



USAID | **JORDAN**
FROM THE AMERICAN PEOPLE

MASAQ Rule of Law Project

Contractor: DPK Consulting

Contract: Improved Rule of Law Program in Jordan

DFD-I-00-03-00141-00 Anti-Corruption

Filing System for Execution Department

Thomas G. Dibble

November 2007

**USAID Rule of Law Project (MASAQ)
Sweifieh – McDonalds Building, 1st Floor
Abdel Rahim Al-Haj Mohamad Street
Amman, Jordan 11193**

Table of Contents

Executive Summary

Introduction

Summary of Recommendations

Section 1 Court Records Management and the Filing System

Section 2 Review of the present filing system and procedures

Section 3 Areas for improvement

Section 4 Recommendations – Re-engineering filing solutions and procedures

Section 5 Short term work plan for implementation

Section 6 Conclusion and parting thoughts

Attachments

Introduction

This consultancy is a small but significant part of the much larger MASAQ Improved Rule of Law Project being conducted by DPK Consulting, under the auspices of USAID in cooperation with the Jordanian Judiciary and Ministry of Justice. The specific focus is on the procedures and arrangement of case files in the Executions Department. This department, reportedly, has over 48,000 active cases and is at the pinnacle of importance for litigants to pursue satisfaction on court judgments and pursue remedies for bad checks and bonds.

This report will describe features and conditions as found in the Executions Department and outline recommendations for changes in procedures and techniques, building on strengths, to improve efficiency, customer service and accountability.

During the study incredible openness and cooperation was given by court officials and MASAQ/DPK staff in particular Hussein Al-Madani and Diala Khamra, Deputy Chief of Party.

Each court and office within a court should have a clear idea of its goals and mission for all employees to have an appreciation of the importance of their work. Court staff needs to be able to take deserved pride in their profession to maintain morale and be able to tell family and friends about their job in general terms so as not to breach confidentiality – but never the less court employees around the world often view their profession as a calling and not just a job. Suggestions for a mission statement for the Execution Department might include the following:

Mission of the Execution Department

“Contribute to the Judiciary to become a high performance organization”.

To collect, coordinate and manage information concerning executions to enable judges to efficiently resolve questions, and to assist litigants and the public.

Manage for quality customer service. To be a courteous, knowledgeable, efficient staff. Timeliness, responsive, problem solving, accurate are hallmarks of our customer service philosophy.

Manage for quality: Trained leaders, managers and employees. Public trust and confidence, openness of the court, front line with the public, and

public's perception of justice is influenced greatly by their treatment in the Executions Department..

In addition employees need to be consulted on changes in procedures and informed of new court policies and the reasons behind them. They should be privy to statistical information about the activities of the court so they can appreciate their personal contribution to the overall effort. Salary increases are always thought to promote high morale but when that is not possible there are many other techniques that can and should be tried to raise and maintain motivation. Thanking employees regularly is one way and another is to make special mention of extraordinary service to customers. Don't assume that "above and beyond the call" actions of staff are just part of the job.

Recommendations

Recommendation 1: File maintenance starts with the folder itself, then the individual shelf and then the filing unit. At least three file supports or dividers should be used for each 90 cm (36" shelf). An optimal number of files should be placed on each shelf, not to be exceeded. This number may vary between the units based on the average thickness of the files.

Recommendation 2: For very large files place a cross reference sheet in the regular filing system and put the actual file in another location reserved for "fat" files.

Recommendation 3: It is recommended that MASAQ and the MOJ, or whoever was involved with proposing the oversized folder go back to the drawing board and determine a suitable more standard type of file folder with the features described above. The fastener should be factory installed in the present side positions at the fold or in the #1 and #2 positions at the top of the folder.

Recommendation 4: A4 file folder (34.7 X 24 cm) with conventional file fasteners. The folder should have score marks for expansion. Standard color coding should be added to the side tab for the case number. Two factory installed file fasteners that do not protrude through the folder (glued to heavy standard file stock)

Recommendation 5: File cabinets should be uniform 90 cm (36") units with seven (7) shelves or tiers. Each shelf should have slots for file supports or dividers and be furnished with at least three per shelf.

Recommendation: 5A: The file number should be consistently written on the edge of the folder – short of color coding – for ease of locating files.

Recommendation: 6: Develop a transmittal log on the computer and procure a locking file cart or locking pouch system. Keys for the cart or pouch would only be retained by the sender and receiver.

Recommendation 7: Conduct a manual test of the queuing system:

Recommendation 8: Newspaper published notices should only be inserted via photocopy.

Recommendation 9: Very large files – measuring 5 cm (2") or more should be

broken down into multiple files and numbered 1 of 2, 2 of 2, etc.

Recommendation 10: Care should be taken in punching holes in documents and stapling multi page documents for the file.

Recommendation 11: A 2” steel fastener should be used in lieu of the string or rope fasteners presently used.

Recommendation 12:

1. In each office the filing cabinets or units should be numbered.
2. Each shelf should be given a number with – number one being the top shelf and number 7 the bottom shelf.

Recommendation 13:

3. A periodic (annual) inventory should be made to assess the quantity of the files on hand in the office. This procedure would chart out the range of files on each shelf.

Recommendation 14: A Payment Account Card should be established for each execution case that involves multiple payments.

Recommendation 14A: The Executions Department Auditor should keep the pink – file copy - of the payment receipts to take to the Execution office in batches for placement in the file.

Recommendation 15: Records storage boxes should be considered for the older/closed cases maintained by the archives. They would need to be numbered and logged.

Recommendation 16: After initial MIZAN data entry in the Execution Registrars office make a printout of the case information entered and place it in the case file prior to sending the file to the Execution office.

Recommendation 17: The Execution Department should have a program in place to protect records from fire and water damage and ensure the health and safety of employees and the public.

Section 1 Court Records Management and the Filing System

The importance of court records, to the basic functioning of the judicial system, does not have to be dwelt up with court personnel since everyone working in and around courts, for even a short time, and has an innate sense of their value. Never-the-less we find in the U.S. and countries all over the world a frequent lack of proper attention to records, particularly case files, and little appreciation for basic records management practices and techniques.

To drive this point home the following references are cited:

“The ordinary administration of criminal and civil justice . . . contributes, more than any other circumstance, to impressing upon the minds of the people affection, esteem and reverence towards the government.”

Alexander Hamilton, Federalist 17

In the court setting there is nothing more ordinary than the records and records keeping system. If the court fails in the proper management of records esteem for the court is certainly deflated and little affection is rendered to the court and by proxy all of government.

In his famous list of the purposes of court Ernie Friesen, known by many as the God Father of court administration, states as one of his eight points: “To make a formal record of legal status.”

If that is not enough, the Trial Court Performance Standards at Standard 3.6 states, in part:

Standard 3.6: Production and Preservation of Records; Records of all relevant court decisions and action are accurate and properly preserved.

Commentary: **FAIRNESS, EQUALITY AND INTEGRITY** depend in substantial measure upon the accuracy, availability, and accessibility of records. This standard requires that trial courts preserve an accurate record of their proceedings, decisions, orders, and judgments. Relevant court records include indexes, dockets, and various registers of court actions maintained for the purposes of inquiry into the existence, nature and history

of actions at law. Also included are the documents associated with particular cases that make up official case files as well as the verbatim records of proceedings.

Preservation of the case record entails the full range of responsible records management practices. Because records may affect the rights and duties of individuals for generations, their protection and preservation over time are vital. Records systems must insure that the location of case records is always known, whether the case is active and in frequent use, inactive, or in archive status. **Inaccuracy, obscurity, loss of court records, or untimely availability of such records seriously compromises the court's integrity and subverts the judicial process.**

These are the standards and guiding principles by which we can gauge the effectiveness and viability of a court records system or records management program. The life cycle of court records parallels the life cycle of a court case. There is an initiation phase when the case is filed with the court and the record is established. This is followed by the management and monitoring of the case through the judicial process when records and case files are updated with additional documents and entries on case summaries or payment logs. And finally the case is closed when settlement is reached or a judgment is rendered. Now the case is closed but not necessarily "inactive". Case disposition may be followed by an appeal, an execution to satisfy the judgment and other post disposition activities such as long term payment plans or in the case of criminal convictions, motions for post conviction relief, to have the sentence reduced or demand for a new trial.

A court records management program can have many facets including active and inactive filing system, long term records storage or archiving, records inventories, development and implementation of records retention schedules, records disposal, the application of conversion technologies such a microfilm or digitizing and forms management, analysis and design. Related disciplines include records security and the documentation of case processing and other procedures.

In this study the concentration is on the active filing system in the Executions Department at the New Palace of Justice. This office is a major focus the MASQA project and a formidable task considering the conditions that were found and the goals of the project. The Jordanian courts re-engineer of processes and procedures are designed to improve the efficiency and effectiveness of business operations and to provide better service to the public.

Section 2

Review of the present filing system and procedures

The Executions Department consists of seven separate but interrelated entities:

1. The Registry
2. Checks and Bonds Executions
3. First Instance and Conciliation Executions
4. Banks and Corporations Executions
5. Four Execution Judges
6. Execution Auditors (Payments)
7. Executions Archives

MASAQ along with the Ministry of Justice (MOJ) has initiated a major renovation of the Executions Department. The plan calls for a larger registry, expanded execution units, collocation of the judges in the units and the establishment of a forth execution office for Corporation cases.

The corporation cases will be drawn from the three existing units (Checks and Bonds, First Instance, Conciliation and Banks) so the figures and calculations contained in this report will change when the holdings of the existing units are diminished. These changes will make the department more “user friendly” and orderly.

Execution files are set up specifically for the execution phase of the case. Previously the MASAQ project introduced and established a unified numbering system. The office of the Executions Registrar accepts all of the cases and assigns a new case number.

The file folders are color coded by case type

- | | |
|-----------|---|
| a. Green | First Instance Court > 3,000 JD |
| b. Blue | Conciliation Court < 3,000 JD |
| c. Yellow | Checks cases |
| d. Buff | Banks and Corporations
(New dept for corporations with renovation) |

Cases can be in execution for years depending on the payments made by the judgment debtor. Some cases, to stay active and keep the debtor out of jail, maintain minimal monthly payments. i.e. 5 JD per month on a 5,000 JD debt.

The Execution offices have a feel of inefficiency which should be improved with the new layout, furniture, filing system, queuing system and waiting area pulse other modified procedures.

Observations – Present State of Affairs

1. Registry: The Registry has two service counters. One for individuals, or attorneys, filing for payment on bad checks and bonds. These matters do not have to go to court for a judgment or judicial decision. The other counter is for the filing of applications for execution on court judgments in the first instance and conciliation courts. The office is currently co-located with the Sharia court registry and files, which will be re-located under the renovation plan.

- a. At the checks/bonds window documents, including a receipt for payment of filing fees, are accepted by the clerk and a case file folder is established and a case number is assigned manually and records the case in a log book. The file is passed to a data entry clerk who enters relevant case information into the MIZAN automated system.
- b. Notices are sent to the opposing party through ARAMEX – Jordan’s private postal service.
- c. At the other counter, inside the office, mostly attorneys are filing execution cases. They set up their own file folders with blank folder and “rope” fasteners. These files are passed to a clerk who reviews the file and assigns a case number.
- d. The registry book is described as follows:

Registry Book: 35 cm wide X 49 cm long

Right Hand Page

Amount due [not used]	Plaintiff’s Name	Defendant’s Name	Date of Registration	Execution Case Number
			←	

Left Hand Page

Case Notes [not used]	Fees				Date [not used]	Date of Notice
	JD	Fils	JD	Fils		

e. A bond case was reviewed in detail and the following documents were included:

- Process
 - 15,000 JD bond in dispute
 - 550 JD filing fee
 - 10 JD power of attorney (represented by a lawyer)
- Documents in the file
 - Receipt issued – copy in file
 - ID of party in file (photocopy of drivers license)
 - Photocopy of bond
 - 1. Original kept in office
 - 2. Or archives room B2
 - Power of attorney document
 - 1st request for execution
 - 3. Includes case information – bond date, amount, defendant’s name and address, demand for payment
 - 4. 25% must be paid in 7 days and prior to a settlement with plaintiff
 - Copy of notice
- The case file is then sent to the appropriate Executions office.

2. File Security:

The security of Execution Case files is a concern of court and justice management officials at the NPOJ. At the present time there is very little physical security over case files during the business day. Many of the files requested by customers are not actually placed in their hands since the transaction involves the filing of a document or simply dropping off a document to be filed. When files are given to customers for review, in the busier offices, (Checks/Bonds and First Instance/Conciliation) there is very little possibility of monitoring the access and return of the file due to the busy and chaotic nature of the office. No one, other than court staff, has the authorization to remove files from the room. They are only transported within the courthouse by staff or messengers.

Since there are no lines or physical barriers in front of the clerk stations, such as stanchions, the customers simply crowd around a clerk’s window and vie for attention. Up to four hands reach through the window at the same time waiving documents in an effort to get the attention of the clerk. This condition does not lend itself to the image of a professional and serious office environment.

The situation will improve with the proposed queuing system, more orderly office and new filing system.

Transmittal Log: When files are set aside to be taken to a judge for some action they are logged in a bound book. This book stays in the office and its utility is questionable. This book may be one of those traditional practices that give the illusion of file control and security – but really does not in fact accomplish either file control or enhance security.

If real file tracking is desired and deemed useful the book should be abandoned and a system set up on the PC to log cases out and back in to the office. A running record would be retained in the computer for updating and future reference.

Set up of computer file control form:

Date Returned	Action to be taken	Destination (Judge)	Case Number	Date Sent

When renovations are complete and judges are co-located with their assigned section there will be a reduced need for files to leave the office. There will still be a need however when one judge is sick or on vacation and his cases need to be attended to by the other judges.

3. Checks and Bonds Executions Office: These observations apply to all of the offices in the Executions Department. The Checks and Bonds room is set up with an L – shaped counter to accommodate six (6) execution clerks. There are a few chairs in the room but mostly the attorneys and parties crowd around the counter openings to vie for the attention of the clerk.

a. **Filing System:** The walls are lined with file shelving. Upon review there were both strengths and weaknesses found in the present filing system.

i. **Weaknesses:**

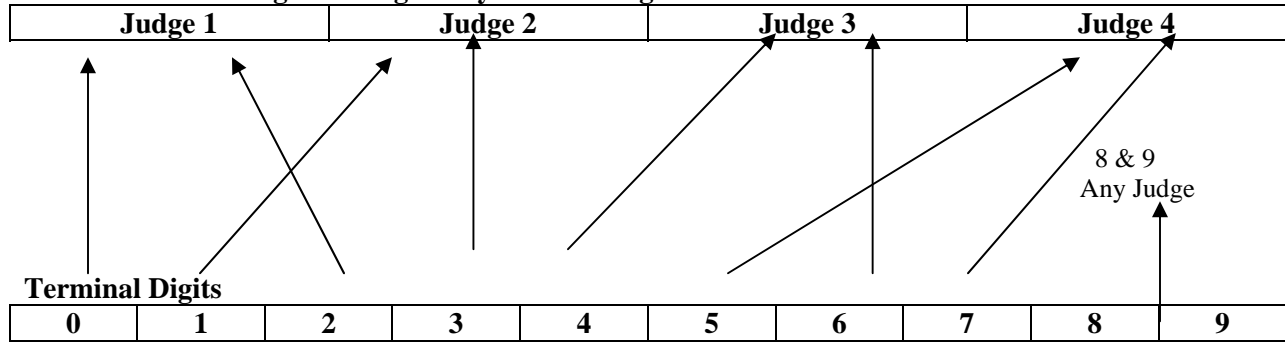
1. Some shelves are over stuffed with case files and others are half empty and all files laying on their side due to the lack of file supports or entirely unused.

2. The shelving is plain utility type shelving with no modern filing system features such as slots for file supports; there is no use of file guides or color coding.
3. Fat files are not returned to their place in the system because there is either no room on the shelf or the files are falling apart.
4. No file control or checkout system is used and may not be practical due to nature of work in the Execution Offices.
5. A light card stock file folder is used and many are torn and tattered. A different color is used for each execution section.
6. Files are stored on their opening edge and not in the conventional way on the folded side or spine. No one was sure why other than “tradition”. The present method would be known as “upside down filing.”
7. Case numbers are written on the face of the file in magic marker – but not on the edge of the file where it would be easier to read.

ii. Strengths

1. Use of two document fasteners – of the rope (or string) and flange on each end. This is a very archaic file fastener method but a lot better than none at all..
2. Documents are separated by type on the two sides of the folder
3. A terminal digit filing system is used to arrange the files on the shelves. This system groups the files in ten sections from 0 to 9 followed by the secondary, tertiary number, etc. until the year of filing. This system may seem complicated to the casual observer but is easily learned by clerks and helps to evenly even distribute the files throughout the system. It also provides for some level of security because a person unfamiliar with the system will have a difficult time locating a specific file.
4. MISAN version 1 is available and used to some extent for index reference.
5. Actions on execution cases are assigned to the four judges by the terminal digits or the last number of the case file depicted as follows:

Four Execution Judges – Assigned by terminal digits:



When the renovated offices are occupied the cases will be assigned to the judge by type, since they will be co-located in one of the four execution offices.

Judge 1	Judge 2	Judge 3	Judge 4
Checks and Bonds	1 st Instance/Conciliation	Banks	Corporations (NEW)

- b. **Procedures:** There are several procedures concerning maintenance of the filing system mentioned. Note: This consultant is skeptical that they are followed with any regularity.
- i. Cases are kept in the Execution office until the matter is completed – i.e. all payments made or a settlement reached between the parties.
 - ii. Files are removed from the office to the archives when there is no activity for six months. There is no formal procedure for renewal – other than the request of a party. The consultant is skeptical about monthly screening and removal of the inactive cases due to the chaotic condition of the files.
 - iii. The public service counter is closed each day at 12:00 or 12:30. Then until the employees leave at 3:00. In the afternoon they are charged with refilling case jackets in their proper order.
 - iv. **Payments:** Some customers come to the court just to make a payment on an execution case. The payment is made at the office of the court auditor and the payer is given two copies of the receipt. One to keep and one to turn in at the appropriate execution office to be placed in the file. The question must be asked: “Why should the attorney or litigant have to go to the Execution office to wait in line, or mingle with the mob – just to turn in a copy of the receipt? In discussing this with the chief of clerks / registrar it was determined that a procedure

could be established to have the auditor retain the court's copy of the receipts and give them to the appropriate execution office in batches to be filed later on the same day as the payment. This would be more customer friendly and keep some of the crowd out of the Executions offices. Care would need to be taken to record the correct name and case number on the receipt – but this should be done anyway. The case could always be looked up in MIZAN if the payer did not know the correct information – for instance if the payment was being made by the third party.

- v. **Account reconciliation:** At the present time the only way to determine the status of the account – the amount paid and the amount that can be turned over to the creditor – is by the auditor making an examination of the entire case file and adding up the amount on each payment receipt. There is no formal or informal accounting system for execution accounts. It is being suggested in the recommendations section to remedy this practice with an improved procedure.

- vi. **Observations in Checks / Bonds Execution Office**

We sat with a clerk Jalal, to observe what he was doing:

Jalal was in the process of writing down 9 case numbers – these were for 9 different attorneys. This allowed the clerk to pull all of the files and then serve the requesters one at a time.

He then pulled the files – complaining about the files on the lower shelf. Some files are not found and he had no idea where they were. (Guesses are Judges Office, accountant and lost). Actually they could be under a pile of files on the shelf where they belong. Some are in danger of sliding off the back of the shelf onto the floor where they would be very difficult to retrieve even if one knew they were there.

Much patience is needed by the attorneys – some in the group of 9 lost patience and left the counter. Some of the results include:

Case 1 File not found

Case 2 Status inquiry: Check case filed 10/11.

Notification not yet received on 10/25/07

Case 3 Attorney left the counter area

Case 4 Attorney left – but then returned – Seeking wage withholding from defendant’s employer which is the Ministry of Education;

Case 5 Status inquiries: Notification returned – defendant left his job 4 years ago, attorney requesting notice to be published in the newspaper. Attorney pens out the notice on the counter, it then goes to the judge for approval (4-5 days) returned to clerk. Attorney returns to pick up approved document and takes it to the newspaper for publication.

- vii. Photocopies are only made on Tuesday and Thursday. This is presumably so as not to interrupt the flow of business on Sunday, Monday and Wednesday.
- viii. There are reportedly 14,000 active case files in this office (Checks and Bonds). However it was difficult to conduct an inventory to determine the actual linear inches or centimeters consumed by the files at present and what would be needed in a new system. Two methods were applied and came out with similar results.
 1. The present filing system consisting of 25 6 tier shelving units with shelves 36 inches or 90 cm wide totals 5,400 filing inches or 12,960 cm. It was estimated that the system is about 2/3rd full. Meaning that the files consume 3,564 linear filing inches or 8,554 linear centimeters. Each of the 14,000 files would then consume .25 inches or .61 centimeters.
 2. The second test was done with a stack of 100 random case files. The files were measured to a height of 53 centimeters or an average of .53 centimeters per file.
 3. These figures (.53 or .61) need to be rounded up to design the new filing system to about .70 or .75 cm per file. Also the plan system should allow for growth to 16,000 or so files in the Checks and Bonds unit. A test was conducted on 50 random files to determine the average number of documents (pieces of paper) in the files.

3. **Execution Department for Conciliation and First Instance Courts:**
 - a. This will be the largest department after renovations. It reportedly has the largest volume of daily customers and the largest volume of case files.
 - b. The filing system is divided between the two jurisdictions and the file folders are color coded blue for first Instance and green for Conciliation court. Each jurisdiction has 12, 6 tier 36 inch shelving units to store files. The shelving units are of the same type of utility shelving as found in the other execution offices. The linear measurement would total 2,592 filing inches (6,221 Lcm) for each court for a total of 5,184 total L.F.I.(12,442 Lcm).
 - c. With the present files, a reported 14,000 files are on hand, the average size would be .25 inches or .61 cm.

4. Banks and Corporations Department:

- a. This was the most tidy of the Execution offices. It contains files on bank cases and some corporation cases. It was learned that most of the execution matters for private companies are in the other sections (checks/bonds and 1st Instance/Conciliation).
- b. This when the renovations are complete this unit will split into two sections. Most of the corporation cases will be drawn from the other two sections.
- c. Many of the bank files in this feature a unique color of tape (or pre printed tape with the bank name) on the fold of the file. Then the files for these banks are grouped together, in numerical order, for easy of retrieval and review. Although this is a departure from the normal filing sequence it appears to be useful to the banks office and their primary customers.

Meeting with an Execution Judge

Hon. Gazi Huammel, Executions Judge was interviewed. He has been on the bench for 5 years, was previously in conciliation court and in the executions department since 9/1/2007.

The office is about 14' x 15' with decent furniture but Spartan with no wall decoration. The judges have no staff. There is one typist shared between the four execution judges. When she is sick they use the manual back up – documents are hand written. The typist works with Microsoft Word for hearing notices and decisions. Judge Huammel generates about 5 decisions per month of 2 – 3 pages each. Judges working hours are from 8:00 – 3:00 and from 1:00 – 3:00 they work

on the cases that need more review.

In reference to the new arrangements following the renovations he said he likes the new system and the promise of increased file security. He mentioned that the messenger's role will change.

Concerning workload he mentioned that each judge processes about 250 cases per day. [4 judges x 250 cases = 1,000 per day between the four judges]. Most matters brought to the judge involve a cursory review of a document which the judge signs and dates. The relevant document is in the file on the left side – the process was observed and was very quick and smooth. The cases that need more review or study are put aside for the afternoon when the court quiets down. These may take 1 – 2 days – all others are sent back to the executions office the same day and sometimes immediately.

Hearings are held in the judges' office at the rate of about 10 – 15 per month. Hearings are usually on payment amounts. Parties agree on a payment plan and it is written up for the file and the judge's approved. When a party is sent to jail for non payment – this does not reduce the debt owed the plaintiff.

Actions before the judge generally break down as follows – for Bank Cases:

1	Car seizure for non payment on loan	30%
2	Jail Requests	10%
3	Request to sell seized automobiles	15%
4	Satisfaction of car loan	10%
5	Wage withholding	5%
6	Request to sell real property	5%
7	Withdraw of jail request	10%
8	Notifications (New payer or Aramex)	10%
9	Non-Judge matters – sent back to clerk	5%
Nine different types of matters		100.00%

In an effort to understand the day to day work of the Execution Department discussions were held on several levels with MASAQ staff and court personnel.

The following charts attempt to capture the consensus of why people come to the department and the number of files they are seeking during a typical visit. There is a difference between attorneys and self represented litigants.

Why do people come to the court in interact with the executions department?

Reason	Comment
Filing Motion	Application for refund For imprisonment of debtor (up to 90 days) Attachment of real or personal property, bank account, etc.
Motion Approval	Verification – 1 – 5 days after filing the motion
Checking Status of Orders, Notification	Jail, Seizure, acceptance of settlement, etc.
Submitting Documents	Clarification, other departments, proof of ownership, etc. Wage attachment, checking on sending by employer, deductions office
Auctions	Auction published in newspaper
Refunds, Deductions, Payouts	Application for payouts
See Accountant	Balance due, payment made, etc.

Number of Case Files Requested in a typical visit to the Executions Department

Unit	No. of Clerks in the section		Number of files requested		Cases Reviewed per day
	Now	Later	Lawyers	Citizens	
1 st Instance, Conciliation	7	8	1 - 3	1	500
Checks	6	7	1 - 3	1	400
Banks	6	7	5 – 10	1 – 2	300
Corporations (NEW)	0	6	5 – 30	1 - 2	0
				TOTAL	1200

Section 3 Areas for Improvement

MASAQ has identified several areas for improvement in the Executions Department and work has begun in earnest to implement the plan. The most obvious is the total renovation of the three existing offices and the addition of a fourth. The vision for these massive changes is for a more functional, efficient and effective operation with improved file security, customer service and speed of judicial decisions on litigant requests in pursuing their execution matters.

These goals will be accomplished by co-locating the Execution Judges in the Execution offices, installation of a new filing system to better accommodate the case files and a queuing system that will require the “customers” to wait to be served until their number is called.

There are other areas for improvement in the operation and procedures of the Executions Department. The following section will outline recommendations in the areas of:

- The filing system, file maintenance and file folders
- File Security
- Improved use of available technology
- Customer service and office appearance

This will be followed by a short term implementation plan. Some improvement can be made even prior to completion of renovations.

Section 4

Recommendations – Re-engineering filing solutions and procedures

The filing system components and equipment:

Some shelves are over stuffed with case files and others are half empty and all files lying on their side due to the lack of file supports and some shelves are entirely unused. The shelving is plain utility type shelving with no modern filing system features such as slots for file supports.

Recommendation 1: File maintenance starts with the folder itself, then the individual shelf and then the filing unit. At least three file supports or dividers should be used for each 90 cm (36” shelf). An optimal number of files should be placed on each shelf, not be exceeded. This number may vary between the units based on the average thickness of the files.

A small number of files are very thick – measuring 10, 15, 20 cm or more. These files should be put in a special range of files and cross referenced.

Recommendation 2: For very large files place a cross reference sheet in the regular filing system and put the actual file in another location reserved for “fat” files. A sample is appended as an attachment.

The shelving is plain utility type shelving with no modern filing system features such as slots for file supports; there is no use of file guides or color coding.

Fat files are not returned to their place in the system because there is either no room on the shelf or the files are falling apart.

No file control or checkout system is used and may not be practical due to nature of work in the Execution Offices.

A light card stock file folder is used and many are torn and tattered. A different color is used for each execution section.

Files are stored on their opening edge and not in the conventional way on the folded side or spine. No one was sure why other than “tradition”. The present method would be known as “upside down.”

Case numbers are written on the face of the file in magic marker – but not on the edge of the file where it would be easier to read

FILE FOLDERS: A new type of case file folder is needed in the Executions Department. The folder in present use is simply a piece of printed card stock in which holes are punched by the court to accommodate the “rope” document fastener. This folder does not include any of the common features of a modern file folder. Such features would include:

- Pre-folding and score marks for expansion of the file
- Factory installed file fasteners so as not to protrude and scrape the adjacent folders causing deterioration.
- Full side tab to accommodate color coding for the case number.

Planning has proceeded to identify a suitable folder. The proposed folder is custom made and manufactured. Its dimensions are well above the size of a standard file folder and it features a complicated file fastener system that would prove difficult and tedious to manipulate in a high volume operation. The main concern is the sustainability of this very expensive solution. Once the project purchases the initial installment of these folders it is questionable if the court managers would procure the same product for years to come.

- Present folder measures 13 ¾” long x 9 ¾” high – Close to standard size.
- NEW custom plastic and metal folder measures 14” long x 12 3/8” high
 - The new folder would come in three expansion sizes
 - [3 cm, 4 cm and 8 cm]
 - The average thickness of the empty folders is 2 cm – which exceeds, by a considerable amount, the average thickness of the present active files.

Alternative to the proposed custom folder should be considered based on the following observations:

- Cost – up to 2 JD each – proposed to be paid for by increasing filing fees.
- Shelf height adjustment 10.5” (25.2 cm) to 13.25” (31.8 cm) would erode efficiency
- The plastic cannot be written on so a special label is proposed to be pasted to the front of the folder containing case notes and the case number.
- The sheer thickness of the proposed folder exceeds the average thickness of the files in the Checks and Bonds Execution Office by 1 cm to 1.5 cm.
- Considerably more shelf space would be required just to hold the proposed

folders.

- These folders would be difficult to work with in large numbers
- Sustainability of procurement over time.

RECOMMENDATION 3: It is recommended that MASAQ and the MOJ, or whoever was involved with proposing the oversized folder go back to the drawing board and determine a suitable more standard type of file folder with the features described above. The fastener should be factory installed in the present side positions at the fold or in the #1 and #2 positions at the top of the folder.

To prove the concept 100 folders of each type should be obtained and experimented with in the Executions office. All of the routines should be followed including filing on the shelf (folded side down), retrieval adding documents, removing a document for photocopying and file review.

On October 29, 2007 a meeting was held with Meeting with Suzanne Abu Jaber, Interior Designer, Design Corner and Hatem Shelleh, Managing Partner, Protech Enterprises

We reviewed the data on the case file survey including file size and number of documents in the various types of execution files. Following this review it was agreed that for planning purposes there should be an allowance of 1.5 cm per file in all units of the Executions Department.

The equipment vendor, Mr. Shelleh, showed his latest design for the proposed filing equipment. It was noted that a combination of mobile and static shelving was used for this proposal. It was agreed that, if at all possible, the Executions project should use only static shelving to better accommodate the constant activity in all parts of the filing system.

File Folder:

It was agreed that MASAQ should reconsider the proposed oversized file folder with complex internal file fastener system in favor of a standard size, side tabbed,

Recommendation 4: A4 file folder (34.7 X 24 cm) with conventional file fasteners. The folder should have score marks for expansion.

Standard color coding should be added to the side tab for the case number
Two factory installed file fasteners that do not protrude through the folder (glued to standard file stock)

For planning purposes it was also agreed to work with the following equipment specifications:

Equipment

7 tier, static 90 cm (36" wide) open shelf filing units.

3 file supports (or dividers) to be furnished for each shelf – 31 per unit.

Units should have a base of about 6 cm

Shelf depth – standard – 37.5 or 38 cm

Shelf opening 38 cm or 11"

Combination of single and double faced units.

Single faced to have a back panel.

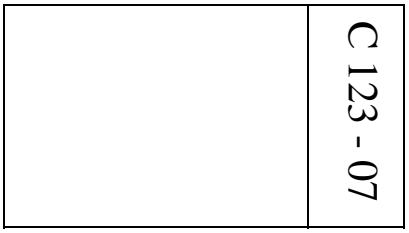
Minimum of 6 cm aisle width between units.

Retracting reference shelves – 1 for every three units should be supplied.

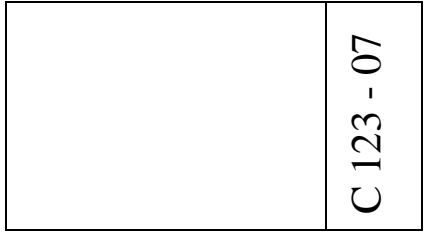
Recommendation 5: File cabinets should be uniform 90 cm (36") units with seven (7) shelves or tiers. Each shelf should have slots for file supports or dividers and be furnished with at least three per shelf.

The placement of the case number on the file folder is of some concern. The number is written on the file with a magic marker at an angle. Staff is used to working with and finding files with the number in this configuration. However efficiency could be enhanced with the number placed in a pre designated spot on the edge of the folder. That is until color coding is implemented.

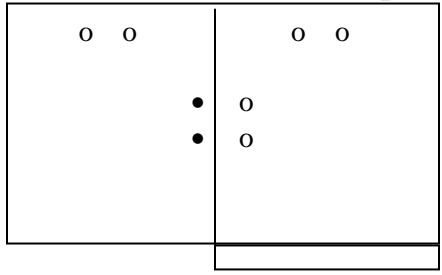
RECOMMENDATION 5A: The file number should be consistently written on the edge of the folder – short of color coding – for ease of locating files.



OR



Folder Set Up



2" (4.8 cm) File fasteners
Optional placement

Side tab for color coded
case number

File Supports: The Executions Department supports a lateral, open shelf filing system. The inherent efficiency of this system is seriously eroded by the lack of file supports. Open shelving must accommodate file supports to work properly.

Filing Equipment: A meeting was held with Suzanne Abu Jaber, Interior Designer of Design Corner. Ms. Abu Jaber has been engaged by MASAQ to select furniture and filing equipment for the renovated Execution Offices. The type of equipment being considered is state of the art to be provided by Space Saver Systems of Ft Atkinson, Wisconsin. The basic units are known as four post shelving with a standard width of 36 inches or 90 centimeters. The standard height can accommodate 6 or 7 shelves or tiers. Each unit should be equipped with three file supports for each shelf. (21 for a 7 tier unit)

Based on further discussion and calculations (depending of the file folder finally

selected) the optimal capacity for each of the Execution Units has been determined.

Executions Department File Analysis

A random sample of 100 cases was selected in each unit of the executions department. The files were stacked and measured to determine the average thickness of a file. Then 50 cases were reviewed as to the number of documents (pieces of paper) contained on the left and right sides of the folder. Consolidated results are as follows:

Unit	Average Thickness of Files (cm)	Average Number of Documents	Median Number of Documents
Checks and Bonds	.53	31	24
Conciliation Court	.60	35	34
First Instance Court	.88	47	38
Banks	1.00	39	20
Corporations	0	0	0
Overall	.75	38	29

File security, tampering, theft, etc. are a major concern in the Executions office. At the present time files are transported between various offices, primarily to and from judges and the executions offices by messenger. Never the less it is still thought that files are compromised during this process. When files are set aside to be taken to a judge for some action they are logged in a bound book. The book is taken along with the files by the messenger and receipt acknowledged by the recipient. The book is left in the office and not taken with the files for delivery. It is suggested that the book be abandoned and the entries made on the PC. . A running record would be retained in the computer for future reference and it could be updated when files are returned to the office. This situation will be alleviated when the renovations are complete and the judges move to be collocated with their assigned unit.

Recommendation 6: Develop a transmittal log on the computer and procure a locking file cart or locking pouch system. Keys for the cart or pouch would only be retained by the sender and receiver.

Set up of computer transmittal form:

Initials for Receipt	Action to be taken	Destination (Judge)	Case Number	Date

Files in transit between the Executions Office and Execution Judges Chambers have been compromised either by losing individual documents or whole files. The cause may be neglect or inattention of the messengers or intervention by members of the public when the cart is unattended and left in the corridor.

A suggested solution is to procure a file cart with locking compartments. The keys to the compartments would be retained by a manager or designated person in the Executions Office and the judge or designated person in the chambers. The messenger would not be furnished a key.

The compartments could be keyed alike or be all different. Key control would be a vital component of this system.

The cart could be the standard wire basket type or made out steel or aluminum.

This system could be augmented with locking totes similar to a diplomatic pouch for transfer of a small number of files. The keying system would be the same with the originator and destination only having keys and no key in the possession of the messenger.

Queuing System: Upon first entering any of the execution offices during the busy morning hours there is a scene of chaos. Customers crowd around the clerk stations and try to get the clerks attention so they can be served. There are no rules about taking turns and this has been explained as a cultural issue in Jordan. Although such rules might help it is thought that stanchions, lines on the floor or a posted protocol would be ignored. Therefore a queuing system has been proposed.

Execution Queuing is designed to promote efficiency and improved customer service in the Executions department. The program calls for each customer to receive a queuing number and then go to a specific clerk's workstation when the number is called.

A proposal for a Queuing Management System was solicited by the MASAQ Project from OFFTEC Systems. The proposed system is an automated solution with a lot of flexibility as to the information requested from the customer and the

reports it can generate.

The company describes the system as follows:

The Q-Control client management system can be used very effectively by organizations that emphasize quick, precise administration and the interests of clients.

By use of the system, the service process will be faster, more comprehensible and more organized. The clients can spend their waiting time comfortably, actively and without annoyance. So a more favorable image will be formed about the organization. The Q-Control client management system ensures quiet and convenient working conditions for the employees also.

A client entering the main hall needs only to choose the required service or services and then rest quietly in a chair . . . until called or signaled.

The queuing system is mentioned in this report because it will have a positive impact on case file maintenance. With more orderly customer service the retrieval of files and use at the counter one or two at a time will allow once customer to be served at a time, eliminating confusion and misfiling when multiple files are stacked at the work station. When the clerk completes action on a particular file it can be place in the bin for refilling or transmittal to a judge for a needed action or decision.

Recommendation 7: Conduct a manual test of the queuing system:

Since a queuing system is such a major change in procedure and culture in the Executions Department MASAQ should at least consider a manual test of queuing before the technology equipment is installed and made operational. Information gleaned from such a test could be used to specify the features that should be included in the automated queuing system.

There are two options described below:

In the test a staff or project team member will meet each customer at the entrance to the office to fill out the queuing slip and provide the customer with their number. The same number is retained by staff and distributed to the clerks. The customer turns in the number when called to the counter.

interviews and customers are leaving the area.

Customer Response to Queuing:

Date: _____

Favorable 5 4 3 2 1 Unfavorable

Suggestions for Improvement: _____

Other observations and recommendations:

When notification is published in the newspaper a copy of the actual newspaper is placed in the file along with the payment receipt from the newspaper office. This greatly bulks up files and makes them very cumbersome to handle.

Recommendation 8: Newspaper published notices should only be inserted via photocopy.

Although it may sound like a lot of trouble to make the copies – time and money would be saved in the handling and reviewing Execution files. Maybe the court would want the party to bring the actual newspaper to the office for verification – at which time the clerk could stamp and certify that the photo copy was a true copy of the published notice. Folded up newspapers create unneeded bulk in the file. A few instances of photocopies news paper publications were noted during the file review.

Recommendation 9: Very large files – measuring 5 cm (2”) or more should be broken down into multiple files and numbered 1 of 2, 2 of 2, etc.

The large files are very cumbersome and inefficient to work with or find anything. The folders deteriorate quickly and many of the documents get tattered, torn and yanked off the file fastener.

Recommendation 10: Care should be taken in punching holes in documents and stapling multi page documents for the file.

Several instances of misaligned holes, only one hole in a document and off-center holes were noted making the files more difficult to work with. Some multi-page documents were stapled on the wrong corner making them impossible to read without removing them from the file or extracting the staple.

Recommendation 11: A 2” steel fastener should be used in lieu of the string or rope fasteners presently used.

The traditional string fastener allows the documents in the file causes and unstable condition in the files. The documents have too much play causing accelerated wear and tear on the papers which are often of a very light weight or small, thin copies of receipts.

Organization of case files:

The filing system in each of the Execution Offices is the primary resource of the office and its very reason for existence. The organization and maintenance of the files is the bread and butter of the operation. Based on these statements the condition in which the files were found is alarming. This is particularly true because the managers and supervisors of the department take great pride in their work. With the files in a state of disarray the staff is working with a handicap – like trying to work with one hand tied behind their back. The file condition causes delays and erodes customer service.

Besides the obvious straightening and orderliness that will occur when the new filing systems are installed the office should organize the filing systems with some other techniques described below:

Recommendation 12:

- 4. In each office the filing cabinets or units should be numbered.
- 5. Each shelf should be given a number with – number one being the top shelf and number 7 the bottom shelf.

Cabinet Shelf Designation
Shelf 1
Shelf 2
Shelf 3

Shelf 4
Shelf 5
Shelf 6
Shelf 7

Recommendation 13:

6. A periodic (annual) inventory should be made to assess the quantity of the files on hand in the office. This procedure would chart out the range of files on each shelf.

Execution Department Case File Inventory

**Checks and Bonds
Case Number Range**

Cabinet 1	Right Case Number	Left Case Number	Centimeters Used
Shelf 1			
Shelf 2			
Shelf 3			
Shelf 4			
Shelf 5			
Shelf 6			
Shelf 7			

The inventory will ensure that the overall quantify of files is know from year to year and whether the inventory has expanded or decreased and the amount of available filing space used. This information can be used for planning and adjustments to the filing system.

Recommendation 14: A Payment Account Card should be established for each

execution case that involves multiple payments.

This card is maintained in the Execution case file and is updated each time a payment is made or refund is authorized and paid. The card records a running balance of the time payment account for attorneys and litigants and prevent having to go through the file looking for receipts each time there is an inquiry. This is not an official financial record until verified and initialed by the accountant.

Example

Name of Debtor	Execution Case Number	Date Established and Terms	Total to be paid
<i>John Doe</i>	CK 1234-07	10/22/07 100/month	500 JD
Date of Payment or payout	Receipt or Check Number	Amount Paid (JD)	Balance after payment or payout
10/22/07	0654	100	400
11/22/07	1432	100	300
11/25/07	Ck 453	200	300
12/22/07	2346	100	200
1/22/08	3598	100	100
1/25/08	Ck 679	200	200
2/22/08	4321	100	000
2/25/08	Ck 754	100	000

Recommendation 14A: The Executions Department Auditor should keep the pink – file copy - of the payment receipts to take to the Execution office in batches for placement in the file.

This would keep a considerable number of people out of the Execution Offices and provide improved customer service by not making litigants and attorneys go to these offices, wait in the queue, just to hand over a receipt for filing. In some cases the payer will be up against a deadline and my want to deliver the receipt in person so that adverse action in not initiated by the other party – such as a request to have

the debtor jailed.

Execution Department Archives

A brief review and observation was made of the Execution Department Archives.

In addition to completed or closed cases this facility also stores “inactive” cases that are removed from the various execution offices due to non payment – or no activity for six months. Cases in this status can be renewed at the request of a party and are moved back to the appropriate execution office.

The files are maintained flat on shelves in remarkable neat stacks. The manager of the archives does not appear to have any problem in locating a needed file. There are two additional archives rooms for older cases in the basement of the court house.

Recommendation 15: Records storage boxes should be considered for the older/closed cases maintained by the archives. They would need to be numbered and logged.

Recommendation 16: After initial MIZAN data entry in the Execution Registrars office make a printout of the case information entered and place it in the case file prior to sending the file to the Execution office.

The printout would be a useful addition to the case file and save time with the many customers who review files for the type of information that would be contained in the printout.

Recommendation 17: Records Protection The Execution Department should have a program in place to protect records from fire and water damage and ensure the health and safety of employees and the public.

Elements include housekeeping, potential hazards, security, facility features, fire prevention and detection, equipment and file locating systems.

HOUSEKEEPING

Be alert for evidence of insects, vermin or other pests. Don't allow eating or drinking in the facility and post signs. Keep the area clean and free of trash. Keep aisles and walkways free of tripping hazards.

POTENTIAL HAZARDS

Be vigilant about water pipes running through the area and watch for leaks that could damage records.

Never allow accelerants such as gas or oil in the area. Be sure the facility floor capable of supporting the load. Protect all electrical lines with techniques such as enclosure in conduit.

SECURITY

Records facilities should be secured when not in use. Install an intrusion alarm. Restrict access to the files to authorized employees?

FACILITY FEATURES

Consider features such as temperature control construction of fire resistive materials. Windows and doors should secure the area against exposure to the weather. If needed, install ventilation devices, such as exhaust fans. Is lighting adequate for retrieving and re-filing records? Are lighted Emergency Exit signs in place? Test emergency lights at least every year.

:

FIRE PREVENTION AND DETECTION

Have fire detection systems such as smoke alarms. If possible have a fire suppression system i.e. sprinklers. Have Fire Extinguishers inspected each past year? Post NO SMOKING signs in the records rooms.

RECORDS STORAGE EQUIPMENT

Prepare a diagram of the records storage area and make it available to all employees. Is shelving of fire resistive material? Aisle width should meet minimum standards.

RECORD LOCATOR

Properly label shelving and records storage boxes. Use appropriate and uniform records boxes used. Stacked boxes should be kept to a maximum height of four boxes to prevent collapse.

OTHER EQUIPMENT

Ladders or other retrieval equipment should be sturdy and properly maintained.

Section 5

Short term work plan for implementation

There will be some delay before the physical renovations to the Executions Department are completed. Then the furniture and filing equipment must be ordered and installed. Additionally the automated queuing system will need to be designed and ordered. At that time conversion of the entire operation can proceed.

In the mean time there are several things that can be accomplished to modify procedures and improve efficiency. Suggestions include:

In the Court:

1. Start making printouts of the data entered in MIZAN for each matter filed and place it in the case file.
2. Develop and account card to improve monitoring of payments on execution cases.
3. Implement a procedure to file newspaper notices by photo copy rather than insertion of the actual paper in the case file.
4. Develop a procedure of the accounting section to collect and forward payment receipts to the execution offices so the payer doesn't have to make an additional stop.
5. Flip the file folders to rest on the fold and remark the case number on the edge of the folder.
6. Find "fat files" and break them down into useable multiple volumes for ease of use.
7. Loosen up the very tightly packed shelves – particularly in the checks and bonds section.
8. Perform a manual test of the queuing system with and evaluation and user survey.
9. Start identifying and marking cases in the Execution Offices that will be transferred to the new Corporations Office. A

count should be made of how many cases will be transferred. The case numbers could be placed on a list, such as in an Excel spreadsheet and the files could be marked with a unique indication with colored tape or by magic marker.

MASAQ Project:

1. Continue work with the Design Center to develop the actual layout of each office and calculate the number of filing cabinets needed along with the correct file folder.
2. Based on the recommendations contained in this report develop a training program for Execution Department staff with the aim of improved management of their records and morale building.
3. Monitor the renovation project and ensure the reconstruction meets specifications.
4. Draft procedures as needed for an Execution's Department operating manual to include present and revised procedure suggested in this report's recommendations.
5. Contact the consultant with questions and concerns tgdibble@gmail.com

Section 6

Conclusion and parting thoughts

The MASAQ project in the Executions Department presents a unique opportunity to set up a model operation to include procedures and filing systems. This study has identified several practices in the Department that are archaic and foster inefficiency that erodes customer service and professionalism. Improved customer service and efficiency will go a long way in promoting the public's trust and confidence in the court and the judicial system.

This project is affecting multiple aspects of the Jordanian court system – but without good records nothing meaningful can be accomplished in the judiciary. As stated at the front end of this report from Trial Court Performance Standard 3.6:

. . . Inaccuracy, obscurity, loss of court records, or untimely availability of such records seriously compromises the court's integrity and subverts the judicial process.

Attachments

1. Account Card for Case file
2. Cross Reference Sheet

Payment Account Card

This card is maintained in the Execution case file and is updated each time a payment is made or refund is authorized and paid. The card records a running balance of the time payment account for attorneys and litigants and prevent having to go through the file looking for receipts each time there is an inquiry. This is not an official financial record until verified and initialed by the accountant.

Example

Name of Debtor	Execution Case Number	Date Established and Terms	Total to be paid
<i>John Doe</i>	CK 1234-07	10/22/07 100/month	500 JD
Date of Payment or payout	Receipt or Check Number	Amount Paid (JD)	Balance after payment or payout
10/22/07	0654	100	400
11/22/07	1432	100	300
11/25/07	Ck 453	200	300
12/22/07	2346	100	200
1/22/08	3598	100	100
1/25/08	Ck 679	200	200
2/22/08	4321	100	000
2/25/08	Ck 754	100	000

Active Files Cross Reference

Note: Place on shelf in place of re-located FAT file.

File Number

Name

New Location – Overflow Files

CABINET AND SHELF NO. OR BOX NO.	LOCATION CODE