliability of the communications lines. If the communications lines are down or are "noisy", then the terminal cannot be used at all. The PCs, on the other hand, can be used in local mode if the communications lines are broken or noisy.

There are other arguments for the terminals. One is that there is almost no practical possibility of using the terminals for non-court related purposes. Another is that the terminals are simpler to operate and maintain. However, on balance, we believe the case for PCs is stronger and the benefits outweigh the negatives of the PCs and the positives of the terminals. For one thing, we believe that word processing, though it can be done through a terminal on a remote host machine, is better and more economically done in local mode. In

addition, the potential problem of getting judges to use the computer at all, suggests that if they see some benefit from some personal use, all the better. This will at least get them to use the computers. Finally, the initial acquisition cost differences are no longer so great as to clearly favor the terminals. Indeed, the life-cycle costs of the PC-based approach, especially since it would require lower use of communications lines, are probably lower.

Another issue for this segment of the pilot test is the placement of printers. One approach is to place a printer with every PC in the judges' homes. An alternative is to place several printers in the courts where hardcopy could be printed when it is needed. The latter approach is clearly less expensive and much easier to maintain. The former, though, offers much more convenience to the judges, especially in areas where the distance between the judge's home and the court is substantial. All things considered, we recommend the use of printers in each judge's home, though this might easily be changed to achieve economies or for other reasons.

Finally, the communications links with the legal research database need to be established. For this purpose we would suggest dual use modems that could be directly connected to EgyptNet or used in a dial-up mode, if necessary. This would enable the operation of the system in the event that EgyptNet is unavailable or is inoperable for a period of time.

The minimum suggested hardware configuration for each judge under this approach is as follows:

| | |
|---|----------|
| PC - CPU = 486/25SX | \$ 2,500 |
| RAM = 4 Megabytes | |
| Disk = 200 Megabytes | |
| Monitor = SVGA | |
| Keyboard = Arabized | |
| Emulator = 3270 terminal emulator board | |
| Software (WP, Communications, etc.) | \$ 600 |

Printer = Personal Laserjet or equivalent \$ 1,000
 6 ppm speed
 300 dpi resolution
 1 Mbyte Memory

Modem = Codex dual use 9600 baud capable \$ 1,400

The total cost is about \$5,500 per site. Assuming that a total of 80 judges participate in the pilot, the costs for the hardware would approximate \$440,000. On-going operation and maintenance costs might total \$50 per month per judge, depending upon use and conditions. Since we are recommending that this specific pilot should run for 18 months (see Chapter VI), the ongoing costs will total about \$72,000 for the entire pilot (\$50 per judge x 80 judges x 18 months). The total hardware and ongoing operating costs for this pilot, therefore, would be approximately \$512,000.

3.2 Pilot of the Court Automation System

The hardware configuration for the court automation system also could be approached in two ways. The first is to have a mid-range or minicomputer as the host machine in the court, with each workstation connected directly through an RS 232 type connection to the host computer. This configuration would use terminals instead of PC's, though both could be used. This is the "centralized solution", wherein all software and databases are resident on the host computer. A client-server configuration is also possible, but we do not recommend it for technical reasons.

The major alternative to the "centralized solution" is a Local Area Network (LAN) solution. This approach would centralize the database, but not necessarily the software. It could be configured with PCs and a larger PC as the file server, or host machine. It could use either an ethernet or token ring topology, though we recommend ethernet, if possible.

Training and technical complexity issues are about equal for both solutions. However, costs will probably be less for the LAN solution than for the "centralized solution". This is not totally clear, however, so if cost is a driving factor, the question needs further study.

Estimates for the LAN solution are as follows:

| | |
|--------------------------------|-----------|
| Server - 486/66 CPU or Pentium | \$ 15,000 |
| 32 MBytes RAM | |
| 1 Gigabyte of Disk Storage | |
| 1 Streaming Tape Drive | |
| Ethernet Controller | |
| SVGA Monitor | |
| PC - CPU = 486/25SX | \$ 2,500 |
| RAM = 4 Megabytes | |
| Disk = 200 Megabytes | |
| Monitor = SVGA | |
| Keyboard = Arabized | |
| Ethernet Board | |

(It is estimated that about 30-40 PCs will be needed at each of the two courts participating in the pilot: the Appeals Court and the First Instance Court).

| | |
|---|----------|
| Printers - 1- 600 LPM printer | \$ 4,000 |
| 12- 300 CPS Dot Matrix Printers | \$20,000 |
| 6- Laserjet or Equivalent | \$12,000 |
| Software - (Netware and Operating System) | \$ 5,000 |
| - Applications Software (Licenses) | \$15,000 |

Total system acquisition costs would be about \$175,000 to \$200,000 dollars per court, or between \$350,000 and \$400,000 combined for the two courts that will be participating in the pilot city. On-going maintenance and operating costs for this system might average about \$2,000 per month per court. Since we are recommending that the pilot of the new system should be operational for an 11 month period (month 14 to month 24 -- see Chapter VI), the total ongoing costs for the pilot will be \$44,000 (2 courts x \$2,000 per month x 11 months). The total hardware and ongoing operating costs of this pilot, therefore, would be approximately \$394,000 to \$444,000.

CHAPTER IV: MANAGEMENT AND PROCEDURAL CHANGES REQUIRED TO ENHANCE THE ADMINISTRATION OF JUSTICE IN CONJUNCTION WITH IMPROVED AUTOMATION

As noted previously, MAXIMUS believes that the automation initiatives described previously will have a major impact in reducing delays in the Egyptian judicial system only if they are accompanied by concurrent changes in court management and procedures. Automation by itself will help to facilitate the research activities of the judges, reduce duplication of effort by court personnel, provide litigants with better access to information on their cases, and strengthen management control and accountability. However, other "non-system" changes are necessary to help eliminate delays in the processing of cases and to address other problems facing the courts. If these management and procedural changes are implemented in conjunction with automation, the impact on the efficiency and timeliness of case processing by the courts will be significant. In addition, if these changes are introduced together with automation, it should be possible to reduce court backlogs substantially without increasing the number of judges or other court personnel.

The 1993 Egypt-U.S. Legal Exchange Project has already identified a number of areas for potential reform of the Egyptian legal system. During our site visits, MAXIMUS had the opportunity to build on the work of the Exchange Project and to examine some of these areas in greater detail in the context of local court operations. In this chapter, we draw upon the results of our site visits to identify and review the most important management and procedural changes that appear to be necessary to improve the efficiency, timeliness and consistency of the administration of justice in Egypt. In line with USAID's focus for this project, the chapter focuses primarily on factors affecting the processing of civil and commercial litigation.

A. PRIORITY AREAS FOR MANAGEMENT AND PROCEDURAL CHANGES

Based on our site visits and interviews with local court officials, it is possible to identify a number of "priority areas" that should be emphasized in terms of management and procedural reforms. These priority areas are reviewed below. It should be noted that some

of these areas will require changes in established legal procedures, but other areas can partly be addressed by the use of more effective management approaches to expedite the flow of court cases.

1. SERVICE OF PROCESS

During our site visits, we had the opportunity to examine the problems associated with the current procedures for the service of process in court cases. These problems are a significant factor in the delay of cases.

One of the major problems in this area is that, by law, the bailiffs who are responsible for serving process in civil cases are paid only one piaster per case on their assigned lists (This sum is paid in addition to their regular monthly salaries as court employees). In addition, most bailiffs reportedly do not have their own private transportation and must rely on buses to reach the addresses where the papers are to be served. The bus fares have to be paid by the bailiffs out of pocket. This is especially burdensome if there are multiple defendants in a case who are living in different areas.

Under established procedures, the bailiffs are supposed to attempt personal service first and to obtain the defendant's signature on the subpoena. If the defendant cannot be served personally because they are not at home, the bailiff is required to implement "administrative procedures." These consist of mailing the defendant a registered letter advising the defendant to visit the local police station to pick up the summons. The bailiff then deposits the undelivered subpoenas at the respective local police stations for pick-up by the defendants. The bailiff is paid one piaster per paper regardless of whether the subpoena is served personally or if a registered letter is sent.

Because of the low rate of reimbursement, however, the bailiffs in many areas often do not make a serious effort to serve the papers personally, but spend most of their time preparing the registered letters without actually visiting the addresses of the defendants. Since no return receipt is required for these letters, there is no way for the plaintiff to prove that the defendant has actually received the subpoena by the time of the first court hearing in the case. Therefore, the defendant often does not show up in court for the first hearing.

In this situation, the law specifies that the defendant must be sent a second letter by registered mail. If the defendant does not appear at the next scheduled hearing, the judge can rule in favor of the plaintiff. Such judgements, however, are often appealed by the defendant. In these cases, the appellate judge will often review the case from the beginning if the defendant claims that the subpoena was not received.

This situation often results in attorneys having to make special payments to the bailiffs in order to ensure that papers are served promptly and in-person to the defendant. In some cases, the bailiffs may accept payments from defendants to report that they could not be served in-person.

One of the potential solutions to this situation would be to increase the payment for service of process from the current level of one piaster per paper to a more realistic level that reflects the true costs involved. In effect, the current law provides a subsidy to the plaintiff but actually works against the plaintiff's interests. One recommendation, therefore, would be to increase the initial filing fees and to pay higher rates to the bailiffs. Additionally, it might be advisable to introduce a system whereby each bailiff is paid a higher amount for the personal service of a summons than for the use of registered mail. Transportation costs might also be reimbursed to the bailiff. In addition, it might be beneficial to introduce a requirement for a return receipt to be obtained from the defendant on the delivery of the registered letter. Privatization of the bailiff function is an additional option.

2. USE OF EXPERTS

There was broad consensus among the local Chief Judges that the referral of cases to the Experts was one of the most important factors in the delay of cases. However, we were not able to obtain systematic data on the percentage of cases in each court that are actual referred to Experts.

When a case is referred to an Expert, there is usually a delay of about one year before the Expert files a report in the case. Attorneys who wish to expedite their cases often have to resort to developing special relationships with individual Experts.

The local judges also reported that the local Expert Departments do not fall under the administrative control of the court, but report directly to the central Ministry of Justice. This poses a problem for the judges because they cannot sanction individual Experts for poor productivity or delays in disposing of cases. In addition, the local Experts Department is not always located in the courthouse. As a reform option, consideration should be given to placing the local Experts Departments under the direct control of the local courts.

There also appears to be a problem of inappropriate referrals to Experts. Many of the referrals were said to occur because they provide the judge with a quick way to dispose of cases from a crowded court calendar. The lack of training of judges in civil and commercial law was also said to be a factor in the over-referral of cases to Experts. Accordingly, it would be helpful if stricter criteria were developed and enforced to reduce inappropriate referrals. One of the Chief Judges reported that he had been able to address these problems by monitoring judges who appeared to be making inappropriate referrals to Experts as a way of disposing of cases from their backlogs.

In addition, the extensive reliance on government-appointed Experts is partly a reflection of the fact that, in the Egyptian legal system, private litigants and their attorneys are expected to play a minimal role in preparing evidence and submitting testimony in support of their claims. In some courts, for example, many of the cases referred to the Experts were said to be land disputes in which the Experts are assigned to investigating boundaries, titles, and local records. Much of the responsibility for these activities could be assigned to the litigants themselves, although improvements may be necessary in the current land registration system.

The delays that result from the use of Experts are responsible for a "vicious cycle" in which defendants request that their cases be referred to an Expert simply to delay the disposition of a case. For example, Experts are often used in cases where the defendant has disputed the validity of a signature on a bad check or loan document. The Expert is assigned to determine whether the signature is actually that of the defendant. If these types of issues were resolved more promptly without the use of Experts, there would be less of an incentive for defendants to make fraudulent claims simply to delay the proceedings.

3. TIME LIMITS FOR THE SUBMITTAL OF EVIDENCE

Several judges emphasized the need to impose and enforce stricter deadlines for the submittal of evidence in civil cases. Under current procedures, there are no specific time lines imposed on litigants to submit all of their evidence, nor do the courts impose any deadlines on parties to file responses to the testimony submitted. (The only exception is the Court of Cassation, where the parties are limited in the hearing to the arguments and testimony that they have submitted with the appeal). The result is that many cases are postponed to allow the parties more time to present their evidence in the case. In addition, the initial hearing in a case is often the first occasion when either party submits evidence, thereby necessitating an automatic continuance.

The current system also allows litigants to use delaying tactics at the hearing when the judge announces that he is ready to issue a final judgement at the next scheduled hearing. Litigants will often wait until this announcement is made by the judge to submit all of their remaining evidence and will then request another pre-judgement hearing to allow the judge to consider the new evidence.

Although the local Chief Judges attempt to monitor the timeliness of case dispositions by individual judges, the existing procedures prevent the judges from addressing the systemic causes of court delays associated with the lack of time restrictions on litigants. Among the reforms that might be considered in this area are the following:

- o a requirement that, at the first hearing, plaintiffs and defendants be given a deadline for presenting all of the available evidence and other documents in the case;
- o a rule that judges cannot postpone cases simply because one of the parties has failed to present all of their supporting testimony or documentation by the deadline; and
- o a graduated system of fines to be strictly imposed on parties who fail to meet the deadlines for the submittal of evidence.

In addition, the Courts of Appeal should be required to follow the rule imposed by the Court of Cassation that all testimony must be presented up-front and that the parties are not permitted to introduce additional arguments at the initial or subsequent hearings.

4. COURT REPORTING

As noted earlier, all of the proceedings and testimony in court cases in Egypt are currently recorded in handwriting by the Secretaries of the judicial circles. This procedure results in a number of problems, including:

- o an increase in the amount of time required to conduct court hearings, thereby contributing to the backlog;
- o a time-consuming process in which many judges review the written record of the Secretaries in order to ensure accuracy;
- o the possibility of inaccurate recording of proceedings in cases where the judge does not review the record;
- o disruptions in court proceedings while the Secretaries catch up with the testimony;
- o a tendency on the part of judges to discourage oral arguments by litigants;
- o the possibility that the record of the court proceedings will be lost or misplaced; and
- o difficulties faced by litigants and their attorneys in obtaining timely copies of transcripts of court proceedings and testimony.

Although Arabic court reporting machines are reportedly not yet available, a long-term reform effort should be focused on developing a court reporting profession in Egypt, including the development of a professional association to maintain professional standards and promote the implementation of advanced technology.

5. APPEAL PROCEDURES AND FEES

A number of judges reported that case backlogs could be reduced if reasonable restrictions were placed on appeals to higher courts. It was suggested, for example, that the eight Courts of Appeal should be the final appellate stage for many types of cases, including misdemeanors and civil cases involving less than a certain value. Currently, for example, all cases involving 5,000 L.E. or more can be appealed to the Court of Cassation. An alternative approach would be to limit the right of appeal to the Court of Cassation to cases involving a much higher amount. In addition, it was suggested that restrictions should be

placed on the right of litigants at the Summary Courts to appeal their cases beyond the Courts of Appeals. Finally, some judges recommended placing restrictions on the allowable reasons for appeal.

It was also suggested that frivolous appeals could be reduced if the fees for appealing certain types of cases were increased to reflect the true costs of processing the appeals. Under the current fee structure, it is often in the defendant's economic interest to delay the judgement through an appeal even if there are no legitimate grounds. There should also be stricter time limits on the right of appeal to the Appeals Courts. Restrictions on the de novo review of cases by the Appeals Courts would also reduce the judicial workload and discourage groundless appeals.

6. POST-JUDGEMENT COURT FEES

One of the problems that contributes to court caseloads is the low level of the fees awarded to successful plaintiffs. This tends to encourage litigation rather than the settlement of disputes since litigants do not face significant court costs for litigation. In addition, the low fees provide an incentive for litigants to appeal the decisions of the lower courts.

7. DEADLINES FOR THE COURT OF CASSATION PROSECUTORS

The Court of Cassation currently uses "Prosecutors" in civil cases to review new appeals and to provide an opinion to the judges who will hear the case. The Prosecutor does not actually function in a prosecutorial role, but simply researches the case and provides the judges with a non-binding advisory note. The Prosecutor, however, is not given a deadline for completing the research or submitting the written note to the judges. The case cannot be heard by the judges until this note is submitted.

8. DEADLINES FOR THE COMMISSIONERS IN ADMINISTRATIVE CASES

In administrative cases, "commissioners" play a similar role to the Prosecutors at the Court of Cassation, except that they are typically junior-level personnel who are not limited to appeals cases. These officials must review each "non-urgent" case before it goes to a

hearing and must issue an opinion on the case. There is no deadline for this process and the Commissioners often spend months before completing their review of a case. This was reported to be a major factor in the delay of administrative cases.

9. TAXATION CASES

Several of the judges reported that there were significant delays in resolving tax litigation because of the time required to obtain documents from the Taxation Department in the Ministry of Finance. To resolve taxation cases, the court must typically request a copy of the defendant's tax forms from the Taxation Department. It often requires a year or more for the Taxation Department to send the relevant information to the court.

B. APPROACH TO PROMOTING THE IMPLEMENTATION OF THE RECOMMENDED CHANGES

As previously noted, many of the reforms mentioned above will require not only management changes but also modifications to legal procedures. In order to promote these changes, the following steps should be taken.

1. LINK THE SUPPORT FOR AUTOMATION TO THE IMPLEMENTATION OF MANAGEMENT AND PROCEDURAL REFORMS

Since automation by itself is unlikely to eliminate some of the factors that are causing delays and other problems in the administration of justice, a feasible strategy is to support the MOJ's automation initiatives contingent on the gradual implementation of the recommended reforms.

2. FORM A TASK FORCE TO IDENTIFY SPECIFIC MANAGEMENT AND PROCEDURAL CHANGES

This Task Force would be charged with identifying specific reforms and initiating the necessary steps to implement the reforms. The Task Force would include MOJ officials, selected legislators, a number of local Chief Judges, and private attorneys. As part of the next USAID project, the first sub-task in this area should be to meet with MOJ officials to

for example, the Chief Judge had to rely on cumbersome and time-consuming procedures to compile even the most basic management statistics on caseloads, new filings, cases disposed, case backlogs, case aging, or the productivity of individual judges. Each court is required to produce these types of statistics every month for the MOJ Inspections Department, which itself is compelled to use a labor-intensive and error-prone process to "roll-up" the manual data submitted by each court into an aggregate data set. With an automated system, the senior court personnel would be able to generate much more detailed and timely management reports with minimal effort. The automated system should be programmed to generate standardized management reports and also allow for an "ad hoc" management reporting capability based on the individual requirements of each court.

An automated system is also necessary to allow judges to identify and monitor delays or inappropriate activity in the processing of cases within each major department. For example, the system should be designed to monitor the average time required by each judge and judicial circle to dispose of cases following the first hearing. Judges who have a high percentage of postponements or who appear to be relying too heavily on Experts could readily be identified through the system. The timeliness of process serving by individual bailiffs could also be readily monitored by the automated system. This would be helpful in identifying individual bailiffs who might be fraudulently accepting payments from plaintiffs or defendants to expedite or delay the service of subpoenas. In addition, the automated system would also provide senior court officials with greater management control over the activities of the Secretaries, the Docketing staff, and the accounting staff. This might help prevent the fraudulent acceptance of payments to move up the dates of court hearings in the calendar.

Finally, an automated integrated database would provide the courts with an effective system of automated ticklers to identify case actions that are overdue and that need to be taken in order to ensure timely case processing. The existing log books and other manual procedures are largely inadequate for this purpose.

2. OPTIMAL APPROACHES FOR SUPPORTING THE AUTOMATION OF COURT ADMINISTRATION IN EGYPT

In this section, we recommend a series of steps and approaches for a USAID project to promote the future automation of the administration of the Egyptian courts.

2.1 Implement the New System at a Single Site on a Pilot Basis

MAXIMUS recommends that, as part of the USAID project, the proposed automated system for the administration of the courts be implemented on a pilot basis in one city in Egypt. The purpose of the pilot test is to establish a model system that MOJ could then replicate in all of the other courts. The pilot will also identify and resolve any problems in the software and hardware associated with the new system.

In order to develop a system that will be operable at the Courts of Appeals and the Courts of First Instance, MAXIMUS recommends that the pilot should occur in an Appeals Court AND a First Instance Court located in the same city. This city must also be connected to Egyptnet. There are three cities that meet these criteria:

- o Cairo,
- o Alexandria, and
- o Ismailia.

Although MOJ has developed a plan to select the Cairo Court of Appeals as the pilot court for the new system, this court may not be the ideal choice. MOJ has selected the Cairo Court of Appeals because they believe that this court has the greatest problems in terms of backlogs and delays. However, a pilot test should not be seen as a way to "solve problems" but as a way of developing an effective model system that will work efficiently in a short period of time and can be transferred to other courts. By selecting the Cairo Court of Appeals, the pilot test may run into a host of problems associated with heavy caseloads, delays on case processing, overburdened judges and staff, and overcrowded and deteriorated facilities that may reduce the likelihood of the successful development of a model system. In addition, there are advantages to selecting either Alexandria or Ismailia as the pilot site because there is only one Court of First Instance that "feeds" cases to the Appeals Court. By

clarify and discuss the goals of the proposed Task Force. Next, it will be necessary to clarify the selection criteria for choosing the members of the Task Force and to review these criteria with MOJ. Finally, the selection criteria should be applied, and the persons selected should be contacted to obtain their agreement to participate. The issue of remuneration to individual participants will have to be reviewed at this stage.

As part of the USAID project, continued technical assistance should be provided to the Task Force to help ensure that it meets its objectives. This technical assistance would include making logistical arrangements for the meetings of Task Force; drawing up specific goals, objectives, and time lines; arranging for the recording of minutes; arranging liaison meetings with other governmental entities whose involvement is critical to procedural reform in the courts (such as the People's Assembly); arranging for briefings on legal procedures in other countries; and arranging for the distribution of documents that may be relevant to the work of the Task Force. As part of the technical assistance function, efforts should also be made to resolve any problems or delays that the Task Force encounters in completing its work.

3. CONDUCT AN IN-DEPTH MANAGEMENT STUDY OF COURT OPERATIONS AND STAFFING

To support the work of the Task Force, a management and staffing study should be conducted of the Egyptian court system to gather more detailed information on opportunities for management improvements. Although the site selection criteria should be finalized as part of the USAID project, MAXIMUS recommends that the Management Study be conducted in the cities where the Functional Requirements Analysis is conducted. This will allow the Management Study to build on the results of the Functional Requirements Analysis. The Management Study should include the Appeals Courts and First Instance Courts in each of the two cities, as well as one or two of the Summary Courts.

The Management Study should include the following tasks:

- o analyze and document the organization of the major courts and individual departments, including the development of organization charts and job descriptions;

- o conduct a "span of control" analysis to identify opportunities for consolidation;
- o produce flow charts depicting the processing of different types of cases at each level of the court system;
- o compare the caseloads and the staffing levels of each court;
- o identify differences among the courts in productivity and the factors associated with these differences;
- o gather more detailed information on the causes of court delays and the major bottlenecks in the system; and
- o evaluate current procedures and systems for enforcing accountability and management controls.

The Management Study should include a series of detailed recommendations for improving the efficiency of the courts and introducing more effective management systems and procedures.

CHAPTER V: DEVELOPMENT OF ENHANCED TRAINING PROGRAMS FOR COURT PERSONNEL

In this chapter, we present our recommendations for an expanded program of training for different court officials and staff. This program is designed to encompass:

- o training in the proposed automated systems;
- o training in "non-systems" areas such as court administration and management.

A. TRAINING REQUIREMENTS TO SUPPORT THE NEW AUTOMATED SYSTEMS

A number of different types of training will be necessary to support the new automated systems described previously. These are reviewed below.

1. TRAINING FOR THE PILOT PROJECT INVOLVING THE PLACEMENT OF PCs IN JUDGES' HOMES

To implement the proposed pilot project in which PCs would be placed in the judges' homes at selected sites, it will be necessary to provide training to two classes of staff. These include the judges, who are the direct users of the system, and systems support personnel, who will be responsible for maintaining and troubleshooting the systems and for supporting the continued use of the system over time. Training must be provided to the judges in the search and retrieval programs used to access the legal database. Since these will be designed as menu-driven user-friendly systems, no more than a few hours of training will be necessary for each judge. However, it will be necessary to provide each of the judges with written materials summarizing the various indexes and search procedures involved in using the system.

As part of the pilot, it will also be necessary to provide the participating judges with a basic introduction to the word processing package that they will be using to type their judgements. Orientation to the keyboard may also be necessary for many of the judges. Much of this type of training can be delivered on a self-instructional basis after one or two days of classroom training.

For the judges, the training curriculum would involve the following types of courses:

- Day One: AM Introduction to Computers
 PM Simple Word Processing
- Day Two: AM Simple Word Processing
 PM Using the PC as a Terminal
- Day Three: AM Using the Legal Database for Research
 PM Practice Uses of the PC.

To facilitate the pilot project, the MOJ Information Center should establish a "hotline" service that judges can call if they need additional guidance or if maintenance is required on the hardware.

Systems support personnel can be recruited from among the present employees of the courts. Since the role does not include programming as such, the technical skills required can easily be trained into the right individuals. For these support personnel, the training should include a curriculum containing the following courses:

- Day One: AM Introduction to Computers
 PM Word Processing
- Day Two: AM Word Processing
 PM Using the PC as a Terminal
- Day Three: AM Using the Legal Database for Research
 PM Practice Uses of the PC.
- Day Four: AM System Administration
 PM System Troubleshooting
- Day Five: AM Hands-On Use
 PM Hands-On Use

We would recommend that, for each 20 judges included in the pilot test, one support staff should be trained. The job of the support personnel will not only involve troubleshooting, but proactive monitoring to ensure that each judge is indeed using the computer. If, for example, 80 judges are selected to participate in the pilot testing of this system, then the training needs to be given to 80 judges and 4 or 5 systems support staff.

2. TRAINING PROGRAMS REQUIRED TO SUPPORT THE AUTOMATION OF COURT ADMINISTRATION AT THE PILOT SITE

The automation of the courts at the pilot site will require an extensive training program. This should include:

- o training in the new procedures that are created as a result of automation; and
- o technical training in the new automated applications.

2.1 Training in the New Procedures That are Created as a Result of Automation

It should be noted that the automation of the courts at the pilot site will result in significant changes in job descriptions, staffing patterns, court organization, and case processing procedures. Whole categories of staff -- such as the typists -- will have to be retrained to use PCs or to perform functions that currently do not exist, such as key entering case information onto the database, analyzing Exception Reports, sending E-Mail and faxes, or preparing management reports. Since the new system will replace the use of log books, the staff responsible for maintaining these log books will have to be retrained to perform their functions on PCs. In some cases, the new system will automatically perform the work that is currently carried out by staff. These staff persons will have to be reassigned to new functions or to tasks that are currently understaffed.

In conjunction with the development of the new automated system at the pilot site, it will be necessary to prepare Procedures Manuals which reflect the new organization, procedures, and job descriptions. The Procedures Manuals will serve as the basis for developing a training program for the court personnel.

During our site visits, we were able to assess the education and prior training of existing court personnel in the different departments. Although very few of the staff have had any exposure to computers, the staff who were responsible for such tasks as typing, filing, recording testimony, collecting fees, serving summons, and maintaining log books all had to be literate to be able to perform their jobs. If anything, many of the court staff appeared to be over-qualified for the work they were performing. Therefore, we anticipate

that few problems will be encountered in retraining the staff in the new procedures that will be created by the automated system at the pilot site.

2.2 Training in the New Automated Applications

With regard to the technical systems training at the pilot site, the systems development process should involve the design of the pilot system based on user-friendly screens. A menu-driven approach will ensure that the staff at the pilot site will not require technical computer training to perform their new tasks. Instead, they will only need to be trained on the use of the different system screens (including data entry screens, inquiry screens, and print screens). Since the existing court typists, Secretaries, accounting clerks, and bailiffs are all literate, there should be few problems retraining them for these tasks.

More advanced technical training will be necessary only for the Systems Managers who will be required to manage the operations of the local court systems at the pilot sites after the pilot is operational. As indicated, these staff will be responsible for troubleshooting the system when it becomes inoperative, managing equipment repair and maintenance, performing software maintenance, and performing customized programming as required. Preferably, these positions should be filled by persons who have four-year computer science degrees and some experience in similar responsibilities. It is estimated that one or two such staff should be recruited for each of the major courts (the Court of Cassation, each of the Courts of Appeal, and each of the Courts of First Instance).

Finally, it will be necessary for the MOJ Information Center to recruit a few additional staff to service the mainframe and to provide hotline services to the local Systems Managers.

2.3 Training Curriculum and Number of Persons to be Trained

Four classes of users will require training for the pilot system. These include the judges, court management personnel, clerical level users, and system support staff.

The curriculum for each class of user should include the following types of classes:

COURT MANAGEMENT PERSONNEL

Day One: AM Introduction to Computers
PM Design of Court Automation System

Day Two: AM The Generation & Use of Management Information
PM Case Studies Using Court Management Information

JUDGES

Day One: AM Introduction to Computers
PM Simple Word Processing Operations

Day Two: AM Design of Court Automation System
PM Case/Docket Management

CLERICAL USERS

Day One: AM Introduction to Computers
PM Simple Word Processing

Day Two AM Keyboarding
PM Case Tracking Functions

Day Three AM Data Entry and System Usage
PM Practice Uses of the PC.

SYSTEM SUPPORT STAFF

Day One: AM Introduction to Computers
PM Word Processing

Day Two AM Word Processing
PM Using the PC as a Terminal

Day Three AM Operating Systems
PM Network Principles and Administration

Day Four AM System Administration
PM User Support and System Troubleshooting

Day Five AM Hands-On Use
PM Hands-On Use

The training should be given off-site, so that a proper facility can be set up. Class sizes should include no more than 8 to 10 individuals and each student should have access to a terminal or a Personal Computer. Nearly all curricula involve some hands-on use of the systems.

For the court automation pilot, the numbers of trainees are a bit more difficult to estimate, but at a minimum would involve about 10 management level staff at each of the two courts (including chief judges), every judge in the court, all court secretaries, about 50 clerical level users, and about 5 systems support personnel in each court. These estimates are based upon an average First Instance Court. Large courts or Appeals Courts may require variations in these numbers.

3. PROVIDE MOJ WITH TECHNICAL ASSISTANCE IN THE DESIGN OF A TRAINING PROGRAM FOR NATIONWIDE IMPLEMENTATION OF THE PILOT PROCEDURES

Although nationwide training will not be part of the next USAID project, this training will eventually be required if the pilot systems prove to be successful and are implemented nationwide. The USAID project should develop a preliminary plan for the design and delivery of a nationwide training as a form of technical assistance to MOJ. As part of nationwide training, it is advisable to precede the training with a "User Awareness Campaign" designed to promote acceptance of the new procedures by the judges. This campaign should be provided in the form of regional or local presentations to groups of judges, emphasizing the value of the new procedures and the reason why they are being adopted nationwide. The local Chief Judges should participate actively in these presentations.

4. ORIENTATION PROGRAM FOR SENIOR OFFICIALS AND JUDGES

During our site visits, we found that the central MOJ officials and the local Chief Judges and court managers were very supportive of the concept of automating the courts. In addition, these officials were generally aware of many of the potential benefits of automation.

However, there is some concern that many officials may not fully understand all of the advantages and implications of full-scale automation.

Since the commitment of these officials is critical to the success of automating the courts, we recommend that selected MOJ officials, senior judges and other local court officials be provided exposure to "state-of-the-art" automated systems in selected courts in the United States. These officials should, at a minimum, include the Chief Judge of each of the Appeals Courts and the First Instance Courts and senior judges from the Court of Cassation and administrative court system. Exposure to the state-of-the-art systems might be arranged either through a program of visits to the United States or through an arrangement whereby the systems are demonstrated in Egypt (or a combination of these approaches).

B. TRAINING REQUIREMENTS IN "NON-SYSTEMS" AREAS

In addition to supporting the new automated systems, an enhanced program of "non-systems" training is necessary in order to promote greater efficiency and timeliness in the administration of justice by the courts. The specific types of training required are reviewed briefly below.

1. CONTINUING EDUCATION FOR JUDGES

Our site visits and interviews confirmed the finding of the Egypt-U.S. Legal Exchange Project that continuing education for judges in civil and commercial law is critical to expediting the flow of cases through the system. We were told, for example, that judges frequently postpone cases or refer cases to Experts because they lack expertise in the issue being adjudicated. In addition, the lack of specialization among Egyptian judges often results in time-consuming legal research into topics with which the judge is unfamiliar.

2. MANAGEMENT TRAINING FOR CHIEF JUDGES AND COURT ADMINISTRATORS

Although many of the local Chief Judges, senior court administrators, and department managers whom we interviewed had implemented major initiatives to expedite case

processing and improve court management, it is our conclusion that these officials would benefit from systematic training in general management techniques, public administration, and court management. In addition, technical assistance in the area of effective management practices and "exemplary programs" should be available to these officials on a regular basis. These services might be provided as part of the proposed USAID project through the establishment of new training and technical assistance programs. After the project is completed, these programs might be set up on a permanent basis at the National Center for Judicial Studies, or through the use of private training and technical assistance contractors.

We recommend that the Chief Judges and Court Administrators from each of the Appeals Courts and each of the First Instance Courts be included in the management training. In addition, senior officials from the Court of Cassation, the Supreme Constitutional Court, the State Council, and the major MOJ departments should be included. In combination, the total number of officials to be provided training would be approximately 90.

3. TRAINING FOR COURT REPORTERS

If a court reporting profession is eventually established in Egypt, training programs for court reporters will be necessary. These programs could be provided by private certified training institutions.

CHAPTER VI: RECOMMENDED TASK PLAN AND SCHEDULE FOR A USAID PROJECT

One of the major goals of the project was to identify the components of a future USAID project for promoting automation and other improvements in the administration of the courts in Egypt. In the preceding chapters, we have recommended a number of activities that should be included in this future USAID project. The objective of this chapter is to summarize all of a recommendations for a future USAID project in the for of a detailed Task Plan and Schedule, and to present a time frame for the completion of the project and its major components. For additional information on each task and sub-task, the reader is referred to the appropriate sections of the preceding chapters.

A. RECOMMENDED OVERALL TIME FRAME FOR THE USAID PROJECT

To complete all of the activities involved in the USAID project, MAXIMUS recommends a twenty-four month time frame from the beginning of the project to its completion. We think that this time frame is realistic in view of in view of the time that will be required to initiate and organize the project activities in Egypt.

B. SPECIFIC ACTIVITIES AND TIME FRAMES

MAXIMUS recommends the following Task Plan and schedule for the USAID project.

TASK 1: INITIATE AND ORGANIZE THE PROJECT (Month 1)

Task 1.1: Mobilize and Deploy Staff from the United States

Task 1.2: Conduct Initial Meetings With USAID to Review Project Objectives and Methods

Task 1.3: Conduct Protocol Meetings With MOJ Officials

TASK 2: SELECT THE PILOT SITES FOR THE PROJECT (Month 2)

- Subtask 2.1: Finalize the Selection Criteria for Selecting the Pilot Sites for the Use of PCs in the Judges' Homes (Two sites are recommended)
- Subtask 2.2: Finalize the Selection Criteria for the Pilot Site for the New Automated System for Court Administration (This site will be one of the two sites selected for the other pilot)
- Subtask 2.3: Consult With MOJ on the Selection of Sites
- Subtask 2.4: Recommend the Final Sites to USAID

TASK 3: CONDUCT THE PILOT PROJECT OF THE USE OF PCs IN THE JUDGES' HOMES (Months 3 through 24)

- Subtask 3.1: Meet With Local Officials to Review Logistics (Month 3)
- Subtask 3.2: Select the Judges Who Will Participate (Month 3)
- Subtask 3.3: Procure and Deploy the Equipment (Month 3-5) -- about 80 PCs will be deployed.
- Subtask 3.4: Provide Training to the Judges (about 80) (Month 6)
- Subtask 3.5: Work With the MOJ Information Center to Arrange for Support Services for the Judges (Month 6)
- Subtask 3.6: Initiate the Pilot Activities (Month 7)
- Subtask 3.7: Provide Technical Assistance to MOJ and the Participating Sites As Required (Months 7 through 24)
- Subtask 3.8: Provide Technical Assistance as Required by MOJ in the Continued Development of the Legal Database (Months 3 through 24)

TASK 4: CONDUCT THE EVALUATION OF THE PILOT PROJECT INVOLVING THE USE OF PCs BY THE JUDGES (Months 3 through 18)

- Subtask 4.1: Monitor the Usage of the System by the Judges
- Subtask 4.2: Conduct Regular Site Visits to Assess the Pilot
- Subtask 4.3: Prepare a Report of the Evaluation Findings (by Month 18)

TASK 5: CONDUCT THE FUNCTIONAL REQUIREMENTS ANALYSIS FOR THE AUTOMATION OF THE COURTS (Months 3 through 5)

- Subtask 5.1: Select the Sites Where the Analysis Will be Conducted (We recommend four courts located in two cities: Cairo and either Alexandria or Ismailia)
- Subtask 5.2: Consult with Local Officials to Arrange for User Groups to be Identified
- Subtask 5.3: Deploy Teams to the Sites to Conduct the Analysis
- Subtask 5.4: Prepare a Report of the Analysis (by the end of Month 5)

TASK 6: WORK WITH MOJ TO ESTABLISH THE Subtask FORCE TO PROMOTE PROCEDURAL REFORMS (Months 2 through 4)

- Subtask 6.1: Meet with MOJ to Review the Objectives of the Subtask Force and Resolve Issues About the Goals of the Task Force
- Subtask 6.2: Assist MOJ in Identifying Criteria for Selecting the Task Force
- Subtask 6.3: Work With MOJ To Recruit Members of the Task Force

TASK 7: PROVIDE TECHNICAL ASSISTANCE TO THE TASK FORCE (Months 5 through 24)

- Subtask 7.1: Determine the Logistics and Schedules for Meetings of the Task Force
- Subtask 7.2: Provide Logistical Support to the Task Force
- Subtask 7.3: Arrange for Meetings with Relevant Government Agencies to Promote Reforms

TASK 8: CONDUCT THE COMPREHENSIVE MANAGEMENT STUDY OF THE COURTS IN SUPPORT OF THE TASK FORCE (Months 3 through 8)

- Subtask 8.1: Identify the Specific Objectives of the Management Study (Month 3)
- Subtask 8.2: Select the Courts Where the Management Study Will be Conducted (Month 4)
- Subtask 8.3: Conduct the Management Study (Months 5 through 7)
- Subtask 8.4: Prepare a Comprehensive Report (Month 8)

TASK 9: CONDUCT THE PILOT OF THE NEW SYSTEM FOR AUTOMATING THE COURTS (Months 6 through 24)

- Subtask 9.1: Finalize the Architecture and Hardware Requirements for the Pilot (Month 6)
- Subtask 9.2: Prepare the Detailed System Design (Month 6)
- Subtask 9.3: Develop the Software for the New System (Months 7 through 10)
- Subtask 9.4: Install the Software and Conduct Acceptance Testing (Months 11 through 12)
- Subtask 9.5: Develop Training Materials and Procedures Manuals (Months 11 through 12)
- Subtask 9.6: Conduct "User Awareness" Training (Months 11 through 12)
- Subtask 9.7: Provide Training to Local Court Personnel in the New Systems and Procedures (Months 13 through 14)
- Subtask 9.8: Deploy Local Systems Managers for Ongoing Operations (Month 14)
- Subtask 9.9: Operate the New System and Resolve Operational Issues (Months 14 through 24)
- Subtask 9.10: Prepare a Report to USAID on the Operation of the Pilot System (by Month 22)

TASK 10: PROVIDE SENIOR MOJ OFFICIALS AND JUDGES WITH EXPOSURE TO STATE-OF-THE-ART AUTOMATED SYSTEMS IN U.S. COURTS (Months 9 through 15)

- Subtask 10.1: Work With MOJ to Select the Officials and Judges
- Subtask 10.2: Arrange for Systems to be Demonstrated in Egypt
- Subtask 10.3: Arrange for a Select Number of Judges to Travel to the U.S. to Observe Current Systems
- Subtask 10.4: Select the Sites in the U.S. and Make Local Arrangements

TASK 11: DESIGN AND DELIVER A TRAINING PROGRAM IN GENERAL MANAGEMENT PROCEDURES AND COURT MANAGEMENT FOR MOJ OFFICIALS, CHIEF JUDGES, AND COURT MANAGERS (Months 15 through 22)

- Subtask 11.1: Design the Training Program and Curricula
- Subtask 11.2: Deploy Trainers and Arrange Logistics for the Delivery of Training

Subtask 11.3: Select the Persons to be Trained (in conjunction with MOJ) -- approximately 90 persons)

Subtask 11.4: Deliver and Evaluate the Training

TASK 12: DEVELOP FUTURE PLANS AND SCHEDULES FOR THE AUTOMATION OF THE EGYPTIAN COURT SYSTEM (Months 22 through 24)

Subtask 12.1: Develop Plans and Schedules for Providing Each Judge With a PC (contingent on the success of the pilot)

Subtask 12.2: Develop Plans and Schedules for Implementing the Model System in the Remaining Egyptian Courts, Including Training, Hardware Procurement, Hardware Installation, and Software Installation.