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AMIDEAST  
1730 M Street NW  
Washington D.C. 20036 4505

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## EXPERIMENTAL CIVIL CASEFLOW MANAGEMENT IMPROVEMENT PLAN FOR NORTH CAIRO AND ISMAILIA PILOT COURTS

David C Steelman and Jeffrey M Arnold  
NATIONAL CENTER FOR STATE COURTS  
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# EXPERIMENTAL CIVIL CASEFLOW MANAGEMENT IMPROVEMENT PLAN FOR NORTH CAIRO AND ISMAILIA PILOT COURTS

## Executive Summary

Upon its adoption by the Egyptian Ministry of Justice (MOJ), this plan calls for actions in MOJ and the pilot courts that include the following

**A Leadership by MOJ and Pilot Court Chief Justices** Part of the regular and ongoing responsibility of MOJ and the chief justices will be

- to monitor compliance by the judge panels with reasonable time standards (see Table 1),
- to hold judge panels accountable for the timely completion of cases, and
- to assist the judge panels by providing reasonable means to comply with such expectations

**B Time Standards** Experimental panel judges will actively manage the progress of cases from initiation through final judgment in keeping with the time standards set forth in Table 1

**C Supervision of Service** Global reorganization of the service department is essential. It is not a necessary prerequisite, however, before the management steps in this plan can be implemented. Judge panels will pay special attention to problems of service

- In the return of service shown in Appendix A, servers will be called upon to indicate the means by which they made service
- After there has been one postponement in a case because of service problems, the chief judge of a panel or his designee will inquire about the case with the service department
- In any case with more than two postponements for service, the follow-up judge will inquire about service by obtaining information directly from the server and his supervisor and will report his findings to the chief justice, with a copy to the chief judge of the panel

**D Supervision of Case Preparation** Steps will be taken to encourage parties to submit documents supporting their positions at the earliest opportunity

- A manual entitled, "Documents Needed to Decide Civil, Commercial and Tax Cases In Courts of First Instance," will be provided to lawyers as a training and practice aid and made available at the court building as a reference source for lawyers and litigants
- At case initiation, the claim for relief (see Appendix A) will call for the plaintiff (in compliance with Article 65) to indicate what documents he is filing at case initiation to support his claim

Once both litigants have appeared before the court, experimental panel judges will take active steps with lawyers and litigants to schedule the preparation of cases for final judgment in a timely manner. These steps will be the following:

- **Order Setting Scheduling Hearing** At the earliest court hearing with both plaintiff and defendant present, the court will enter an order setting a scheduling hearing (See Appendix B). The court's order will detail the work to be done by the parties prior to the scheduling hearing.
- **Scheduling Hearing and Order** At the scheduling hearing, the following events will occur:
  - (a) both parties will file all documentary evidence in their possession that they wish the court to consider,
  - (b) both parties will indicate what further documents they need that may be in the possession of another person or a governmental agency,
  - (c) the court will decide what issues, if any, will be referred for an expert report,
  - (d) the parties will make any request for investigation of witnesses, and
  - (e) at the conclusion of the hearing, the court will enter a scheduling hearing order setting out a timetable for the completion of case preparation (See Appendix C).
- **Order to Produce Documents** In the scheduling hearing, the litigants may need documents from a person or agency that will not provide such documents in the absence of a court order. In that event, the court will at the conclusion of the hearing enter an order for the possessor of any such document to deliver it to the court (See Appendix D).
- **Holding Case for Final Judgment** When all documents that the parties consider necessary for the decision of a case have been submitted to the court, the judge panel will enter an order closing the proofs and holding the case for final judgment. This order may also be entered by the court if a party without good cause:
  - (a) has failed to submit documents that he previously has indicated would be filed by an agreed date,
  - (b) has not paid expert fees by a required date, or
  - (c) has failed to appear before an expert or failed to provide documents required by an expert for the completion of his report(See Appendix E)

**E Supervision of Expert Work** The pilot courts will closely monitor and control the elapsed time necessary for the completion of work by experts. This will be done by the following methods:

- **Decision on Referral to Experts** In the scheduling hearing held by the court, the judge panel will call on the litigants and lawyers to indicate what specific issues they wish to have referred to experts, and the panel will decide whether such issues require an expert report. The order of

referral will specify which issues are to be addressed in the expert report (See scheduling hearing order in Appendix C )

- **Court Order Establishing Time for Completion of Expert Report**  
During the scheduling hearing held by a judge panel, the court's decision to refer a case to experts will be reflected in an order of referral that is part of its scheduling hearing order (See Appendix C ) In the referral order, the court will provide
  - (a) the date by which all expert fees must be paid by the parties,
  - (b) the date on which the court will hold a hearing on the status of expert fee payments, at the conclusion of which the court may order a case held for final judgment without an expert report on issues for which a party has requested an expert opinion but has failed without good cause shown to have paid the required expert fee,
  - (c) the date on which the parties are to first appear before the expert (on which date the expert may schedule a subsequent appearance if necessary), so that the expert office does not have to send notice of the first hearing date by registered mail to the parties,
  - (d) the date by which the expert must submit his report to the court, and
  - (e) the date on which the parties must be present in the court to receive the report by the expert By including this date in the referral order, the court avoids the need for any further notice to the parties of this date
- **Possible Imposition of Sanctions for Litigant Failure to Comply with Expert Requirements** If a party fails to appear before the expert to whom a case is assigned or fails to provide documents needed by the expert, the court's order of referral directs the expert department that the expert is to appear before the court (with notice to the parties) to notify the court of the party's failure or refusal to cooperate with the expert If that party fails to show good cause for such failure or refusal, then the court will bar the non-complying party from participation in the expert opinion process (See Appendix C )
- **Court Follow-Up on Completion of Expert Work** The court may call for an expert to report on the status of his work, and to hold a status hearing for that purpose If the time for submission of an expert report has passed and the expert has not given the court a satisfactory explanation for the delay, the judge panel will order the expert to appear in court (with notice to the parties) to report on the reasons for delay A follow-up judge will aid the court's inquiry into the status of expert work and the reasons for any delays

**F Cases Pending at Program Commencement** The following activities will be undertaken by experimental panel judges to reduce the size and age of the inventory of cases that were pending before the panel before commencement of experimental program implementation

- Review all pending cases to ascertain the age and status of each case and determine what actions are needed for it to be decided
- Make arrangements for a follow-up judge to address any service department or expert office problems
- Hold a scheduling hearing (see Appendix B) and enter a scheduling hearing order (see Appendix C) establishing a timetable for progress to the completion of case preparation
- Where appropriate, enter an order closing the proofs and holding a case for final judgment (see Appendix E)
- For any case in which all case preparation has been completed, make the assignment for a judge to write a judgment within the time standards in Table 1

**G Prompt Disposition of Signature Cases** If the parties to a signature case appear at court together with all requisite documentation and proof, the court will provide means for final court action to be taken in the case on the very same day that the parties appear

- First, the plaintiff appears at a case initiation location with a writ of summons and pays all necessary fees,
- Second, the defendant is present and waives service, or personal service is immediately made on the defendant and acknowledged,
- Third, the parties appear before a judge panel assigned on a rotating basis to hear and decide such “walk-in” signature cases that day, and
- Fourth, the panel renders final judgment that day and all necessary case filing activities and court record entries are completed

**H Alternative Dispute Resolution (ADR)** As a means to promote early disposition of cases by parties without the need for traditional court procedures, MOJ should develop a program with “ADR neutrals” to provide mediation and early neutral evaluation of the value of cases

**I Caseflow Management Information** As part of their ongoing caseflow management efforts, MOJ, pilot court chief justices and experimental panel judges should regularly review caseflow management information reports

- Pending caseload information
- Age of cases at disposition
- Monthly and annual aggregate data
- Reports on open cases

**J Education and Training** To enhance the chances of successful program implementation, MOJ and the pilot courts will provide appropriate training on issues relating to caseflow management for judges, court staff members, and ADR neutrals, as well as promoting training for lawyers

## EXPERIMENTAL CIVIL CASEFLOW MANAGEMENT IMPROVEMENT PLAN FOR NORTH CAIRO AND ISMAILIA PILOT COURTS

In May 1998, the Administration of Justice Support (AOJS) project proposed an experimental program for reengineering Egyptian civil caseflow management in two pilot courts – the courts of first instance in North Cairo and Ismailia<sup>1</sup> Upon the acceptance of that proposal by the Egyptian Ministry of Justice (MOJ), judges and court staff in the pilot courts began work with AOJS court administration specialists to prepare during the summer of 1998 for the implementation of the experimental program One element of the planning for implementation has been that the AOJS caseflow management consultant would prepare a caseflow management improvement plan in September 1998, for implementation by pilot court judges in the experimental program That caseflow management improvement plan is set forth below

Emphasis is placed here on (a) powers that MOJ now has, and (b) powers that the judges in each pilot court currently have The plan thus emphasizes changes that can be made without legal reform – without the need for any legislative changes Moreover, the caseflow management plan offered here can accurately be viewed in terms of basic elements of management in general In this regard, it has four features

- 1 that reasonable expectations for timely case processing be established,
- 2 that information be provided by which MOJ, the chief justices and the chief judges of panels can monitor system performance,
- 3 that experimental judges be committed to and accountable for the progress of their cases from initiation to conclusion, and

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<sup>1</sup> See David C Steelman, "Reengineering Civil Caseflow Management in Egyptian Courts of First Instance Working Paper for an Experimental Civil Caseflow Management Improvement Program in North Cairo and Ismailia Pilot Courts (May 19 1998)

- 4 that the experimental judge panels apply specific techniques to ensure that cases progress in timely fashion to fair and just dispositions

## I Leadership, Judicial Commitment and Organization

Leadership and judicial commitment are essential to successful caseload management in any court<sup>2</sup> In order for a caseload management effort to succeed in the North Cairo and Ismailia pilot courts, it must be clear and unequivocal that MOJ leaders and the chief justices of the pilot courts give high priority to delay reduction and the timely achievement of just outcomes in cases Part of the regular and ongoing responsibility of MOJ and the chief justices must be

- to monitor compliance by the judge panels with reasonable time standards (see section II below),
- to hold judge panels accountable for the timely completion of cases, and
- to assist the judge panels by providing reasonable means to comply with such expectations

It is important as well for the chief judge of each panel to exercise leadership in the management of cases Under the leadership of the chief judge, each panel must give high priority to the just *and prompt* determination of all cases assigned to it Panel judges must be committed to the just conclusion of cases within the time standards in section II below, and they must view each case once filed as “belonging” not to the litigants or the lawyers, but to the court Having established reasonable expectations for the time within

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<sup>2</sup> See Maureen Solomon and Douglas K. Somerlot *Caseload Management in the Trial Court Now and for the Future* (Chicago: American Bar Association, 1987) See also David C. Steelman, John A. Goerdts and James E. McMillan *Improving Caseload Management to Promote Prompt and Affordable Justice* (Williamsburg, VA: National Center for State Courts, forthcoming, 1998)

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which litigants and lawyers should complete case activities, they should monitor compliance with such expectations and hold litigants and lawyers responsible for failure to comply

This plan contemplates that there will *not* be a “civil prosecutor” available in the near future to oversee and manage the preparation of cases for decision in the pilot courts. As a result, it calls for the experimental panel judges to manage case progress actively from initiation to final judgment, to ensure timely and just decisions. A pilot court may assign specific judges to serve as “follow-up judges” to assure timely completion of service and timely completion of expert reports. The chief justice of a pilot court may specially assign such follow-up judges, or they may be members of each judge panel who are designated to perform this function.

Changes in the organization and structure of the service departments may be necessary, in keeping with the action steps suggested in the report on the service function that has been prepared by AOJS consultants in September 1998. Global reorganization of the service department is essential. It is not a necessary prerequisite, however, before the management steps in this plan can be implemented. See below, section III, for action steps to be taken regardless of when any global changes are made.

MOJ and AOJS have considered whether the prompt completion of reports by experts would require that experts come under the direct authority of the chief justice of each pilot court. Before such an organizational change is made, it is desirable to determine if more expeditious completion of work by experts can be achieved through the management steps specified below in section III C.

## II Time Standards for Civil and Commercial Litigation in Pilot Courts

One of the essential features of any management program is to have reasonable expectations about desired outcomes. It is critical to have some idea about what constitutes "success." Effective caseload management programs use standards and goals for this purpose.

If one of the objectives of caseload management is to promote "prompt" justice, then it is desirable to have measures of what "prompt" justice is. In the summer of 1998, AOJS court administration specialists asked the judges of the experimental panels in the pilot courts to indicate what they believed the time standards should be for civil and commercial cases. The time standards presented in Table 1 below are based on the responses given by the judges. Under the implementation of this plan, these time standards will be applied on an experimental basis with judge panels in the pilot courts. They will serve to reflect the commitment by MOJ and the pilot courts to timely case processing, and they will serve other ends as well.<sup>3</sup>

- **Motivation** Time standards are motivators, providing goals for judges and other participants in the court process to seek to achieve, both in managing caseloads and with regard to individual cases.
- **Measurement** Time standards provide yardsticks for measuring management effectiveness, serving as benchmarks for determining whether the pace of court proceedings is acceptable.
- **Management** Time standards provide a starting point for developing specific procedures to meet the goals they set forth.
- **Information System Development** Time standards are useful only if judges and other participants in the court process receive information on the extent to which they are being achieved, and such standards

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<sup>3</sup> See Mahoney, et al. *Planning and Conducting a Workshop on Reducing Delay in Felony Cases Volume One: Guidebook for Trainers* (Williamsburg, VA: National Center for State Courts, 1991) page P5-3.

**TABLE 1  
TIME STANDARDS FOR EXPERIMENTAL PANELS IN NORTH CAIRO AND  
ISMAILIA PILOT COURTS**

Description	Time Standards		
	50%	75%	100%
Days from Writ of Summons to Defendant's Acknowledgment of Service	30	45	90
Days from Referral to Expert Office to Filing of Expert Report	60	90	180
Days from Writ of Summons to Date Case is Held for Final Judgment			
• Signature Cases	15	60	90
• Labor, Tax and Compensation Cases	180	270	365
• All Other Civil and Commercial Cases	90	180	270
Days from Date Case is Held for Final Judgment to Date Final Judgment is Entered	7	15	30
Days from Entry of Final Judgment to Execution of Judgment	30	60	90

should lead to the development of systems for monitoring caseload status and progress toward caseflow management goals

### **III Specific Caseflow Management Techniques**

In the AOJS sample of pilot court civil and commercial cases disposed in 1997, elapsed times from case initiation to rendition of judgment were analyzed. Table 2 shows the results of that analysis. As one might expect, signature cases had the shortest times to disposition – 50% within 53 days, 75% within 74 days, and 100% within 215 days. Tax cases (50% in 724 days) and compensation cases (50% in 504 days) had the longest elapsed times. As Table 2 indicates, the cases with the longest times to disposition were pending much longer than the time standards in Table 1.

In order to meet the time standards set forth in Table 1, it will be necessary for the experimental judge panels to adopt practices and procedures allowing them to exercise more active management of the progress of cases to decision. Specific steps are set forth below. These steps will focus on what have been identified as the primary causes of delay in civil and commercial cases: service, experts and submission of documents by parties to complete the preparation of cases for final judgment.

Because each experimental judge panel has an inventory of cases that were pending before the implementation of the experimental program, this plan also outlines steps for the panel judges to take to manage that inventory. Finally, the plan briefly describes two further steps that would greatly aid the prompt achievement of just dispositions – one-day disposition of signature cases (which will be implemented immediately), and the use of mediators/case evaluators to aid the early negotiated resolution of cases by litigants and lawyers.

**TABLE 2**  
**ELAPSED TIMES TO JUDGMENT FOR SAMPLE CIVIL CASES DECIDED IN**  
**1997 IN NORTH CAIRO AND ISMAILIA PILOT COURTS\***

Case Type (number of sample cases)	Days from Writ of Summons to Judgment		
	50%	75%	100%
Signature (80 cases)	53	74	215
Labor (17 cases)	1,289	1,588	2,192
Taxes (37 cases)	724	1,050	1,799
Commercial (17 cases)	154	216	243
Contract (49 cases)	210	264	1,513
Compensation (36 cases)	504	890	3,091
Rent (90 cases)	157	333	1,498
Bankruptcy (72 cases)	243	303	796
Solvency (5 cases)	349	--	429
Other (132 cases)	180	293	1,785

SOURCE AOJS representative sample of North Cairo and Ismailia cases disposed in 1997

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**A Service** Those responsible for service of process are required to serve the writ of summons initiating a case within 30 days after receiving it from the court clerk, who is required to deliver it to the service department within a day after case initiation has been recorded. The AOJS sample of pilot court cases disposed in 1997 indicates that over 90% of the cases ostensibly had initial service made within 30 days after case initiation.

This statistic is misleading, however, because a study of service departments by AOJS consultants indicates that service in about 70% of all cases is “administrative service.” Instead of serving defendants personally, servers making such “administrative service” simply leave writs of summons with police departments if they have not located defendants. They then send notices to defendants by registered mail, indicating that they should go to the police department to pick up a writ of summons.

In the AOJS sample of 1997 dispositions in the pilot courts, there was an average of 1.1 postponements per case because of service problems, and in one sample case there were 13 postponements because of service issues. Data are not available on the percent of cases in which such administrative service gives defendants actual notice of proceedings against them. At the first scheduled hearing in a case, AOJS consultants have been told that the defendant typically does not appear. The court typically considers it necessary to order re-service on the defendant to increase the possibility that the defendant will receive notice in fact that court proceedings have been initiated. If the first service effort is administrative service that may not have given actual notice to the defendant, it is not clear that the court can then be confident about the efficacy of the re-service effort.

The operation of the service department has been addressed in separate September 1998 reports by AOJS consultants, which offer recommendations for improvement. Because recommended changes in the service department may take some time to implement, it is important to identify any steps that judges can take under the experimental program to reduce the effect of service problems on the timely progress of cases to just dispositions. Such steps can be taken before any reforms are implemented in the service department, and they can be continued after such reforms have begun.

Under the experimental program, judge panels will pay special attention to problems of service. In the proposed writ of summons and return of service shown below in Appendix A, servers will be called upon to indicate the means by which they made service – whether it was in person on the defendant personally, to someone else in the defendant’s household, or the reasons why administrative service was necessary. After there has been one postponement in a case because of service problems, the chief judge of the panel or his designee will inquire about the case with the service department. In any case with more than two postponements for service, the follow-up judge will inquire about service by obtaining information directly from the server and his supervisor and will report his findings to the chief justice, with a copy to the chief judge of the panel.

**B Preparation of Cases for Final Judgment** In response to inquiries by AOJS personnel, judges have indicated that, once service has been made and a defendant has been brought into a case, the filing of documents is a reason why progress to readiness for final judgment is often delayed. AOJS understands that Article 65 of the Egyptian Code of Civil and Commercial Procedures requires

- 1 The plaintiff ‘ to have the statement of commencement of the action accompanied by all documents supporting his claim as well as by a written memorandum explaining his claim ”
- 2 The defendant ‘ to file with the clerk his written pleading and supporting documents three days before the first scheduled hearing ”

There is no penalty for noncompliance with this code provision, and it appears not to be enforced. Litigants do not submit documents promptly, and they do not submit them all at once. In the AOJS sample of 1997 dispositions in the pilot courts, cases were typically postponed 2-3 times for reasons other than service or experts, and one sample case was postponed 28 times for such reasons as the submission of documents.

AOJS consultants understand further that Article 97 of the code instructs the court that documents that could have been submitted before the first court hearing may be accepted later if such acceptance does not cause postponement of a case, and that a fine must be imposed if the submission of a document does cause postponement. Moreover, Article 98 provides that, “No case shall be postponed more than once for the same reason and any such postponement shall be for a period not exceeding 3 weeks ”

Under the experimental caseflow management improvement program, steps will be taken to encourage parties to submit documents supporting their positions at the earliest opportunity. One of the reasons suggested for the failure of litigants to provide documents at case initiation is that litigants do not know what documents they need to submit. Two measures will be employed to address this problem.

- 1 In the summer of 1998, experimental panel judges gave lists to AOJS project staff members of the specific documents that a court needs to decide specific kinds of civil and commercial cases. AOJS project staff members have made those lists the body of a proposed manual entitled, ‘ Documents Needed to Decide Civil, Commercial and Tax Cases in Courts of First Instance ’. This manual should be provided to lawyers as a training and practice aid. It should also be made available

at the court building as a reference source for lawyers and litigants, both to help plaintiffs decide what documents they should attach to a writ of summons at the time of case initiation and to help defendants decide what documents to provide in response

- 2 At case initiation, a standard claim for relief (see Appendix A), providing information to the defendant and the court about the plaintiff's case and other important case information, also calls for the plaintiff (in compliance with Article 65) to indicate what documents he is filing at case initiation to support his claim

Once both litigants have appeared before the court, experimental panel judges will take active steps with lawyers and litigants to schedule the preparation of cases for final judgment in a timely manner. These steps will be the following:

- 1 **Order Setting Scheduling Hearing** At the earliest court hearing with both plaintiff and defendant present, the court will enter an order setting a scheduling hearing. (See Appendix B.) The court's order will detail the work to be done by the parties prior to the scheduling hearing.
- 2 **Scheduling Hearing and Order** At the scheduling hearing, the following events will occur:
  - (a) both parties will file all documentary evidence in their possession that they wish the court to consider,
  - (b) both parties will indicate what further documents they need that may be in the possession of another person or a governmental agency,
  - (c) the court will decide what issues, if any, will be referred for an expert report,
  - (d) the parties will make any request for investigation of witnesses, and
  - (e) at the conclusion of the hearing, the court will enter a scheduling hearing order setting out a timetable for the completion of case preparation. (See Appendix C.)
- 3 **Order to Produce Documents** In the scheduling hearing, the litigants may need documents from a person or agency that will not provide such documents in the absence of a court order. In that event, the court will at the conclusion of the hearing enter an order for the possessor of any such document to deliver it to the court. (See Appendix D.)

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- 4 **Holding Case for Final Judgment** When all documents that the parties consider necessary for the decision of a case have been submitted to the court, the judge panel will enter an order closing the proofs and holding the case for final judgment. This order may also be entered by the court if a party without good cause
- (a) has failed to submit documents that he previously has indicated would be filed by an agreed date,
  - (b) has not paid expert fees by a required date, or
  - (c) has failed to appear before an expert or failed to provide documents required by an expert for the completion of his report
- (See Appendix E )

The combined effect of these proceedings and orders is to permit the court to exercise management control over the progress of case preparation. Without interfering in the parties' decisions about what they want to present to the court for final decision, the court order setting the scheduling hearing provides a framework for the efforts of lawyers in analyzing the proofs they wish to provide the court. The scheduling hearing order gives a reasonable timetable for case preparation events that the judge panel works out with lawyers and litigants. The order to produce documents puts the power and authority of the court behind efforts to obtain documents in the possession of someone other than the party seeking such documents in support of his claim. Finally, the court's power to close the proofs and hold a case for final judgment – after having reached a reasonable case preparation timetable with the lawyers and litigants – permits the judge panel to bring the case preparation process to conclusion after litigants have had a reasonable opportunity to produce all the documents they consider necessary for the court to decide the case.

**C Cases in which Referral to Expert Office is Requested** Delay associated with the completion of expert reports has consistently been identified as a major problem

in civil and commercial cases before the courts of first instance. In a September 1998 interview with AOJS consultants, two of the experimental panel judges indicated that an expert report is commonly considered "delayed" if it has not been filed within six months of the case to the expert department. The judges indicated further, however, that in most cases expert reports can be completed in one or two months, absent such problems as the failure of litigants to appear before an expert or to provide documents the expert considers necessary for the completion of his report. Based on this information, Table 1 suggests that 50% of all expert reports should be submitted within two months after referral, 75% within three months, and 100% within six months.

In the AOJS sample of pilot court cases disposed in 1997, judge panels referred about 13-14% of the cases for expert reports. Over 90% of the tax cases in the sample were referred to experts, as were 65% of the labor cases. Compensation cases (20%), rent cases (11%), contract cases (4%) and all other civil cases (7%) were also referred to experts, but less frequently. About one case in eight that a judge panel referred to the expert department was referred more than once, and one case in the sample was referred three times. In half the sample cases, the elapsed time from case initiation to receipt of the final expert's report was 501 days or longer, and in 25% the elapsed time was 842 days or more. Sample cases referred to experts were postponed an average of 9 times by the court, and one sample case was postponed 30 times while the court and the litigants awaited the completion of work by experts.

To reduce the incidence of such delays, the pilot courts will closely monitor and control the elapsed time necessary for the completion of work by experts. This will be done by the following methods:

- 1 **Decision on Referral to Experts** In the scheduling hearing held by the court, the judge panel will call on the litigants and lawyers to indicate what specific issues they wish to have referred to experts, and the panel will decide whether such issues require an expert report. The order of referral will specify which issues are to be addressed in the expert report. (See scheduling hearing order in Appendix C.) Cases will not be referred to experts simply because they involve calculation of numbers, or because this will permit the panel to remove the cases from those it must address and decide in the near future. Whenever referral to experts is not necessary in the interest of justice, the court will avoid expert delays by denying a referral to experts.
  
- 2 **Court Order Establishing Time for Completion of Expert Report** During the scheduling hearing held by a judge panel, the court's decision to refer a case to experts will be reflected in an order of referral that is part of its scheduling hearing order. (See Appendix C.) In the referral order, the court will provide
  - (a) the date by which all expert fees must be paid by the parties,
  - (b) the date on which the court will hold a hearing on the status of expert fee payments, at the conclusion of which the court may order a case held for final judgment without an expert report on issues for which a party has requested an expert opinion but has failed without good cause shown to have paid the required expert fee,
  - (c) the date on which the parties are to first appear before the expert (on which date the expert may schedule a subsequent appearance if necessary), so that the expert office does not have to send notice of the first hearing date by registered mail to the parties,
  - (d) the date by which the expert must submit his report to the court, and
  - (e) the date on which the parties must be present in the court to receive the report by the expert. By including this date in the referral order, the court avoids the need for any further notice to the parties of this date.
  
- 3 **Possible Imposition of Sanctions for Litigant Failure to Comply with Expert Requirements** In the event that a party fails to appear before the expert to whom a case is assigned after referral to the expert department or fails to provide documents needed by the expert, the court's order of referral directs the expert department that the expert is to appear before the court (with notice to the parties) to notify the court of the party's failure or refusal to cooperate with the expert. If that party fails to show good cause for such failure or refusal, then the court will bar the non-complying party from participation in the expert opinion process. (See Appendix C.)

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- 4 **Court Follow-Up on Completion of Expert Work** It may be necessary or appropriate in the circumstances of an individual case for the court to call for an expert to report on the status of his work, and to hold a status hearing for that purpose. If the time for submission of an expert report has passed and the expert has not given the court a satisfactory explanation for the delay, the judge panel will order the expert to appear in court (with notice to the parties) to report on the reasons for delay. A follow-up judge will aid the court's inquiry into the status of expert work and the reasons for any delays.

The steps presented above are intended as a means to determine the extent to which the experimental judge panels can expedite the completion of expert work immediately upon the commencement of implementation for this plan, and without organizational changes that might require time for implementation. If MOJ and the pilot courts find that these steps do not yield results enabling the pilot courts to meet the time standards in Table 1 above, then MOJ should arrange for experts to be transferred under the direct authority and control of the pilot court chief justices. In that event, these steps should still be employed to assure timely completion of expert reports.

#### **D Cases in Pending Inventory before Experimental Program**

**Commencement** During the summer months in 1998, circuit clerks reviewed and documented the size, age and status of each experimental judge panel's inventory of cases that were pending at that time. The following activities will be undertaken by experimental panel judges to reduce the size and age of the inventory of cases that were pending before the panel before commencement of experimental program implementation.

- 1 Review all pending cases to ascertain the age and status of each case and determine what actions are needed for it to be decided.
- 2 Make arrangements for a follow-up judge to address any service department or expert office problems.

- 3 Hold a scheduling hearing (see Appendix B) and enter a scheduling hearing order (see Appendix C) establishing a timetable for progress to the completion of case preparation
- 4 Where appropriate, enter an order closing the proofs and holding a case for final judgment (see Appendix E)
- 5 For any case in which all case preparation has been completed, make the assignment for a judge to write a judgment within the time standards in Table 1

During the course of the experimental program, experimental panel judges must pay continuing attention to the size, age and status of their inventory of pending cases, whether filed before or after program commencement. For this purpose, it is important to have ongoing information about the size, age and status of each panel's inventory. (See section IV below.)

**E. Signature Cases** Signature cases requiring judges to solemnize contractual agreements between parties should be concluded as promptly as the circumstances in any given case would permit. If the parties to a signature case appear at court together with all requisite documentation and proof, the court should provide means for final court action to be taken in the case on the very same day that the parties appear.

Each pilot court will provide a procedure for this to be accomplished in the following fashion:

- 1 First, the plaintiff appears at a case initiation location with a writ of summons and pays all necessary fees,
- 2 Second, the defendant is present and waives service, or personal service is immediately made on the defendant and acknowledged,
- 3 Third, the parties appear before a judge panel assigned on a rotating basis to hear and decide such "walk-in" signature cases that day, and
- 4 Fourth, the panel renders final judgment that day and all necessary case filing activities and court record entries are completed.

Such one-day treatment would not be possible or appropriate for all signature cases. Some signature cases would require service on a defendant and at least one court hearing scheduled in the normal course of court practice and procedure.

**F Mediators and Early Neutral Case Evaluation** In the United States, there has been considerable attention given to the development of alternative dispute resolution (ADR) programs and their integration with the caseflow management practices of courts.<sup>4</sup> Two ADR methods that have been used effectively are mediation and early neutral evaluation of cases.<sup>5</sup>

**Mediation** A mediator assists parties to reach a mutually acceptable agreement by facilitating discussion of parties' interests and priorities. The mediator has no decision-making power, but focuses on the clarification of communications, risk analysis, and the development of viable options for settlement.

Mediation is especially helpful when (a) the parties have an ongoing relationship worth preserving, (b) a creative solution is desirable, (c) parties need to express emotions, (d) reality testing from outside will help, or (e) the court outcome is uncertain.

**Early Neutral Case Evaluation** The neutral case evaluator hears the core of the evidence from the attorneys, in the presence of the parties, and gives a candid assessment of the strengths and weaknesses of the case. If settlement does not result, the evaluator helps position the parties for resolution by mediation or by the court.

Early neutral case evaluation is especially helpful when (a) technical or complex issues require untangling, (b) counsel or parties are far apart on their view of the law or the value of the case, (c) counsel or parties are unrealistic about the weaknesses of their case, or (d) early case planning assistance will be useful.

In the North Cairo and Ismailia pilot courts, retired judges or experienced lawyers with good reputations might serve as 'ADR neutrals' (case evaluator/mediators), and

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<sup>4</sup> See Steelman Goerdt and McMillan, *Improving Caseflow Management to Promote Prompt and Affordable Justice* (forthcoming 1998) chapter four.

<sup>5</sup> See Nancy Welsh and Barbara McAdoo, 'The ABCs of ADR: Making ADR Work in Your Court System,' 37 *Judges Journal* (No. 1 Winter 1998) 11, at 14.

they would not be deciding cases held for final judgment by a judge panel<sup>6</sup> Appropriate cases (especially compensation cases and others involving claims for money damages) might be referred to an ‘ADR neutral’ as part of a scheduling order entered early in a case by a judge panel Based on his experience, the ADR neutral would give the litigants a realistic and objective assessment of the strength and value of their respective positions in a case that the lawyers for the litigants could not Based on this assessment, the litigants might conclude that a negotiated resolution of their case would be preferable to having it be decided by a judge panel If the litigants needed assistance reaching a mutually satisfactory resolution, the ADR neutral, if trained in mediation techniques, could provide such assistance

MOJ should develop a program for ADR neutrals to be available for referrals from experimental judge panels in the pilot courts The pilot courts might experiment with the timing of referral to such ADR neutrals In North Cairo, referral might be part of the court’s order setting the scheduling hearing for a case, with the provision that referral to ADR not delay the timely progress of a case to conclusion In Ismailia, the chief justice of the pilot court has expressed a preference for having ADR before a case is filed in the court Under the experimental program, the relative success of the two approaches could be evaluated and compared

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<sup>6</sup> Having lawyers of good reputation function with retired judges as ADR neutrals serves two purposes First it creates a larger pool of such neutrals for use in civil and commercial cases Second, it confers court-recognized status on such lawyers, which is something to which other lawyers will aspire If other lawyers want to have a high reputation and be designated by the judicial system to be ADR neutrals, they will want to be viewed positively by the courts Compliance with the pilot courts’ caseload management practices and objectives might be one valuable way to do this

#### IV Caseflow Management Information

After commencement of the experimental program, new cases will of course be added to the pending inventory of each experimental panel. The judges of the experimental panels will give equal attention to both their prior pending inventory and to the newly filed cases. For this purpose, it will be necessary for the experimental panel judges, the pilot court chief justices, and MOJ to receive regular information about the panel judges' efforts to reduce and avoid delay.

Successful caseflow management requires information on the size and age of the pending caseload, rates at which court events are continued and rescheduled, and trends in filings and dispositions.<sup>7</sup> Once this caseflow management improvement plan has been put into effect, information is needed to assess progress toward achievement of the time goals in Table 1, as well as to identify ongoing or new problems and to determine what techniques or practices work well.

As part of their ongoing caseflow management efforts, experimental panel judges should regularly review information about the size and age of the pending caseload, postponements and trends in filings and dispositions. While information is vitally important for effective caseflow management, it is possible to suffer from "information overload." To avoid such overload, attention should be given to the key types of caseflow management information.<sup>8</sup>

- **Pending caseload information** Operationally, this type of information is of great importance, since it gives a picture of the court's current workload and indicates how many cases are near or

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<sup>7</sup> See Steelman, Goerdt and McMillan *Improving Caseflow Management to Promote Prompt and Affordable Justice* (forthcoming 1998) chapter two

<sup>8</sup> This listing closely follows the discussion of key management information in Mahoney, et al, *Planning and Conducting a Workshop on Reducing Delay in Felony Cases Volume One Guidebook for Trainers* (1991), pp P6-3 through P6-6

exceeding time standards. A good pending caseload report will show the number of cases pending, both in total and within major case types, as well as the age of pending cases, both from initiation and from any key intermediate stage.

- **Age of cases at disposition** This should be provided both by case type and by method of disposition. While information on disposed cases is historical by definition, it is extremely valuable because it provides baseline data at the commencement of a delay reduction program, it enables the court to measure its performance in light of time standards, and it facilitates planning for such efforts as "differential case management."
- **Monthly and annual aggregate data** This includes periodic reports on filings, dispositions, and number of hearings per case. Analysis of such aggregate data is particularly helpful if it is available for a period of several years and can yield information on trends and effectiveness of resource utilization. It can also provide information on filing trends, per-panel filing trends, whether dispositions are keeping pace with filings, and whether hearings per case are increasing or decreasing.
- **Reports on open cases** Such reports are basic management aids for judge panels as they seek to manage their cases effectively, providing more detail on specific cases than the summary reports described above. A good "open cases" report will typically list all of the open cases assigned to a panel in order of chronological age (with oldest cases listed first) and with other information about each case, such as docket number, party names, case initiation date, case status, including the date and nature of the last action and of the next scheduled action, names of attorneys, and any special case considerations.  
With such reports, the judge panel can appraise the status of the oldest cases on the docket, identify and evaluate problem cases, determine whether there are particular attorneys causing special caseflow management problems, and identify case types that consistently take longer or need special attention.

Information by itself does not solve problems. MOJ, pilot court chief justices and experimental panel judges must use it to manage cases and caseflow, by asking key questions. The panel judges should be asking themselves such questions as the following on a regular basis:

- **Case-related questions** What is happening in this case? How old is it? What is its status? What should be happening next? By when?
- **Calendar-related questions** What is the overall status of our panel's pending inventory? How many pending cases are there, and what is their age and status? What are the oldest cases, and are they beyond the time standards? Why are they old? What needs to be done about them?

For MOJ and each pilot court chief justice, there are different questions to ask in order to use information effectively for caseflow management and delay reduction

- **Overall status of case inventory** How many old cases are there? That is, how many cases are pending beyond the time suggested by time standards in Table 1? What is the "backlog" (the number of cases that cannot be completed within a tolerable time period, as defined by the time standards)?
- **Troubleshooting questions** Are there problems with particular types of cases? Are there particular procedural bottlenecks? Are particular judges experiencing difficulties?

MOJ inspectors will include caseflow management performance among their criteria for assessing the quality of work done by experimental panel judges. In addition to reviewing completed judgments, they will review scheduling orders and orders closing proof and holding cases for final judgment. In addition, they will review the extent to which experimental judge panels have been able to meet the time standards set forth in Table 1.

In the initial implementation of this plan, it will be necessary for this information to be produced manually. Circuit clerks and court statisticians will need to have training and readily available means to produce such reports on a monthly basis. Additional staff support may be needed for circuit clerks or the statistical department in the pilot courts to prepare the information each month. After the introduction of automation, caseflow-

management information should ultimately be provided as part of the management reports produced with the aid of the automated case management information system developed under the AOJS project. The orders provided in the appendices anticipate the collection of data for reporting purposes. By presenting discreet data elements, the orders in the appendices are easily adaptable for coding and computer automation.

## V Education and Training Programs

Providing education and training about the experimental caseflow management improvement program is an important factor in enhancing the likelihood of its success. It helps those in the court process understand *why* the program is being introduced, and the purposes of the justice system it is intended to address. It also should provide detailed information on *how* the program is to operate. As a means for communicating about the nature and details of the program with judges, court staff, attorneys, and other institutional participants in the court process, it also serves as a vehicle for engendering greater commitment to the purposes and success of caseflow management in the court.

MOJ will provide education and training programs necessary for the success of the experimental caseflow management program. These programs will include

- training for judges to learn caseflow management techniques, including ‘best practices’ shared by experienced and respected colleagues, and also including when NOT to refer cases to experts,
- training for circuit clerks and other clerical support people on why caseflow management is important and why the capable performance of their ‘piece of the action’ is critical,
- training for clerks and statisticians on the preparation of caseflow management information reports,
- training for ADR neutrals on mediation and case evaluation techniques, and
- lawyer training on caseflow management procedures and forms in the pilot courts and on the manual, ‘Documents Needed to Decide Cases’.

## VI Evaluation Component

The AOJS caseflow management consultant will evaluate the implementation of this plan. In about March 1999, the consultant will conduct an interim six-month evaluation and give feedback to MOJ and the pilot courts on implementation efforts in the pilot courts. The evaluator will review implementation documents and caseflow management information reports, interview MOJ officials, the pilot court chief justices, and selected experimental panel judges. Based on this information, the evaluator will prepare a six-month interim evaluation report with findings and suggested refinements in the implementation effort.

In about September 1999, the AOJS caseflow management consultant will undertake a one-year evaluation of implementation efforts. Baseline data will be the results from an analysis by AOJS court administration specialists of (a) the AOJS representative sample of pilot court civil, commercial and tax cases disposed in 1997, and (b) the size, age and status of the pending inventories of the experimental panels as of the summer of 1998. In July and August 1999, with the aid of the pilot courts, the AOJS court administration specialists will collect and analyze comparable data on (a) a representative sample of pilot court civil, commercial and tax cases disposed in 1998, and (b) the size, age and status of the pending inventories of the experimental panels as of the summer of 1999. Based on such data, as well as on interviews and a review of documents and caseflow management reports, the AOJS caseflow management will prepare a first-year interim evaluation report with findings on progress toward

compliance with the time standards in Table 1 and on reduction of the size and age of the experimental panels' pending inventories

In about March 2000, the AOJS caseload management consultant will conduct a third interim evaluation that will follow the approach described above for the six-month interim evaluation. The evaluator will prepare an 18-month interim evaluation report with findings and recommendations. Finally, in about September 2000, the consultant will conduct a final evaluation of the experimental program. As they did in 1999, the AOJS court administration specialists in July and August 2000 will collect and analyze comparable data on (a) a representative sample of pilot court civil, commercial and tax cases disposed in 1999, and (b) the size, age and status of the pending inventories of the experimental panels as of the summer of 2000. As he did for the first-year interim evaluation, the evaluator will use such data, as well as the results of interviews and a review of documents and caseload management reports, to prepare a final evaluation report with findings on progress toward compliance with the time standards in Table 1 and on reduction of the size and age of the experimental panels' pending inventories

## **VII Program Expansion**

During the first year of experimental program implementation in North Cairo and Ismailia, the program may be expanded to include seven more judge panels in the North Cairo pilot court. During the second year of implementation, the program may be expanded still further to include 12 additional panels in the North Cairo pilot court. Such expansion should be preceded by education and training programs for judges and court staff in the expanded program.

- -

At the conclusion of the experimental program, the lessons learned from its implementation will provide the basis for its expansion to apply caseload management practices in courts of first instance throughout Egypt. Even before the end of the experimental program, however, there may be a number of program elements that might be adopted by other panels in the pilot courts and in other courts of first instance.

APPENDIX A  
CLAIM FOR RELIEF,  
WRIT OF SUMMONS, RETURN OF SERVICE AND  
ACKNOWLEDGMENT

- - -

IN THE COURT OF FIRST INSTANCE  
NORTH COURT OF CAIRO

\_\_\_\_\_) )  
PLAINTIFF ) )  
V ) ) CASE NUMBER \_\_\_\_\_ )  
\_\_\_\_\_) )  
DEFENDANT ) )

**CLAIM FOR RELIEF**

CASE TYPE \_\_\_\_\_

PLAINTIFF NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

\_\_\_\_\_  
NATIONAL NUMBER \_\_\_\_\_  
ATTORNEY NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

\_\_\_\_\_  
POWER OF ATTORNEY NO \_\_\_\_\_  
POWER OF ATTORNEY ATTACHED Y N  
ATTORNEY SIGNATURE \_\_\_\_\_

DEFENDANT NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

\_\_\_\_\_  
NATIONAL NUMBER \_\_\_\_\_

**REQUEST FOR RELIEF**

Based on the facts set forth below, the plaintiff demands that the defendant \_\_\_\_\_  
(state relief requested)

\_\_\_\_\_  
\_\_\_\_\_

The plaintiff also seeks to recover from the defendant the costs of this case and such other relief as may be proper

Relief is requested under the following statute(s)

\_\_\_\_\_

\_\_\_\_\_

- All documents that statutory section \_\_\_\_\_ requires be filed with this writ of summons are attached

**JURISDICTION AND PARTIES**

The Plaintiff complains of the defendant and shows the court the following

- 1 The basis for the court's jurisdiction in this case is \_\_\_\_\_  
(allegation of jurisdiction)

\_\_\_\_\_

- 2 The Plaintiff resides or has a business at \_\_\_\_\_  
(address)

\_\_\_\_\_

- 3 The defendant resides or has a business at \_\_\_\_\_  
(address)

\_\_\_\_\_

- 4 Other defendants are

<u>Name</u>	<u>National Number</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**MEMORANDUM EXPLAINING PLAINTIFF'S CLAIM AND REQUEST FOR  
RELIEF**

(Must be typed Use next page if necessary)

DOCUMENTS FILED IN SUPPORT OF PLAINTIFF'S CLAIM

- - -

**VERIFICATION**

The Plaintiff hereby states that the foregoing statements are true and correct. The plaintiff's attorney certifies that all statutory requirements governing writs of summons have been met.

Date \_\_\_\_\_

Signature \_\_\_\_\_

(Plaintiff)

Date \_\_\_\_\_

Signature \_\_\_\_\_

(Plaintiff Attorney)

**STAMPS**

Law Syndicate

Fee Auditor

Clerk Supervisor

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IN THE COURT OF FIRST INSTANCE  
NORTH COURT OF CAIRO

\_\_\_\_\_) )  
PLAINTIFF ) )  
V ) ) CASE NUMBER \_\_\_\_\_ ) )  
\_\_\_\_\_) )  
DEFENDANT ) )

WRIT OF SUMMONS, RETURN OF SERVICE AND ACKNOWLEDGEMENT  
(TO BE PREPARED BY PLAINTIFF'S ATTORNEY AND EXECUTED BY SERVER)

SERVE \_\_\_\_\_  
Defendant name  
AT \_\_\_\_\_  
\_\_\_\_\_  
Defendant address

TO THE DEFENDANT

In the above-stated matter, you are hereby summoned to appear at the above Court before Circuit Number \_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_ date

You are further directed to submit a memorandum in reply to the attached writ and supporting documents to the circuit clerk for Circuit Number \_\_\_\_\_ not later than \_\_\_\_\_ date

Failure to respond to the directions in this Writ of Summons may result in the entry of a default judgment in favor of the above-named plaintiff

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SERVER'S RETURN OF SERVICE

Under Penalty of Perjury, I, \_\_\_\_\_ hereby certify that

Server

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ at \_\_\_\_\_  
name  
\_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_  
address date

by handing him/her a copy of the Statement of Claim and Writ of Summons  
A physical description of the Defendant is as follows (to be provided by the Server)

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_  
HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_  
AGE \_\_\_\_ COLOR OF SKIN \_\_\_\_\_ GENDER \_\_\_\_ MALE \_\_\_\_ FEMALE

-or-

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ at \_\_\_\_\_  
name  
\_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_  
address date

by leaving a copy of the Statement of Claim and Writ of Summons with  
\_\_\_\_\_, a person of 18 years or upwards who resides with

name of person served  
the Defendant and is related to the Defendant as follows \_\_\_\_\_  
HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_  
HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_  
AGE \_\_\_\_ COLOR OF SKIN \_\_\_\_\_ GENDER \_\_\_\_ MALE \_\_\_\_ FEMALE

-or-

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ who failed or  
name  
refused to respond to the Server at \_\_\_\_\_ a m /p m on \_\_\_\_\_  
date

at \_\_\_\_\_  
Defendant's address

by leaving a copy of the Statement of Claim and Writ of Summons with the police  
department located at \_\_\_\_\_  
address of police station

and causing to be mailed to the Defendant a registered letter informing him/her to pick up  
the copy of the Statement of Claim and Writ of Summons deposited at the above-  
described Police Station

-or-

\_\_\_\_\_ Service was not made on the Defendant because

\_\_\_\_ Service was not made on the Defendant because

\_\_\_\_ The address provided for Defendant does not exist

\_\_\_\_ No person fitting the description of the Defendant was found at the address provided

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Server

**ACKNOWLEDGEMENT OF SERVICE**

I, \_\_\_\_\_, hereby acknowledge receipt of service

Name

Date \_\_\_\_\_

Signature \_\_\_\_\_

-

**APPENDIX B**  
**ORDER SETTING SCHEDULING HEARING**

- - -  
IN THE COURT OF FIRST INSTANCE  
NORTH CAIRO COURT  
CIRCUIT NUMBER \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF

V

\_\_\_\_\_  
DEFENDANT

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

CASE NUMBER \_\_\_\_\_

### ORDER SETTING SCHEDULING HEARING

The Court having jurisdiction of the matter and the parties and all necessary parties having been joined, it is hereby ordered

- 1 That a Scheduling Hearing in this matter shall be held on \_\_\_\_\_, \_\_\_\_\_,  
day date  
before Circuit Number \_\_\_\_\_
- 2 That, on the above mentioned date, the parties shall appear before the Court and file with the Court all documentary evidence in their possession which they wish to have considered by the Court in reaching its judgment
- 3 That, at the Scheduling Hearing, all parties shall submit a list of documents, not in their possession, that they wish to have considered by the Court, and which may require the Court's Order to Produce. Such list shall describe the documents to be produced and identify the person or governmental agency in possession of the document, including the address at which the Court's Order to Produce may be served
- 4 That the failure to file or list documents at the Scheduling Hearing shall, without good cause shown, serve as a bar to the Court's consideration of any documents not so filed or listed
- 5 That, at the Scheduling Hearing, any party seeking an expert opinion must present such request to the Court, in writing, stating with clarity the specific issue to be referred to the Expert Department along with the justification of the need for an expert to express an opinion relating to that specific issue
- 6 That, at the Scheduling Hearing, the Court shall determine which issues, if any, shall be referred to the Expert Department for opinions

- -
- 7 That, at the Scheduling Hearing, the parties shall file with the Court all requests for investigation of witnesses by the Court. Such requests shall provide the names of the witnesses to be investigated by the Court.
  - 8 That, at the Scheduling Hearing, the parties shall make available to the Court and exchange with each other a sufficient number of copies of the documents filed or listed.

ENTER

\_\_\_\_\_  
Chief Judge

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Judge

Date \_\_\_\_\_

--

**APPENDIX C  
SCHEDULING HEARING ORDER**

- - -  
IN THE COURT OF FIRST INSTANCE  
NORTH CAIRO COURT  
CIRCUIT NUMBER \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF )  
          ) )  
V          ) )     CASE NUMBER \_\_\_\_\_  
          ) ) )  
\_\_\_\_\_  
DEFENDANT )

**SCHEDULING HEARING ORDER**

The matter coming to be heard for a Scheduling Hearing, and the Court having jurisdiction of the matter and the parties and all necessary parties having been joined, and the parties being present and the Court being fully advised in the premises, **the Court finds**

- 1 That the Plaintiff has filed the following documents for consideration by the Court  

  
- 2 That the Defendant \_\_\_\_\_ has filed the following documents for consideration by the Court  

  
- 3 That the Defendant \_\_\_\_\_ has filed the following documents for consideration by the Court  


4 That the Plaintiff seeks to have the Court's Order to Produce issued for the following documents, not in his possession, in order that the documents be made available for consideration by the court

<u>Document</u>	<u>Name and address of possessor</u>
_____	_____
_____	_____
_____	_____

5 That the Defendant \_\_\_\_\_ seeks to have the Court's Order to Produce issued for the following documents, not in his possession, in order that the documents be made available for consideration by the court

<u>Document</u>	<u>Name and address of possessor</u>
_____	_____
_____	_____
_____	_____

6 That the Defendant \_\_\_\_\_ seeks to have the Court's Order to Produce issued for the following documents, not in his possession, in order that the documents be made available for consideration by the court

<u>Document</u>	<u>Name and address of possessor</u>
_____	_____
_____	_____
_____	_____

7 That the Plaintiff requests the referral of the following issue(s) to the Expert Department for opinion and states the following reasons for referral

<u>Issue</u>	<u>Reason</u>
_____	_____
_____	_____

8 That the Court finds that referral of Plaintiff's issue \_\_\_\_\_ to the Expert Department for opinion is not justified

9 That the Defendant \_\_\_\_\_ requests the referral of the following issue(s) to the Expert Department for opinion and states the following reasons for referral

<u>Issue</u>	<u>Reason</u>
_____	_____
_____	_____

10 That the Court finds that referral of Defendant \_\_\_\_\_'s issue \_\_\_\_\_ to the Expert Department for opinion is not justified

11 That the Defendant \_\_\_\_\_ requests the referral of the following issue(s) to the Expert Department for opinion and states the following reasons for referral

<u>Issue</u>	<u>Reason</u>
_____	_____
_____	_____

12 That the Court finds that referral of Defendant \_\_\_\_\_'s issue \_\_\_\_\_ to the Expert Department for opinion is not justified

13 That the parties request an investigation of the following witnesses

_____	_____
_____	_____
_____	_____

**Pursuant to the above findings, it is hereby ordered**

\_\_\_\_ That the parties have reached an agreement that resolves the matter before the Court and the case is hereby **dismissed**

\_\_\_\_ That all documents deemed necessary by the parties are present before the Court and the matter is **held for final judgment**

That the possessors of the following documents requested by the parties are ordered to produce said documents for consideration by the Court

<u>Document</u>	<u>Possessor</u>
_____	_____
_____	_____
_____	_____

That copies of the Order to Produce shall be served on the possessors of said documents at the addresses recited above in the Findings of the Court

That the possessors of said documents are **required to file the documents with the Court on or before** \_\_\_\_\_, \_\_\_\_\_, the date scheduled for the next court hearing  
day date

That the following issues requested by the parties for referral to the Expert Department are hereby referred for opinion

_____	_____
_____	_____

**All required expert fees must be paid by the parties on or before**

\_\_\_\_\_, \_\_\_\_\_  
day date

That a Hearing on the status of payment of expert fees shall be held before the Court on \_\_\_\_\_, \_\_\_\_\_ (Not more than seven days later than last day for  
day date

payment of fees) At the Hearing, the Clerk shall notify the Court of the failure by any party to pay the required expert fee **Any party requesting an expert opinion and failing to pay the required expert fee by the date set by the Court shall be deemed, without good cause shown, to have waived consideration, by the Court, of such expert opinion in reaching final judgment**

That the parties are to appear before the expert on \_\_\_\_\_, \_\_\_\_\_  
day date

**No further notice of the date for appearance before the expert is required Failure to appear before the expert on the date set by the Court, without good cause shown, shall serve as a bar to the participation by the non-appearing party in the expert opinion process**

That in the event that a party fails or refuses to appear before the expert or file with the expert any documents requested by the expert, the expert shall appear before the

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Court and notify the Court of such failure or refusal. The expert shall inform the parties of the date that he will appear before the Court.

**No further notice of the date for the expert's appearance before the Court is required. Failure or refusal to appear before the expert on the date(s) set by the expert and/or to file documents requested by the expert, without good cause shown, shall serve as a bar to the participation by the non-complying party in the expert opinion process.**

\_\_\_\_ That upon completion of his investigation, the expert shall file the report of his opinion with the court. In no event, however, shall the expert file his opinion with the Court later than \_\_\_\_\_, \_\_\_\_\_  
day date (seven days prior to hearing date)

\_\_\_\_ That the parties shall be present in Court on \_\_\_\_\_, \_\_\_\_\_  
day date

to receive the opinion of the expert. In the event that the expert shall file the report of his opinion at a date earlier than that date set by the court, the expert shall inform the parties of the date on which the Court will receive his opinion and a date for a Court hearing that is not later than seven days after the filing of his report and conforms with the weekday on which the Court schedules hearings on the case. **No further notice of the date for hearing on the report of the expert, other than the Court's instant Order or the expert's notification of the parties, shall be required.**

\_\_\_\_ That the Court shall conduct an investigation of witnesses on \_\_\_\_\_, \_\_\_\_\_  
day date

\_\_\_\_ That all parties shall file their closing memoranda with the Court on \_\_\_\_\_, \_\_\_\_\_  
day  
\_\_\_\_ (4 weeks after the longest date set for expert report or Court's investigation)  
date

\_\_\_\_ That the Court will hold the matter for Final Judgment on \_\_\_\_\_, \_\_\_\_\_  
day date

\_\_\_\_ Other \_\_\_\_\_

ENTER

\_\_\_\_\_  
Chief Judge

\_\_\_\_\_  
Judge

Date \_\_\_\_\_

\_\_\_\_\_  
Judge

--

**APPENDIX D  
ORDER TO PRODUCE DOCUMENTS**

IN THE COURT OF FIRST INSTANCE  
NORTH CAIRO COURT  
CIRCUIT NUMBER \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF )  
 )  
V ) CASE NUMBER \_\_\_\_\_  
 )  
\_\_\_\_\_  
DEFENDANT )

**ORDER TO PRODUCE DOCUMENTS**

TO \_\_\_\_\_  
Name of Possessor of Documents  
\_\_\_\_\_  
Department or Agency  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City

The Court having determined that \_\_\_\_\_

Document(s) to be Produced  
is necessary to its Final Judgment in the above-captioned matter and, that the parties have represented to the Court that the said document(s) is/are in your possession or under your control, **THE COURT HEREBY COMMANDS YOU** to deliver to the Circuit Clerk of the \_\_\_\_\_ Circuit the above described document(s) on or before \_\_\_\_\_,  
day

\_\_\_\_\_ ( date set for status- could be same date as status on payment of expert  
date fees)

**In the event that the said document(s) is/are not in your possession or subject to your control, you must appear in Court on the date set above to so inform the Court**

**FAILURE TO COMPLY WITH THE ORDER OF THE COURT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT**

ENTER

\_\_\_\_\_  
Chief Judge

\_\_\_\_\_  
Judge

Date \_\_\_\_\_

\_\_\_\_\_  
Judge

45

**APPENDIX E  
ORDER CLOSING PROOFS AND HOLDING CASE FOR  
JUDGMENT**

- -

IN THE COURT OF FIRST INSTANCE  
NORTH CAIRO COURT  
CIRCUIT NUMBER \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF )  
 )  
V ) CASE NUMBER \_\_\_\_\_  
 )  
\_\_\_\_\_  
DEFENDANT )

**ORDER CLOSING PROOFS AND HOLDING CASE FOR FINAL JUDGMENT**

The matter coming to be heard on the Closing of the Proofs, and the Court having jurisdiction of the matter and the parties and all necessary parties having been joined, and the parties being present and the Court being fully advised in the premises, **the Court finds**

\_\_\_\_ That all documents deemed necessary by the parties are present before the Court and the matter is **held for final judgment**

-or-

\_\_\_\_ That a Hearing was held on the issue of the failure of \_\_\_\_\_  
Name of Party

to file documents which he had previously represented to the Court would be filed on this date **The Court finds that such failure to file documents was without good cause shown and that, with the exception of documents not in the possession of the parties which have been ordered by the Court but not yet produced and investigations ordered by the Court but not yet conducted, the proofs in this matter are closed**

-or-

\_\_\_\_ That a Hearing on the status of payment of expert fees was held before the Court on \_\_\_\_\_, \_\_\_\_\_  
day date

At the Hearing, the Clerk notified the Court of the failure by \_\_\_\_\_  
Name of Party

to pay the required expert fee **The Court finds that such failure to pay was without good cause shown, and that \_\_\_\_\_ has waived consideration**  
Name of Party

by the Court, of such expert opinion in reaching final judgment **The Court therefore finds that, with the exception of documents not in the possession of the parties which have been ordered by the Court but not yet produced and**

investigations ordered by the Court but not yet conducted, the proofs in this matter are closed

-or-

\_\_\_\_ That the parties have been ordered to appear before the expert and to present such documents as the expert may require to render his opinion  
The expert has appeared before the Court and informed the Court that on \_\_\_\_\_, \_\_\_\_\_ day \_\_\_\_\_, \_\_\_\_\_ failed or refused to appear before the expert date \_\_\_\_\_ Name of Party or to file with the expert documents requested by the expert The Court finds that the said failure or refusal to appear before the expert on the date(s) set by the expert and/or to file documents requested by the expert was without good cause shown, and bars the participation by \_\_\_\_\_ Name of Party

in the expert opinion process The Court therefore finds that, with the exception of documents not in the possession of the parties which have been ordered by the Court but not yet produced and investigations ordered by the Court but not yet conducted and the expert report that will be completed without further participation of \_\_\_\_\_, the proofs in this matter are closed Name of Party

ENTER

\_\_\_\_\_  
Chief Judge

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Judge

Date \_\_\_\_\_

**ADMINISTRATION OF JUSTICE SUPPORT PROJECT**

**CASE INITIATION PROPOSAL  
NORTH CAIRO COURT OF FIRST INSTANCE**

**Nial Raaen  
National Center for State Courts  
September 16, 1998**

# BACKGROUND

## Introduction

This document proposes a reorganization of the processes for filing cases in the civil, commercial, and tax units. The current process requires litigants to go through a number of steps at various locations in the building before in order to file a case and initiate service. The proposed procedures and organization are designed to greatly simplify this process for litigants by bringing the fragmented tasks associated with case initiation into a single office.

The observations and conclusions set forth are the result of discussions with court staff involved in case initiation activities, walking through the process with staff and attorneys, and a review of work flow documents prepared by Systems Research Egypt. For the litigant, the case initiation process is defined by those activities that are performed between the time the litigant brings a summons into the court for filing and the summons is ready for delivery to the service department. From the case processing perspective the case initiation cycle begins with the estimation of fees for a summons brought by the litigant and ends when the file is delivered to the circuit clerk.

## Current Work Flow

The current patterns of case initiation work flow are described here for each unit.

*Civil Unit* Most of the civil case initiation process occurs in the large office on the ground floor. The litigant wishing to file a case comes to a counter in the office, where staff will estimate and re-estimate fees. The litigant will then pay costs at the front counter. Before proceeding further, the litigant must go to the microfilm office on the first floor and pay the estimated microfilm fee. The summons is stamped as proof of payment. Returning to the back office of the civil unit, an appearance date and circuit number are assigned in the scheduling office. In the adjacent office the litigant receives a case number before returning to the scheduling office where all service copies and the original summons are stamped.

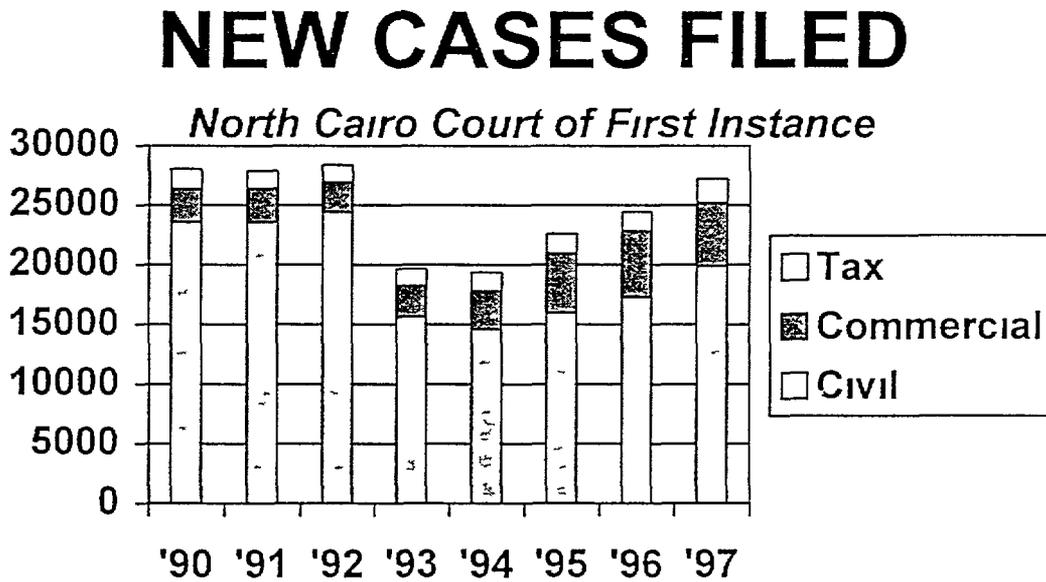
The front counter in this area also accepts money for criminal cases, such as bonds. The financial records of these transactions are separate from civil. An employee assigned responsibility for the official stamp of the court is located in this area. He also noted that he has a great deal of walk-in traffic unrelated to case initiation.

The civil unit averages 300 new case filings per day. Public hours are from 9 a.m. until 12:30 p.m. While the counter prevents members of the public from entering the work areas, litigants crowd the back offices to obtain case numbers, hearing dates, circuit assignments, and document stamps. After closing the office to the public, the staff complete their financial record keeping and the fee transmittal process. Case files are delivered to the microfilm department and upon their return sent to the proper circuit clerk.

**Commercial Unit** Commercial unit case filing activities are primarily conducted on the seventh floor. The fees are estimated by the head of the unit before the litigant proceeds to the fee office for verification and payment. The litigant returns to the unit office for assignment of a hearing date and circuit number before proceeding to the first floor for payment of the microfilm fee. Returning again to the main commercial office, a case number is assigned and the summons and copies stamped by the head of the unit. Commercial filings average 40 cases per day.

**Tax Unit** The filing of a tax case begins on the sixth floor, where fee estimation occurs in the tax head's office. The litigant must proceed to the seventh floor fee office for fee re-estimation, then to the first floor to pay the microfilm fee. Returning to the sixth floor tax office, fees are paid and the appearance date and circuit number assigned. A case number is assigned in an adjacent office, and the tax head stamps the summons and copies. Tax filings average 15 cases per day.

Civil cases made up approximately 79% of the new cases filed in the North Cairo Court in 1997, followed by commercial cases (15%) and tax cases (6%). The following chart illustrates the general trend in new case filings over the past eight years.



## Proposed Central Case Initiation Unit

### Work Flow

The fundamental premise of a central case initiation unit is that all the case initiation functions which involve the litigant can be efficiently performed at a single location. It is proposed that the court take advantage of the facility that is currently being used on the ground floor by the civil unit and consolidate all case filing functions into this area. The area is well suited to serving the public as it is situated near the entrance and has a reasonably large reception area and counter. Court staff who are not engaged in direct contact with the public can perform their work behind the counter area without interruption.

Litigants who wish to file any of the three major case types will enter the case initiation unit where their fees will be estimated at the counter and checked by office staff. Moving to the next position, the litigant will pay the estimated fees to court staff and microfilm fees to a representative of the microfilm office. Upon completing these tasks, the litigant will wait while the file is prepared, a case number and circuit assigned, and the hearing date set. Once staff have completed these steps the summons will be returned to the front counter for stamping and return to the litigant. The proposed work flow combines these activities for civil, tax, and commercial into a single unit.

Functions that are performed behind the counter area include the maintenance of financial registers, preparation of the daily transmittal, and maintenance of alpha and numeric indexes for all new cases. The case initiation office will also need to temporarily store case files in transit to and from the microfilm office, and for a brief period of time immediately prior to their transfer to the circuit clerks. Civil indexing and case maintenance can be performed in the location currently used for that purpose. The smaller tax and commercial indexing operations can be performed in the back offices. Figure I (attached) shows the movement of a new summons through the initiation unit.

### Features & Benefits

**Management** – A central case initiation office places all the functions related to case filing in one location for better management. Consolidating staff allows for more flexibility to cover shortages and variations in workloads.

**Convenience** - Litigants will save a significant amount of time and confusion by having appear in only one location to file a case.

**Standardized Procedures** – Combining the filing function of the three units requires that procedures for filing be standardized, thereby making it easier for staff to be cross trained and reducing confusion for litigants.

**Security** – The existing office design is much better suited for case processing activities than other locations in the building. By utilizing the counter as the only point of contact with the public, it will no longer be necessary for the public to enter work and file storage.

areas in order to transact business. The result will be greater security for court staff and records, less disruption for staff, and fewer opportunities for staff to use their influence to inappropriately manipulate the process for the benefit of certain litigants.

**Adaptability** - The consolidation of the case initiation process is designed with future automation in mind. The proposed work flow design can be further improved when an automated case management system is added, without the need for extensive modification of the work area or reassignment of personnel.

## IMPLEMENTATION STEPS

In order to implement the central case initiation unit, a number of steps must be taken.

**Phased Implementation** – A phased implementation approach is recommended to bring central case initiation into full operation. As the civil unit presently occupies the area and has the greatest proportion of cases, this unit should be reorganized first. To accomplish this, the work area should be re-arranged to support the new work flow, keeping in mind the need to accommodate the addition of tax and commercial staff and their equipment. Staff from the microfilm department will need to be reassigned to the counter area to accept microfilm fees.

- a Reorganize the civil unit filing process to support the summons processing design found in *Figure 1 Case Initiation Summons Processing*
- b Request the assignment of staff from the microfilm office to accept microfilm fees at the front counter
- c Merge tax and commercial staff into the work flow process

**Personnel** – The merger of case initiation functions will require the movement of personnel and in some cases job duties will change.

- a The supervisory position assigned to the civil unit should be reviewed and upgraded if necessary to reflect new duties. A complete job description is attached.
- b Staff accepting criminal payments should be transferred to an office in the old court building.
- c The tax and commercial unit heads must designate staff to be transferred to the case initiation area to perform the necessary functions.
- d Court security personnel should be stationed in the public area to assist the public and provide security for court staff.

**Training** – The consolidation civil, tax, and commercial functions and staff requires that clerical staff be cross-trained to work in all three areas.

- a Provide training necessary for staff to perform the following functions for all case types
  - Fee estimation and re-estimation and payment verification
  - Assignment of case numbers, circuits, and hearing dates
- b Involve unit staff in change process training sessions
- c Provide specialized supervisory training for the unit supervisor

**Hours of Operation** – The current civil unit office is open for new filings from 9 a.m. to 12:30 p.m. Hours should be expanded to accommodate the increased activity expected from adding tax and commercial cases, and for the convenience of the public. Staff will still need time before closing to make the daily cash deposit.

- a Establish public hours of 9 a.m. to 1 p.m. for the case initiation unit
- b Post hours in the unit and front lobby

**Space Utilization** – A proposed space utilization plan for the case initiation office is found in *Figure 2 Case Initiation Work Distribution*. This diagram of the office area shows where specific work activities could be performed within the office.

**Furniture & Equipment** – Additional desk and filing space is needed to support the expanded activities in this area.

- a Purchase file storage to hold files in transit to microfilm and the circuit clerks' offices. Appropriate storage in this area would be lateral steel file cabinets with dividers and locking fronts.
- b Purchase a copy machine.
- c Purchase carts with baskets for case files for staff to use for transporting files to the microfilm and clerks' offices via the staff elevator.
- d Provide a counter for litigants to prepare and review documents.
- e Place roping to form a line at the first point of case initiation.

**Public Access** – All public contact will be at the counter and only court staff should be able to enter the work areas.

- a Install doors that allow ventilation but restrict public access to the back offices.
- b Place signs at these locations notifying the public to use the front entrance.

**Directions** – Signs are needed to direct litigants to the proper office for case initiation.

- a Place signs in the front lobby and elevator area directing litigants to the case initiation office.
- b Instruct reception counter staff of the changes and how to direct litigants.

**Advance Notification** – The changes proposed for the case initiation process will be significant for legal practitioners. Confusion can be reduced by communicating these changes in advance to litigants who regularly appear in court.

- a Notify members of the bar in advance through an article in local lawyers publications
- b Post information in the lawyers' rooms at the court
- c Provide written information to lawyers at each of the current case initiation locations describing the new filing process and the date of implementation

**Ventilation** – Ventilation problems in the case initiation office need to be addressed. The increase in the number of individuals working in this area and the need to close off the back doors to prevent entry by the public will make the situation worse than it is now. Ventilation could be improved by replacing the high windows on the back hallway and offices with secure screens and increasing circulation with fans. Installing air conditioning in the office would be preferable.

## **ADDITIONAL CONSIDERATIONS**

**Further Consolidation of Case Initiation Functions** – The case initiation process could be further streamlined by eliminating steps and combining payment functions. Specifically, these include:

- Eliminating the fee verification step
- Eliminating the payment verification step
- Accepting court costs, lawyer fees and microfilm fees as part of a single transaction and receipt, and distributing these fees through the transmittal process. Further analysis of the payment and transmittal process is needed.
- Installing a cash register for accepting payments as a single transaction.

**Copies Work Flow** – Although the process of obtaining copies of court documents is not directly related to case initiation, the employee responsible for the official stamp is involved in the work flow. This is currently a four-step process that requires the public to appear in both buildings. The process should be simplified and possibly made a part of the case initiation unit.

**Application of Automation to Case Initiation** – The development of an automated case management system can have a significant impact on the case initiation process. The following general functionality should be considered:

- Automatic assignment of case number upon case entry
- Ability to assign circuit number upon case entry
- Selection of first appearance date upon case entry
- Ability to create a receivable for case fees and accept payment
- Automatic calculation of fee amounts to the extent possible

- Ability to add variable fees to the receivable
- Payment function automatically posts fee amounts to a computer ledger
- Receipt generation

The case initiation process supported by automation could result in a filing process similar to the following

- The litigant appears at the counter with the summons
- The clerk reviews the summons to make a determination concerning case type and enters the case information into the system
- The case number is automatically assigned
- The circuit is assigned based on a automatic draw and the case type
- A court date is selected based on pre-set parameters and availability of the panel
- The clerk may also make a preliminary determination of fees and create the receivable

The payment process can be completed by the same clerk, or the litigant can move to a second position to make payment

- A receivable is created and payment taken against the receivable
- The litigant completes the filing process by having papers stamped for service

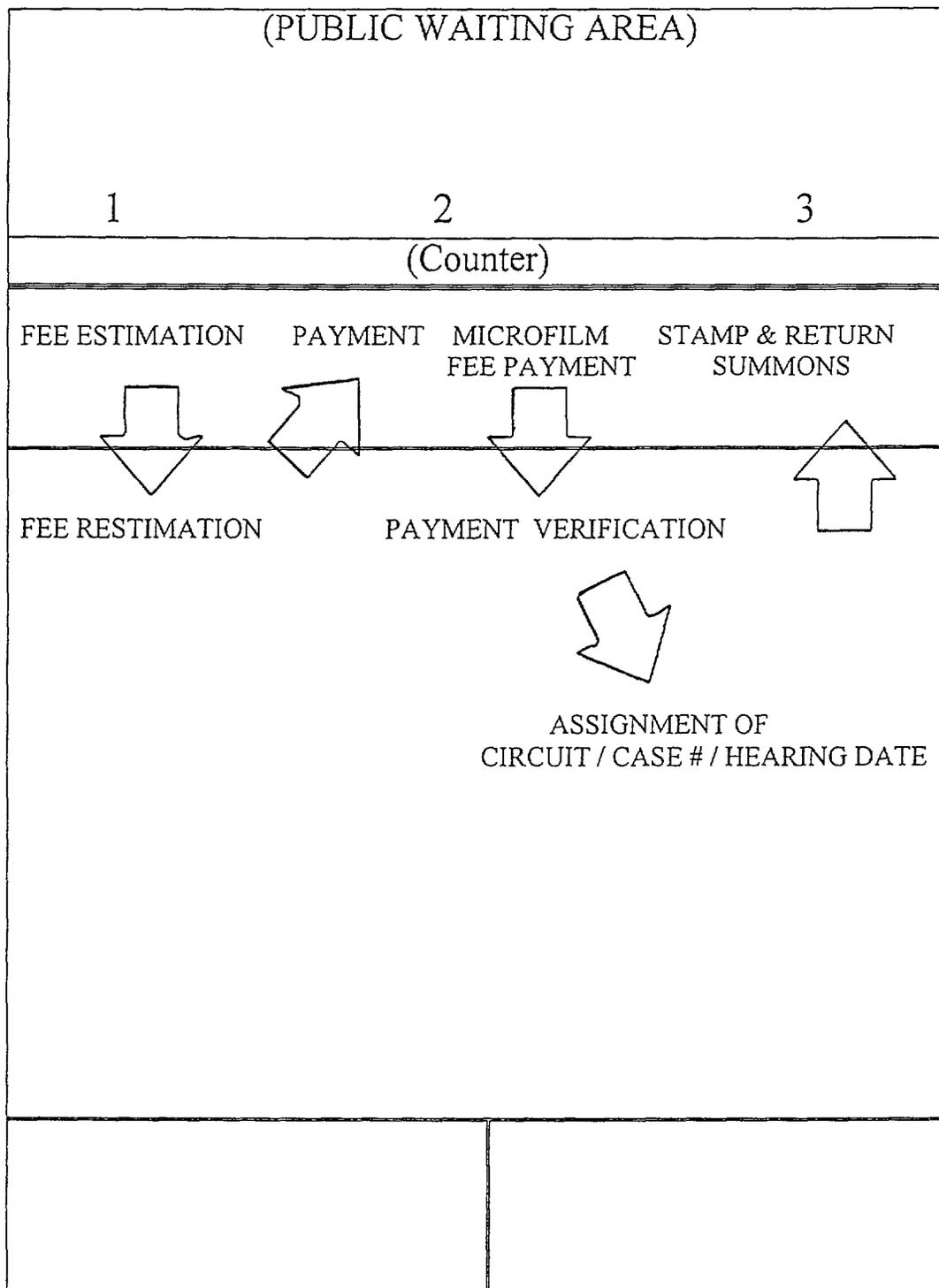
**Public Access** – The public will no longer need to enter the back door or the ground floor to conduct business with the case initiation unit. The court may want to consider closing the back hallway of all or most of the floors to improve security for judges

## ATTACHMENTS

*Figure 1 Case Initiation Summons Processing*

*Figure 2 Case Initiation Work Distribution*

**Case Initiation Supervisor Job Description**



*Figure 1 Case Initiation Summons Processing* Litigants entering the case initiation unit have fees estimated at position 1, make a payment at 2, and receive their stamped summons and copies at position 3. Arrows indicate the flow of summons processing within the unit.

(PUBLIC WAITING AREA)		
(Counter)		
ESTIMATE FEES	ACCEPT PAYMENT FOR COURT FEES AND MICROFILM FEES	STAMP AND RETURN SUMMONS
REESTIMATE FEES	VERIFY PAYMENT / PREPARE & STAMP RECEIPTS	
MAINTAIN FINANCIAL REGISTERS		
CIVIL INDEX PROCESSING AND FILE MAINTENANCE	CREATE CASE FILE, ASSIGN CASE NUMBER, CIRCUIT AND HEARING DATE (CIVIL/TAX COMMERCIAL)	
SUPERVISOR		
COMMERCIAL INDEXING AND FILE MAINTENANCE	TAX INDEXING AND FILE MAINTENANCE	

*Figure 2 Case Initiation Work Distribution* Suggested locations within the case initiation work area for various functions

## Case Initiation Supervisor

### Definition of work

This is highly responsible and advanced supervisory and administrative work in the case initiation unit of the North Cairo Court of First Instance

Work involves supervising a large court clerical unit which processes a high volume of cases. Supervision is exercised over a substantial number of subordinates including lower-level supervisory and clerical employees. Incumbent is responsible for supervising a large clerical unit involved in case initiation for civil, commercial, and tax cases.

Work may include or require the ability to perform lower level subordinate duties. Work is performed under the general supervision of a higher-level court manager, or administrator and is reviewed through conferences, reports and on the basis of results obtained.

Examples of Work Performed (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed)

- Directly supervises, through subordinate staff, the initial filing of all civil, commercial and tax cases filed in the North Cairo Court of First Instance and matters relating to the estimation and re-estimation of fees, payment of fees and costs, payment verification, assignment of circuit and case numbers and hearing dates, creation of file jackets and indices, transmittal of case to circuit clerks, and transmittal of funds to treasury.
- Directs, supervises, and coordinates the work of subordinate staff of the unit making provisions for the hiring and training of such staff.
- Supervises, through subordinates, the preparation of record entries, and financial records.
- Balances the workload of staff, monitors customer flow in the office and customer service needs.
- Supervises the preparation of and timely dispatch of statistical reports, and financial reports as may be required or requested.
- Determines how to apportion available staff time to process the paper work for cases.
- Coordinates with microfilm unit concerning fees and file transfer, coordinates with circuit clerks concerning file transfers.
- Interviews potential employees and makes hiring recommendations.
- Periodically reviews employee performance, submits written evaluations with recommendations.

- May prepare forms and manuals for use by employees,
- Participates in preparing and recommending refinements and modifications in office processes and procedures,
- Participates and provides information for financial audit activities
- Provides liaison between the court and attorneys and the public relative to the filing of cases, records of the court and office procedures
- Supervises the preparation of court records, documents and information for input into data processing system, monitors data input
- Supervises record management activities in the area of assignment
- Coordinates with the manager of case processing, and manager of computerization on computerization of the Senior Clerk's office, implements procedures and policies once established
- Assures completeness and accuracy of court records, answers procedural questions for staff, works with supervisors and subordinate staff to develop and implement new procedures and responds to changes in the law
- Recommends and prepares changes in procedures relating to case processing processing of instruments, indexing, receipts and disbursement of money, microfilming and the transfer of and movement of court records

Performs related work as required

*Desirable education and experience*

Graduation from general secondary school, supplemented by some supervisory experience in a court unit involving a high volume of clerical activity

*Desirable knowledge ability and skill*

- Through knowledge of court procedures and policies, legal documents terminology, laws and legal factors pertaining to the court area of assignment
- Through knowledge of the organization, operations, functions, and scope of authority of the court and activity of assignment
- Knowledge of modern office practices and procedures
- Ability to understand and follow verbal and written instructions
- Ability to make work decisions in accordance with laws, regulations and departmental policies and procedures

- Ability to maintain a variety of complex records and prepare reports from such records
- Ability to plan, assign and supervise the work of subordinate employees engaged in a variety of activities in a high volume work unit
- Ability to train subordinate staff and monitor performance
- Ability to express ideas concisely and clearly, orally and in writing
- Ability to establish and maintain effective working relationships with others
- Ability to learn the operation of a video display computer terminal

**ADMINISTRATION OF JUSTICE SUPPORT PROJECT**

**PRELIMINARY MANAGEMENT IMPROVEMENT  
PLAN FOR THE SERVICE DEPARTMENTS OF  
THE NORTH CAIRO AND ISMAILIA PILOT  
COURTS**

Jeffrey M. Arnold  
NATIONAL CENTER FOR STATE COURTS  
September 16, 1998

**PRELIMINARY RECOMMENDATIONS FOR IMPROVEMENT OF THE  
MANAGEMENT OF THE SERVICE DEPARTMENTS OF THE NORTH CAIRO  
AND ISMAILIA COURTS**

*INTRODUCTION*

The functions of acquiring jurisdiction over parties to legal disputes and providing those parties with notice of the nature of the legal case, as well as, what actions are expected of the parties by the Court, when those actions must be completed, and the consequences of failure or refusal to perform the expected actions are critical to the administration of justice with fairness and due process in individual cases. In the Courts of First Instance, these functions have been assigned to the Service Departments. The information gathered by the Project Staff and consultants presents a picture of system-wide dissatisfaction with the way the Service Departments perform these essential functions. Problems with the service of the Court's process have been universally identified as a major contributor to the delay in reaching final judgments in the court. Many reasons have been theorized as to the cause of the delays in the Service Departments, including unfair workloads, underpaid staff, poor facilities and lack of resources and supplies. However, underlying all of the discussions of the shortcomings of the Service Department, is the perception that employee misconduct and abuse of position is at the heart of the failure of the Department to promptly and appropriately perform the important justice functions that have been entrusted to it. The preliminary recommendations contained in this report attempt to address the 'big picture' changes that need to be made and provide some organizational and operational reforms that will reduce the opportunity for employee misconduct and abuse of position. It must be stressed, however, that effective and lasting removal of corrupting influences depends for its success on a strong declaration by the judicial leadership of the Court that misconduct and abuse of position will not be tolerated accompanied by vigorous management and swift punishment for misconduct.

Due to the limited time available on site, the author has gathered information on the Service Department through interviews with experimental panel judges and a review of the Service Department Study prepared for the Administration of Justice Support Project by Mostafa Shawki and Company. The Shawki Study has been of great benefit in gaining a detailed portrayal of the operations of the Service Department, recounting the opinions and statements of many participants in the Court system, and providing a number of valuable suggestions for improvements in the Department. The author, based on his experience and expertise, has augmented the Shawki conclusions with additional recommendations.

## *RECOMMENDATIONS*

### *1 JUDICIAL LEADERS SHOULD ASSUME A VISIBLE ROLE IN THE MANAGEMENT OF THE SERVICE DEPARTMENT APPOINTMENT OF AN ADMINISTRATIVE JUSTICE FOR SERVICE OF PROCESS IS AN IMPORTANT SYMBOL OF THE COURT'S COMMITMENT TO BRING ABOUT MEANINGFUL AND LASTING CHANGE IN THE SERVICE DEPARTMENT*

The Service Department should be clearly identified with the judiciary of the Court. It appears that staff perceives that the judicial leaders do not take an active interest in the management of the Department. This has created a situation such as that reported in the report of Shawki and Company, which was commissioned by the Project, in which the Chief Server avoided attending meetings that would have placed him in contact with the judges. The report indicates that discipline in the Department is handled by an Inspection Unit from Ministry of Justice which is not responsible to the Chief Justice of the Court. This, in turn, fosters a lack of respect for the wishes of the judiciary as they relate to effective operations and freedom from employee misconduct.

In order to exert the maximum control over the operations of the Department and symbolize that control in a highly visible fashion, the Chief Justice should assign a Judge as the Administrative Justice for Service of Process. The function of the Administrative Justice would be to oversee the day-to-day operations of the Department with the goal of ensuring that the policies of the Court are adhered to, that the operations of the various field offices are consistent and legally appropriate, that the Department is adequately equipped and funded, that offices of the Department are up to standard in terms of space and filing facilities, and that training and retraining needs of staff are provided.

The Administrative Justice would be responsible to the Chief Justice for the operation of the Service Department and would respond to concerns expressed by the chief judges of the various panels regarding difficulties in individual cases. The managerial staff of the Department would be responsible to the Administrative Justice for the everyday management and control of the staff and duties of the Department.

### *2 THE COURT SHOULD DEVOTE IMMEDIATE ATTENTION TO IMPROVING THE FACILITIES OCCUPIED BY THE SERVICE DEPARTMENT IN ORDER TO ACHIEVE RECORDS SECURITY, PERSONAL SAFETY OF LITIGANTS AND EMPLOYEES AND TO REDUCE THE OPPORTUNITY FOR EMPLOYEE MISCONDUCT AND ABUSE OF POSITION*

Immediate attention must be given to providing work space for the Department that facilitates the work of the Department and its employees. Service counters, filing cabinets, and in-office work space for field personnel to organize their daily work and

complete paperwork as well as providing a physical separation between the employees and the public are of highest priority

The Department's facilities are described in the Shawki report as overcrowded and chaotic workplaces with papers thrown on the floor, files in no apparent order or system, filing cabinets placed in the public corridors. The offices lack sufficient space to allow for rearrangement of furniture and fixtures. The spaces are poorly lit and ventilated with insufficient space for employees to perform their job functions.

If it is the Court's goal to bring about genuine and lasting reform of the Service Department and to provide the public and the employees with a visible sign of that commitment, renovation and reorganization of the offices, public areas and working spaces of the Department must be given a high priority. A necessary prerequisite to improved functioning of the Department is the creation of facilities that provide reasonable work-space and file management areas to that allow employees to perform their job duties while projecting an image of a disciplined and efficient organization.

A filing system for the documents and records of the Department must be created. Currently files are in disorganized and kept in a manner that is prone to cause loss of and damage to the documents contained therein. Filing cabinets are in short supply and those that are available are in poor condition. The physical spaces assigned to the Department are insufficient to provide room for file storage that is both adequate for the Department's needs and can provide security for the Department's files and documents. The recommendations of the Project consultants relating to the renovation of the offices of the Court Clerk can provide valuable assistance to the Court in the redesign of the Service Department offices.

***3 THE COURT SHOULD RECOGNIZE THAT THE SERVICE OF THE COURT'S PROCESS IS A FUNCTION POLICE-LIKE IN ITS NATURE AND REFORM THE SERVICE DEPARTMENT IN A WAY THAT VISIBLY SIGNIFIES ATTENTION TO DISCIPLINE AND EFFICIENCY. CONSIDERATION SHOULD BE GIVEN TO PROVIDING UNIFORMS TO THE FIELD SERVERS AND REDESIGNATION OF THE MANAGEMENT TITLES TO REFLECT COMMAND RANK.***

The perception of the Service Department held by the Court, Ministry of Justice, and the public is of such low character that a visible symbol of change is necessary at the soonest possible opportunity. Servers of the Court's process are officers of the Court and in some significant ways are police-like. When viewed from this perspective, steps should be taken to provide the Department with the appearance of a disciplined organized work force. This should include issuance of uniforms and the retitling of the Department supervisory personnel to indicate rank as in police organizations.

In discussions with the consultants and Project Staff, judges have expressed the thought that the service function could be given to 'judicial police' By reorganizing the Service Department as a uniformed, disciplined field force, the spirit of the judges' desires is recognized without the need for legal reform

The changes recommended in this section will also serve as a public sign that the Court is addressing the public concerns related to the operation of the Department and indicating to the public that a 'new' Department is in operation which does not tolerate employee misconduct and abuse of position

***4 THE COURT SHOULD REORGANIZE THE DISTRIBUTION OF THE WORK OF THE DEPARTMENT IN A WAY THAT RECOGNIZES THE REALITY OF THE DEPARTMENT'S STAFFING CONSIDERATION SHOULD BE GIVEN BY THE COURT TO CHANGING CURRENT PRACTICE TO ALLOW WOMEN ASSIGNED TO THE FIELD SERVER DIVISION TO SERVE PROCESS AT LOCATIONS THAT DO NOT PRESENT RISKS TO PHYSICAL SAFETY***

The information provided to the consultant by the Shawki and Company study indicates that, while the total number of employees assigned to the Department may be adequate, the administrative component is too large and the field component is, effectively, much smaller than it appears on personnel rosters This is due to the high number of field server positions filled by female employees who, under current Department practices, are not permitted to go out onto the street to serve process Care should be taken not to fill field vacancies with women or, in the alternative, the issue of whether women should be allowed to serve process should be revisited The Court could consider the possibility of allowing the women in the field section to serve process to businesses, hospitals, banks and government agencies where the risk of physical danger is greatly reduced Providing the staff with uniforms, as recommended in Recommendation 2, above, may also improve the safety of women serving process in the field

***5 THE COURT SHOULD ADDRESS THE ISSUE OF ADMINISTRATIVE SERVICE OF PROCESS AND TAKE STEPS TO MINIMIZE ITS USE AS AN ALTERNATIVE TO GOOD FAITH EFFORTS TO PERSONALLY SERVE DEFENDANTS THE COURT SHOULD CONSIDER THE TRANSFER OF THE ADMINISTRATIVE SERVICE PROCESS FROM THE FIELD SERVER DIVISION TO THE ADMINISTRATIVE DIVISION OF THE DEPARTMENT***

The results of the surveys of the judges indicate that the judges identify the Service Department as one of the principal sources of delay in the Court The data collected from the individual case files indicates that, in the vast majority of cases, service is completed within 30 days This seeming contradiction is explained by the results of the Shawki study commissioned by the Project The field force of the Department is

insufficiently staffed with males who can go out of the office to serve process. Consequently, each of the servers has more process to be served than can physically be served within the time allotted. Since the process must be served within the time allotted, the servers have created a practice of leaving the documents with the police and mailing notice to the party to be served that the Writ of Summons is available to be picked up at the police station. As many as 70% of the Writs of Summons lodged for service are served in this manner.

This procedure of deposit with the police followed by mailing of notice is reported as accomplishment of service. The judges have said that they do not consider the use of this procedure to be sufficiently trustworthy to support a default of the Defendant, at least not as a result of the first service. The judges, therefore, routinely order that service be re-attempted. It appears, however, that the second time in the case that the scenario is played out, many judge panels will accept the service and default the Defendant. The default rate may be as high as 50%. This situation may be an example of two wrongs making a right.

The consequence of this imperfect service situation, in all likelihood is that, at some later point in time, the Defendant finds out about the default judgment and comes to court to seek its vacation. Since the judges know that the service function is inherently untrustworthy, they are constrained to vacate the judgment previously issued and begin the process of making the case ready for decision in a much delayed posture. In addition, the impact on the budget for postage is enormous.

Immediate attention must be paid to changing the conditions which encourage this situation. The Court must make realistic assessment of the number of personal service events that can be performed in a day by a reasonably motivated server. An analysis of the relative average numbers of Writs that are lodged for service within the existing geographic serving areas must be performed with the goal of sizing geographic serving areas by volume of work rather than by volume of territory. There must be a determination of the reasonable percentage of mail notification cases that should be expected per month and staff should be provided with enough mailing supplies to meet the expected need. Further requests for issuance of supplies should not be forthcoming without intensive justification.

A unit should be created within the Administrative Division of the Department to perform the registered mailing function and monitor the requests of the field force for mailing of notices.

A unit of this kind will provide efficient centralized processing of the mail preparation and document delivery to police stations. Tracking of the work performed by this unit will provide managers with information relating to the numbers of cases in which administrative process is being used and also information relating to the nature of the work being performed by individual servers.

Another benefit to the centralization of the administrative service function in the Administrative Division of the Department, is that field servers will have more time in their workday to accomplish personal service of the Court's process. The Shawki report quotes servers who complain that their working day is extended because of the paper work involved in preparing mail notice to defendants of the deposit of the Writs of Summons with the police. Since the mail function will be performed by administrative employees, field servers will recover the time formerly devoted to mail paperwork and should be expected to utilize this additional time serving process in the field.

**6 THE COURT SHOULD REORGANIZE THE DIVISION OF THE DEPARTMENT THAT ENFORCES THE COURT'S JUDGMENTS IN A MANNER THAT ENSURES FAIRNESS IN THE PROCESS OF ATTACHMENT OF PROPERTY TO SATISFY THE COURT'S JUDGMENTS AND PROVIDES SAFETY FOR THE EMPLOYEES WHO ARE ASSIGNED TO PERFORM THESE DUTIES. CONSIDERATION SHOULD BE GIVEN TO CREATING TEAMS OF THREE SERVERS TO PERFORM THE ENFORCEMENT FUNCTION AND EXPLORE THE WAYS IN WHICH PROPERTY SEIZED TO SATISFY THE JUDGMENTS OF THE COURT MAY BE SAFELY AND APPROPRIATELY TRANSPORTED.**

A special unit within the Service Department should be created to deal with enforcement of the Court's judgments. Staff assigned to this unit would require special training in the assessment of moveable property subject to attachment and sale to satisfy the court's judgment. In addition, there is or may be danger of physical harm to the staff while performing enforcement functions. Emotions may be high and it is natural to expect that anger at the outcome of the Judgment of the Court may be focused on the person of the agent of the Court's process. It should also be noted that the enforcement of judgments often involves the seizing of property of significant bulk or value or both. Security and transportation needs of servers assigned to this job function must be addressed.

Consideration should be given to assigning enforcement-type work to teams of three servers. Judgment enforcement teams should be provided means of safely transporting seized property. This might be accomplished by purchasing vans or trucks and assigning them to enforcement teams. Another option may be to hire vehicles as needed. Care must be given to ensure that any such hiring process has safeguards built into it to reduce the opportunity for misconduct.

Consideration might also be given to the possibility of arming the servers assigned to judgment enforcement duties. This is a decision that can have unfortunate consequences if not implemented in a thoughtful and thorough manner. No Server should be armed without extensive training in weapon use and, more importantly, without a clearly demonstrated understanding that use of the weapon is the choice of last resort given the civil nature of the task assigned.

***7 THE COURT SHOULD DEVOTE ATTENTION TO A REALISTIC SALARY AND REIMBURSEMENT POLICY AS WELL AS DEVELOPING A CAREER ADVANCEMENT STRATEGY THAT ENCOURAGES PRODUCTIVE EMPLOYEES TO TREAT EMPLOYMENT WITH THE DEPARTMENT AS A CAREER***

The importance of the function provided by the Department, not only to the Court, but to the individual citizens is not recognized by the government either in terms of compensation or in terms of infrastructural support. This conclusion is contained in the Shawkı report. Perceived inequities of salary structure and implementation of bonuses militate against the employees approaching their jobs with seriousness and promotes a situation where the bulk of the staff indulge in self help to provide income for themselves. Court leaders deplore the misconduct and abuse of position by their employees but have not provided realistic salary and pay bonus implementation to counter the employees' self justification for their need to supplement their official compensation with money received from litigants and lawyers. The salary and supervision policies have created a self-fulfilling prophecy. The decisions not to invest realistic salaries, bonus allocations, and expense reimbursements, hands-on management, and training in the Department appear to be based on the assumption that the operations of the Department are so dismal and the employees of the Department are of such low quality that investment of funding and attention to training and development would be a waste of resources. Due to lack of day-to-day, hands-on management, lack of training, consistent discipline, and predictable pay and reimbursement policies, the Department operations are dismal and the employees are of low quality.

Steps must be taken to resolve the salary and bonus inequities and the distribution of work assignments to encourage employees to view employment in the Department as a career which includes recognition of good performance, adequate compensation, predictable management and discipline, manageable workloads and the possibility of upward mobility within the Department. The official pay rate and the government bonus system must be implemented in the Service Department. Sufficient funds should be allocated to ensure that employees in the Service Department are treated in the same manner as other employees within the Ministry of Justice. The provision, by the Department, of bus passes, as a means of providing transportation for field staff, would address the concerns of unreimbursed expenses and have the additional benefit of more efficient use of employees' time getting to the areas where they are assigned to serve process. The Court and the Ministry should create a promotion track within the Department that can provide upward mobility for employees who perform their duties well and faithfully.

At the same time, the Court must make clear to the employees of the Service Department that no misconduct or abuse of position, however minor, will be tolerated. The employees must recognize that the Court will be vigilant regarding matters of misconduct and that, if the misconduct is of the nature that includes abuse of position, the Court will vigorously and swiftly move to terminate the employment of those who solicit and accept bribes.

Day-to-day management of the Department must also include supervision and evaluation of the work performed by the employees. Unsatisfactory performance should be noted and reviewed with employees with the goal of improving the performance. If the employee does not respond appropriately to such reviews, progressive discipline should be administered. The process of improving employee performance depends for its success on the clear expression of the expectations of the Court, timely supervision and correction of performance that does not meet expectations, predictable rewards and incentives for meeting expectations and predictable imposition of disincentives and sanctions for failure to meet expectations. Rewards and incentives for employees might include performance-linked merit pay bonuses and a promotional career path within the Department. Disincentives might include withholding of bonuses, suspension of employment and termination of employment when corrective measures have proven unsuccessful.

When these steps have been accomplished, the Court will have created an atmosphere where department employees approach their job duties with pride and look upon their employment in the Department as an honorable and respected career.

#### ***8 THE COURT SHOULD TAKE IMMEDIATE ACTION TO ACHIEVE BETTER USAGE OF THE EMPLOYEES' TIME DURING THE OFFICIAL WORKING HOURS OF THE DEPARTMENT***

The reports of conversations with the employees of the Service Department contained in the Shawki study describe the server as having a workday of 10-12 hours, or 2-4 hours longer than other employees of the Court, but without additional compensation. Conversations with project staff, judges, and others, however indicate that, while the official working hours for servers are 7 00 a m to 5 00 p m, no service of process activity begins before 11 00 a m despite the perceived lack of time in the workday to address the assigned workload. This situation wastes four hours daily that could be devoted to performance of the assigned workload in a timely and legally expected fashion.

Servers should be out of the offices and on their service routes no later than 8 00 a m. This earlier start of field work will provide almost fifteen hours per week of additional time per server available to complete the work required by the Court within the time frames expected by the Court. In addition, the field work of serving the Court's process may be more successful when commenced earlier in the day. There may be increased opportunity of finding people in their homes early in the morning. The early departure of the field servers will also act to reduce the congested and overcrowded conditions in the various Service Department Offices.

## ***9 THE COURT SHOULD DEVELOP AND IMPLEMENT A COMPREHENSIVE TRAINING PROGRAM FOR DEPARTMENT EMPLOYEES AND MANAGERS***

The consultants and the Shawki Study recommend formal training for servers before they begin work. Immediate attention should be given to implementation of this recommendation. The Shawki Study found that most servers currently have limited educational backgrounds and learn their jobs on the street sometimes with guidance by their fellows, sometimes not. Correction for improper performance of their duties comes from the Inspection Department of the Ministry of Justice, usually following a complaint of some sort. In interviews conducted by Shawki and Company the servers complained that the Investigators have no understanding of the work and are capricious and inconsistent in their findings.

A standardized training program must be developed and presented for existing staff and all new hires. The training program must include orientation to the Court's expectations relating to the functioning of the Department as a whole and to the performance of the employees within the Department. The training should provide a clear statement of the Court's policy of "zero tolerance" of misconduct which includes abuse of position on the part of its employees. The training should also provide detailed descriptions of the duties of the employees and the prescribed manner for the performance of these duties. Attention should also be given to providing employees with an understanding of the relevant legal requirements applicable to the process serving function which they perform. Care should be taken to impress, upon the employees, the importance attributed, by the Court, to the function that they are being called upon to perform.

The management of the Department must be trained, as well, to ensure that they clearly understand the expectations of the Court and the job functions of the employees that they are assigned to supervise. Managers must take an active role in measuring employee performance against the requirements of the job as described to the employees in the training program. The activities of the Inspectors from the Ministry of Justice should focus on complaints of corruption or abuse by Servers but stop short of what is generally agreed to be managerial correction of employee shortcomings and routine progressive discipline.

The successful management of the Department requires that the correction of substandard employee performance be the responsibility of those who have day-to-day supervisory authority rather than the responsibility of an outside organization whose primary responsibility is to perform investigations. In the event that the Inspectors, in the course of pursuing a complaint, reach the conclusion that the cause of the complaint is poor performance rather than misconduct, their finding should be reported to the Department's management to ensure timely and appropriate correction of the performance.

*10 THE COURT SHOULD UNDERTAKE THE USE OF STANDARD DOCUMENTS FOR THE RETURN OF SERVICE AND THE CREATION OF REPORTS THAT CAN PROVIDE INFORMATION THAT WILL ENABLE THE MANAGERS OF THE DEPARTMENT AND TO THE JUDGES TO BETTER ASSESS AND MANAGE THE WORK OF THE DEPARTMENT*

The Experimental Civil Caseflow Management Plan includes a Return of Service document, included in this report as Appendix A, which can be adopted for use by the Service Department. The Return of Service document requires the server to identify the manner in which the process was served, the date on which service was made, a physical description of the person served, a description of the relationship to the defendant of the person served in the event that the person served is not the defendant and the address at which the service took place. The document also requires that the server describe the reasons for the failure to serve process on the defendant.

The information collection made possible by the completion of this document will allow the judges to make better informed decisions relating to whether the notice and jurisdictional requirements of the law have been met in individual cases. The information, when it is aggregated, will assist the managers of the Department and the Administrative Justice in evaluating the work of individual employees and the overall success of the Department in meeting the needs of the Court and the public. Additional documents can be designed and reports created to assist the Department's management, control of activities, and evaluation of the processes of the Department. At a minimum, these reports should include information on the time from referral of a Writ of Summons to the Service Department to the time of completion of service and return of the Writ to the office of the Clerk. Reports can be created to identify cases in which service has not been completed within limits and goals set by the Court. Reports can also be generated which identify employees whose serving success rate falls below the goals set by the Department. A review of the circumstances with the employee in question can then provide an opportunity to rectify the situation.

*CONCLUSION*

The Service Departments of the Courts of First Instance are entrusted with the important function of acquiring jurisdiction for the Court over parties to lawsuits and of providing notice to those parties of the nature of the lawsuit in which they are involved as well as notice of scheduled dates at which time events of legal significance to the parties will take place. At the present time there is an overwhelming unhappiness on the part of judges, litigants and lawyers with the manner in which the Service Departments perform the important functions entrusted to them.

Of special concern is the perception of participants in the system that the poor performance of the Departments is not the result of overwork or underpayment of the

employees but is rather the product of widespread employee misconduct and abuse of position. The remedies for poor performance are different from those for misconduct and abuse of position. The judicial leaders should view the misconduct of the employees in the same light as if it involved theft from the government. The resources consumed by hearings made necessary by the misconduct of employees who have not completed their duties constitute a great cost to the government which could otherwise be used to address other needs of the citizens. In addition, such misconduct reduces respect for the Court and the Justice System. Surely no one would disagree that a proper remedy for theft from one's employer is termination of employment. Undertaking to rid the Service Department of employee misconduct and abuse of position will constitute a monumental task. Unfortunately the development of forms and procedures will not alone be sufficient to the task.

The judicial leaders must clearly express to the employees their determination to deal with the problem. Training programs should be developed that stress the Court's insistence that misconduct will not be tolerated and that abuse of position will be cause for immediate termination of employment. Employees found to have abused their position must in fact have their employment terminated. This policy is not a temporary undertaking. Vigilance is necessary to ensure that gains made in ridding the Departments of misconduct are not lost by a complacent outlook in the future.

In addition to the public expression by the Court of its efforts to root out misconduct, the Court should provide to the public and the employees some visible symbols that change has taken place and that business as heretofore usual is no longer how the Department will operate. The first such visible symbol of the Court's commitment to permanent and positive change should be the appointment of an Administrative Justice for the Service of Process who will assume control of the Department's operations and be responsible to the Chief Justice for the implementation of improvements and the continued oversight of the work of the Department. Another visible symbol of change that will improve service and performance in the Department is a much needed renovation of the Department's offices and work spaces to express to the employees and the public that quality work, deserving of respect, is performed in these surroundings. Another change that suggests to the public and the employees that a new day has come to the Department is the provision of uniforms for field servers. This change reflects the police-like nature of the service function and symbolizes the new attention being paid by the Court to organization and discipline.

A professional approach to management and attention to fiscal matters will help ensure that employees will feel that they are being treated fairly and provide incentive to perform their duties in a manner that meets the expectations of the Court. Managers of the Department must ensure that employees make efficient use of their time during the workday. Managers should also be seeking ways to better utilize the staff assigned to the Department. These approaches could include assignment of the administrative service of process function to the Administrative Division of the Department. The women who occupy field server positions could be assigned to

serve the court process to businesses, hospitals, universities, and government offices which would not expose them to the risk of physical harm often present in the field and would increase the number of staff available to serve process without the need to increase the size of the Department

Finally, the Court should develop the capacity to collect and manage information related to the operations of the Service Department. Information about the manner in which process is served and the time from issuance of process to the completion of service is a necessary prerequisite to effective management of the Department. The use of documents such as the recommended Return of Service, which is attached as an appendix to this report, will facilitate the collection of needed information. The Court should be looking for opportunities to create documents that can be used both to substantively perform the work of the Department and to provide a convenient source of information elements that can facilitate the management decision-making process.

It is clear that there is much to do before the Court and the public can feel proud of the Service Department. However, the longest and most arduous journey starts with a first step. The judicial leadership has indicated that they are ready to take that first step. Further study of the practices of the Department will provide guidance for the later portions of the journey and identify other steps necessary to reach The Court's goals. It is the hope of the project consultants that the Court's leadership will begin the reform process without delay.

**APPENDIX A  
WRIT OF SUMMONS, RETURN OF SERVICE AND  
ACKNOWLEDGMENT**

IN THE COURT OF FIRST INSTANCE  
NORTH COURT OF CAIRO

\_\_\_\_\_) )  
PLAINTIFF ) )  
V ) ) CASE NUMBER \_\_\_\_\_ ) )  
\_\_\_\_\_) )  
DEFENDANT ) )

*WRIT OF SUMMONS, RETURN OF SERVICE AND ACKNOWLEDGEMENT*  
(TO BE PREPARED BY PLAINTIFF'S ATTORNEY AND EXECUTED BY SERVER)

SERVE \_\_\_\_\_  
Defendant name  
AT \_\_\_\_\_  
\_\_\_\_\_  
Defendant address

TO THE DEFENDANT

In the above-stated matter, you are hereby summoned to appear at the above Court before Circuit Number \_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_ date  
You are further directed to submit a memorandum in reply to the attached writ and supporting documents to the circuit clerk for Circuit Number \_\_\_\_\_ not later than \_\_\_\_\_ date  
Failure to respond to the directions in this Writ of Summons may result in the entry of a default judgment in favor of the above-named plaintiff

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SERVER'S RETURN OF SERVICE

Under Penalty of Perjury, I, \_\_\_\_\_, hereby certify that

Server

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ at \_\_\_\_\_

name

\_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_

address

date

by handing him/her a copy of the Statement of Claim and Writ of Summons

A physical description of the Defendant is as follows (to be provided by the Server)

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_

HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_

AGE \_\_\_\_\_ COLOR OF SKIN \_\_\_\_\_ GENDER \_\_\_\_\_ MALE

\_\_\_\_\_ FEMALE

-or-

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ at \_\_\_\_\_

name

\_\_\_\_\_ at \_\_\_\_\_ a m /p m on \_\_\_\_\_

address

date

by leaving a copy of the Statement of Claim and Writ of Summons with

\_\_\_\_\_, a person of 18 years or upwards who resides with

name of person served

the Defendant and is related to the Defendant as follows \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_

HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_

AGE \_\_\_\_\_ COLOR OF SKIN \_\_\_\_\_ GENDER \_\_\_\_\_ MALE

\_\_\_\_\_ FEMALE

-or-

\_\_\_\_\_ Service was made on the Defendant \_\_\_\_\_ who failed or

name

refused to respond to the Server at \_\_\_\_\_ a m /p m on \_\_\_\_\_

date

at \_\_\_\_\_

Defendant's address

by leaving a copy of the Statement of Claim and Writ of Summons with the police department located at \_\_\_\_\_

address of police station

and causing to be mailed to the Defendant a registered letter informing him/her to pick up the copy of the Statement of Claim and Writ of Summons deposited at the above-described Police Station

-or-

\_\_\_\_\_ Service was not made on the Defendant because

\_\_\_\_\_ The address provided for Defendant does not exist

\_\_\_\_\_ No person fitting the description of the Defendant was found at the address provided

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Server

**ACKNOWLEDGEMENT OF SERVICE**

I, \_\_\_\_\_, hereby acknowledge receipt of service  
Name

Date \_\_\_\_\_

Signature \_\_\_\_\_

**ADMINISTRATION OF JUSTICE SUPPORT PROJECT**

**ARCHIVES UNIT PLAN  
NORTH CAIRO COURT OF FIRST INSTANCE**

**Nial Raaen  
National Center for State Courts  
September 16, 1998**

# BACKGROUND

## Introduction

The recommendations presented in this report are the result of visits to the North Cairo archives department, interviews with the unit supervisor Mr Mohamed El Sayed Bandeery and his staff, a review of building blueprints and statistical information provided by AOJS and court staff. These recommendations call for specific activities intended to achieve the following records management objectives:

- To provide safe and secure storage for archived case files and related records
- To maintain these records to meet legal, administrative, historical and fiscal requirements
- To respond to requests for archives information in a timely manner
- To provide an on-going system for records management that will meet future needs

To achieve these objectives a number of activities need to be undertaken. In general terms the following areas have been addressed to the extent possible within the available time:

- Facilities design and use
- Staffing
- Records retention
- Equipment needs
- Organization and procedures

Implementation of these recommendations can begin as soon as approval is received from the Ministry. A follow-up report with more specific recommendations for storage is pending further work by the architect. Proposed procedures and policies will also be provided at a later date.

## Description & Definition of Records and Indexes

The staff in archives is responsible for the maintenance of all closed court files and a variety of indexes and journals. Court files which have reached judgment and are past the appeal period are eligible for storage in the archives. Additional records that are maintained in archives include ledgers, agendas, mail, judgment drafts, and requests for copies. A complete listing of these non-case records are found in Figure 3.

## Current Storage Conditions

The storage conditions noted in previous reports are essentially unchanged. Case files and indexes are maintained in an area that occupies approximately one quarter of the courthouse basement. Access to the area is from the front lobby by a flight of stairs. The records are stored on open steel shelving, and in piles on the floor that take up almost all of the available space. Most court files are maintained in three-sided cardboard folders, held together with string to secure the files and keep them upright. While these folders were designed for approximately twenty-five cases per folder, many have had fifty or more cases crammed into them, according to staff. As a result, many of the binders have

broken and the records are torn by the strings used to secure them. Large numbers of files are held together only by string, and left in piles on the floor and on shelves. Case files maintained in this manner appear to be rapidly deteriorating due to damage from handling and the practice of binding them with string.

Ventilation for the archives comes primarily from street-level windows that are covered with bars and rigid mesh. A great deal of dust filters in through these windows, and many files are covered with a layer of dirt and grime. Despite the windows, air circulation is poor. There are virtually no open work areas available for staff.

The archives are particularly vulnerable to damage from fire. Smoking in the archives is common, as is the use of hot plates to heat water. Several times during the site visit employees were observed smoking in the file storage area, and cigarette ashes were found on files. The dry environment and combustible nature of the files makes this an accident waiting to happen. Fire suppression equipment is limited and there are no smoke or fire detectors.

Water damage has also been a problem. Staff provided several examples of water damage to files. In some areas of the archive files are stored under sewer pipes and other areas that appear to be prone to moisture. Cats roam freely in the area, and their feces and urine have damaged files as well.

Access to the records is hampered by poor lighting, walkways filled with un-shelved records, and a lack of equipment needed to access and transport files. Staff cited injuries that have resulted from falls and handling heavy bundles of records.

### **Personnel**

Information provided by the court lists 21 employees assigned to the archives unit. One of them is on leave. Included in this number are 19 archive clerks, the unit head, and a deputy unit head. The unit is authorized for 32 positions. Many of the positions have been vacated by employees because of work-related health problems.

### **Records Access**

The flow of information in and out of records is a dynamic process. Documents continue to flow in and out of court files after the files arrive in archives. Complete case files are often removed for further proceedings in the Courts of Appeal and Cassation.

Although archives staff have the responsibility for locating and pulling records at public request, members of the public routinely enter the records storage area to obtain documents. There is no counter or work area available for the public. Previous efforts to maintain a front counter and limit public access by arranging tables into a makeshift counter were abandoned. It is estimated that 70% of the cases are pulled for the purpose of returning original documents to litigants. The frequency of these requests diminishes as the cases grow older. Members of the public also request copies of documents from archives.

Complete court files are transferred to the Courts of Appeal and Cassation upon request. These requests are logged by the archive supervisor and the original file is replaced by a dummy jacket until the file is returned. The records supervisor reviews his log each year to determine if files have been out for an excessive period of time, and writes a letter to the requesting court to determine the status of the missing file.

After files have reached archives there may be additional documents which will be sent to archives for storage. The department is responsible for logging these documents and placing them in the proper file.

### **Current Retention Requirements**

Court files are maintained in their entirety for a period of fifteen (15) years beyond the date of judgment. The files are delivered by the respective circuit clerks, logged in, and checked for completeness by archives staff. Archives clerks are assigned responsibility for specific case types and years. A comprehensive inventory of record types by location in the archive rooms does not appear to exist. The supervisor relies on individual clerks to identify the location of specific records.

When a case file ages fifteen years beyond judgment the staff is authorized to remove and destroy all case documents except the following:

- Complaint and summons
- Judgment
- Expert opinions
- Original case file jacket with notations

The archives currently holds over 754,000 case files. Of this number, over 209,000 are greater than fifteen years beyond judgment and eligible for removal to the national archives. Measurements taken in the archives reveal that approximately 200 case files occupy a lineal meter. At this rate the current storage needs for case files is approximately 3,770 meters. Removing the files over 15 years of age would make a significant difference. Figure 2, at the end of this report, is a detailed summary of the number of files in archives by case type and age.

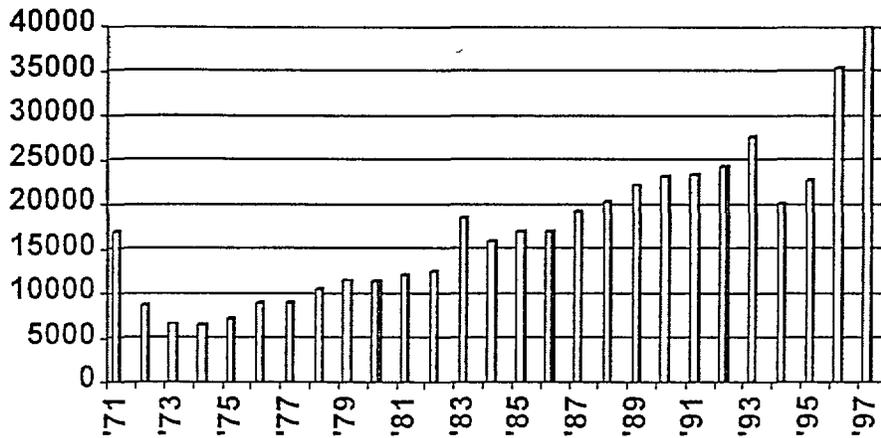
Related records (other than case files) total over 697,000 items. A large percentage of these records are also eligible for removal from active storage. Figure 3, found at the end of this report, summarizes the type and number of non-case records currently maintained in archives, as well as retention requirements for each type of record.

### **Trends**

Mr. Bandeery indicated that the number of files being sent to archives continues to increase each year. Figure 1 provides an example of the trend in the number of civil cases sent to archives.



**ARCHIVED CIVIL CASES - 1971-1997**  
*North Cairo Court of First Instance*



**Available Storage** – The current record storage area totals 674 square meters. This area includes space being used for an office and work area. The additional rooms which have been made available to the ministry will add another 753 square meters. An evaluation of actual capacity is pending further work by the architect.

## IMPLEMENTATION STEPS

**Staffing** It will be necessary to assign additional staff to accomplish the changes recommended in archives and to provide continued management of the center. This includes both temporary staff to reduce inventory and the restoration of sufficient full time staff resources, if needed.

- a *Temporary Reassignment of Internal Staff* – Identify individuals from other departments who can be temporarily assigned to the archives to assist with records removal and re-indexing. Suggested staffing includes one individual with supervisory authority over the temporary staff who will be under direction of Mr. Bandedery. These individuals will be responsible for organizing files that are moved to new locations.
- b *Temporary Contractual Staff* – Secure additional unskilled, temporary labor for the purpose of moving and cleaning files, including possibly prison laborers or an outside contractor. These individuals would be under supervision of court personnel.
- c *Full Time Staff* – The archives unit is substantially below authorized staffing levels. Staffing needs should be reviewed and vacant positions filled to assist with the reorganization. It is also recommended that job descriptions and duties be modified and that the following general positions be included in the archives unit:
  - Head of Archive
  - Deputy Head of Archive
  - Records Management Clerk (archive clerk)
  - Records Management Assistant (runner)
  - Cashier (could be performed by an archives clerk)

**Stabilize Records** – Files which are in immediate danger of damage from water or other elements should be stabilized and removed to a safe place of storage as soon as possible, even if the storage location is temporary.

- a Remove files in immediate danger to a temporary storage location in one of the new storage areas and record their location for reference.
- b Files that have already suffered damage from water, animal excrement, should be inspected and restored if possible.
- c Water damaged files should be removed to a location where they can be allowed to dry.
- d Documents that have been damaged to the extent that they are no longer useful or present a health hazard, should be destroyed. Documentation of the destruction should be placed in the file or a dummy file prepared to account for gaps in the record.
- e Records that have been rehabilitated should be returned to their appropriate location in the archive.

**Disposal of Current Records** The records destruction process should be current before files are re-indexed to provide additional storage space and reduce the amount of material to be moved

- a Case files - All case files 15 years past judgment should be purged and the records vacuumed prior to re-storage. The files should be placed in labeled and covered storage boxes and removed to a remote storage location
- b Logbooks & indexes – All documents that do not have administrative, legal, or historical value beyond the required retention period should be destroyed on an annual basis

**Site Preparation** – Additional storage space has been made available to the Ministry for record storage. Further work needs to be done before these areas can be used for record storage

- a Clear all remaining refuse and equipment from new storage areas
- b Check rooms for water problems, make necessary repairs to new and current storage areas
- c Remove non-structural walls in existing storage areas to maximize available space
- d Floors should be in sound condition and level. The room directly behind archives will need to be leveled and solid before it can be used
- e Install recommended ventilation and lighting
- f Provide fire exits in rooms with single entrances
- g Install locks on all doors leading to storage areas
- h Prepare an off-site storage area to receive records which have exceeded the required retention period

**Air quality** – For the comfort of employees and preservation of documents, a clean and dry environment must be provided

- a Install a system in each room that provides positive ventilation and filtered air
- b Provide ceiling fans in each work area
- c Establish a regular maintenance schedule for replacing or cleaning air filtration equipment

**Lighting** - Lighting should be sufficient for staff to easily identify and read documents in the storage area

- a Install fluorescent lights in all storage areas sufficient to provide 30 candles of illumination at eye level
- b When possible, install lighting directly over isles and work areas

**Communication** – Staff should be able to communicate by phone from each storage area to expedite the processing of requests and for emergency notification

- a Install phone lines and sets in each record storage room where staff will work
- b Install data lines at records center workstations for future computer access

**Work Areas / Back Storage Rooms** – Areas should be provided in each archive storage area for staff to work with files

- a Provide a table and chair in each of the back storage areas, as well as necessary office supplies for clerks to maintain files
- b Provide small tables in large storage areas at several locations

**Fire Safety Equipment** – A limited number of fire extinguishers are available in the event of an emergency Fire detection and suppression needs should be addressed

- a Purchase at least one dry chemical fire extinguisher for each of the smaller rooms, provide several in the larger storage areas
- b Install fire extinguishers in visible locations and mark with red signs
- c Install smoke detectors in a manner that the staff located in the front office area can identify the location of a fire
- d Post no smoking signs at the entrance to and inside the archives
- e Provide ashtrays outside the archives area for the public and staff to extinguish cigarettes

**Storage Requirements -**

***Shelving*** – Based on the records center plan, and with the assistance of Mr. Bandeery identify the need for additional shelving units This should include taking into account the storage capacity of the new storage areas and the need to replace damaged units

The purchase of lateral shelf filing units with movable dividers would eliminate the need for case file boxes to keep files upright, but would be more costly

***Box Files*** – Box files are needed for permanent off-site storage of purged records Examples are attached Among the options are self-stacking boxes that eliminate the need for additional shelving for storage

***Case File Boxes*** – The three-sided boxes currently used for storing case files are marginal, but if no other options are available will at least keep files in order on the open shelf files Sufficient numbers of these should be ordered to meet current and future needs

Examples of these items are attached to the report

**Record Rotation** – The current records storage system maintains the most recent, and therefore most frequently accessed records, where they are most easily reached. An established policy for file rotation should maintain a system for keeping records in the most convenient location.

- a Organize records in accordance with the plan
- b Records which have exceeded their retention period should be purged and removed to off-site storage, according to retention policy
- c Room should be made available for the upcoming year's records by rotating the oldest records in the front area to one of the back rooms

**Labeling & Indexing** – An indexing system is necessary to provide quick identification and access to records, which are routinely rotated. Each series of records will be indexed by an address.

- a Each section and row of the storage units should be labeled in a manner similar to that described in Figure 4
- b Designate room numbers for each room in the archives
- c Maintain a log that describes the room, section(s), and row(s) for each series of records

**Office equipment -**

***Front Office Area*** Equipment is needed for file maintenance, record keeping, and copy services.

- a Provide tables for work areas
- b Purchase a copy machine
- c Purchase locking lateral file cabinets for storage of office records
- d Purchase a cash register for accepting copy fees
- e Provide a typewriter or computer terminal with printer for correspondence and record keeping

***File Storage Areas*** Specialized equipment for access and maintenance of archived files is needed in each of the file storage areas.

- a Purchase safety stools for each of the smaller records storage areas, and for every three to four aisles in the larger rooms. Safety ladders should be available for reaching items in higher shelves
- c Purchase mail carts with file bins. The carts will be used for transporting files to the front area and returning them to the shelves for filing

Examples of recommended equipment are attached to the report.

**Procedures** – Adopt procedures for the following areas:

- File check out
- Public access
- File security

- Providing copies
- Payment processing

**Work Area Organization** – The expansion of space available for record storage, combined with a concerted effort to reorganize and purge files, should provide much-needed workspace. This will allow staff to reorganize the work flow to provide better service.

***Front counter*** – The front counter will provide a primary access point for public interaction and the transaction of business with the archives unit.

***Office area*** – The office area should be designed to give employees sufficient space to process requests for documents and files, purge and organize files, complete necessary paperwork and correspondence, and provide copy services. This area should be restricted to staff.

Specific layouts will be provided with the assistance of the architect.

**Records Storage Plan** – A records storage plan will be prepared with the assistance of the architect. The following specifications for placement of files should be followed:

<i>Maximum shelf size (height)</i>	<i>five shelves</i>
<i>Width of isles between shelves</i>	<i>70 cm to one meter</i>
<i>Width of main isle</i>	<i>one meter</i>

**Retention Schedule Review** – At some time in the near future the Ministry may wish to review current records retention requirements. The decision to maintain a record in archives is based on several criteria:

***Administrative Value*** – A record retains administrative value if the information is needed to perform current work, such as post-judgment activities.

***Legal Value*** – Records have legal value as long as the information contained in them can be used to enforce legal rights or obligations.

***Fiscal Value*** – Fiscal value is retained as long as the record is important for audit purposes.

***Historic Value*** – Records have historic value if they include information about important events or they are of interest to historians or researchers. Usually historical value is limited to specific cases or documents.

With these criteria in mind, the current retention cycles should be reviewed and modified to reflect the value of maintaining them in the archives unit.



## RELATED ACTION ITEMS

There are additional action steps that can be undertaken to improve record management. These recommendations are listed separately as they impact other areas of case management.

**Case File Folders** – The need for more durable folders is supported by numerous comments from staff. Improved folder design will protect important court records and be easier for staff to file and access.

- a Purchase file folders for use beginning in 1999. Preferred specifications are as follows:
  - Legal size
  - Manila, heavy weight
  - Pleated bottom
  - End tab for case number
  - Acco fasteners on each side for documents
- b Purchase compatible hole punches and provide to each office responsible for file maintenance, including archives.
- c When the amount of documents exceeds the capacity of the case folder, create additional folders for the case. For example, when two folders are used, label the first one “1 of 2”, then “2 of 2” for the second folder.

**Case File Organization** – The process of purging court files would be made easier if case files were organized with permanent documents acco-fastened to one side of the file as the file is assembled in case initiation and the clerks’ offices. This would facilitate easier verification of these important documents.

**Forms** – Standards for forms generated by the court and experts office will make it easier for staff to purge files and reduce the potential for error. All forms and information should be contained within the case file jacket.

- a Print the case information form, now found on the case file jacket, on a separate piece of paper, card stock, letter size.
- b Develop standard formats for judgments, summons, and expert reports.

**Case Codes** – Identification of case types can be made easier by the development of case type codes and the incorporation of these codes into the case numbering scheme. This change will support later automation procedures.

- a Develop codes for each type of case type filed in the Court of First Instance, preferably a two or three digit code, concurrent with the use of new file folders.
- b Include the code as a suffix to the case number on the file folder at case initiation.

**Distribution of Original Documents** – Many of the documents included in the court case file are original documents which litigants need to retrieve. The number of requests for these documents places a considerable burden on the archives unit. Litigants should be encouraged to obtain these documents at the conclusion of the case.

- a At the entry of judgment ask litigants to specify the documents which they would like to have returned
- b Provide the litigant with an opportunity to have these documents mailed by certified mail at the end of the appeal period for the case, at the litigant's expense

## **ATTACHMENTS**

*Archived Case Files by Case Type and Age* (Figure 2)

*Non-Case Records Inventory and Retention* (Figure 3)

*Shelf unit labeling and indexes* (Figure 4)

Supplies & equipment examples

*Figure 2*  
*Case Files in Archives by Case Type and Age*

<b>CASE TYPE</b>	<i>1-15 Years</i>	<i>Over 15 Years</i>	<b>Total Files</b>
Civil	352,639	127,014	479,653
Commercial	16,403	7,012	23,415
Bankruptcy	27,510	3,338	30,848
Taxes	22,528	37,307	59,835
Labor	13,959	12,226	26,185
Labor Appeals	1,623	1,113	2,736
Civil Appeals	13,687	5,120	18,807
Renovation	1,856	1,500	3,356
Exemption	593	698	1,291
Court Orders	14,840	13,560	28,400
Discipline	60	135	195
Investigation	1,196	620	1,816
Commercial Contracts	54,548	23,378	77,926
<b>TOTAL</b>	<b>521,428</b>	<b>233,036</b>	<b>754,463</b>

**Figure 3**  
*Non-Case Records Inventory and Retention*

Record Type	Unit of Origin	Total in Archives	Beginning Year	Required Retention
In/out mail	Civil	1,224	1979	5
In/out mail	Experts	2,432	1971	15
In/out mail	(general)	764	1971	15
Copies of Judgment	Copies	1,642	1971	15
Service files & ledger	Service	771	1990	5
Civil index	Index	398	1918	15
Civil agendas	Hearings	2,147	1990	5
Senior clerk ledger	Senior clerk	1,229	1990	5
Chief justice corres	CJ secretary	987	1998	10
Attendance book	All units	125	1991	2
Copies requests	Copies	36,498	1991	2
Judgment files	Civil	479,653	1971	15
Judgment files	Taxes	41,622	1971	15
Judgment files	Labor	26,185	1971	15
Judgment files	Labor appeals	2,736	1971	15
Judgment files	Civil appeals	18,807	1971	15
Agendas	Taxes	425	1990	5
Agendas	Labor	172	1990	5
Agendas	Labor appeals	83	1990	5
Agendas	Civil appeals	90	1990	5
Mail	Taxes	225	1995	3
Schedule	Civil appeals	38	1971	15
Schedule	Labor	59	1971	15
Schedule	Labor appeals	25	1971	15

Indexes	Civil appeals	25	1971	15
Indexes	Labor	25	1971	15
Indexes	Labor appeals	15	1971	15
Judgment files	Taxes	35,922	1971	15
Agendas	Commercial	497	1990	15
Mail	Commercial	425	1995	3
Judgment drafts	Civil	1,732	1990	5
Protesto files	Protesto	35,346	1979	10
Personnel files	Personnel	5,497	Unknown	5
<b>TOTAL RECORDS</b>		<b>697,811</b>		

**Figure 4 Shelf Unit Labeling and Indexes**

The diagram illustrates a simple labeling system for the file storage area. This is a view of the filing unit from the end. The unit refers to an attached series of shelving units. The row refers to the shelf level. The combination of room number, unit and shelf forms an 'address' for records.

<b>Unit 1</b> <b>Row A</b>	<b>Unit 2</b> <b>Row A</b>
<b>Unit 1</b> <b>Row B</b>	<b>Unit 2</b> <b>Row B</b>
<b>Unit 1</b> <b>Row C</b>	<b>Unit 2</b> <b>Row C</b>
<b>Unit 1</b> <b>Row D</b>	<b>Unit 2</b> <b>Row D</b>
<b>Unit 1</b> <b>Row E</b>	<b>Unit 2</b> <b>Row E</b>

The location of all records can be accurately maintained through the use of records inventory journal. The following is an example of journal entries that would be maintained for the purpose of coordinating storage.

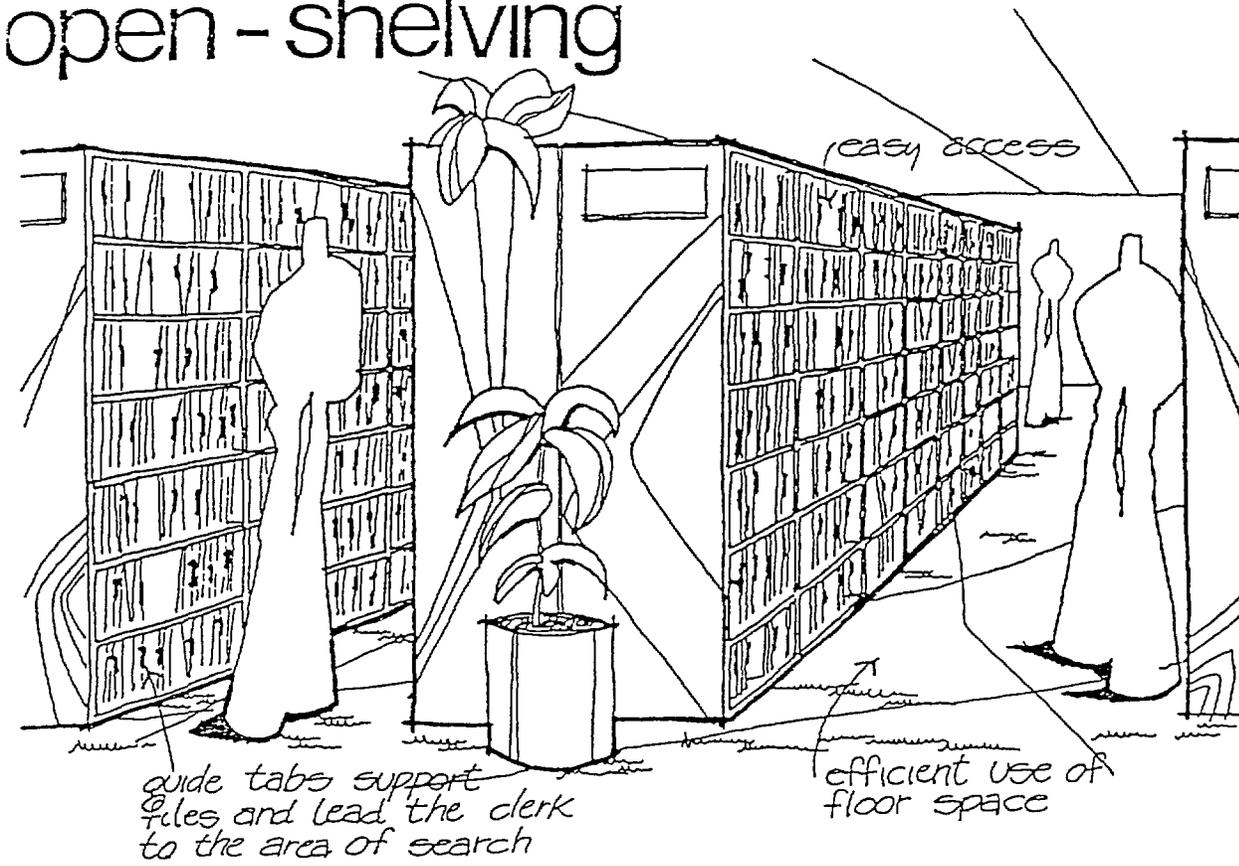
ROOM	UNIT	ROW	RECORD TYPE AND SERIES
2	1	A	Civil files 1994 1 to 3000
2	1	B	Civil files 1994 3001 to 4020, 1993 1 to 1080

In order to find the location of a specific record, each record series is also listed in a journal with its address in the archives

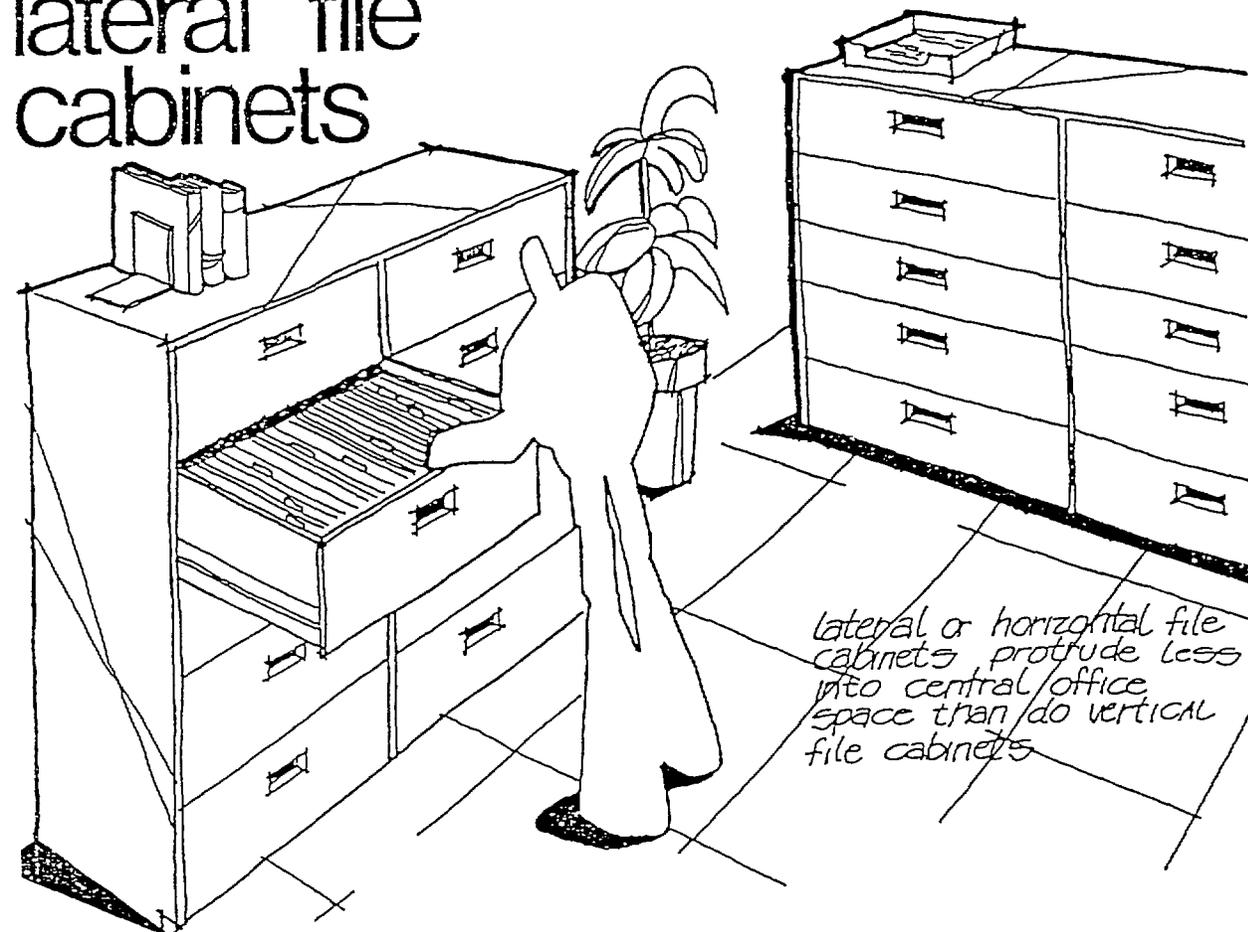
TYPE	YEAR	SERIES	LOCATION (room/unit/row)
Civil Files	94	1 to 4020	Room 1, Unit 1, Rows A & B
Civil Files	93	1 to 1080	Room 1, Unit 1, Row B

This journal would be prepared in a logical sequence, listing files by case type, then descending or ascending year. By having this journal available and the filing units clearly labeled, any staff member would be able to quickly locate a record.

# open - shelving



# lateral file cabinets



# Record center for long-term storage

sprinkler system for fire protection

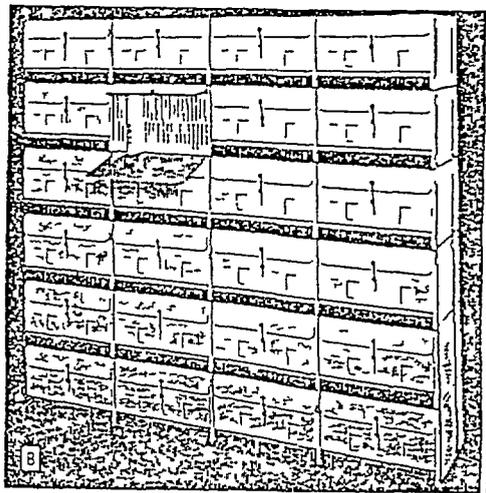
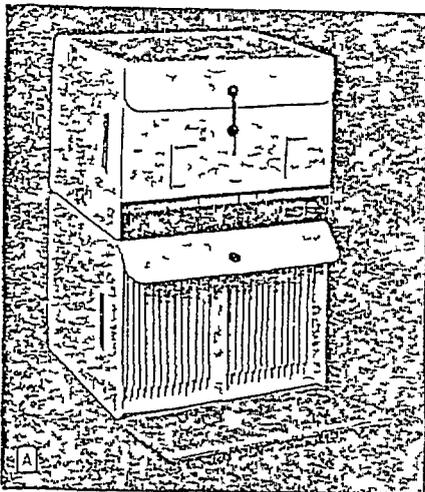
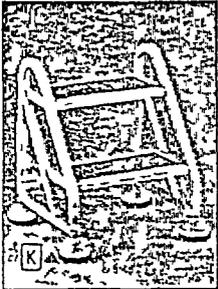
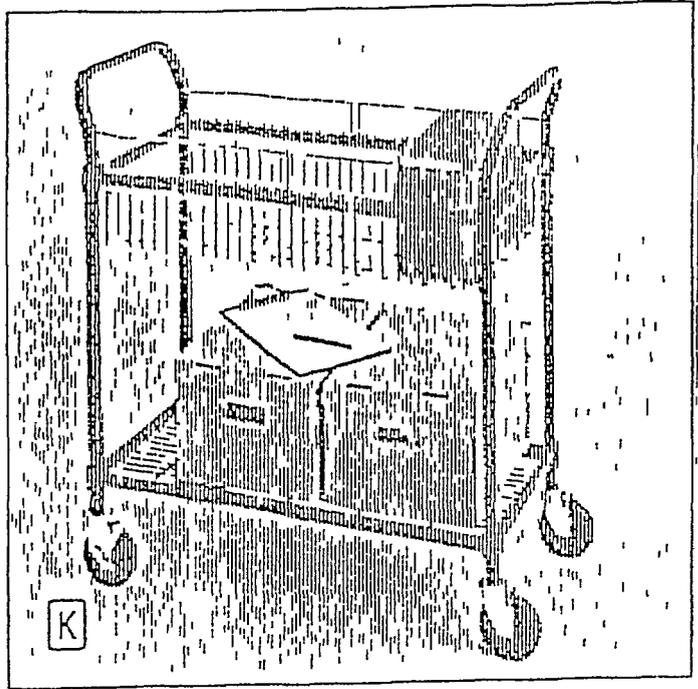
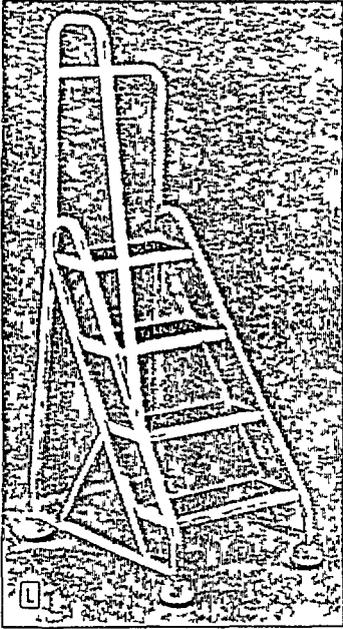
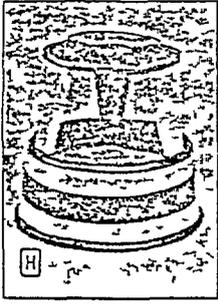
storage cartons hold both legal and letter size records

steel shelving

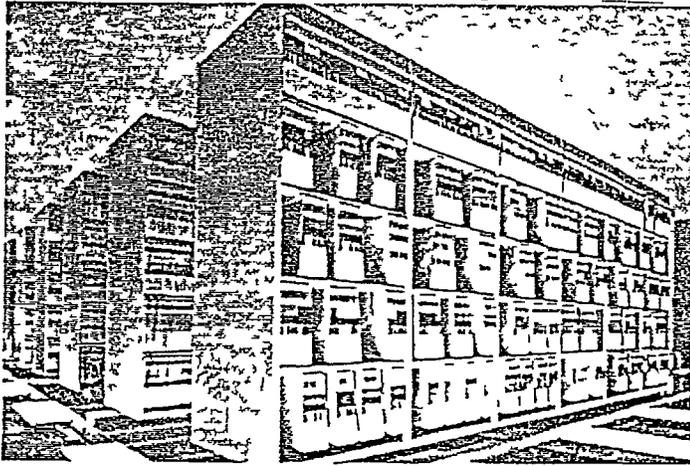
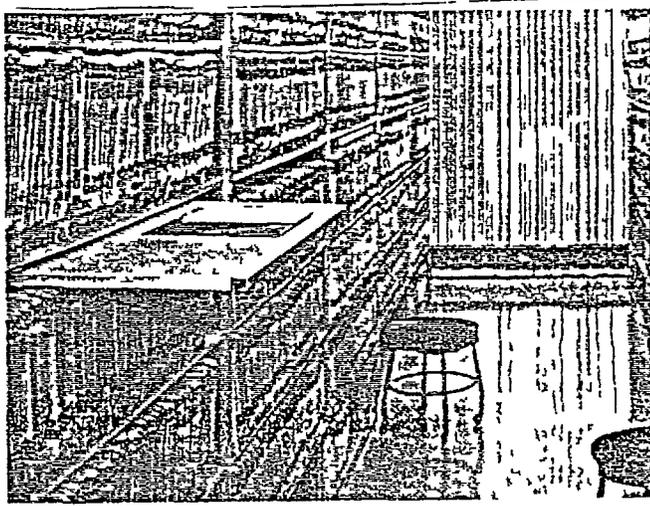
high stacking for space efficiency

clearly written labels





1/20/2019  
1/20/2019



**ADMINISTRATION OF JUSTICE SUPPORT PROJECT**

**ORGANIZATION AND HUMAN RESOURCES REPORT**

**NORTH CAIRO COURT**

**Gerald B. Kuban  
National Center for State Courts  
September, 1998**

## Recommendations

### Organization and Human Resources Areas North Cairo Court

#### *I Basic changes in the organization and management of the office of Senior Clerk*

An examination of the organization chart for the office of Senior Clerk indicates that there are eighteen (18) section heads reporting directly to the clerk. These include the following heads: civil, commercial, taxes, claims, deposits, archives, copies, experts office, correspondence, follow up, orders, investigations, statistics, accounting, personnel, pension, collections and typing pool.

In order to decrease the number of section heads reporting directly to the senior clerk, there must be a consolidation of functions to reduce the span of control and make the office of senior clerk more manageable and accountable.

Along with the consolidation of functions, there must be created a management infrastructure, which will implement and monitor the changes recommended by the AOJS project. The recommendations here call for the creation of a cadre of mid-level managers who will function as a team, along with the Senior Clerk, for the implementation of changes in the office.

The recommendation to consolidate functions will result in an organization, which moves towards a consolidation of similar work processes and brings together components of related work.

#### *II Placement of the Servers Department*

The report on the server's department points out many problems associated with the operation of this unit. There are problems with organization and management, job classification and pay, control of work, work procedures and distribution, supervision and technical incompetence of servers.

These deficiencies relate to the day-to-day operations of the server's department, and the operation must be subject to close management and monitoring of operations in order to bring about changes to address these deficiencies.

It is for this reason that it is recommended that the server's department be brought under the supervision of an administrative Judge who reports directly to the Chief Justice.

### III Creation of mid-level management positions in the office of Senior Clerk-North Cairo Court

In order to implement the consolidation of functions in the North Cairo Court and to create a court management team that will assist in the implementation of AOJS recommendations, it is recommended that five (5) mid level management positions be created in the office of senior clerk

The duties of these managers will be to manage the day to day operations of the North Cairo Court Their duties will be exclusively management They will report directly to the senior clerk

The departments recommended for creation include the following along with the functions to be included therein

1 Department of Case processing and Circuit Clerks

To include the following sections civil, commercial, taxes, circuits clerks, expert's office, orders and follow up

2 Department of Accounts and Personnel

To include the following sections claims, collections, deposits, accounting, treasury office, personnel, insurance and pensions and investigations

3 Department of Archives, Court Services and Maintenance

To include the following sections archive, copies, microfilm oversight, typing pool, correspondence and distribution, library, duplication, maintenance/ janitorial, warehouse/garage and security Also includes the form management function

4 Department of Partial Courts

To include the management of all partial court operations in Al Galaa, Heliopolis, Madinat, and North Cairo

5 Department of Computerization and Telecommunications

A new function that will deal with the implementation of computerization and telecommunications (telephone, fax etc )

6 Department of Service

To be managed an administrative judge responsible for the management of servers operations in 17 locations

Some additional staffing considerations include the potential addition of staff to the statistics unit and the circuit clerks operation to assist in the achievement of caseload

management objectives. Also the addition of a case initiation supervisor is indicated to implement a consolidated case initiation function. A form management function is also recommended for creation.

The following positions are recommended for creation. These are further reflected on the draft organization chart for the office of Senior Clerk:

- < Manager of case processing and circuit clerks
- < Manager of accounts and personnel
- < Manager of archives, court services and maintenance, Deputy Manager archives, court services and maintenance
- < Manager of partial courts
- < Manager of computerization and telecommunications

#### IV Redefinition of Clerical Work and Training Needs

##### Redefinition of Clerical Work under Consolidated Case Filing

A redefinition of clerical responsibilities based on the concept of "One Stop" filing for civil, commercial and tax cases would result in the following changes in job responsibilities:

Case initiation clerks must learn/ know the following to be able to initiate cases for any of the three jurisdictional areas:

1. Ability to understand the differences and similarities among and between the three case types: civil, commercial and tax.
2. Ability to learn/ understand the differences in estimated fee structures for the three types of cases. They must know the differences in the fixed fees and variable fees by case type.
3. Ability to learn/ understand the differences in (2) above for the purpose of fee re-estimations.
4. The logging of fees into journals will require the ability to learn/understand the types of logs used for the three types of cases and the details associated with financial entries and summary financial reporting.
5. Ability to learn the steps involved in:
  - (a) Case file creation
  - (b) Case numbering
  - (c) Hearing date assignment
  - (d) Circuit assignment

These formally were separate tasks however, under the "One Stop Counter" approach they will be consolidated tasks that will be done at one time.

Further, these tasks will apply to all three case types so clerks have to be cross trained in these four steps for the three case types

### Clerical Training Requirements

The recommendations of the AOJS consultants have training implications for personnel in the office of Senior Clerk. Because of recommendations on the consolidation of case processing, caseflow management and archives improvement there are certain areas of training that need to be addressed either to expose employees to new concepts required because of work reconfiguration or reacquaint them with existing materials or procedures

Specifically, the following areas will need to be addressed in a training program

- 1 Case processing clerical staff in civil, commercial and tax
  - Organization of the Court
  - Case types and jurisdiction of the court as related there to
  - Fee structures and fee estimations
  - Case file creation
  - Case numbering
  - Hearing date assignment
  - Circuit assignment
  - Customer service
  
- 2 Circuit Clerks/ Statistical Clerks/ any additional statistical staff
  - Statistical record keeping for caseflow management
  - Statistical reporting for caseflow management
  
- 3 Archives Clerks
  - Organization of the Court
  - Basic records of the Court
  - Basic forms of the Court
  - Official records retention schedules
  - Case filing systems
  - File security
  - Copy machine operation
  - Customer service
  - Alphabetic and numerical filing systems
  - Deterioration of records

## V Job Descriptions- Drafts

To assist in the implementation of the recommendations on case initiation and caseflow management, drafts of job descriptions have been prepared for an information clerk, case initiation supervisor, circuit clerk and case manager. The full text of these job descriptions follows this section. In summary, the following will help the reader understand the basic intent of these descriptions.

- 1 Information Clerk This position will staff the information desk within the lobby of the civil court building of the North Cairo Court of First Instance. In addition to providing general information to court patrons, this position will also provide a checklist of information and filing requirements to those litigants who desire to file a signature case. In this manner, litigants can determine, early in the process, whether they have all the required documents and information so that they can proceed with an expedited filing process. This reduces congestion in the case initiation office.
- 2 Case Initiation Supervisor This position will provide supervision over the consolidated case initiation function. Responsibilities will also include balancing the workload of staff, meeting customer service needs, report preparation, reviewing employee performance, improvement of office procedures, and implementing new procedures and participating in the implementation of computerization.
- 3 Circuit Clerk These positions are primary judicial support positions for judges and are key positions in promoting the movement of cases. It is not clear whether a job description has ever been written for these positions, so the AOJS consultant has prepared a draft job description to include pre-court duties, in-court duties, and post-court duties. In addition, these positions will have a key role in the achievement of caseflow management objectives, particularly in the area of statistical reporting.
- 4 Court Manager This job description applies to the five mid-level management positions that are recommended. The description contains language applicable to the specific areas of management responsibility assigned to each position. These positions, once hired, should be given intensive general management and court management training such as that offered by the Institute for Court Management of the National Center for State Courts. This training should also be required for the Senior Clerk who is the overall manager for the North Cairo Court.

## VI Staffing Patterns for the Office of Senior Clerk

One of the tasks undertaken by the AOJS human resource consultant was to secure lists of staff in the office of Senior Clerk as well as current job descriptions. These

materials will assist in the creation of staffing patterns and organization charts for the various work units within the office of Senior Clerk

Once these materials are prepared, a more detailed analysis can be made of the job classification structure and associated pay levels. Based on this analysis there may be further opportunities for consolidation of jobs and work tasks.

Further, this analysis will give a clearer picture of current staffing levels than is presently available.

## Information Clerk

### DEFINITION OF WORK

This is clerical work providing information services of a routine nature to the general public

Work involves close supervision from a clerical or administrative supervisor. Assignments are carried out in accordance with standard office clerical practices and general work instructions.

### EXAMPLES OF WORK PERFORMED

(Any one position may not include all of the duties listed, nor do the examples cover all the duties, which may be performed )

- Greets visitors, determines purpose of visit, obtains required information, answers routine questions, refers visitor to appropriate personnel or office, may direct people information
- Advises visitors of the whereabouts of personnel
- Issues informational and checklist material to individuals, directs individuals to services
- Keeps related alphabetical, numerical and/or chronological records and files
- Assembles information and materials for distribution
- Assists in opening and sorting mail
- Performs related work as required

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from elementary school and experience in clerical work, preferably that which has involved direct contact with the public

### DESIRABLE KNOWLEDGE ABILITY AND SKILL

- Some knowledge of office practices and record keeping procedures
- Some knowledge of filing techniques and procedures
- Ability to elicit and disseminate information

- Ability to communicate effectively with others
- Ability to meet and deal with the public and to maintain a helpful business attitude
- Ability to learn basic court functions, organization and operational procedures and to communicate them to the public as applicable

## Case Initiation Supervisor

### Definition of work

This is highly responsible and advanced supervisory and administrative work in the case initiation unit of the North Cairo Court of First Instance

Work involves supervising a large court clerical unit which processes a high volume of cases. Supervision is exercised over a substantial number of subordinates including lower-level supervisory and clerical employees. Incumbent is responsible for supervising a large clerical unit involved in case initiation for civil, commercial, and tax cases.

Work may include or require the ability to perform lower level subordinate duties. Work is performed under the general supervision of a higher-level court manager, or administrator and is reviewed through conferences, reports and on the basis of results obtained.

Examples of Work Performed (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed)

- Directly supervises, through subordinate staff, the initial filing of all civil, commercial and tax cases filed in the North Cairo Court of First Instance and matters relating to the estimation and re-estimation of fees, payment of fees and costs, payment verification, assignment of circuit and case numbers and hearing dates, creation of file jackets and indices, transmittal of case to circuit clerks, and transmittal of funds to treasury.
- Directs, supervises, and coordinates the work of subordinate staff of the unit making provisions for the hiring and training of such staff.
- Supervises, through subordinates the preparation of record entries, and financial records.
- Balances the workload of staff, monitors customer flow in the office and customer service needs.
- Supervises the preparation of and timely dispatch of statistical reports, and financial reports as may be required or requested.
- Determines how to apportion available staff time to process the paper work for cases.
- Coordinates with microfilm unit concerning fees and file transfer, coordinates with circuit clerks concerning file transfers.
- Interviews potential employees and makes hiring recommendations.
- Periodically reviews employee performance, submits written evaluations with recommendations.

- May prepare forms and manuals for use by employees,
- Participates in preparing and recommending refinements and modifications in office processes and procedures,
- Participates and provides information for financial audit activities
- Provides liaison between the court and attorneys and the public relative to the filing of cases, records of the court and office procedures
- Supervises the preparation of court records, documents and information for input into data processing system, monitors data input
- Supervises record management activities in the area of assignment
- Coordinates with the manager of case processing, and manager of computerization on computerization of the Senior Clerk s office, implements procedures and policies once established
- Assures completeness and accuracy of court records, answers procedural questions for staff, works with supervisors and subordinate staff to develop and implement new procedures and responds to changes in the law
- Recommends and prepares changes in procedures relating to case processing, processing of instruments, indexing, receipts and disbursement of money, microfilming and the transfer of and movement of court records

Performs related work as required

*Desirable education and experience*

Graduation from general secondary school, supplemented by some supervisory experience in a court unit involving a high volume of clerical activity

*Desirable knowledge ability and skill*

- Through knowledge of court procedures and policies, legal documents terminology, laws and legal factors pertaining to the court area of assignment
- Through knowledge of the organization, operations functions, and scope of authority of the court and activity of assignment
- Knowledge of modern office practices and procedures
- Ability to understand and follow verbal and written instructions
- Ability to make work decisions in accordance with laws, regulations and departmental policies and procedures

- Ability to maintain a variety of complex records and prepare reports from such records
- Ability to plan, assign and supervise the work of subordinate employees engaged in a variety of activities in a high volume work unit
- Ability to train subordinate staff and monitor performance
- Ability to express ideas concisely and clearly, orally and in writing
- Ability to establish and maintain effective working relationships with others
- Ability to learn the operation of a video display computer terminal

## CIRCUIT CLERK

### Definition of Work

This is highly responsible courtroom clerical and administrative work for a panel of three judges in a Court of First Instance

Work assignments include serving as a principal court room assistant and providing secretarial support to the panel of judges as well as performing the more complex and detailed clerical functions. Work involves responsibility for preparing cases for court proceedings, attending court, recording all court dispositional actions and performing other tasks requiring the application of specialized court room or clerical knowledge. The circuit clerk is responsible for the custody of all case files considered by the circuit. The nature of activities conducted necessitates a high degree of accuracy and completeness in work performed. Work is performed under the supervision of the head clerk of the civil, commercial or tax section respectively and is reviewed through personal consultations and evaluation of work products.

Examples of work performed (any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed)

- Receives case files from case initiation unit of clerk's office receives new and revised cases, renewed and enhanced cases and appealed cases
- Assesses fees for acknowledgements submitted by the public
- Registers case data according to hearing date, receives and processes requests from litigant's for setting an earlier date for a hearing
- Prepares case files before court hearing date, arranges case files according to case roll, makes lists of case roll for judges
- Files documents in case file where cases have been continued pending the receipt of an expert report
- Takes notes at court hearings including information on case, hearing, court panel, documents submitted at hearing, continuances and court decision, secures judge's signatures on decision
- Records information during court hearing such as identification for litigants, attorney's and witnesses, requests, documents and pleadings submitted, intervening parties requests, requests for joinder of new litigants and requests for abandonment or withdrawal from litigation
- Collects fee from intervening parties and issues receipt for same, issues certificates of case expenses
- Executes the court's decisions with regard to case postponements, judgements and referral of case to experts department or service department, records information reflecting these actions

- Delivers stayed case files to experts department for safe keeping pending the receipt of expert's report, transmits appropriate case documents to service department, another circuit or another court as necessary
- Prepares notices to litigants informing them of the receipt of expert's report
- Receives judgement draft from judge and submits to typing pool for typing, receives typed copy and transmits to court panel for corrections and revision, receives requests from litigants for corrections in judgements, transmits same to judge for decision
- Transmits copy of judgement to microfilm unit, maintains copy of judgement in permanent file
- Notifies interested parties of bankruptcy judgements, takes inventory of bankrupt property and seals bankrupt property
- Closes cases after disposition, delivers casefile to archives
- Prepares monthly statistics on judgements issued by particular panels and cases pending
- Performs related work as required

**Desirable education and experience**

Graduation from general secondary school and considerable court clerical experience in a Court of First Instance

**Desirable knowledge ability and skill**

- Considerable knowledge of narrative composition, spelling and punctuation
- Considerable knowledge of office practices and procedures
- Considerable knowledge of court procedures and policies, legal terminology and documents, laws and legal functions pertaining to the court
- Ability to recognize matters requiring confidentiality
- Ability to maintain accurate records of court proceedings
- Ability to prepare written and statistical reports
- Ability to communicate effectively with others both orally and in writing
- Ability to establish and maintain effective working relationships with others

## COURT MANAGER

### Definition of Work

This is management work involving the supervision of major functional areas including centralized and partial court operations for the North Cairo Court of First Instance

This job specification applies to the following positions, Manager of case processing and circuit clerks, Manager of accounts and personnel, Manager of archives, court services and maintenance, Manager of partial courts and Manager of computerization and telecommunications

Work involves management responsibility for the supervision of assigned court human resources, which support court operations

Positions require that an employee function as an court manager reporting to the Senior Clerk of the North Cairo Court Responsibilities include management over major organizational and functional areas Supervision is exercised over various levels of subordinate supervisors reporting to this position The combination of organization and functional units, sections and divisions managed varies depending on the organizational structure of the department of the court

Work is performed under the general supervision of the Senior Clerk and is reviewed through conferences, observation, reports and results obtained

Examples of Work Performed (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed)

- Plans for court operations, staffing patterns, and growth projections based on statistical records, analyzes impact of pending of new legislation
- Directs fiscal and personnel record keeping, investigative and management activities, i.e., accounting, collections, claims, deposits and fiscal controls Ensures implementation of audit report findings, directs and evaluates the personnel program including recruitment selection of employees, monitoring, training, discipline, performance evaluation and planning of staffing
- Manages and directs partial court operations, allocates staff to fulfill the operational needs of the court, coordinates, organizes and supervises, through subordinate supervisors, the various case processing activities of the partial courts with regard to guidelines, work procedures caseload and reporting, supervises the financial aspects of partial court operations including the collection, receipt and accounting for fees, prepares financial statistical, and other administrative reports, directs court personnel management including recruitment, hiring, training, motivation, evaluation, assignment, discipline and discharge, evaluates public service needs and converts that information into programs and work plans consistent with needs

- Directs archives and records management, oversees microfilm operations, duplication, storage of records and court services such as typing pool, correspondence and distribution, library, building maintenance and janitorial services, security services, directs personnel in identification and evaluation of court record material and in the application of proper record filing and disposition procedures, Plans and organizes space management, plans court facilities, maintenance of buildings and security of facilities, meets with officials to plan and monitor procedures, office layout and design, plans and monitors flow of workers and court users
  
- Directs and coordinates case processing, manages caseflow of judges, monitors case levels to determine balance between judge panels, designs systems and establishes procedures for assigning cases, and monitors system for adequacy, supervises circuit clerks, directs the preparation and distribution of court orders, participates in the planning and implementation of computerization
  
- Functions as project manager in representing the court or various divisions thereof in computerization and telecommunication activities, reviews project programs with computerization staff, develops and maintains documentation of the current status of the operating software and the procedures for its use by systems analysts/ programmers, studies, evaluates and advises regarding performance specifications for hardware-software compatibility prior to acquisition or in relation to ongoing adjustments, reviews and makes recommendations on computerized applications, recommends priorities deadlines, and costs/benefits, participates in feasibility studies of hardware and software and makes recommendations for procurement, acts as a technical consultant, supervises network administrators, installers, operations, trainers and help desk analysts, analyzes work and information flow, determines need for online transactions and management reports, defines designs, and reviews statistical reports, tests output of reports and makes changes, identifies system input and designs output, develops and designs screens and reports, creates and revises forms, prepares written reports, reviews policies and procedures and recommends changes, designs and develops training materials, conducts training, acts as liaison with the Judicial Information Center concerning reporting requirements
  
- Confers with judges, attorneys, public and private agencies and other court system participants to ensure adequate communication, administrative services and provide for changing or unusual demands
  
- Provides staff support to various judge's committees and plans agenda items for meeting

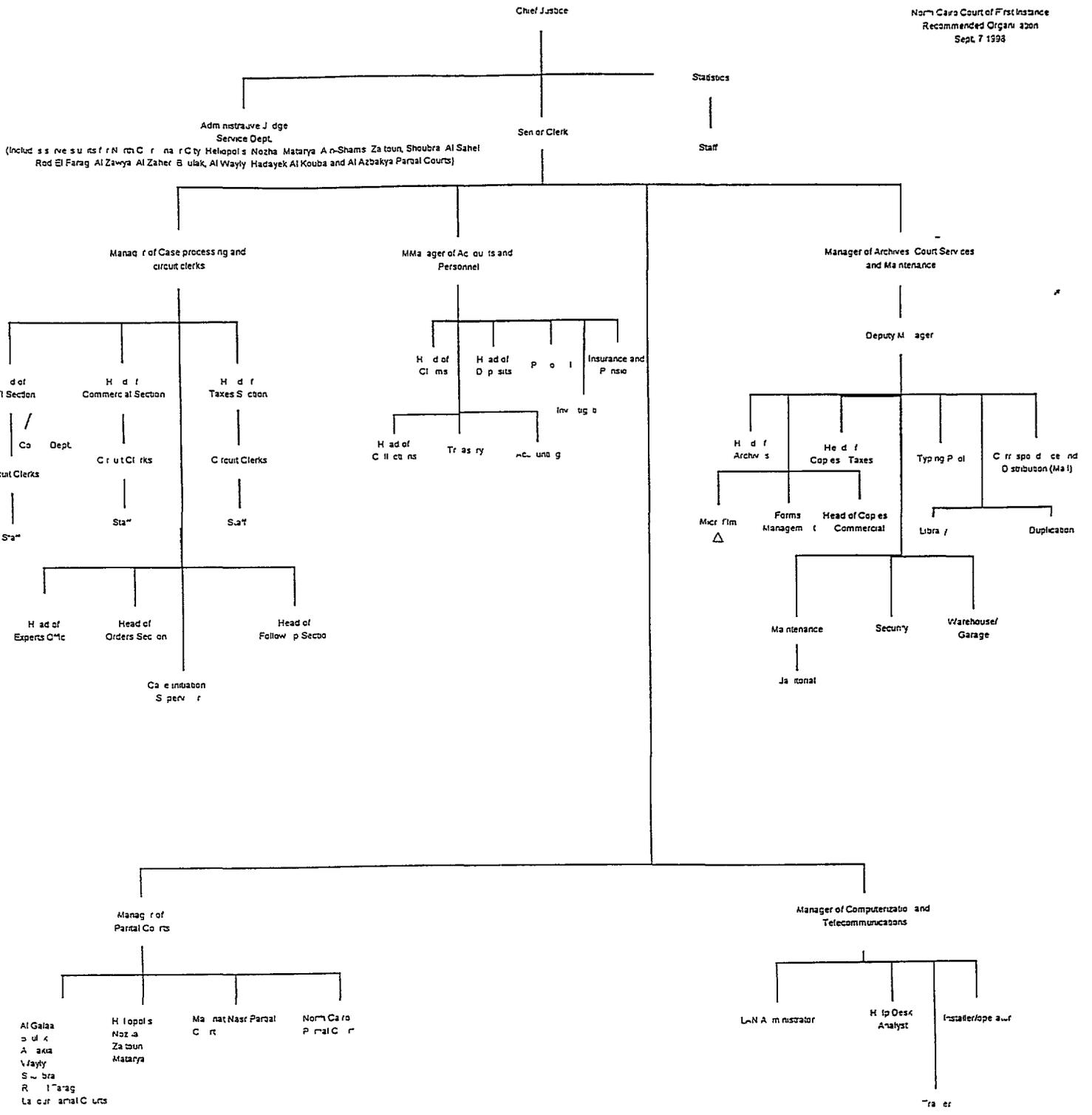
Performs related work as required

### Desirable Education and Experience

Graduation from a four-year university with a Bachelor's degree in business, commerce, accounting, management or a related field supplemented by a certification in court management. Extensive experience in court supervisory work may be substituted for the university degree however, certification in court management should also be obtained.

### Desirable Knowledge, Ability and Skill

- Extensive knowledge of court procedures, legal documents records, laws and legal factors pertaining to the court of required by the position
- Extensive knowledge of the organization, functions, responsibilities and procedures of the courts
- Extensive knowledge of effective executive management and supervisory techniques
- Extensive knowledge of modern principles and practices of court and public administration
- Extensive knowledge of statistics and analysis necessary to evaluate problems with regard to costs, benefits and optimization of a computer and telecommunications system as required by the position
- Ability to organize, direct and coordinate administrative activities in a manner conducive to full performance and high morale
- Ability to communicate ideas clearly and concisely, both orally and in writing
- Ability to comprehend technical material
- Ability to establish and maintain effective working relationships with others



(Total Staffing in this chart is a minimum  
of recommended staffing ratios of 1 staff  
person for each of the units)

**NORTH CAIRO COURT OF FIRST INSTANCE**  
**Chief Clerk's Office**

Ser	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
1	Zaher Abdul Soud Ali	Third A	Chief Clerk's Office Mgr	Secretary to General Mgr - prepare decisions - supervise the execution	370 00
2	Reda Gabr Shaaban	Fourth	Employee	receive incoming mail from MOJ and penalty lists	387 00
3	Aziza Mohamed Ali	Third Clerical	Employee	recive circulars - responsible for attendance sheets	454 00
4	Hoda Ali Radwan	Third Clerical	Employee	receive incoming from Chief Justice's Secretary	454 00
5	Hanaa Abdul Hakim Ahmed	Fourth Clerical	Employee	register incoming mail from MOJ - use the typewriter	320 00
6	Howaida Mahjoud Solaiman	Third Clerical	Employee	receive mail - responsible for attendance sheets - use the typewriter	340 00
7	Iman Moustafa Moheb	Third Clerical	Employee	use the typewriter	335 40
8	Ragaa Moustafa Sherif	Third Clerical	Employee	photocopying	355 00
9	Azza Youssef Hassan	Second Clerical	Employee	receive complaints	355 00
10	Roushdy Kamel Ebeid	Third Clerical	Employee	decisions execution	451 00
11	Ahmed Hamdy Ahmed	Fourth Clerical	Employee	assist in office work - photocopying	224 00
12	Mohamed Hafez Khalifa	Fourth Clerical	Employee	assist in office work - receive and deliver penalty sheets	224 00
13	Sherin El Sayed Ali	Fourth Clerical	Employee	assist in office work - decisions execution	224 00
14	Sameer Salib Farag	Second Clerical	Employee	Follow up employee	
15	Fawzy Mohamed El Sayed	Second Clerical	Employee		305 00
16	Thoraya Abdul Shafy Abdul Fattah	First A	Employee		700 00

**North Cairo Court of First Instance**  
**Service Dept**  
**List of Names**

Ser	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
1	Gameel Farrag Abdul Rahman	General Mgr	Senior Server	Supervise Service Depts	1 011 00
2	Awatef Attia Kenawy	First	Deputy Senior Server	Undertake Senior Server's responsibilities while absent	612 78
3	Safeya Mahmoud El Shobokshy	First	First Server	Responsible for montly and secret reports	828 50
4	Youssriya Sanad Hassan	First	First Server	inspect the attendance and record the circulars	801 50
5	Fatma Ahmed Ali	First	First Server	In-coming mail	601 00
6	Madeeha Ahemd Abdul Khalik	Third	Deputy First Server	Responsible for inspection reports (Al Galaa courts)	324 00
7	Samia Saad Khodary	Third	Deputy First Server	Type on the typewriter and responsible for Claims lists and personnel books	223 20
8	Mona Moustafa Mohamed	Second	Deputy First Server	Lists of Penalties	456 56
9	Amany Ahmed Mansour	Second	Enforcement Server	Responsible for inspection reports (Heliopolic courts)	316 00
10	Sanaa Saad Maghazy	Second	Enforcement Server	Enhancement of inspection reports	316 00
11	Amal Mahrous Mohamed	Second	Enforcement Server	Outgoing mail (inside Cairo)	186 00
12	Mohamed Ahmed Farrag	Fourth	Acknowledgment Server	Help with the work in the Dept	212 72
13	Hatem Rizk Kamel	Third	Judicial Assistant	Help with the work in the Dept	241 83
14	Mohamed Hassan Mohamed Abbad	Second	First Server	Assist Senior Server	489 43

NORTH CAIRO COURT OF FIRST INSTANCE  
Civil dept Hearing Dept court

Ser.	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in L.E
1	Fekry Besheer Ewais Nosseir	First	Clerk	Head of Civil Dept and Deputy Chief Clerk	893 00
2	Mohamed Selim Ahmed Hassan	Second	Clerk	head of Dept for setting hearings and Deputy Civil Dept	
3	Fathy Ibrahim Michael	Second	Clerk	Deputy Civil Dept	748 00
4	Hesham Abdul Rahman Mohamed	Third	Clerk	responsible for complaints documents	
5	Gameel Mohamed Solaiman	First	Clerk	Assistant Dept Head	
6	Fayek Mohamed Darweesh	First	Clerk	Circuit Clerk	790 00
7	El Sayed Mohamed Okasha	Second	Clerk	fees assessment	753 00
8	Medhat Moustafa Mohamed Hares	Second	Clerk	Circuit Clerk	707 00
9	Antar Atallah Abdullah			moved to partial Labour Court	
10	Magdy Kamel Moustafa	Second	Clerk	Circuit Clerk	762 15
11	Mohamed Ahmed Solaiman	Second	Clerk	Circuit Clerk	505 00
12	Ahmed Mohamed Hawa	Third	Clerk	Circuit Clerk	464 00
13	Samy Hanafy Mohamed	Third	Clerk	Circuit Clerk	420 00
14	Hassan El Sayed El Sawaf	Third	Clerk	Circuit Clerk	425 00
15	Maged Abdul Raheem Omar	Third	Clerk	Circuit Clerk	435 00
16	Sameer Khalaf Salama	Third	Clerk	Circuit Clerk	400 00
17	Abdullah Abdul Monem Abdullah	Third	Clerk	Circuit Clerk	400 00
18	Ibrahim Abul Ela Mohamed	Third	Clerk	Circuit Clerk	375 00
19	Saleh Haggag Salem	Fourth	Clerk	Circuit Clerk	375 00
20	Mohamed Mohamed El Sayed Lasheen	Fourth	Clerk	Circuit Clerk	350 00
21	Intisar Mohamed Awad	First	Clerk	Circuit Clerk	766 00
22	Iham Hussein Khodair	Second	Clerk	assistant circuit clerk	721 67
23	Hussein El Tohamy Mohamed	Third	Clerk	Circuit Clerk	515 00
24	Reda Abdul Hakim Gad El Kareem	Third	Clerk	fees assessment	
25	Nadia Ibrahim El Husseiny	Third	Clerk	fees assessment	
26	Mahmoud Hussein Mahmoud	Third	Clerk	Circuit Clerk	
27	Ahmed Abdul Kader Hussein	Third	Clerk	Circuit Clerk	315 00
28	Alaa Ahmed Abdul Fattah	Third	Clerk	Circuit Clerk	
29	Yehia Salem Hemdan	Third	Clerk	Circuit Clerk	332 00

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NORTH CAIRO COURT OF FIRST INSTANCE  
Civil dept Hearing Dept unit

Ser	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
30	Ahmed Kamal Bayoumi	Third	Clerk	Circuit Clerk	315 00
31	Sobhy Mohamed Ashmawy	Third	Clerk	Circuit Clerk	415 00
32	Gamal Fares Gheit	Third	Clerk	Circuit Clerk	364 00
33	Mohamed Hamdy Mohamed	Third	Admin	Circuit Clerk	430 00
34	Ashraf Abdul Monem Attiya	Third	Clerk	Circuit Clerk	
35	Sameer Heshmat Abdul Hak	Third	Clerk	Circuit Clerk	290 00
36	Nasr El Din Mohamed Ali	Third	Clerk	Circuit Clerk	
37	Khaled Shawky Tolba	Third	Clerk	Circuit Clerk	315 00
38	Hesham Sayed Sayed Badawy	Third	Clerk	Circuit Clerk	315 00
39	Essam Sayed Abdul Shafi	Third	Clerk	Circuit Clerk	290 00
40	Mohamed Mohamed El Taweel	Third	Clerk	Assistant Circuit Clerk	310 00
41	Mohamed El Kamel Ahmed	Third	Clerk	Circuit Clerk	279 00
42	El Safy Youssef Mohamed	Third	Clerk	Circuit Clerk	
43	Gamal Abdul Halim Mahmoud	Third	Clerk	Circuit Clerk	
44	Nagui Moustafa Ali	Third	Clerk	Circuit Clerk	300 00
45	Osama William Guirguis	Third	Clerk	Circuit Clerk	308 00
46	Mohamed Abbas Sayed	Third	Clerk	Circuit Clerk	290 00
47	Amr Hamed Hassanein	Third	Clerk	Circuit Clerk	
48	Mahmoud Moustafa Mohamed Shaaban	Third	Clerk	Circuit Clerk	270 00
49	Mohamed Saad Ahmed Morgan	Third	Clerk	Circuit Clerk	289 00
50	Badei Wanees Philis	Third	Clerk	Circuit Clerk	
51	Fadl Morgan Beshai	Third	Clerk	Circuit Clerk	305 00
52	El Sayed Abdul Ghany El Sayed	Third	Clerk	Circuit Clerk	
53	Bahgat Anwar Zekry	Third	Clerk	Circuit Clerk	
54	Maher Mounir Hanna	Third	Clerk	Circuit Clerk	280 00
55	Emad Abdul Fattah Ahmed	Fourth	Clerk	Circuit Clerk	
56	Awad Abdul Azeem Awad	Fourth	Clerk	Circuit Clerk	
57	Khaled Abdul Sabour El Sayed	Fourth	Clerk	Circuit Clerk	275 00
58	Ibrahim Mohamed Abdul Azim	Fourth	Clerk	Circuit Clerk	

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NORTH CAIRO COURT OF FIRST INSTANCE

Civil dept Hearing Dept unit

Ser	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
59	Mousaad Abdul Fattah Amin	Fourth	Clerk	Circuit Clerk	268 50
60	Moustafa Ali Tawfeek	Fourth	Clerk	Circuit Clerk	
61	Moustafa Abdul Razek Ibrahim	Fourth	Clerk	Circuit Clerk	
62	Moustafa kamel Agamy	Fourth	Clerk	Circuit Clerk	
63	Fouad Abdul Rahman Ahmed	Fourth	Clerk	Circuit Clerk	129 00
64	Albeir Isaak Rizkallah	Fourth	Clerk	Circuit Clerk	290 00
65	Khaled Mohamed Tawfeek	Fourth	Clerk	Circuit Clerk	
66	Ahmed Mohamed Abdul Azeem	Fourth	Clerk	Circuit Clerk	
67	Ramadan Saad Abdul Kader	Fourth	Clerk	Circuit Clerk	
68	Farag Farouk Abdul Maguid	Fourth	Clerk	Circuit Clerk	220 00
69	Said Mohammady Ahmed	Fourth	Clerk	Circuit Clerk	
70	Ahmed Ali Imam	Fourth	Clerk	Circuit Clerk	243 00
71	Ihab Imam Abdul Razek	Fourth	Clerk	Circuit Clerk	243 00
72	Mohamed Touny Ahmed	Fourth	Clerk	Circuit Clerk	247 00
73	Mohamed Moursi Mohamed Moursi	Fourth	Clerk	Circuit Clerk	247 00
74	Abdul Hakim Hafez Hassan	Fourth	Clerk	Circuit Clerk	264 00
75	Mohamed Hassan Ali	Fourth	Clerk	Circuit Clerk	250 00
76	Nasser Hamdy El Sherbeiny	Third	Clerk	Circuit Clerk	
77	Mohamed Awad Solaiman	Fourth	Clerk	Circuit Clerk	245 00
78	Ashraf Mahmoud Youssef	Fourth	Clerk	Assistant Circuit Clerk	
79	Youssef Ali El Sayed	Fourth	Clerk	Circuit Clerk	245 00
80	Moustafa Faymy Khalil	Third	Clerk	Circuit Clerk	
81	Hamada Sayed Sayed	Fourth	Clerk	Circuit Clerk	248 00
82	Ali Mohamed Ali Moussa	Fourth	Clerk	Circuit Clerk	248 50
83	Sayed Ismail Darweesh	Third	Clerk	fees assessment	
84	Magdy Atef Sobh	Third	Clerk	Circuit Clerk	300 00
85	El Husseiny Sayed Youssef	Fourth	Clerk	Circuit Clerk	261 99
86	Adel Mohamed Gad	Fourth	Clerk	Circuit Clerk	258 00
87	Saber Ibrahim Dessouky	Third	Admin	Circuit Clerk	

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NORTH CAIRO COURT OF FIRST INSTANCE

Civ. Dept Hearing Dept unit

Ser.	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
88	Sameer Mohamed Hamed	Fourth	Clerk	Circuit Clerk	253 00
89	Ahmed Youssef Mahmoud	Fourth	Clerk	Circuit Clerk	243 00
90	Osama Samy Youssef	Fourth	Clerk	Assistant Circuit Clerk	223 00
91	Mahmoud Saad Hefny	Fourth	Clerk	Assistant Circuit Clerk	254 00
92	Hamdy Ahmed Abdou	Fourth	Clerk	Assistant Circuit Clerk	233 00
93	Hesham Ali Mahmoud	Fourth	Clerk	Assistant Circuit Clerk	
94	Mohamed Zaky Mohamed	Fourth	Clerk	Circuit Clerk	223 00
95	Wagdy Amin Shehata	Fourth	Clerk	Circuit Clerk	
96	Mohamed Zakariya Seddik			moved to Al Azbakeya partial Court	
97	Mohamed Ebeid Abdul Maksoud	Fourth	Clerk	Circuit Clerk	231 50
98	Mohamed El Sayed Ahmed	Fourth	Clerk	Assistant Circuit Clerk	209 00
99	Hany Mohamed Mohamed Solaiman	Fourth	Clerk	Circuit Clerk	224 00
100	Amr Abdul Rahman Mahmoud	Fourth	Clerk	Assistant Circuit Clerk	235 00
101	Ali Hassan hassan	Fourth	Clerk	Assistant Circuit Clerk	
102	Khalid Ahmed Mohamed	Fourth	Clerk	Circuit Clerk	233 00
103	Mohamed Abdul Hafeez Taha	Fourth	Clerk	Assistant Circuit Clerk	
104	Mootaz Youssef Mohamed	Fourth	Clerk	Circuit Clerk	215 00
105	Heshmat Abdul Fadeel Omran	Third	Clerk	Assistant Circuit Clerk	
106	Ameer Abou El Gheit Masoud	Third	Clerk	Assistant Circuit Clerk	
107	Ghareeb El Deib Hussein	Fourth	Clerk	Assistant Circuit Clerk	
108	Mohamed Farghaly Kamel	Fourth	Clerk	Circuit Clerk	
109	Mohammedy Manousr Thabet	Fourth	Clerk	Assistant Circuit Clerk	212 00
110	Hussein Hassan Helal	Fourth	Clerk	Assistant Circuit Clerk	238 50
111	Hesham Abbas Sayed	Fourth	Clerk	Assistant Circuit Clerk	270 00
112	Mahmoud Moustafa Mohamed Abdul Mottaleb	Fourth	Clerk	Assistant Circuit Clerk	
113	Sameer Milad Michael	Fourth	Clerk	Assistant Circuit Clerk	

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NORTH CAIRO COURT OF FIRST INSTANCE  
Civil Dept Circuit Clerks  
*Committees*

Ser	Name	Job Level	Title	Summary Job Responsibilities	Latest Salary in LE
1	Intisar Mohamed Awad	First	Renovation Committee <u>Circuit</u> Clerk	Renovation Committee <u>Circuit</u> Clerk	762 63
2	Ilham Hassan Khodeir	Second Clerical	Assistant	Assistant <u>Circuit</u> Clerk	694 07
3	Hassanein Ilhamy Mohamed	Third Clerical	<u>Circuit</u> Clerk	<u>Circuit</u> Clerk for Judicial Assistance Committee	515 55

# South Cairo Court

## ARCHIVE

Scr	Name	Job level	Title	Summary job responsibilities	Latest salary in LE
1	Mr Mohamed El Sayed Bandedry	Second	Head of Archive Dept	Head of Archive Depts And responsible for delivering cases for cassation and appeals	618
2	Mr Sameer Shohdy Mnasour	Second	Archive clerk	Responsible for cases of years 82, 84, 93 with numbers from 1 till 8000 and renovation cases	719
3	Mr Galal Abdul Rahman Kotb	Second	Archive clerk and dept deputy	Responsible for cases of the year 88 and orders as well as cases with even numbers of years 94 and 97 with the numbers from 1 till 6000	742
4	Mr Matrawy Ibrahim Ibrahim	Fourth	Archive clerk	Responsible for commercial cases from 1971 till 1998, suspended cases and appealed commercial cases	298
5	Mr Gamal Abdul Soud Abdul Hameed	Third	Archive clerk	Responsible for cases of the years 87 and 79, exemption cases, and of the year 97 sitating from 6001 till 14000	489
6	Mr Ali Attya Mohamed	Third	Archive clerk	Responsible from cases of the years 81, 83, cases with odd numbers for the year 1994, labour cases and those of 97 with numbers from 14600 till the end of the year	413
7	Mr Nagy Sameer Awadallah	Third	Archive clerk	Responsible for companies contracts summary from the year 71 to date as well as commercial copies book for copies from 1971 to date	379

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Seq	Name	Job level	Title	Summary job responsibilities	Latest salary in LE
8	Mr Nageh Farag Kozman	Fifth	Archive clerk	Responsible for cases of the years 71 85 and that of 1995 from case number 10000 till end of the year	349
9	Mr Yassin Ahmed Mohamed El Sayad	Fourth	Archive clerk	Responsible for cases of the years 75, 91 from cases with numbers 12001 till end of the year, appealed civil cases, cases of the year 97 from 1 till 6000	301
10	Mr Mahmoud Ragab Mahmoud Abdul Aal	Fourth	Archive clerk	Responsible for the cases of the years 74, 91 starting from numbers 12000 and cases of 1995 starting from 1 till 10000	283
11	Mr Mohamed Haddad Hassan Halawa	Fourth	Archive clerk	Responsible for cases of the years 77, 80, 86, and have of the cases of 1993 civil	285
12	Mr Talaat Israel Aziz	Fourth	Archive clerk	Responsible for suspended cases from 1996 to date, indexes, agendas, calendars, outgoing and incoming	291
13	Mr Khaled Reyad Mohamed Al Gazzar	Fourth	Archive clerk	Responsible for cases of 78, and civil cases of 1992	288
14	Mr Imam Ghareeb Imam Attiya	Third	Archive and follow up clerk	Responsible for book of outgoing to Court of Appeals and incoming from Court of Cassation as well as books for other courts	324
15	Mr Abdul Rahman Mohamed Abdul Rahman	Third	Archive	Responsible for notices from courts of cassation and appeals, follow up fetching cases going for appeals or cassation and record them	325

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Ser	Name	Job level	Title	Summary job responsibilities	Latest salary in LE
16	Mr Tarek Mohamed Nour El Araby	Fourth	Archive clerk	Responsible for bankruptcy and commercial cases for the years from 71 till 98 conciliation before bankruptcy declaration and a part of the cases of the year 96 starting from numbers 1 till 6000	244
17	Mr Mohamed Abdul Soud Mohamed	Fourth	Archive clerk	Responsible for cases of the years 89, 96 starting from numbers 6001 till 11600	243
18	Mr Emad Thabet Yofanlees	Fourth	Archive clerk	Responsible for cases of the years 72, 73, and cases with even numbers of the year 95 starting from 2 till 8000 as well as taxes cases from 1986 till 1990	230
19	Mr Sameh Sobhi Demcity	Fourth	Archive clerk	Responsible for taxes cases from the years 82 till 85 and from 91 till 98, as well as taxes and civil cases with even numbers for the year 1995 starting from number 8002 till end of the year	244
20	Mr Emad Louis Mild	Fourth	Archive clerk	Taxes cases for the years from 71 till 81 and cases for the year 97 starting from 14001 till the end of the year	243
21	Mr Sameer Michel Guirguis			(new) Moved to Archive Dept starting from Aug 11, 1998 and on leave	

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