



USAID | **JORDAN**
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MASAQ Rule of Law Project

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NOTIFICATION MANAGEMENT

ARAMEX International

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Project Background

The Ministry of Justice, supported by MASAQ, has embarked on an ambitious determined effort to improve the quality of service and internal process efficiency in the Ministry's operation. The efficiency of processing and delivering notification orders is an important logistical operation that affects the overall efficiency of the judicial system, and is seen as an area that can be improved upon to bring about significant efficiency gains for the operations of court. Aramex have been commissioned as logistics experts to study the current operation at the Ministry, assess the shortcomings of the current state, and recommend an optimal national process design and management.

This report presents our findings (description of the 'As Is State') including our assessment of the main issues, and our recommendations for an optimum operation management design, management framework, based on the agreed Terms of Reference.

Methodology

A team from ARAMEX made field visits to nine courts to review the actual process on the ground in nine courts. We reviewed the process, examined records and statistics. People interviewed included the head of the court, a number of judges, the head of the diwan, head of notifiers department, senior officials from the follow-up department, and a number of notifiers where available. The total number of people interviewed was 54. The courts visited represent 70% of the cases/workload.

| Sample of Courts Visited | |
|---|--------------------|
| Amman Courts | |
| <input checked="" type="checkbox"/> | Palace of Justice. |
| <input checked="" type="checkbox"/> | West Amman |
| <input checked="" type="checkbox"/> | East Amman |
| <input checked="" type="checkbox"/> | South Amman |
| <input checked="" type="checkbox"/> | Sahab |
| <input checked="" type="checkbox"/> | Jeeza |
| <input type="checkbox"/> | North Amman |
| <i>Court president was not available and no help from others.</i> | |
| Courts Outside Amman | |
| <input checked="" type="checkbox"/> | Maan |
| <input checked="" type="checkbox"/> | Irbid |
| <input checked="" type="checkbox"/> | Zarka |

Part I: As-Is-State Description

1.1 Current Process of Issuing and Registering Notifications

Notifications are currently issued by the following bodies:

- Courts
- Public prosecution office
- Offices report to courts and public prosecution office such as registrar, office of appeals and execution office of criminal judgments.
- Execution offices
- Notary public offices

The process of issuing notifications by courts in general starts when a judge reaches a decision on the case during a court hearing. The court typist prints the decision for the judge to sign. A copy of the signed document is transferred to the Follow-up Department. The Follow-up department prepares the notification order based on the jurisdiction of the notification address, i.e. if the delivery responsibility is the same court, or if it has to go to a different court for delivery. After the follow-up clerk prepares the draft notice, it is sent to the registrar office of the court, after which it is forwarded to the notification department. The notification department in turn makes the decision to either processes it (based on the geographic jurisdiction) or send it to the court concerned with serving the notice

The process of issuing notifications by courts departments/offices starts when the execution judge or the execution officer decides to issue a notification or the competent department/office accepts the transaction and a decision is made to notify concerned persons, the follow-up division of the relevant office prepares the notification order based on the jurisdiction of the notification address.

▣ Same Court Notification Orders

If the notification address is within the geographic jurisdiction of the same court, the Notification Order is sent to the Notification Department directly to start the delivery process. Once the notifier's task is considered 'accomplished', the Notification department returns the notification order to the originating Follow-up Department.

▣ Different Court Notification Orders

When the notification address is within the geographic jurisdiction of another court, the notification order has to be transferred to that court for delivery. All communication between different courts is done through the two courts' Diwans (mailing departments).

Therefore, if the notification address is within the geographic jurisdiction of another court, the Follow-up Department sends the notification to its court's Diwan, which in-turn sends the order to the other court's Diwan. The recipient Diwan forwards the Notification Order to their own notification department to start the delivery process. Once the notification task is considered accomplished, the Notification department returns the completed notification order to the Diwan which sends it back to the originating court's Diwan.

Findings

The current process of issuing and registering Notification Orders and then processing and transferring them between the court departments of the same court or between different courts is completely manual. This manual nature of the process, together with the workload involved is the key source of most of the problems and shortcomings. Records of notification orders are at best weak and not functional, or non existent.

Unnecessary delays or misplacing of documents could occur due to the involvement of many people. There are no operating standards followed to manage delivery deadlines, and follow up by departments is weak. Some judges take individual initiatives themselves by following up with notifiers directly or by agreeing with the notifiers department to have notifiers specialize by judge rather than by geographic area.

Centralized vs Decentralized Process

The process is currently decentralized, as each court has its own notifiers.

The advantages of the centralized process when it was followed in Amman that it enabled tighter control over all notifiers from one central point, reduced the total number of notifiers, separated notifiers from lawyers, and improved the rate of success (completion). It is declared that during the centralized process the rate of accomplished notified orders jumped from 40% to 90%.

However, the disadvantages were because the process was manual. Transit time increased, higher work pressure. Because there was a higher number of people handling the notification the possibility for loss of notification increased (deliberate or accidental), and accountability was inevitably weakened as the use of the manual registry, coupled with the loose emphasis on keeping records, made it even more difficult to track who was responsible for the delay. The above analysis is based on discussions with court employees who witnessed and were part of the 'centralized' period. We have no independent means of drawing our own conclusions since there are no separate statistics or other data.

Specific detailed Findings

General

1. Not all courts record the transfer of paperwork internally. This was obvious in courts outside of Amman. (Sahab, Jeeza: no files for the notifiers; Maan: one file for all notifiers; Irbid and Zarka: not all notifications are logged).
2. Information on the notification is not legal, and/or missing accuracy in description, leading to delay or case dismissal.
3. Notifications that are sent to other courts are rarely returned, and the outcome is unknown.
4. No evidence of internal control over notifiers in most courts. Control depends on complaints and judges.
5. Lack of statistical information.
6. Notifiers are in direct contact with lawyers inside the court, which increases the chances of bribery.
7. Delay in issuing notifications by the departments, and delay in submitting them to the notification departments.
8. Notifiers do not practice their authority to ask for an ID.
9. Many notifiers do not have a ministry issued ID.
10. Lack of proper training program when notifiers are hired and lack of follow up training. (training program started in early 2007 only)
11. Cases coming from the police do not have a detailed address on them – just the city or area.
12. No backward integration to apply a new/modified address to the case's file.
13. Notifications sent to other courts might end up going to the wrong court.
14. Lack of proper transportation methods leads the notifiers to accept rides from lawyers.
15. In some courts, a dedicated notifier (or more) stays in the court and delivers notifications to lawyers inside the court.

16. Based on statistics provided, some courts have extra notifiers while others need more.
17. In some courts, writers follow up on the work of more than one judge, causing delay in issuing and following up on notifications.
18. The current allocation of JD 10 monthly is not enough, and causes them to rely on lawyers to give them a ride; otherwise the case receives little priority.

Specific Courts:

1. Palace of Justice: Provides the optimal case in terms of separating the notifiers from the lawyers. The only court where a computerized system for notifications is applied. SMS is used to notify lawyers to pick up notifications from court.
2. East Amman: Shortage of staff in some departments. One court clerk handles the work of 8 judges.
3. Sahab: no records are kept regarding notifications. One notifier had a stamp with his name of four parts to avoid mix up in hand writing.
4. Maan: One registry book for all notifiers. Each notifier handles the notifications of a group of judges. A ministry provided transportation method is available for outside Maan villages.
5. Irbid: Criminal notifications are handled by 2 notifiers, regardless of the area. Notifications issued by notary public department are handled by one notifier regardless of the area. Not all notifications are entered into a registry.
6. Zarka: Daily report by notifiers mentioning the notifications completed in the day. Some notifications are not assigned to a notifier. No signature when transferring back to the other departments.
7. Jeeza: Wide area to be covered, with no public transportation network. Some areas border on other court's jurisdictions, and can be handled through them.

Part 2: Recommendations for an Optimum Notification Processing & Management System

2.1 Change objectives

The proposed streamlined process of internal processing of Notification Orders was designed in order to achieve the following key objectives:

1. Ensure records are maintained
2. Eliminate delay
3. Minimize the possibility of loss of documents
4. Minimize the risk of illegal practices and corrupt interferences
5. Improve the efficiency of the total process
6. Streamline workload distribution

The new design is based on effecting the following changes:

1. Replacing the current manual handling of documents with electronic communication of notification orders. This means deployment of an online information management system that connects all courts around Jordan, and basic scanning technology at the Notification departments.
2. Eliminating redundant intermediary roles, hence reducing unnecessary workload, and eliminating delay. This scope of change can only be possible with the introduced technology
3. Establishing Standard Operating Procedures and Following-Up By Managing Deadlines. The Ministry must establish operating standards that define the acceptable transit time between different milestones. Different departments can then manage proactively based on the deadlines of their parts of the process.
4. Introducing effective checks and controls that are technologically enabled and controlled.
5. Revising the roles and responsibilities and creating cross accountabilities across several stake-holding departments (made possible with the streamlined workload and technology)
6. Building the capacity of notifiers through training, authorities, profiles, financial rewards and incentives.

2.2 New Process Design

Key elements of the process design

- Replacing the current manual handling of documents with electronic communication of notification orders

Judges approve court ruling (which include order notification) on the system. Notification orders are transferred electronically from the judge’s screen to the Notification Department (same court or another court), while electronically alerting the Follow-up department. Completed Notification Orders will be scanned at the Notification department and their image saved in the electronic case file on the system. The only physical transfer will be returning the delivered completed Notification Order (that has the notifier’s explanations and signature) to the follow-up department and the physical case file.

Scanning the completed notification order and flagging it to the follow-up department will achieve better control over the process by improving communication and information, help speed it up, and in cases of lost or delayed return of the completed Notification document, it will help trace the source of loss.

The diwan’s responsibility is returning the original signed Notification document to the follow-up department, and to oversee the transmittance of attachments (unless this gets outsourced).

All notifications to be sent to the notification department other than the ones issued by a judge or issued manually, (notary public, execution, registrar office) will have to be logged into the system to allow for tracking. The physical notifications that are not issued from the system will have to be manually transferred to the notification department.

- Establish Standard Operating Procedures and Follow-Up By Managing Deadlines
 - i. The Ministry must establish operating standards that define the acceptable transit time between different milestones. Different departments can then manage proactively based on the deadlines of their parts of the process.

Cases can be classified based on the next hearing date. The following cases however which have no hearing deadline require that a standard time for notification per each should be set:

Notifications issued by execution offices, registrar and other follow-up departments, notary public offices,

Example:

| Judge’s Order | First Delivery Attempt | Other delivery attempts | Last Delivery Attempt | Scanned at Notification Dept | Return to Follow-up Dept | Hearing Day |
|----------------------|------------------------|---|-----------------------|------------------------------|--------------------------|--------------------|
| Day 1 | Day 2 or Day 3 | Determined by Notification Dept (limit to 3 trials) | Day X-4 | X-3 | X - 2 | X |

Minimum Case

| Judge's Order | First Delivery Attempt | In between attempts | Last Delivery Attempt | Scanned at Notification Dept | Return to Follow-up Dept | Hearing Day |
|----------------------|------------------------|---------------------|-----------------------|------------------------------|--------------------------|--------------------|
| Day 1 | Day 2 or Day 3 | (limit to 3 trials) | 11 | 12 | 13 | 15 |

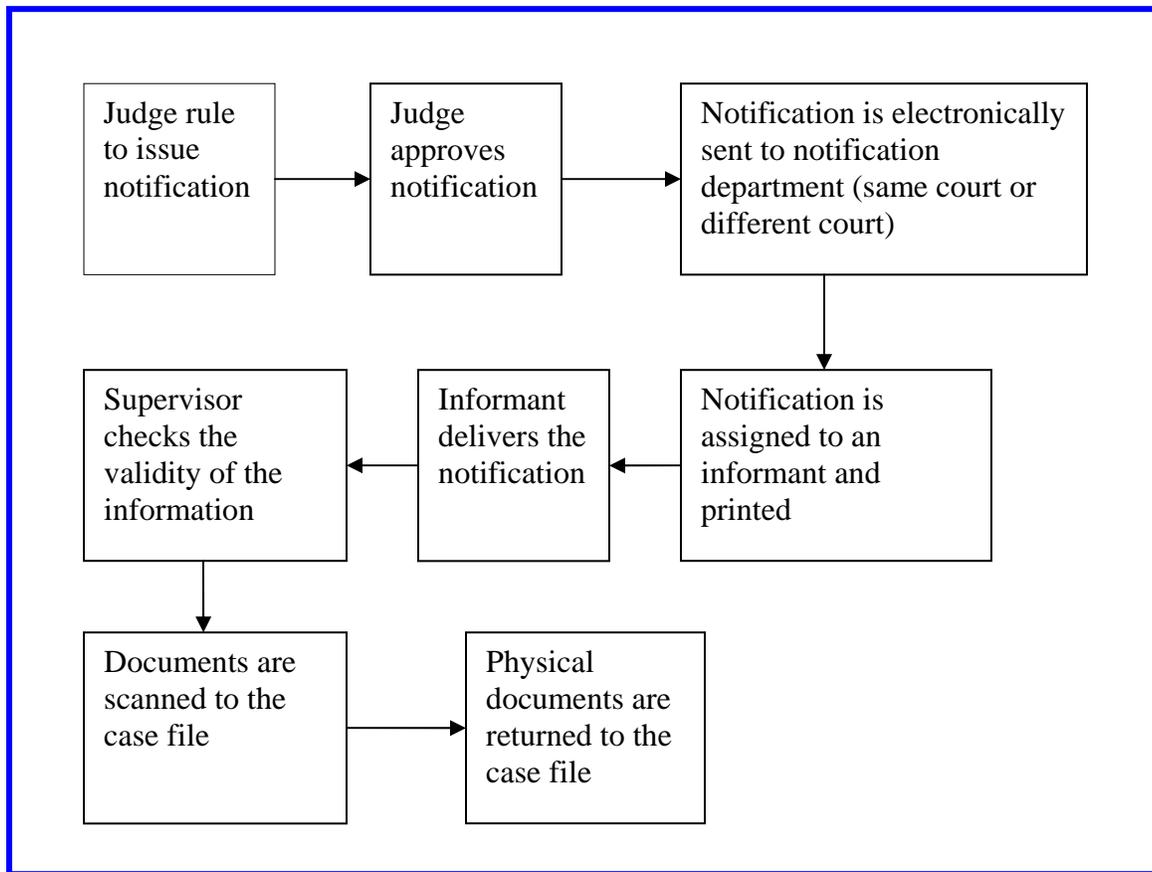
Notification departments should have a system that allows them to do scheduling, taking into account the hearing day and the deadlines and the weekends.

- ii. There should be an administrative manager at the court whose responsibility is to set, approve and oversee these standards and revise them.

In addition, notification departments should allow notifier three trials before accepting 'not found' as a final answer.

Proposed Process Flow

The below is a proposed process flow chart for issuing notifications through registering them at the notification department, all the way to returning them to the case file.



Basic outline of proposed new process flow

Detailed Process Description

Case 1: Notifications issued by a judge, with no attachments

| | |
|---|---|
| <p>1 JUDGE</p> | <p>1.1 The Court Typist types the decision during the hearing.</p> <p>1.2 The judge approves the case decision on the system screen, and the judge’s order is electronically sent to the notification’s department at the appropriate court (depending on the address) to be printed there locally and assigned to a notifier.</p> <ul style="list-style-type: none"> At the end of each day, all the orders issued by a judge will appear on a special screen named “Pending My Approvals” and the judge will approve them to be sent to the notification’s department electronically, thus replacing need for the hard copy signature on the order. |
| <p>2 FOLLOWUP DEPARTMENT</p> | <p>2.1 The judge’s assigned clerk at the Follow-up Department will also receive an alert that the judge has issued an order to allow him to follow up with the notification’s department.</p> |
| <p>3 NOTIFICATION DEPARTMENT</p> | <p>3.1 The Notification Department will receive electronically the judges’ notification orders through a special screen “Notifications’ Queue”.</p> <p>3.2 The Supervisor will accordingly assign each notification to a notifier and print the hard copy of the notification order.</p> <p>3.3 The notifier delivers the notification according to the regulations and the law.</p> <p>3.4 Upon delivery or non-delivery, the notifier will return the Notification Document to the Notifications Department and an assigned person will be responsible to check the explanations written by the notifier on the notification. This person will act as a quality controller assuring that the explanations are in legal format and language and that tampering is controlled and minimized by questioning the validity and authenticity of the information provided.</p> <p>3.5 The Supervisor will then scan the returned Notification document to archive the soft copy and place a digital copy on the case’s file.</p> |
| <p>4 FOLLOWUP DEPARTMENT</p> | <p>Completed Returned Notifications</p> <p>4.1 Completed notifications that were scanned by the Notification supervisor and hence electronically transferred to the case file will be flagged at the Follow-up department. Scanned notifications are not considered legal documents, but serve to notify the follow-up department that the process was completed. It speeds the process and communication and helps track sources of lost documents.</p> <p>4.2 The hard copy of the returned completed notifications will then be transferred by the Notification Supervisor or someone under his supervision to the different follow-up departments in order to file in the physical case file.</p> <p>4.3 The Follow-up department officer will read the bar code of each completed notification.</p> <p>4.4 The system will print out a report/list of returned Notifications, which is the proof of receipt (with no need for signature). The original Notification is filed in the case file.</p> |

Case 2: Notifications with an attachment (notary public, prosecution, execution, and case registration)

Since the notifications that have attachments cannot be electronically sent to other departments as is the case with system issued notifications, these will have to follow a slightly different flow. The notification itself will be issued from the system, and the system shall capture the date and time of issuance along with the user name. The attachments that are usually prepared outside of the system shall be attached to the notification and are physically transferred with the notification.

The notification shall have a unique barcode assigned to it, and it will be used to track the notification at each step. Once the notification is issued at the department, it needs to go to the notification department of the same court or to a different court. If the notification is going to a different court, the barcode will be read at the diwan, recording the date and time along with the user who received it. It will then be transferred through the court mail to the other court's diwan where the barcode will be read for tracking purposes. Once the notification is received at the notification department, the barcode will be read again, and the process will continue as above.

Benefits of the new process

The process illustrated above is different than the current flow by offering a computerized solution of data transfer that will allow for:

- Faster exchange of documentations.
- Speed the process of sending notifications to the notifiers (same court or different court).
- Provide statistical information relevant to the process efficiency at each stage.
- Offer more control over the involved personnel by assigning accountability.
- Manage the delivery process through setting deadlines and standards.
- Maintain an electronic archived copy of the notification with the notifier's writing on it.

2.3 Notification Department and Process

Court notifiers should have the professional public image of an employee of the Ministry of Justice. Notifiers need to urgently be empowered through a combination of better training, incentivised pays and performance rewards, and some basic authorizations and facilitations as explained below.

Workload Distribution

This section provides an analysis of the actual workload per court and our recommended changes.

We examined the work load of the courts using the data provided by MASAQ for the year 2006 regarding the workings of Jordan Courts.

A note on the methodology

The majority of courts in Jordan, with the exception of the Palace of Justice, have no records or statistics of the actual number of notifications they issue and there are no means to obtain actual information. The most statistically reliable and accurate alternative was to rely on the number of legal cases registered by each court as a proxy for the number of notifications, and then to make assumptions on the average number of notifications per case.

Average Number of Notifications per Case Per Court

| Court Type/Name | No of notifications Per Registered case |
|---|---|
| محكمة البداية محكمة الصلح محكمة العدل العليا محكمة التنفيذ محكمة الجنايات | 5 |
| محكمة الاستئناف | 3 |
| The Notary Public الإدعاء | 2 |

(Source: MASAQ)

The case load distribution data we used were for 2006 and were provided by MASAQ, as were the assumptions made in the above table.

The table below provides an analysis of the current situation of actual workload per court, and our recommendations. As the table shows, the main changes we are recommending can be summarized as follows:

1. Based on our experience, we recommend that on average, workload per notifier should be 35 notification orders per day (calculated on the basis of 22 days per month).
2. The total number of notifications handled by all courts during 2006 is 3,071,051 notifications per year. By following a workload average of 35 notifications per day, and keeping the number of delivery attempts at an average of 3 trials, the number of notifiers needed by all courts will be 333.
3. We also recommend that in each court follow-up department, one clerk is assigned per judge or per two judges as a maximum to administer his/their case load. .

| Court Name | Annual number of Notifications (2006) | Average Monthly Notifications | Average Daily Notifications (22 Days per month) | Recommended number of Notifiers (based 35 deliveries per Day) |
|----------------------------|---------------------------------------|-------------------------------|---|---|
| *قصر العدل 1 | 607,477 | 50,623 | 2,301 | 66 |
| *قصر العدل 2 | 150,729 | 12,561 | 571 | 17 |
| *قصر العدل 3 | 3,255 | 271 | 12 | 1 |
| محكمة بداية شمال عمان | 114,161 | 9,513 | 432 | 13 |
| محكمة بداية شرق عمان | 93,209 | 7,767 | 353 | 11 |
| محكمة بداية جنوب عمان | 84,068 | 7,006 | 318 | 10 |
| محكمة بداية غرب عمان | 112,723 | 9,394 | 427 | 13 |
| محكمة صلح سحاب | 33,280 | 2,773 | 126 | 4 |
| محكمة صلح الموقر | 8,485 | 707 | 32 | 1 |
| محكمة صلح الجيزة | 17,880 | 1,490 | 68 | 2 |
| محكمة صلح ناعور | 15,710 | 1,309 | 60 | 2 |
| إستئناف قضايا ضريبة الدخل | 9,372 | 781 | 36 | 2 |
| محكمة الجمارك البدائية | 14,500 | 1,208 | 55 | 2 |
| محكمة استئناف الجمارك | 3,822 | 319 | 14 | 1 |
| محكمة احداث عمان | 3,605 | 300 | 14 | 1 |
| محكمة بداية الزرقاء | 169,198 | 14,100 | 641 | 19 |
| محكمة صلح الرصيفة | 98,200 | 8,183 | 372 | 11 |
| محكمة صلح الازرق | 7,110 | 593 | 27 | 1 |
| محكمة احداث الزرقاء | 2,020 | 168 | 8 | 1 |
| محكمة بداية السلط | 63,896 | 5,325 | 242 | 7 |
| محكمة صلح عين الباشا | 28,220 | 2,352 | 107 | 4 |
| محكمة صلح الشونة الجنوبية | 12,675 | 1,056 | 48 | 2 |
| محكمة صلح دير علا | 29,185 | 2,432 | 111 | 4 |
| محكمة بداية مادبا | 50,251 | 4,188 | 190 | 6 |
| محكمة صلح ذيبان | 5,305 | 442 | 20 | 1 |
| محكمة إستئناف اربد | 65,916 | 5,493 | 250 | 8 |
| إدعاء عام اربد | 7,298 | 608 | 28 | 1 |
| محكمة بداية اربد | 345,850 | 28,821 | 1,310 | 38 |
| محكمة صلح الرمثا | 51,050 | 4,254 | 193 | 6 |
| محكمة صلح بني كنانة | 30,755 | 2,563 | 116 | 4 |
| محكمة صلح الكورة | 28,205 | 2,350 | 107 | 4 |
| محكمة صلح الطيبة | 8,280 | 690 | 31 | 1 |
| محكمة صلح المزار الشمالي | 15,165 | 1,264 | 57 | 2 |
| محكمة صلح بني عبيد | 29,735 | 2,478 | 113 | 4 |
| محكمة صلح الاغوار الشمالية | 32,460 | 2,705 | 123 | 4 |
| محكمة احداث اربد | 2,565 | 214 | 10 | 1 |
| محكمة بداية المفرق | 176,065 | 14,672 | 667 | 20 |
| محكمة صلح الرويشد | 3,395 | 283 | 13 | 1 |
| محكمة بداية عجلون | 74,128 | 6,177 | 281 | 9 |
| محكمة بداية جرش | 107,891 | 8,991 | 409 | 12 |
| محكمة بداية الكرك | 108,375 | 9,031 | 411 | 12 |
| محكمة صلح المزار الجنوبي | 41,995 | 3,500 | 159 | 5 |
| محكمة صلح القصر | 30,605 | 2,550 | 116 | 4 |
| محكمة صلح عي | 2,460 | 205 | 9 | 1 |
| محكمة صلح غور الصافي | 18,790 | 1,566 | 71 | 3 |
| محكمة بداية معان | 40,285 | 3,357 | 153 | 5 |

| Court Name | Annual number of Notifications (2006) | Average Monthly Notifications | Average Daily Notifications (22 Days per month) | Recommended number of Notifiers (based 35 deliveries per Day) |
|-------------------------------|---------------------------------------|-------------------------------|--|--|
| محكمة صلح الحسينية | 4,815 | 401 | 18 | 1 |
| محكمة صلح الشوبك | 2,985 | 249 | 11 | 1 |
| محكمة صلح البتراء (وادي موسى) | 10,095 | 841 | 38 | 2 |
| محكمة صلح الجفر | 5,200 | 433 | 20 | 1 |
| محكمة صلح الطفيلة | 40,746 | 3,396 | 154 | 5 |
| محكمة بداية العقبة | 45,196 | 3,766 | 171 | 5 |
| محكمة صلح القويرة | 2,410 | 201 | 9 | 1 |
| Total | 3,071,051 | 255,921 | 11,633 | 333 |

* The Palace of Justice consists of three buildings each with its different pool of notifiers handling separate courts (three different pools altogether). POJ1 handles: محكمة بداية عمان، صلح عمان، تنفيذ بداية عمان، محكمة العدل العليا: POJ3 استئناف عمان. POJ 2: ادعاء عام الجنايات الكبرى، ادعاء عمان، محكمة الجنايات الكبرى، كاتب العدل.

Allocation of notification orders among notifiers

This should remain based on geographic basis. It is the responsibility of the Notifiers Manager to determine the allocation of geographic areas among notifiers, based on distance, density and workload.

Transportation

Inter city areas: allocate a car for teams of five notifiers, to drop the notifiers at centre points, and then to pick them up again at the end of the day. The team leader will be responsible for the car.

Alternatively allocate a bus to smaller courts to take notifiers to center points and then picking them up at the end of their day.

For out of city areas, notifiers should be allocated scooters.

Roles and responsibilities

- Accountability of the Head of Notification department

The head of the Notification department is responsible for the efficiency of the whole process in the notifiers department and the allocation of the geographic areas to different notifiers.

He is accountable to the court president. Through weekly meetings, the court president keeps up to date with outstanding issues, goes over important statistics (issued through a weekly report from the system). We suggest that the weekly meetings are attended by a different judge and follow-up department each time.

For this accountability relationship to be effective, the court president uses the statistical weekly report, and designs the meeting agenda to discuss the relevant important issues.

- Supervisor/Head of Notifiers

In courts where there is heavy workload, a strong experienced and streetwise supervisor should be assigned to help exert closer control and monitoring on the notifiers. In less busy courts this role should be done by the Head of the Notifiers.

Supervisor's responsibility:

- Random sample checks the notifications to check the validity of the information provided by the notifier such as address, not found, etc. i.e. he checks the content of the feedback information
- Scans the delivered and completed notification
- Returns the completed notifications to the relevant follow-up departments
- Notifier Team Leaders

In larger courts, a notifier team leader is assigned to a team of four notifiers. The leader is responsible for the car (see transportation above), and for overseeing and supervising the notifiers including checking on certain addresses and the validity of information, training, as well as advising the supervisor on workload division. Having a team leader in the field with the notifiers adds more control and supervision, while taking away the daily burden of that from the supervisor or Department head. In addition, it is a post that incentivises the

notifiers and assigning it with perks such as the car. The leaders' salaries should also reflect their higher responsibilities.

Notifier's profile and empowerment

- Notifiers should have at a minimum finished 12 years of schooling (as the case is now).
- Notifiers should have official Ministry IDs and an official uniform, or at a minimum, a ministry issued proper attire suitable for a government official.
- Notifiers should also have the authority to ask for a person's ID.

Training

Training needs to be strengthened and further developed to serve the needs of the department:

- Design a training program for newly hired notifiers, and conduct annual follow up training.
- Training should be delivered by a Judge and an experienced Notifier.
- It should consist of a technical part, a legal part and a culture part. The cultural part should include training on the code of ethics. The technical should include training on using maps and on the street maps of Jordan (this training can be outsourced)

Financial package and incentivized plan

The financial package of notifiers should include incentives per successfully notified notification, so that the total financial package including his salary reaches an average of JD 400 monthly.

A delivery fee should be added to the case fee when first registered , or to any notification issued by anybody at any level to help pay for the part of the extra costs.

The ministry should also run awards for the most efficient notifiers with rewards attached.

Disciplinary actions

To help keep corrupt interferences to a minimum, the Ministry must introduce a code of ethics, and enforce disciplinary actions against cases of negligent behavior and deliberate misleading, and fraud and bribery. This should apply to court officials and notifiers.

The Ministry should consider using 'mystery shoppers' during the year to help identify notifiers involved in corrupt practices.

2.4 Activating and/or Introducing New Roles and Responsibilities

Streamlining workloads and introducing technology will allow activating follow-up responsibilities and accountabilities as follows:

Follow-Up Department

- Receives alerts on its screen of new rulings and their notification orders once the Judge issues them.
- Follows up with Notification Department in anticipation of return of delivery order after scan alert.
- In case of problem addresses the head of the Notification department meets with judge's clerk at follow-up department and lawyers if there is an address problem

Head of Notification Department

- Responsible for the efficiency of the whole process in the notifiers department and the allocation of the geographic areas to different notifiers. He manages and supervises notifiers closely.
- Depending on the scale of operation at that court, he assigns a supervisor to oversee the completed notifications, and notifiers' team leaders.
- He is accountable to the court president.
- We also suggest assigning notifiers team leaders for large courts (see section Notifiers Department)

Head Of Court

Court Administrative Manager

- For the accountability relationship with Notification department to be effective, the court head uses the statistical report (issued weekly or monthly from the system), holds regular meetings (weekly, bi-weekly or monthly) with the head of notification department, statistician, and a judge and his follow-up department to discuss performance.
- We suggest that the weekly meetings are attended by a different judge and follow-up department officer each time.
- Courts with heavy workload operation should consider appointing an administrative court manager to take the responsibility of operations and administration, including the above mentioned task.

Statistician

We recommend introducing the roles of a master statistician at the Ministry of Justice, whose responsibility is to analyze statistical reports per court and on the process to analyze efficiencies, room for improvement, correlations and connections between different performance indicators. A most important aspect of his/her role is to analyze patterns and performance indicators per court and per different category of case, to detect indications of corruption. The statistician will further help in the continuous development of statistical reports and advising the Ministry, heads of courts, and courts administrative directors on possible areas for efficiency improvement.

2.5 CENTRALIZED VS. DECENTRALIZED PROCESS

Implementing a successful centralized notification management within Amman district requires having a functional online information management system and the supporting technology. We therefore recommend that this is considered after the Ministry has been able to migrate from the manual system to the on-line system and the new roles and responsibilities are under way. Otherwise the risk is even more delay to the process of returning the Completed Notification Form to its case file.

Having said the above, a centralized process system for the Amman courts will allow the Ministry of Justice to reduce resource overlapping by combining all the notifiers within Amman under one leadership with a centralized operation. All the notifications will arrive to the centralized centre (proposed to be in the Palace of Justice), and will be assigned to a notifier. When the assignment of notifications is properly done, this can reduce the number of notifiers.

However, migrating into a centralized solution will require the need to provide better transportations for the notifiers to reach the distant areas in Amman from the Palace of Justice.

It is also recommended to keep at least one notifier in each of the courts in Amman (West, North, South, and East) to serve notifications in the area that is adjacent to the court without having the notification be transferred to the Palace of Justice.

2.6 Quality and reliability of Information

Addresses

1. A memo should be sent to the police to ask for a detailed address.
2. When a case is first registered and a file is created on the system, the address must be complete and clear. The first responsibility lies with the lawyer to ensure that the address is clear and complete. The registration officer will not accept an address not clear, and the system should have several mandatory sections to support this.
3. The address should require a section for neighborhood name, street name, Building number and Apartment number, and a section requiring a description of closest landmark(s).
4. The notification supervisor issues a report with cases where the address appeared to be mis-given. Statistical reports will point out to lawyers with mis-given addresses.
5. A data base of all addresses should be developed and updates.
6. A memo to be sent to the police to ask for a detailed address.
7. Integrate with the Civil Status Department and other service companies to allow for checking the address.

Legal format of notification feedback

The information must be according to appropriate legal form and language otherwise the notification could be deemed null by the judge. The risk of such an issue is outlined below in corruption risks.

1. Create a standard form with 'multiple choice' subheadings for the notifier to tick and choose the correct explanation. A comments section allows them to add further note. In the future this can become electronic through hand held scanners.
2. Training: this should be part of the training notifiers get.

Authenticity of notification information

1. The supervisor plays a key role in random checking the returned notifications to check and question notifiers. An experienced, street wise supervisor is key here who can rely on his wide experience.
2. Notifiers who deliberately use incorrect explanations should be fired.
3. We suggest that during the first 3 – 6 months, the supervisor random checks a sample of 100 orders in courts with more than 250 daily Order. Afterwards, the sample size can be reduced once he feels notifiers have improved, and the task can generally be delegated to team leaders.

Corruption risks

The risk of corruption and corrupt interferences occurs in the following junctures of the process:

1. Notifier accepting money from lawyer to 'do his job'.
2. Notifier accepting money from a lawyer to 'not do his job'.
3. Notifier asking or accepting money from the person to be notified so as to 'not do his job'.
4. Losing or misplacing a completed signed notification order or a case file deliberately:
 - a. Within the same court.
 - b. Within different courts.
5. Deliberately giving unclear addresses (Quality of addresses).
6. Non-delivery or losing notification orders

The risks and consequences of the above are:

1. Judge issuing a judgment in absence.
2. Unnecessary extensive delays
3. Lost productivity: judges handle less because of the delayed process
4. Public cost and waste of time: sometimes court of appeal might re open the case and restart it from zero because of a wrongful (delayed) notification

We have introduced several recommendations throughout the reports to address and minimize the above corruptive interferences.

1. Enhancing the responsibility of the head of the Notification department, streamlining the workload, and supporting him with additional staff as required to allow him to exert more control and attention on the notifiers.
2. Minimizing the need for direct interaction between lawyers and notifiers.
3. Enforcing disciplinary actions on notifiers and lawyers when involved in confirmed corrupt practices.
4. Using 'mystery' shopper
5. Managing the quality of addresses given proactively: responsibility on lawyers to give a correct address, system requires mandatory sections, developing an addresses data base, and moving to use the address data base of the Civil Status Department. Also through the control exerted by the notifiers' team leaders and supervisor on bad addresses.
6. Using scanners allows tracing sources of loss
7. Statistical pattern analysis (by the Ministry's Statistician) allows spotting trends among courts, notifiers, and even case types and values to allow to spot corruption areas.

Part 3: Technology and System Requirements

3.1 Functional System Requirements

| Functional System Requirements | |
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| <p>Issuing a judge order electronically</p> <ul style="list-style-type: none"> • “Pending my Approval” Screen <p>During a court hearing, and when a judge issues an order to notify a person, the judge’s typist should be able to capture all the necessary information.</p> <p>Information captured includes: the name of the person, the address, the court to notify the person, the case number, notification type, the next hearing date.</p> <p>This is the same information that the follow-up department officer currently prints from the case management system (Mizan). However, the typist should not be able to print them but saves them for the judge to approve. All the pending orders to be issued will be logged on a screen and is viewed only by the judge. The screen can be named: “Pending my Approval”.</p> <p>The screen shall allow the judge to view all pending orders requiring his approval. He should be able to access them using different search criteria: such as created date, hearing date, case number, etc.</p> <p>The information shall be viewed in a table format with each record corresponding to a notification on one line.</p> <p>The judge can select multiple orders and approve them simultaneously. The judge can also select a record to modify the information if necessary only prior to approving it.</p> <p>Once approved, the notification will be electronically sent to the notification department at the designated court as provided in the order, as well as to the judge’s follow-up officer for follow up. No further modifications can be done to the notification at this point.</p> | <p>Input data requested by the system:</p> <ul style="list-style-type: none"> - the name of the person, - the address, - the court to notify the person, - the case number, - notification type, - the next hearing date. <p>Screen Search fields</p> <p>Created date, hearing date, case number, etc.</p> <p>Information Captured for Notification History</p> <ul style="list-style-type: none"> - The date and time of when the order was created, along with the user name. - The date and time of when the judge approved the order to be sent electronically to the notification department, along with the user name. |
| <p>Receiving notifications at the notification’s department</p> <ul style="list-style-type: none"> • “Notifications Queue” Screen • “Notifier Queue” Screen | <p>Information Captured for Notification History</p> <ul style="list-style-type: none"> - The date and time of assigning the notification to a |

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| <p>Once the judge approves a notification order through the “Pending my Approvals” screen, the notification will be sent to the notifications department and becomes available to print using the screen: “Notifications Queue”.</p> <p>The screen shall provide the necessary information as provided on the notification order, and can be searched using the following fields: Name, address, court, judge, hearing date, etc.</p> <p>The Notifiers supervisor (or an assigned person) will be able to assign the incoming notification orders to notifiers by selecting a notification and selecting the appropriate notifier from a drop down menu.</p> <p>Once the notification is linked to a notifier and this step is saved, the notification will be removed from the “Notifications Queue” and assigned to the “Notifier Queue” screen where it can be printed from there.</p> <p>In case the notification was sent to the wrong court by mistake, the assigned person at the notification department can assign it to a different court from a drop down menu, and it will go to that court’s “Notification Queue” screen.</p> | <p>notifier, along with the user name.</p> <ul style="list-style-type: none"> - The date and time of assigning the notification to a different court, along with the user name. <p>Screen search fields:</p> <p>Name, Address, Court, judge, Hearing date, etc.</p> |
| <p>Printing the Notifications</p> <ul style="list-style-type: none"> • “Notifier Queue” Screen <p>Using the “Notifier Queue” screen, the Supervisor (or an assigned person at the notification department) shall be able to view the notifications assigned to each notifier, along with the necessary information, such as the name of the “to be informed” person, address, hearing date, created date, etc. This will be done through the “Notifier Queue” screen.</p> <p>The screen by default will only show the pending notifications that have not been returned to the case file yet.</p> <p>Among the search options, the user can filter the records to show each notifier’s notifications, printed notifications, unprinted notifications, pending notifications, returned notifications, etc. The notifications can also be ordered using the hearing date, judge, and any other information available.</p> <p>The user will select the notifications to be printed and prints them all and hands them to the notifiers. The notifications can be printed several times, but it is preferable that with each print, the notification gets a different serial number that will show the number of times it was printed. This will be used for control purposes.</p> <ul style="list-style-type: none"> • Barcode <p>Each notification should have a unique barcode assigned to it that appears on it when it’s printed, and each time it gets printed. The purpose from</p> | <p>Search options</p> <ol style="list-style-type: none"> 1. Notifications per notifier, printed notifications, unprinted notifications, pending notifications, returned notifications, etc. 2. The notifications can also be ordered using the hearing date, judge, and any other information available. <p>Information Captured for Notification History</p> <ul style="list-style-type: none"> - The date and time of printing the notification, along with the user name. - Date and time of each instance the notification is printed, along with user name. <p>Serial number per each print</p> |

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| <p>the barcode is to ease and speed the process of tracking and updating the status of the notification. The barcode will be based on the case number plus the ID number of the notification.</p> | |
| <p>Scanning the notifications</p> <p>After random checking the notifications, the documents will be scanned and attached back to the electronic case file record using the barcode number provided on the notification.</p> | <p>Information Captured for Notification History</p> <ul style="list-style-type: none"> - The date and time of scanning the notification, along with the user name. |
| <p>Returning physical copy to the case file</p> <p>The physical copy of the notification that includes the explanations written by the notifier has to return back to the case file. There are 2 cases: going from the notification department to the judge clerk in the same court, or to a different court.</p> <ul style="list-style-type: none"> • Case 1: Same Court: <p>Once the documents are image scanned and each notification is linked digitally to the case file, the documents have to return back to the case file through the judge’s clerk. The notification department will send the documents to the clerk, who will digitally sign the receipt of the documents. This is done through a hand held bar-code reader connected to the PC. The clerk will use a screen named: “Notification Receiving” screen.</p> <p>The “Notification Receiving” screen will show the pending notifications that have been issued but not returned yet. The screen will be arranged in a table format, where each record contains the information related to the notification: The judge, case number, name of the notified person, the court, etc. The information can be filtered by any of the fields.</p> <p>The clerk shall bar-code read all the notifications to be received, and once all the notifications’ barcodes are read, the clerk will be given a summary showing the total number of the notifications to be received. If accepted, each record will be updated with the date and time of receiving the notification.</p> <p>The clerk can also select to accept notifications related to one or many judges or to one court. If a read barcode was not issued by the selected judge, it will give the clerk a message not to accept, and indicating the proper judge.</p> <p>The clerk will then place the physical copy back into the case file.</p> <ul style="list-style-type: none"> • Case 2: Different Court <p>In case the notification has to be sent from one court to another, it has to go through the Diwan of the two courts. After the documents are image scanned at the notification department and are linked to each case file digitally, they are transferred to the Diwan of the court. The Diwan has to</p> | <p>Information Captured for Notification History</p> <ul style="list-style-type: none"> - The date and time of bar-code reading the notification at the clerk’s office, along with the user name. - The date and time of bar-code reading the notification at the Diwan’s office at the 2 courts, along with the user name. |

digitally sign for the receipt of the notifications to maintain record of the location of the notifications.

The Diwan will utilize the “Diwan Notification Receiving” screen. The screen will show the pending notifications at that court that originated from other courts. The screen will be arranged in a table format, where each record contains information related to the notification, such as: Issuing court, name, judge, address, etc. The information can be filtered by any of the fields.

The user shall bar-code read all the notifications to be sent to another court through, and once all the notifications are barcode read, the user will be given a summary showing the total number of notifications to be received. If accepted, each record will be updated with the date and time of receiving the notification.

If a notification is not to be sent to another court, the system shall notify the user through an error message.

The notifications will then be transferred through internal court mail to the other court’s Diwan, where it will be bar-code read using the “Arrived Notifications” screen. The screen will show the notifications that have been alerted in other courts’ Diwan to be sent to the specific court. The screen will be arranged in a table format, where each record contains information related to the notification, such as: issuing court, name, judge, address, etc. The information can be filtered by any of the fields.

Once all the notifications are bar-code read, the user will be given a summary showing the total number of notifications to be received. If accepted, each record will be updated with the date and time of receiving the notification.

Any notification that has been received to that court by mistake and was not on the screen should not be accepted, and the user will be given an error message.

The Diwan shall transfer the documents to the judge’s clerk following the same procedure as in case 1 above using the “Notification Receiving” screen.

3.2 Statistical Information and Reports

Based on the above system requirements, and the data captured the system shall be able to generate a variety of statistical information and reports.

Captured Data

The data that will be captured include the date, time, and user name at each instance of the following events:

1. The judge ordering to issue a notification.

2. The judge approving a notification.
3. Assigning a notification to a notifier, or a different court.
4. Printing a notification.
5. Image scanning a notification.
6. Bar-code reading a notification at the clerk's office.
7. Bar-code reading a notification at the Diwan's office.
8. Creating a notification from an entity other than a judge.
9. The transfer of documents from the different departments creating the notification all the way to the notification department.

This information should be available in the notification history, and is accessible to the related users. An example of how this information will appear is below:

Order Notification History

| Action | Comments | Date | Time | User |
|-----------------------|----------------------------|---------------|----------|--------|
| Returned to Clerk | | Sept 7 - 2007 | 9:00 AM | User 6 |
| Actual Delivery | | Sept 5 - 2007 | 4:00 PM | User 5 |
| Notification Scanned | Status of the notification | Sept 6 - 2007 | 10:00 AM | User 5 |
| Notification Printed | | Sept 2 -2007 | 10:00 AM | User 4 |
| Notification Assigned | Notifier's Name | Sept 2 – 2007 | 9:00 AM | User 3 |
| Notification Approved | Notification Number | Sept 1 - 2007 | 11:30 AM | User 2 |
| Judge Order | Notification type | Sept 1 - 2007 | 11:00 AM | User 1 |

Reporting

- The statistical information provides a way to measure the efficiency of the different stages in the process, as well as to exert control over them.
- In order to enhance the transparency within the court’s functions, the reports should be available for all users to view.
- The type of information reported includes:
 1. The time required for issuing and approving a notification per judge.
 2. The time required for assigning a notification to a notifier.
 3. The time it takes a notifier to deliver a notification.
 4. The time required to handle intra-court and inter-court documents transfer.
 5. The total time for the process.
 6. Efficiency per notifier.
 7. The delay per notifier.
 8. The way each type of notification is handled.
 9. The time required for issuing and transferring a notification to the notification department, from an entity other than the judge.

Key Reports

| Report Name | Report description | Report purpose & users |
|----------------------------|--|---|
| Notified Cases by Notifier | Shows the number of notifications assigned to each notifier during a selected period of time. The report will show the notifier’s name, total number of received notifications, notifications successfully delivered, notifications undelivered, and pending notifications. The report can be a summary format showing the total numbers with percentages, or a detailed report showing the notification’s details. | Purpose: Efficiency and workload Users: - Head of Notification Dept - Head of Court - Ministry of Justice |
| Notification’s Due Date. | Used to generate a listing of the pending notifications per notifier, with the due date of when it should be delivered and returned to the case file. This will be based on the hearing date of the case. | Purpose: Follow-up Users: - Head of Notification Dept |
| Method of Notifying | Used to show the method of notifying each notification, whether it is in person, taping to a door, undelivered, etc. The report will show the notifications per notifier, or per court, showing the total number of each method. The report could be a summary or a detailed report. | Purpose: Statistical Purposes User: - Statistician |

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|--------------|--|--|
| Transit Time | Used to measure the time it takes each Notifier to deliver a notification. It will show the time elapsed from being assigned a notification till it is returned by counting how many notifications per each day. | Purpose: Efficiency of Notifiers User: - Head of Notification Dept |
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3.3 Hardware & Software Requirements

While the number of units needed will depend on the number of already available PCs in the different courts, the base criteria for IT requirements are as follows:

1. A personal computer for each judge
2. A personal computer for each Judge's officer at the follow-up department
3. A bar-code wedge scanner for each follow-up officer.
4. A Personal Computer for each notification department.
5. One document scanner at each notification department
6. A printer at each notification department
7. Bar-code wedge scanner at the Diwan office.

Detailed IT Hardware Requirements and Cost

| | No of units | Estimated Cost per unit in JD* |
|---|-------------|--------------------------------|
| Preferred servers: <ul style="list-style-type: none"> - HP Proliant DL380 G5 - Processor (2) Dual-Core Intel Xeon Processor 5130 (2.0 GHz, 65 Watts, 1333 FSB - Cache Memory 4MB (1 x 4MB) Level 2 cache - Memory 3 GB PC2-5300 Fully Buffered DIMMs (DDR2-667) | | 4,000 |
| Preferred Workstations: <ul style="list-style-type: none"> - HP Compaq dx7300 - 2.4G Intel Core Due - 1 G Ram - 160 G Hard disk | | 750 |
| Preferred Document scanners: <ul style="list-style-type: none"> - HP Scan jet 5590 | | 320 |
| Preferred barcode wedge scanners: PSC QS6000+ | | 200 |
| Preferred printers (if needed) <ul style="list-style-type: none"> - HP LaserJet425 | | 700 |

* Prices are excluding sales tax