



# Administration of Justice Support Project



American Mideast Education and Training Services, Inc.  
1730 M Street, NW, Suite 1100 – Washington, DC 20036-4505

## Development Experience Clearing House Submissions Form – AID 590-7

USAID Contract #: **USAID/Egypt Contract # 263-C-00-04-00028-00**

Project Title: Administration of Justice Support II (AOJS)

Project #: 263-0288

Strategic Objective: Objective 2: Governing Justly and Democratically; Program Area 2.1: Rule of Law & Human Rights; Program Element 2.1.3: Justice System; Program Sub-Element 2.1.3.4: Access to Justice

SO Number: 2.1.3.4

Document Title/Translated Title: Tanta Lawyers' Survey Baseline

Author(s): Hassouna & Abou Ali Attorneys at Law

Contractor's Name: American Mideast Education and Training Services, Inc. (AMIDEAST)

Sponsoring USAID Operating Unit: USAID/Egypt – Democracy and Governance

Language: English

Publication Date: March 2007

Abstract : This report presents results of tests and obtains a rating of the overall level of TCOFI efficiency from a sample of practicing lawyers.

Keywords: Survey, Questionnaire, Lawyers, baseline, results

Name of Person Submitting Report: Ms. Jackie Haralson, AMIDEAST Contracts Manager; 202-776-9600 (office phone); [jharalson@amideast.org](mailto:jharalson@amideast.org)

Date of Submission: January 31, 2009

**THE ADMINISTRATION OF JUSTICE SUPPORT PROJECT II**

**U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT**

**SUBCONTRACT No. AOJSII-09-139**

**TANTA COURT SURVEY FINAL REPORT**

**CONDUCTING LAWYERS SURVEY  
TANTA COURT OF FIRST INSTANCE  
No. 1**

**SUBMITTED BY**

**HASSOUNA & ABOU ALI  
ATTORNEYS AT LAW**

**MARCH 2007**

**Table of Contents**

I - Introduction and Executive Summary ..... 1  
A. Introduction..... 1  
B – Executive Summary ..... 2  
  
II - Validity of the Sample Survey ..... 9  
  
III - Summary Results of the Survey ..... 10  
Section 1: Administrative Procedures..... 10  
Section 2: General Questions ..... 21  
Section 3: Additional Comments/Suggestions ..... 25  
  
IV - Analysis of the Results ..... 27  
Section 1: Administrative Procedures..... 27  
Section 2: General Questions ..... 28  
Section 3: Additional Comments/Suggestions ..... 29  
  
V - Conclusions ..... 33  
  
ANNEX I - Methodology..... 35

## **I - Introduction and Executive Summary**

### **A. Introduction**

This Final Report regarding the Tanta Court of First Instance (“TCOFI”) presents the findings of lawyers’ survey which America-Mideast Educational and Training Services, Inc. (“Amideast”) asked Hassouna & Abou Ali (“H&A”) to conduct for use as the baseline and subsequent comparative data for the Administration of Justice Support II Project (“AOJSII” or “Project”).

The purpose of conducting the lawyers’ survey is to obtain data from attorneys who regularly practice law in certain selected Courts of First Instance; and to test and obtain a rating of the overall level of courts’ efficiency from a sample of practicing lawyers. The information collected by H&A will also serve as data for the Project’s interventions at TCOFI.

This Final Report addresses the first full lawyers’ survey in TCOFI. According to the Schedule of Deliverables of the TOR, the TCOFI Final Report is due on March 29, 2007.

H&A’s attorneys who conducted the survey were composed of the following members:

- a. Team Manager: *Ahmed M. Gamal Abou Ali*
- b. Legal Expert Consultant: *Hazem Ahmed Fathi*
- c - Data Collectors: *(i) Bassem Bayoumi Shohda, (ii) Hussein Sayed Shaabaan, and (iii) Adel Abdel Meguid*

## **B – Executive Summary**

1 - The TCOFI 1<sup>st</sup> Survey was conducted from February 25 to February 28, 2007. In accordance with the TOR, the tool used to assess lawyers' satisfaction level for the TCOFI Survey was a specifically designed survey questionnaire in Arabic provided by the Project to H&A.

2 - The questionnaire focused on litigation procedures within the court. The questionnaire was divided in three sets of questions. The first set described a number of functions performed as part of the litigation process. The second set sought to obtain information on the degree of involvement of the participating lawyers in the court's functions. The third set of questions provided an opportunity for the lawyers surveyed to share their views and ideas as to how to improve the current system. In total participants were asked 18 survey questions.

## **Methodology and Data Analysis**

3 - The Data Collectors met each respondent/lawyer individually. No personal information was collected from the lawyers surveyed. The questionnaires were distributed after explanation of the objectives of the Project and the Survey. H&A responded to inquiries received from the lawyers both before and during the answering period. After completion of the questionnaires by the participating lawyers, the questionnaires were validated by the data collectors who reviewed the answers on all questionnaires in order to make sure that the questions were properly answered.

4 - Quantitative results were processed by standard statistical techniques to provide the results appearing in most of the tables and charts of this Report. The Survey Analysis Forms which were utilized to analyze data received enable: (i) the determination of the number of lawyers who chose each answer; and (ii) the percentage of lawyers for every answer to the total number of lawyers participating in the survey.

5 - A separate analysis form was allocated for Section 1 of the questionnaire to analyze the responses of each registration level: cassation,

Courts of Appeal and Courts of First Instance. This reflects the effect of the lawyers' experience on the impression and opinions of the participating lawyers.

6 - In order to measure the statistical inference of the trends in the opinions of the surveyed lawyers (125 lawyers) with respect to each question, a relative weight in the form of weight points was given to each answer that is to be chosen from, which varies depending on the answer chosen and whether it is considered a strength or weakness. For example, questions with five choices were given the following points and ratings: excellent was given 5 points, very good was given 4 points, good was given 3 points, fair was given 2 points and poor was given 1 point. Determination of the weighted value for each choice in each question was made by multiplying the number of repeated answers by the weighted value. So, if the number of lawyers allocating a degree of "Excellent" in response to a question is 20, then the weighted value for this response is: 20 lawyers x 5 points = 100 relative points. In order to calculate the general average for each question which represents the general trend, the total number of grades for all selected answers to each question were added and then divided by the total no of lawyers (i.e. 125 lawyers). To calculate the percentage of the general average for each total weighted grade for each question, the average general for each weighted grade is divided by the maximum weighted grade, which is 5 points, and which represents the most positive choice in terms of strengths.

7 - Responses to questions no. 2/2 and 2/3 were divided into five segments in order to facilitate the analysis process. These segments are as follows: less than 25%, from 25% to less than 50%, from 50% to less than 75%, from 75% to less than 85% and from 85% to less than 100%. Responses to questions no. 6/2 and 7/2 were divided into three segments illustrating the degree of improvement in the handling process of cases: less than 50%, from 50% to less than 75% and more than 75%.

### **Validity of the Sample**

8 - One hundred and fifty five (155) questionnaires were distributed and completed, with an increase of 30 questionnaires over the required number

(125 lawyers). Questionnaires, which are not completed according to the instructions, or which include inaccurate or illogical answers, or are completed in an unprofessional manner (lawyers not taking the assignment seriously) were excluded. Data Collectors reviewed and disregarded the non-compliant questionnaires filled out by the lawyers on a daily basis in order to know how many were left to reach the required 125 questionnaires.

9 - All participating lawyers are familiar with, and have practiced in TCOFI. All lawyers had a minimum of two (2) years experience in handling civil and commercial cases. All participating lawyers responded to all the questions.

10 - Legal Consultant reviewed questionnaires received on a daily basis and have advised the Data Collectors of any remarks they had so to take such comments into consideration when progressing with the remaining questionnaires. The tabulation process was subjected a review process by the data entry members and the legal Consultant to ensure that the responses stated in the questionnaires are correctly entered and reflected in the tabulation.

### **Summary of the Results**

11 - **Section 1: Administrative Procedures:** Overall, lawyers' satisfaction rating for Section (1) was negative for the Tanta Court's administrative procedures. 9 of the 11 questions asked in this section scored grade "poor". 2 questions scored grade "fair", with no question scoring grades "good" or above.

Areas that received considerably low scores are collection of official copies (27.36%), guidance about procedures readily available (26%) and receipt of original documents of disposed cases (25.6%). Areas receiving fair scores are fees assessment (54.24%) and fees review (55.2%). All other areas received between 30% and 49%.

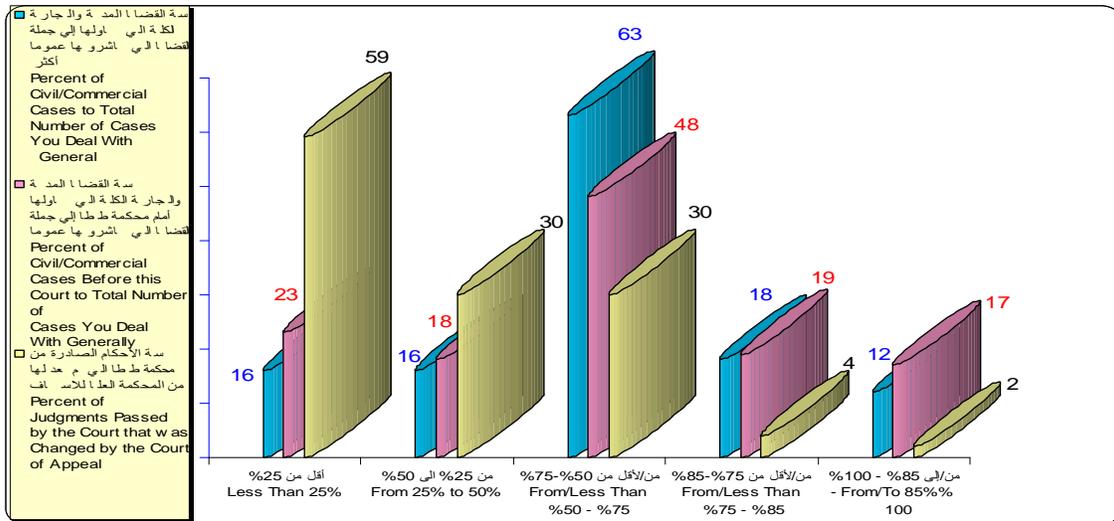
Broken down by level of lawyers' syndicate's registration levels, the overall satisfaction rating for section one remains with respect to each level separately on average as that indicated by the overall rating for all levels combined.

**Section 1: Administrative Procedures – Summary Results**

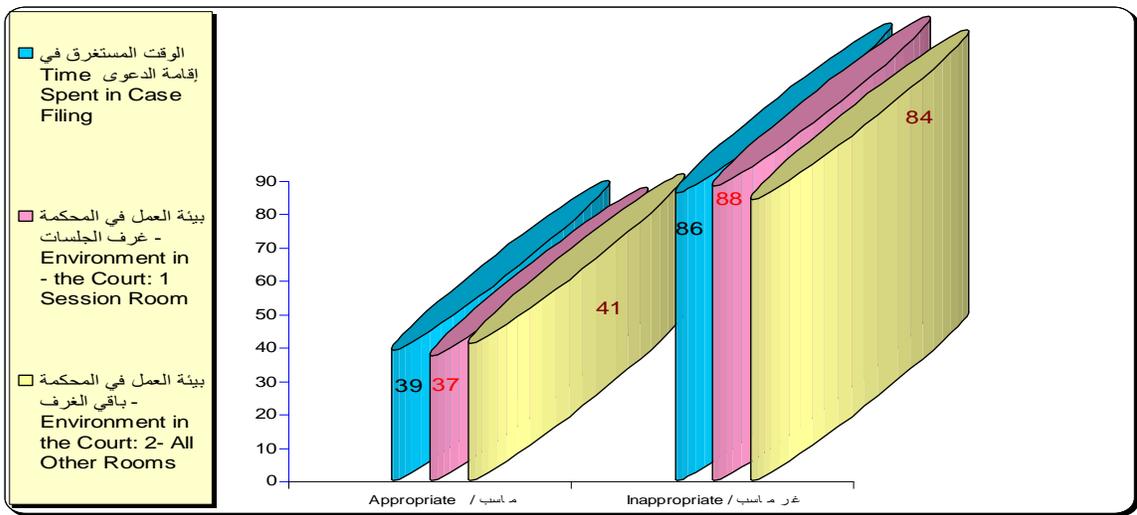
Q #	Question	Weighted Average %	Rating
1-1	Fees Assessment/Estimation	54.24	Fair
1-2	Fees Review	55.20	Fair
1-3	Fees Payment (Cashier)	30.88	Poor
1-4	Copying Summons/Case Microfilming	30.40	Poor
1-5	Determination of Circuit & 1 <sup>st</sup> Session Date	46.88	Poor
1-6	Scheduling	48.32	Poor
1-7	Acknowledging Litigants (Service Department)	34.88	Poor
1-8	Collection of Official Copies	27.36	Poor
1-9	Receipt of Original Documents of Disposed Cases	25.60	Poor
1-10	Collection Unit (Paying or Retrieving Case or Lawyers' Fees)	32.00	Poor
1-11	Enough guidance about procedures readily available	26.88	Poor

\* Poor: Less than 50%, Fair: From 50% to Less Than 60%, Good: From 60% to Less Than 75%, Very Good: From 75% to 90%, Excellent: More than 90%

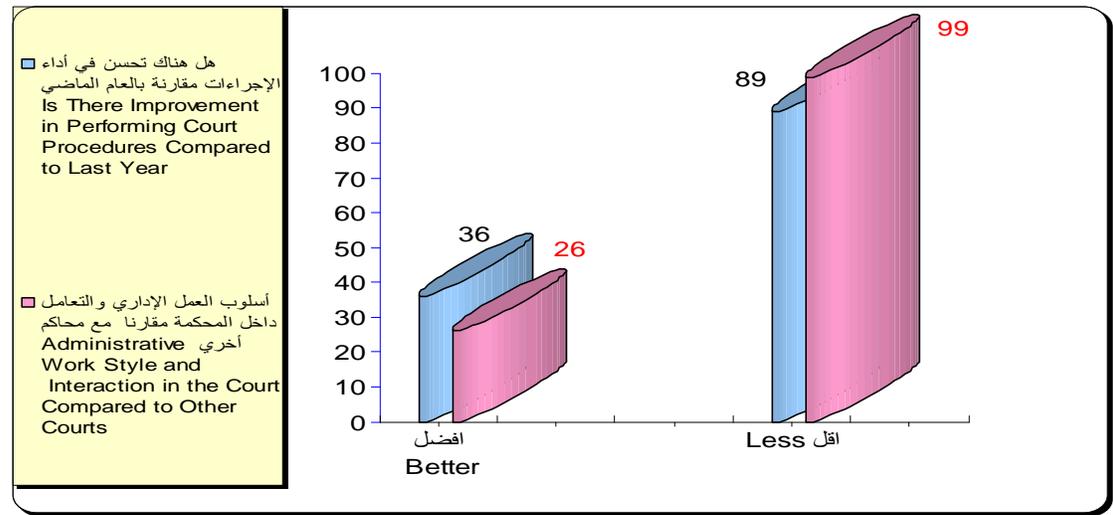
12 - **Section 2: General Questions:** The general questions were multipurpose and designed to measure: (i) the level of experience of the participating lawyers in dealing with civil and commercial cases and in dealing with TCOFI; (ii) the perception of the lawyers as to the time spent in case filing initiation and the overall working environment in TCOFI. The results show that:



- 74.4% indicated that more than 50% of the cases they handle are civil/commercial cases and that more than 67.2% indicated that more than 50% of the cases they deal with are in TCOFI.
- 71.2% indicated that the percent of judgments passed by TCOFI that was changed by the High Court of Appeal is less than 50%.



- Only 31.2% indicated that the percent of the time spent in case filing initiation is appropriate.
- Only 29.6% indicated that they are satisfied with the environment of the Court's space, ventilation, light, cleanliness and accessibility.



- 29% of the participating lawyers indicated that there is improvement in performing procedures compared to last year.
- 21% of the participating lawyers indicated that administrative work style and interaction with the Court is better than other courts, with 79% indicating that it is less than other courts.

13 - **Section 3: Additional Comments/Suggestions:** Proposals suggested by the surveyed lawyers in Section 3 were examined, analyzed and grouped in a list of 23 proposals. The proposals were then classified into three categories: human resources (receiving 19.25% of the attention), court procedures (receiving 62.15% of the attention) and facilities and equipment (receiving 18.60% of the attention).

Major issues received highest scores raised by lawyers included (i) training of court employees and quality of their work, ensure that their work is subjected to regular periodic inspection and that they show respect to lawyers and litigants; (ii) fees related activities, and (iii) case management and introducing an IT system.

A number of suggestions related to the improvement of court work circumstances. These include increase of court circuits, cashiers, court secretaries and number of areas receiving cash payments, as well as increasing the employees who revise the fees' estimate; better organization of court rooms and providing and increasing number of proper waiting rooms for lawyers; grouping all administrative works in one floor; and providing proper maintenance of lifts and lights.

Issues of medium importance related to court effectiveness include use of internet, increasing certain physical resources (microfilm, office space, maintenance, cleanliness), and training of judges and supervision over court bailiffs.

Minor issues receiving lesser scores related to speedier dispute resolution by increasing the number of circuits and experts and providing venue for receiving complaints.

14 - Review of the responses received lead us to recommend that the ranking in second group of questions be reviewed to provide for multiple rankings ranging from exemplary, satisfactory, or needs improvement, or alternatively, very satisfied, neither satisfied or dissatisfied, very dissatisfied. Also, in order to obtain the maximum benefit of the proposals made by the lawyers in the third group of questions, we suggest that the questionnaire ask the lawyers to state the problem and the solution recommended, as almost all responses stated the end result desired.

## **II - Validity of the Sample Survey**

One hundred fifty four (155) questionnaires were distributed and completed, with an increase of 30 questionnaires over the required number. The questionnaires were revised, with the guidance of the Data Collectors, and the following questionnaires were excluded:

- a. Questionnaires not completed according to the instructions.
- b. Questionnaires which include inaccurate or illogical answers
- c. Questionnaires completed in an unprofessional manner (lawyers not taking the assignment seriously)

As a result the number of questionnaires was reduced to 125, maintaining the number required by the TOR.

Computers were used in order to receive the final results and analyze them according to averages in order to avoid the human error.

All participating lawyers are familiar with, and have practiced in TCOFI. All lawyers had a minimum of two (2) years experience in handling civil and commercial cases. All participating lawyers responded to all the questions.

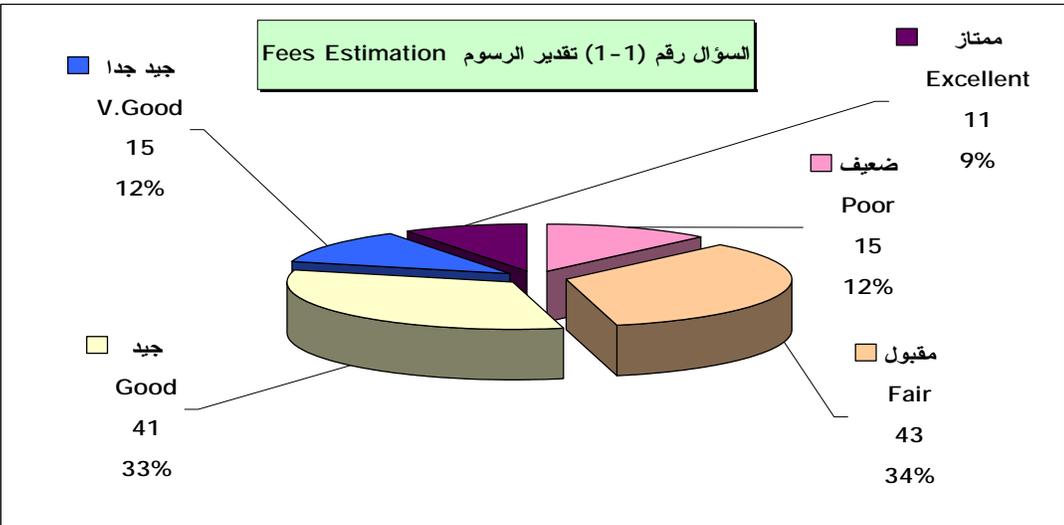
As stated above, the tabulation process was subjected a review process by the data entry members and the Legal Consultant to ensure that the responses stated in the questionnaires are correctly entered and reflected in the tabulation.

**III - Summary Results of the Survey**

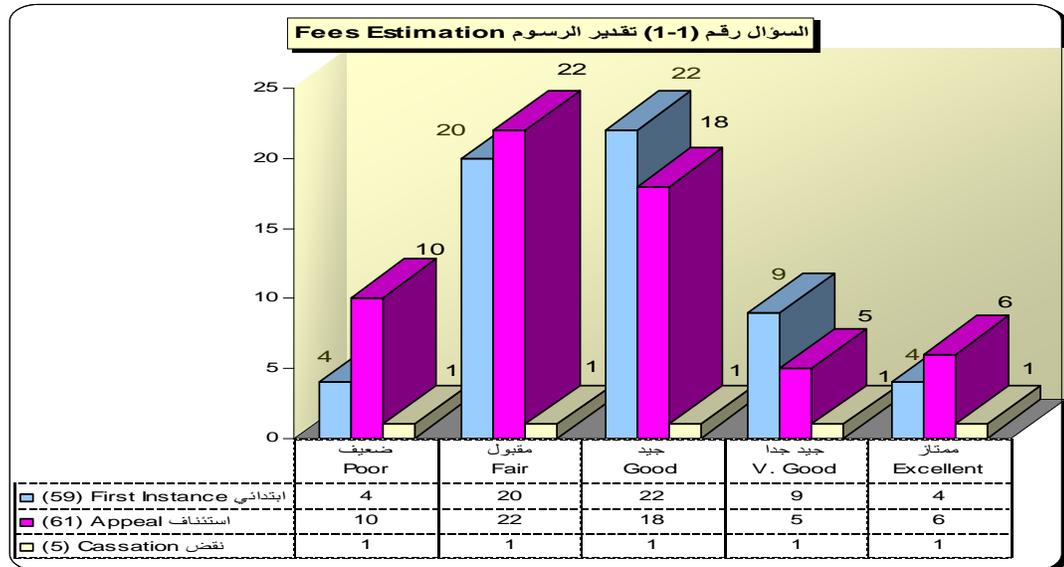
**Section 1: Administrative Procedures**

**1.1 Fees Assessment/Estimation**

**A. Total Weighted Average: Fair (54.24%)**

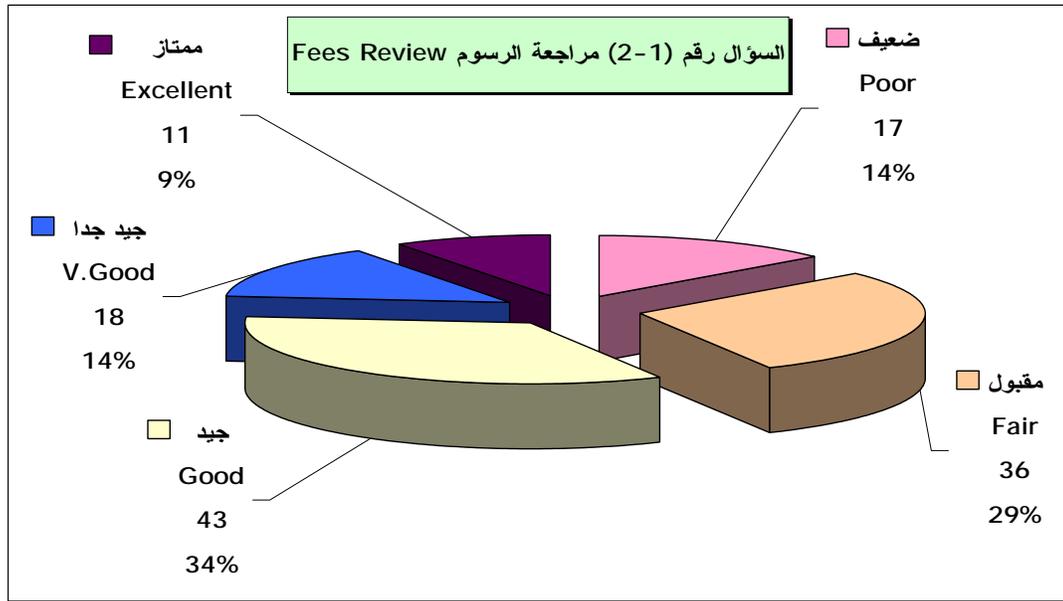


**1.1.B. Fees Assessment/Estimation - By Level of Bar Registration**

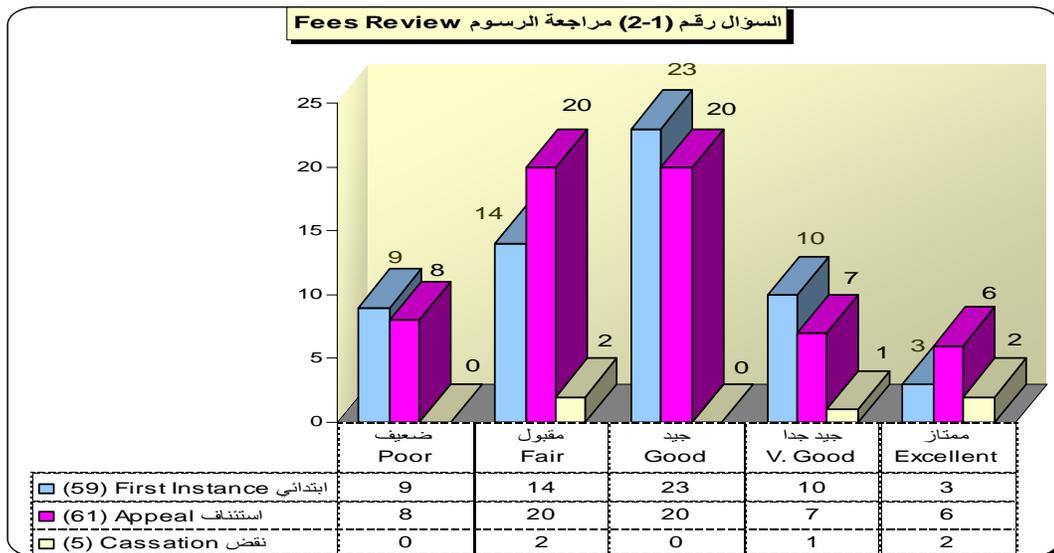


## 1.2 Fees Review

### A. Weighted Average: Fair (55.2%)

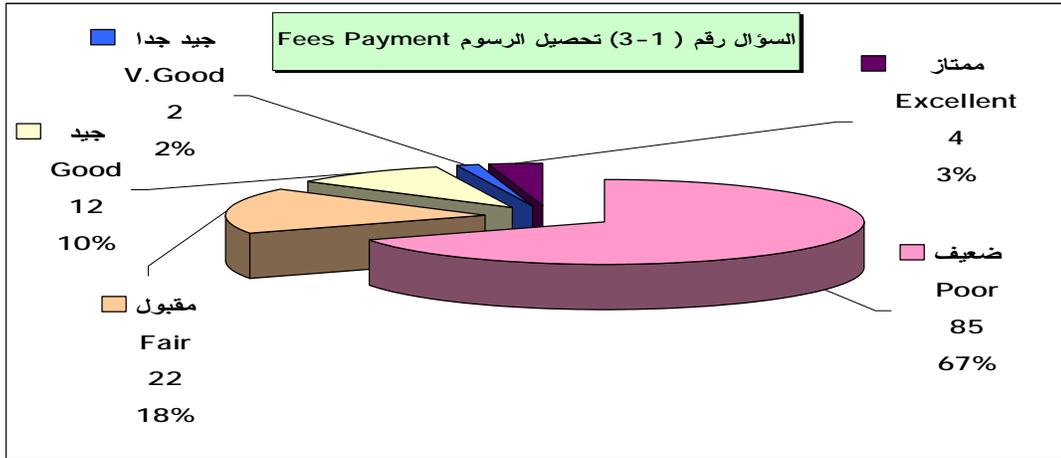


### 1.2.B. Fees Review - By Level of Bar Registration

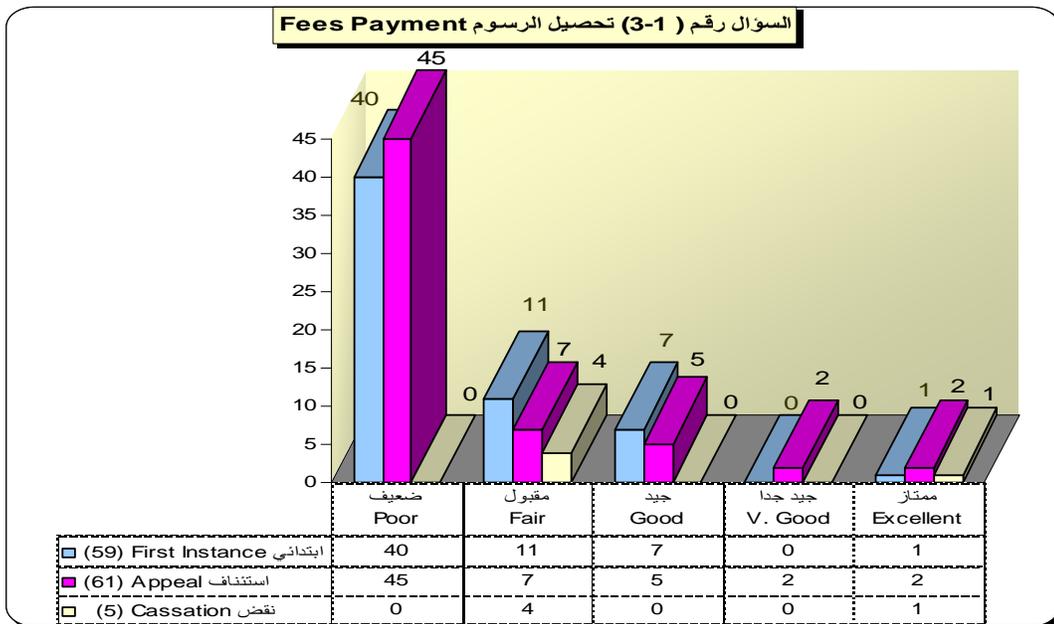


### 1.3 Fees Payment (Cashier)

#### A. Weighted Average: Poor (30.88%)

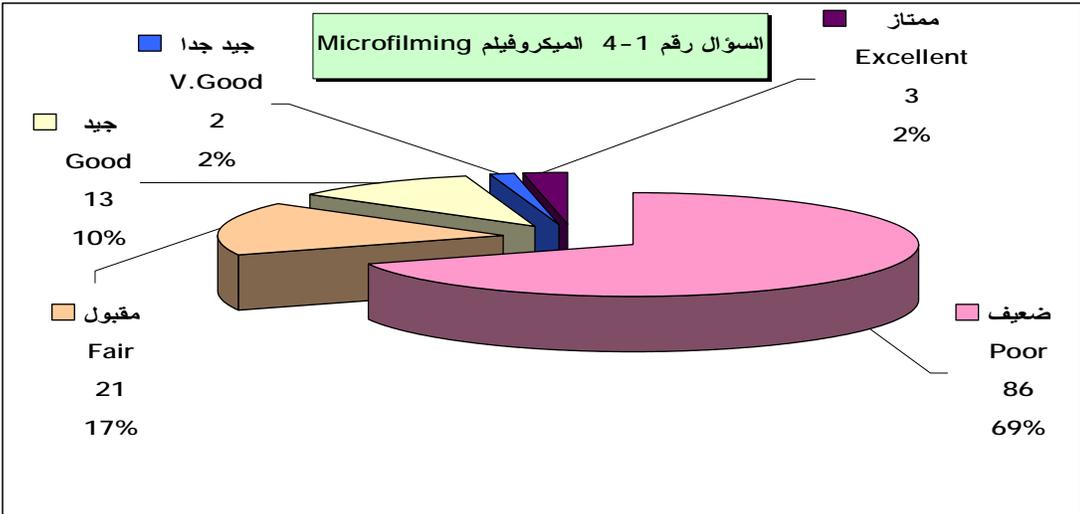


#### 1.3.B. Fees Payment (Cashier) - By Level of Bar Registration

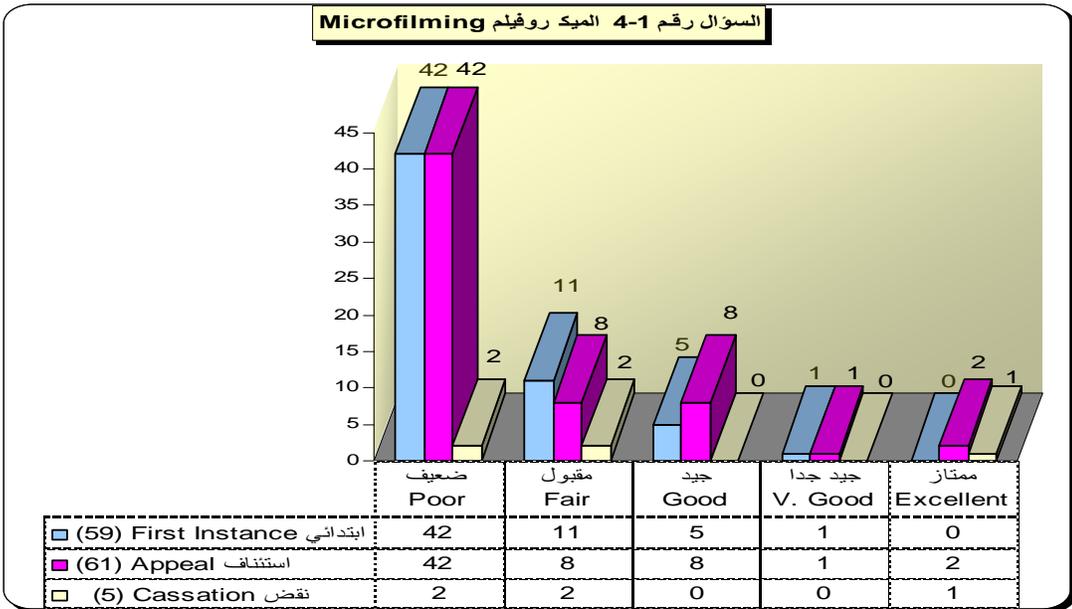


1.4 Copying Summons/Case Microfilming

A. Weighted Average: Poor (30.4%)

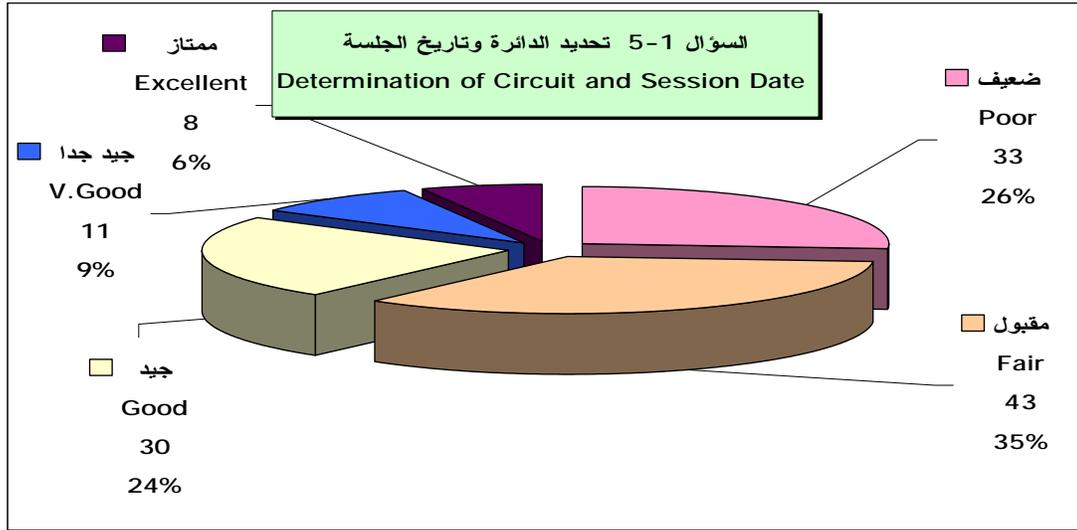


1.4.B. Copying Summons/Case Microfilming - By Level of Bar Registration

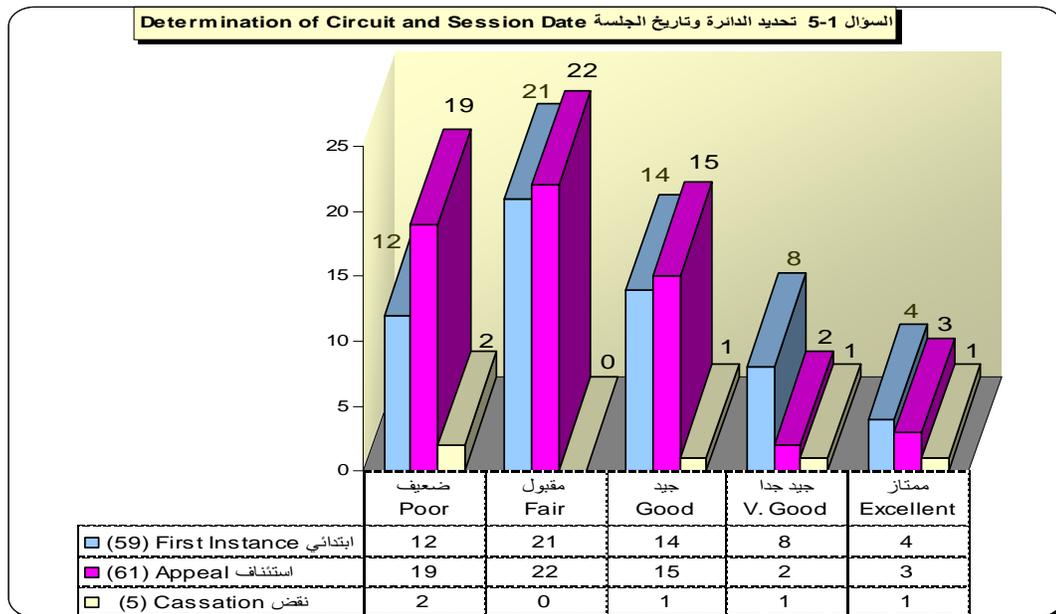


### 1.5 Determination of Circuit and 1st Session Date

#### A. Weighted Average: Poor (46.88%)

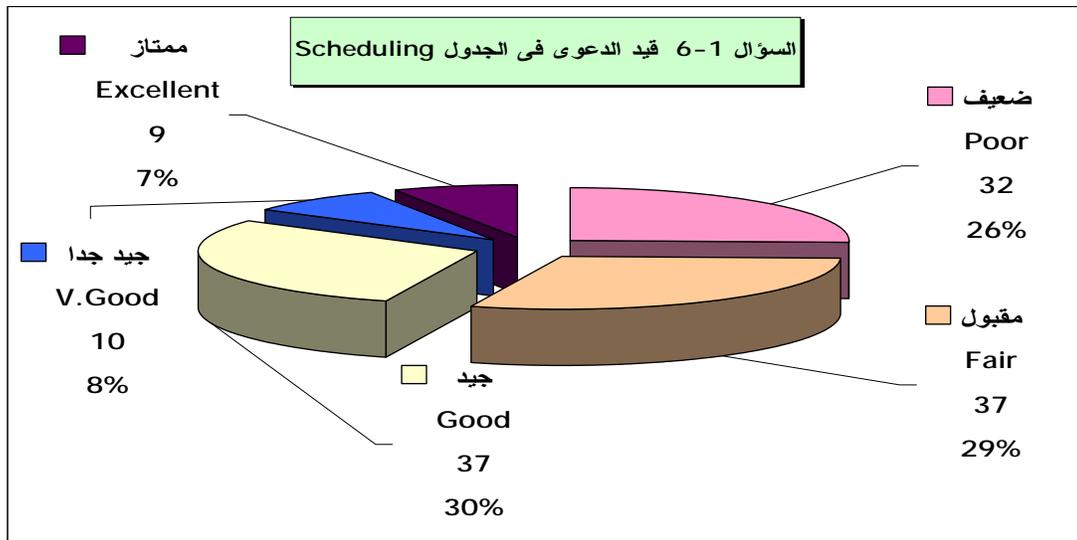


#### 1.5.B. Determination of Circuit/1<sup>st</sup> Session Date - By Level of Bar Registration

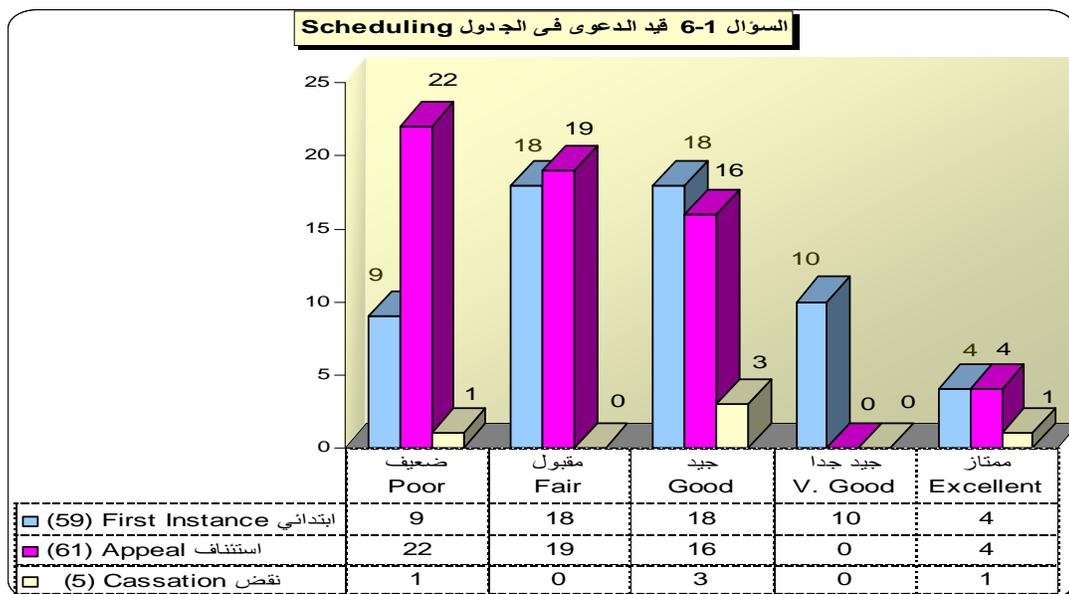


## 1.6 Scheduling

### A. Weighted Average: Poor (48.32%)

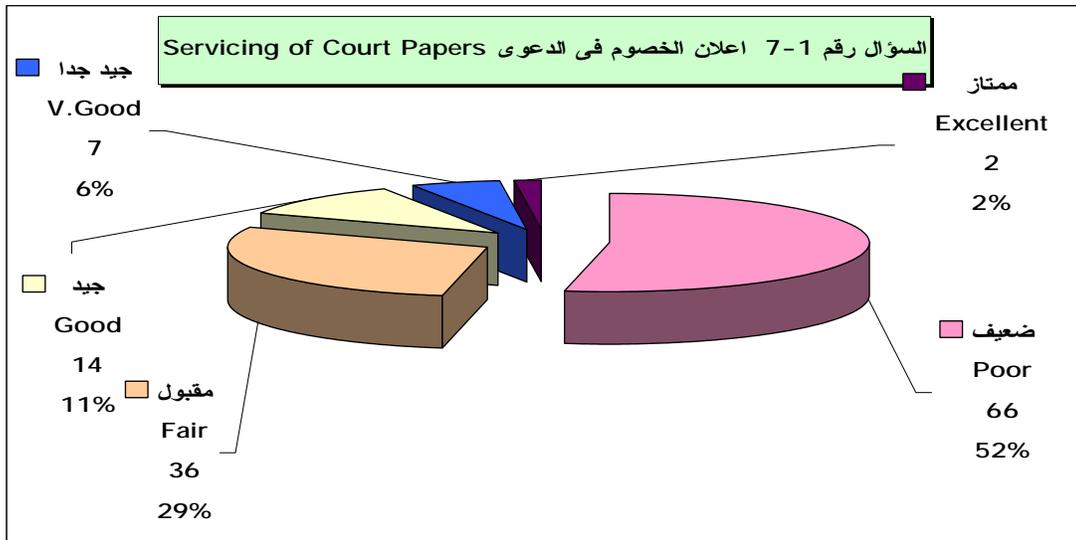


### 1.6.B. Scheduling - Assessment by Level of Bar Registration

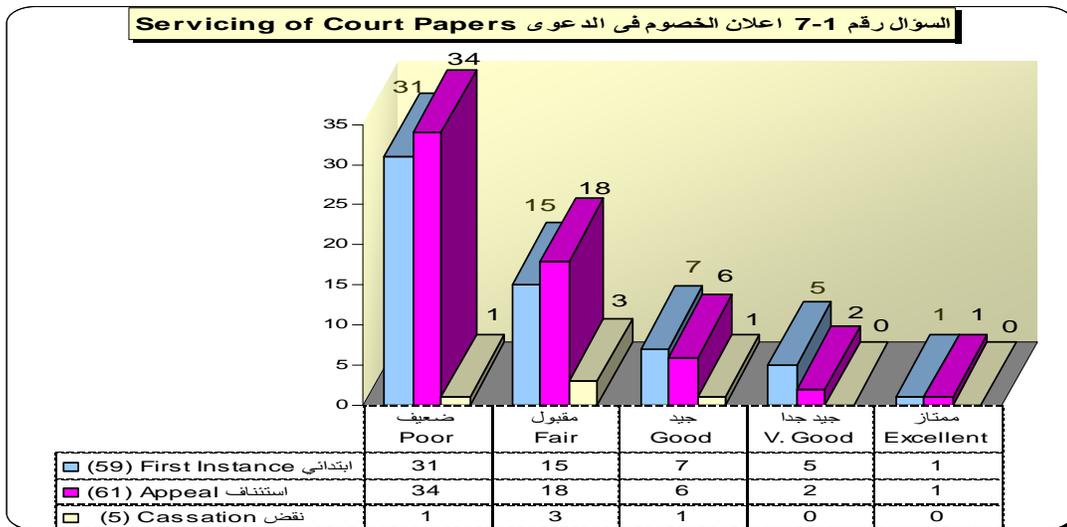


### 1.7 Acknowledging Litigants (Service Department)

#### A. Weighted Average: Poor (34.88%)

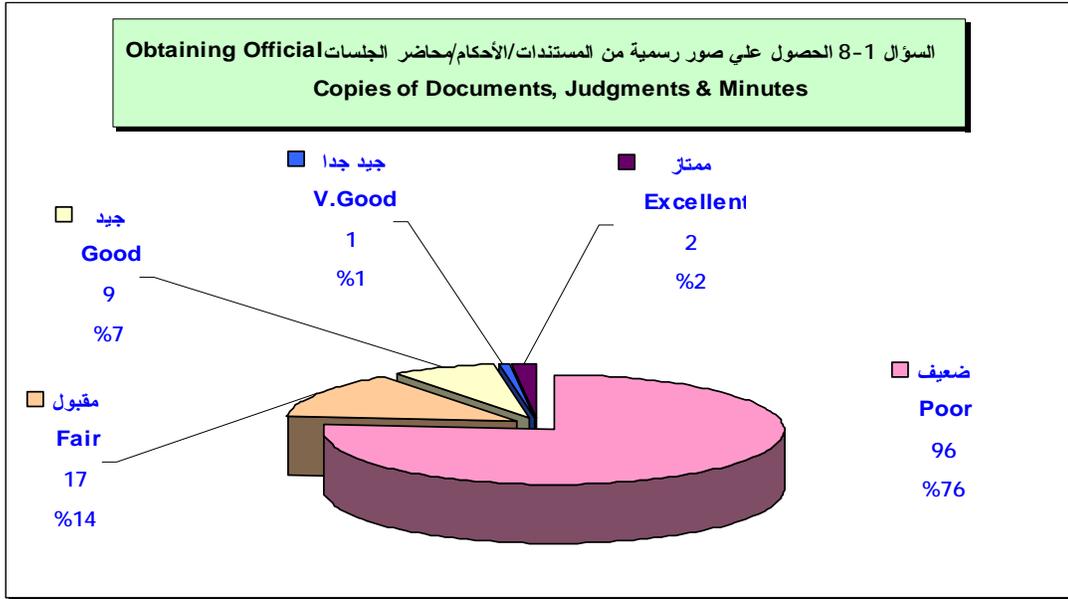


#### 1.7.B. Acknowledging Litigants - By Level of Bar Registration

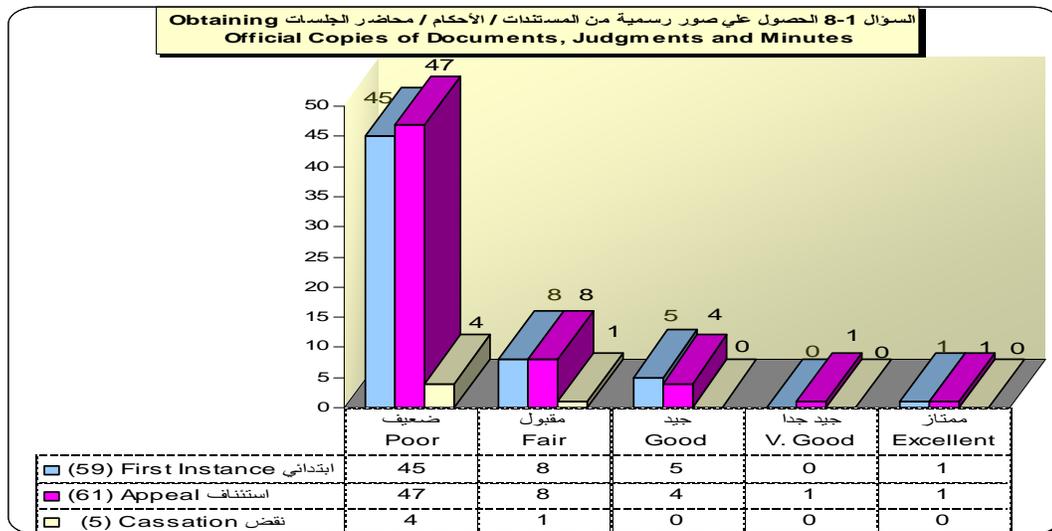


### 1.8 Collection of Official Copies of Documents/ Judgments/ Session Minutes

#### A. Weighted Average: Poor (27.36%)

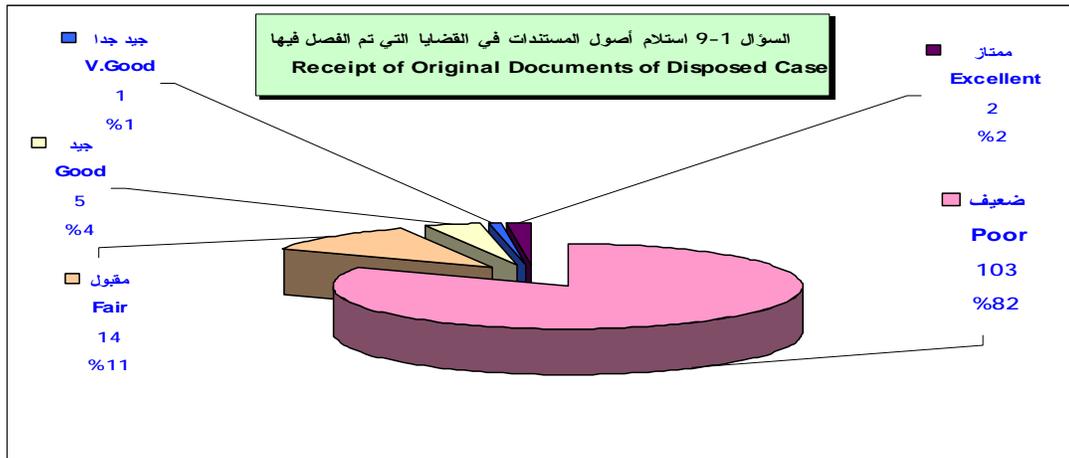


#### 1.8.B. Collection of Official Copies of Documents/ Judgments/ Session Minutes – By Level of Bar Registration

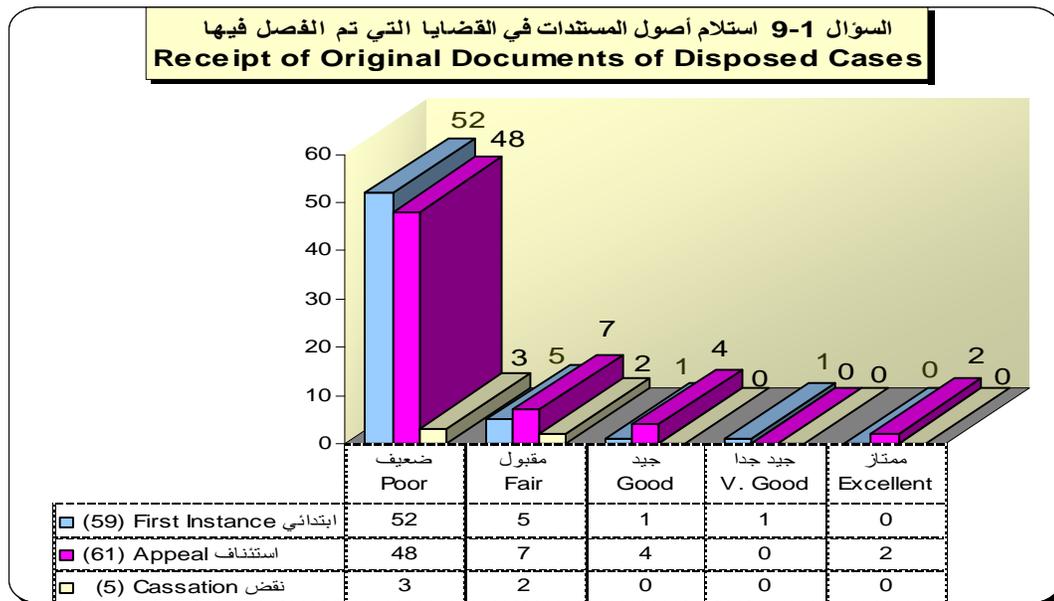


## 1.9 Receipt of Original Documents of Disposed Cases

### A. Weighted Average: Poor (25.6%)

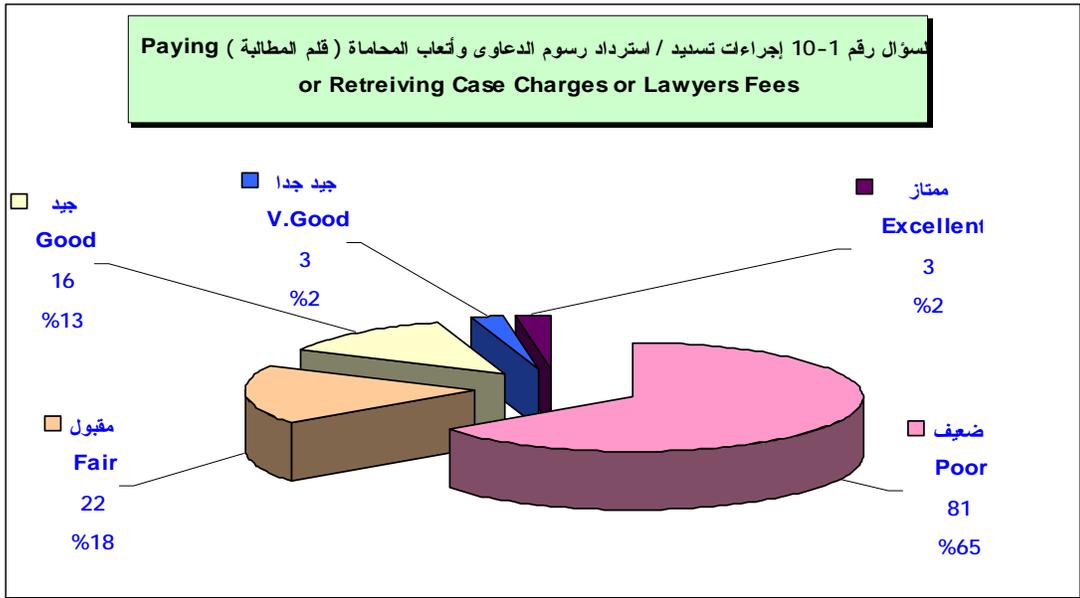


### 1.9.B. Receipt of Original Documents of Disposed Cases – By Level of Bar Registration

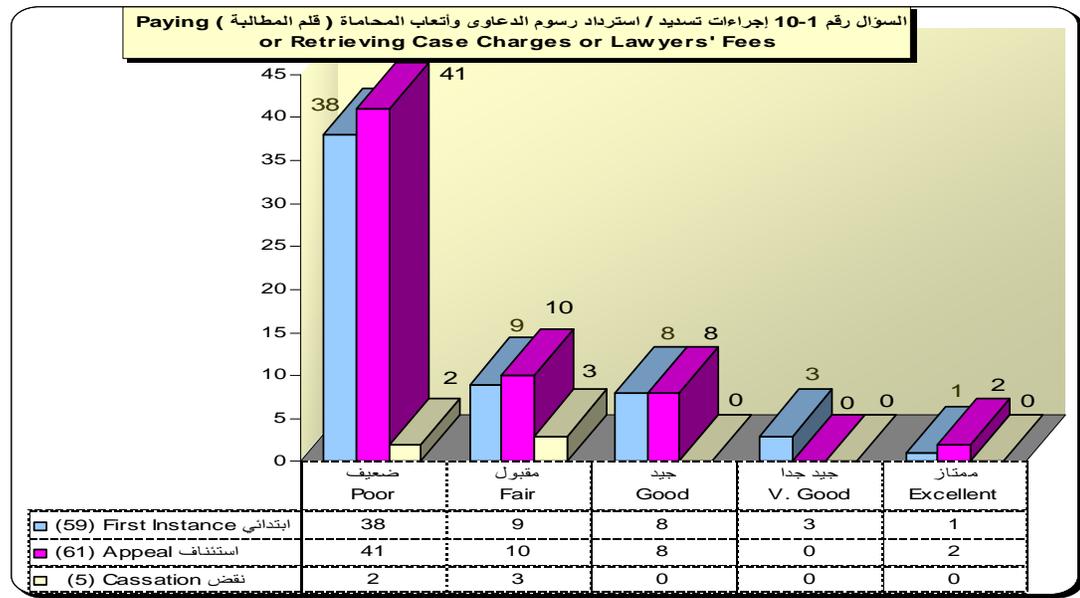


1.10 Collection Unit (Paying/Retrieving Case or Lawyers' Fees)

A. Weighted Average: Poor (32%)

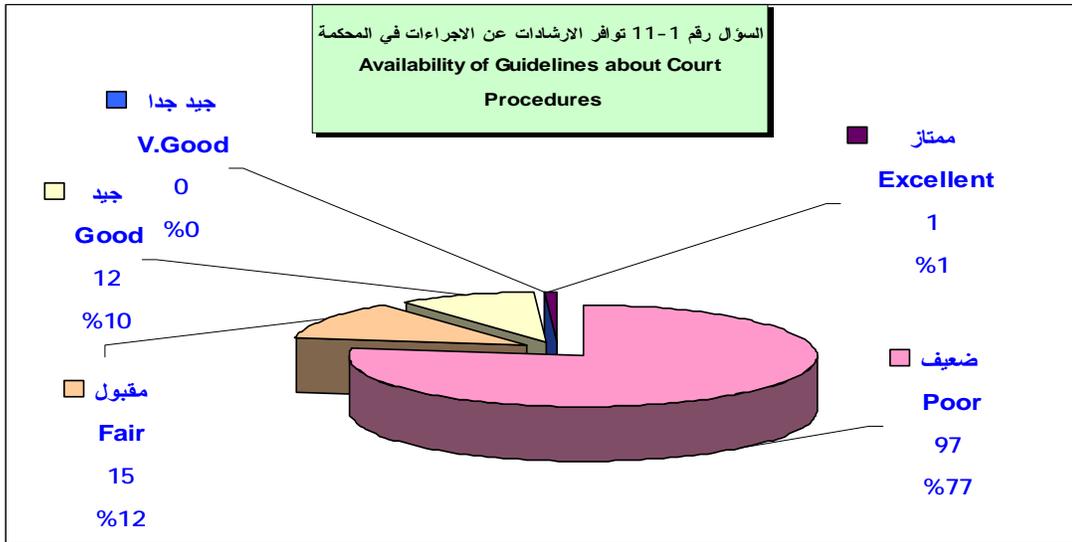


1.10.B. Collection Unit - By Level of Bar Registration

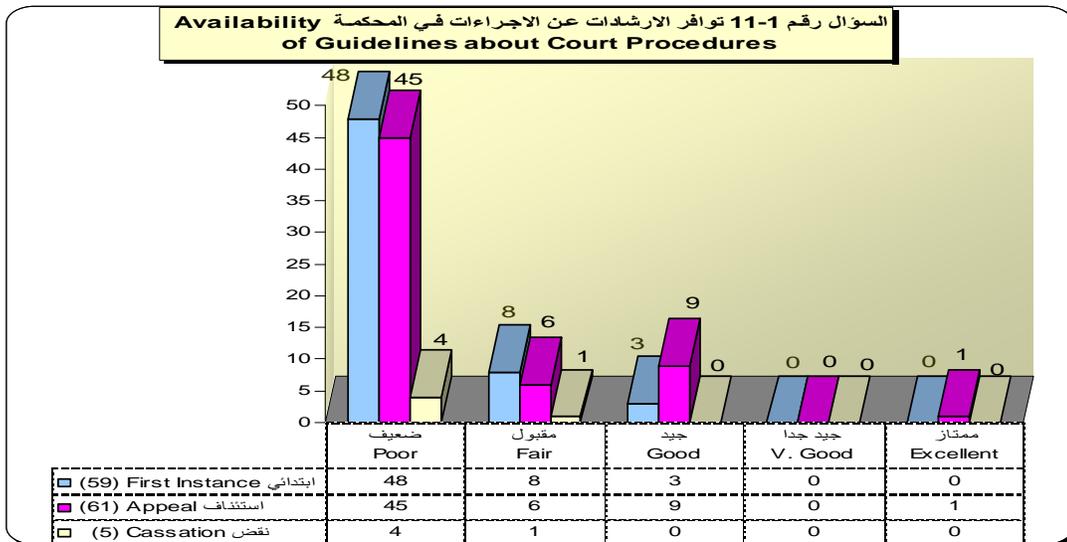


1.11 Availability of Guidance About Court Procedures

A. Weighted Average: Poor (26.88%)

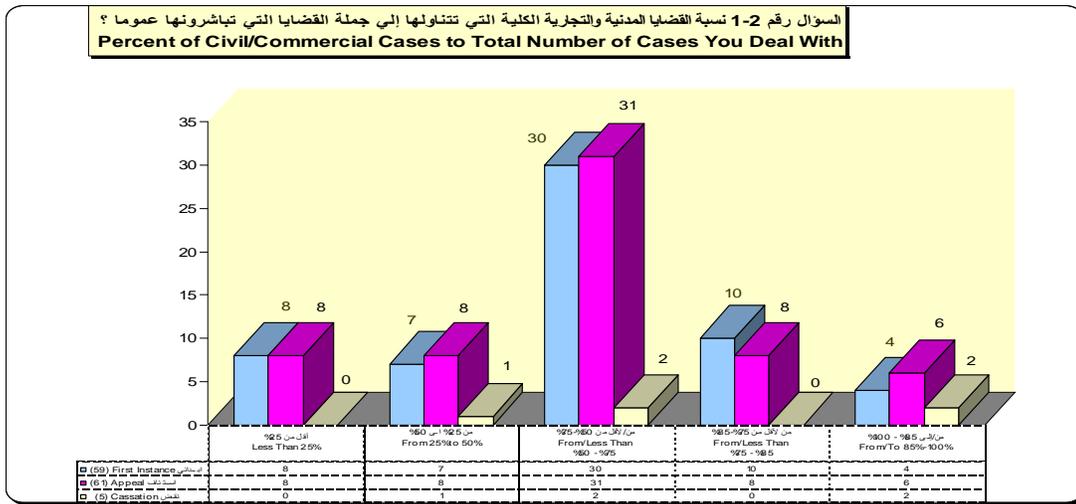


1.11.B. Availability of Guidance About Court Procedures –  
By Level of Bar Registration

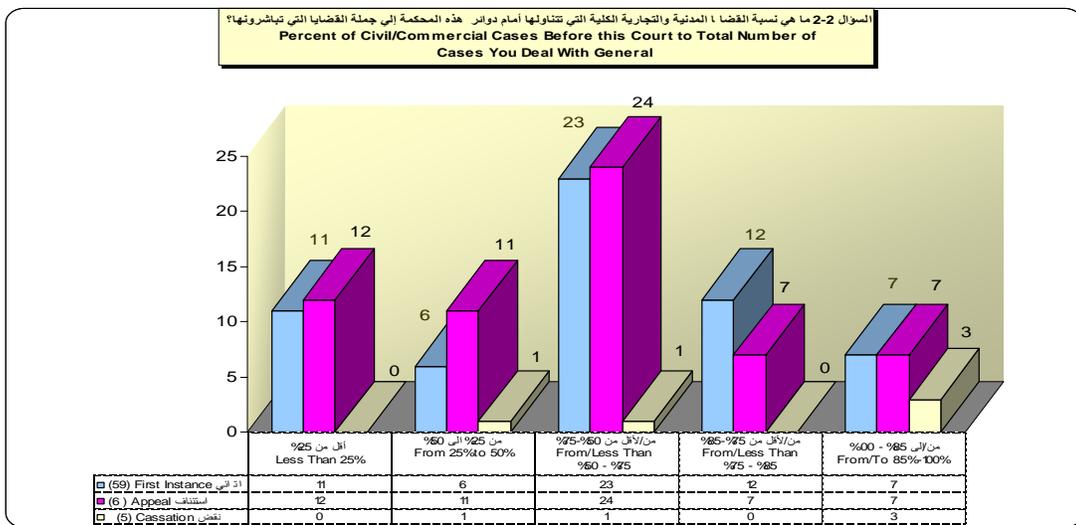


## Section 2: General Questions

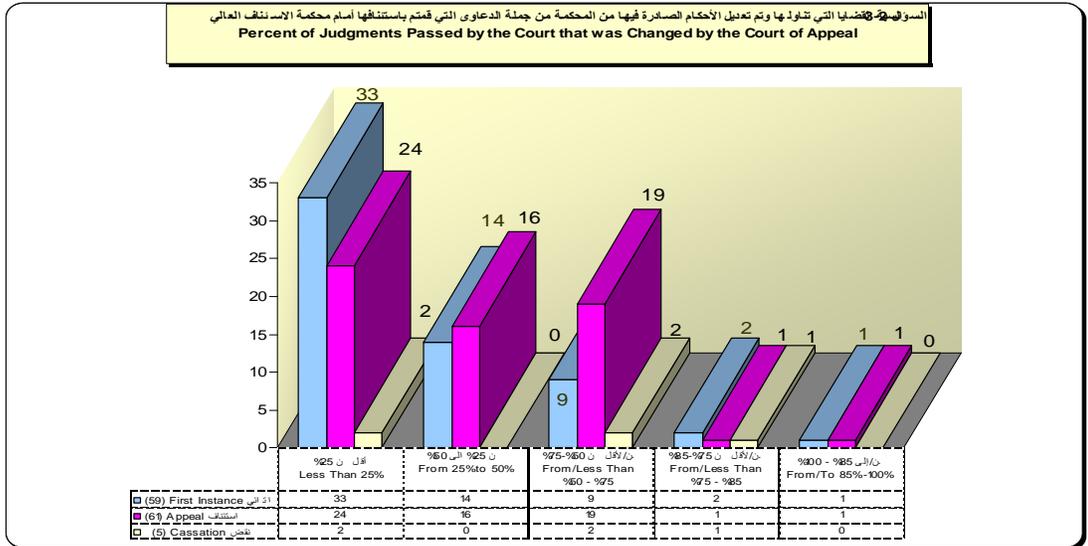
### 2.1 Percent of civil/commercial cases to total number of cases you deal with in general?



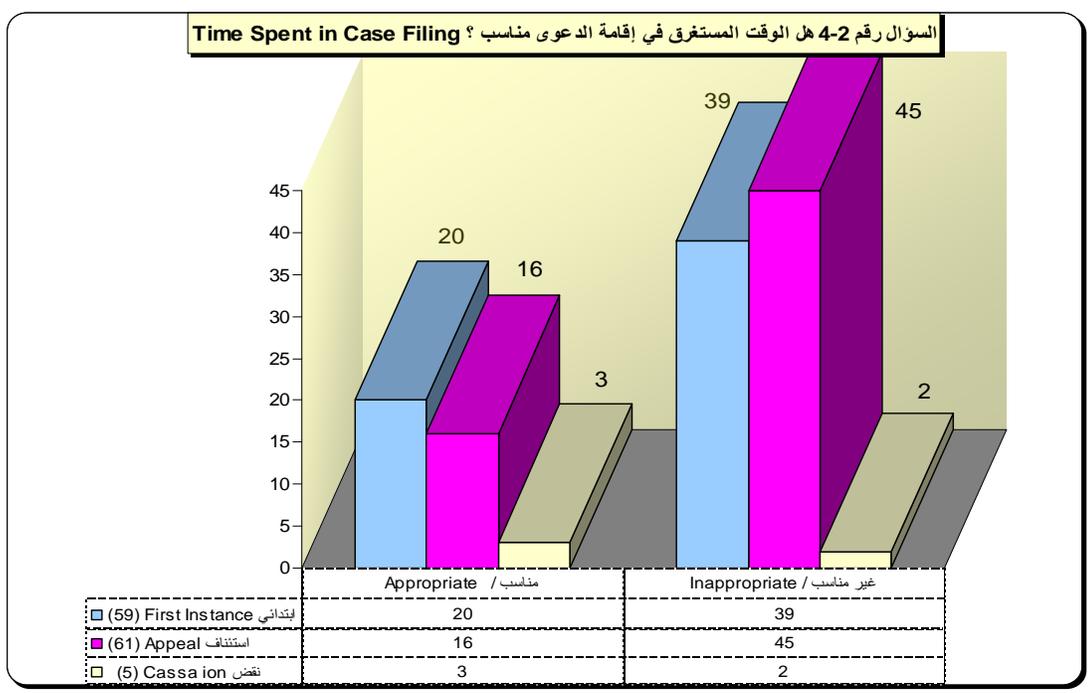
### 2.2 Percent of civil/commercial cases with this Court to total number of cases you deal with?



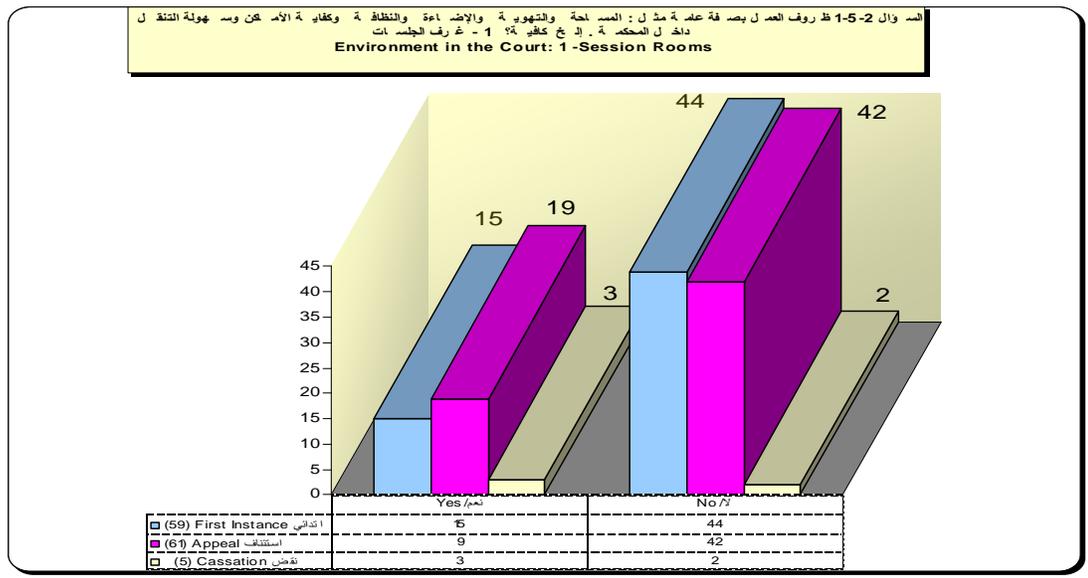
### 2.3 Percent of judgments passed by the Court that was changed by the High Court of Appeal?



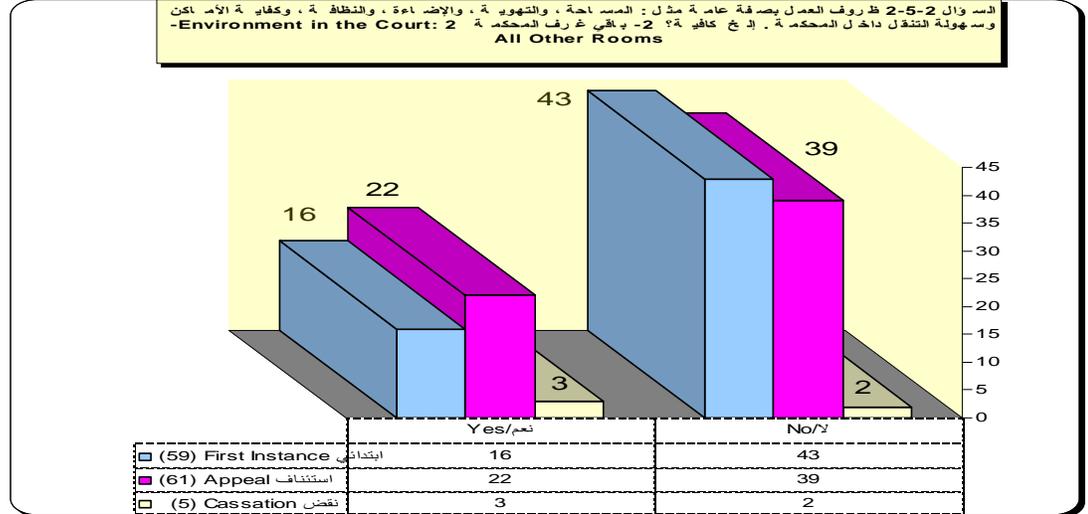
### 2.4 Is the time spent in case filing initiation appropriate or not?



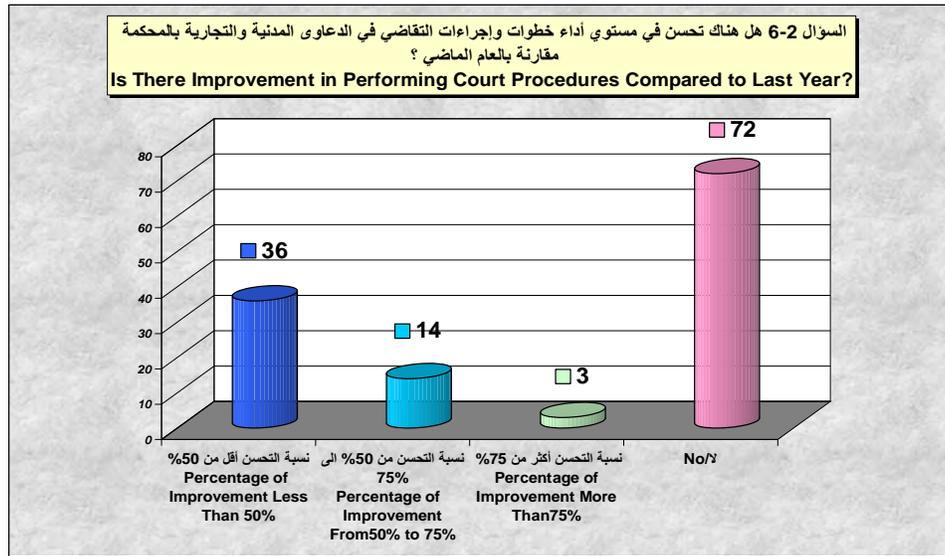
**2.5 (1) Is the environment in the Court, such as space, ventilation, light, cleanliness, and accessibility adequate within the Court Sessions?**



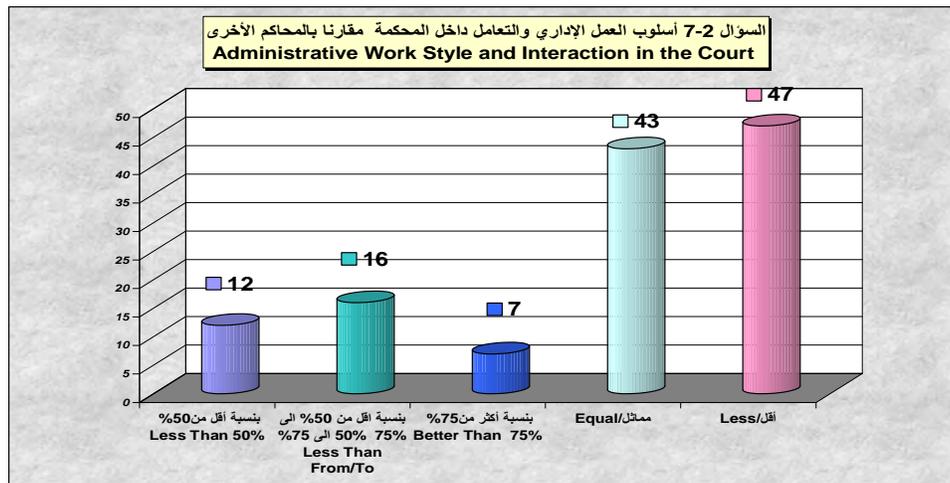
**2.5 (2) Is the environment in the Court, such as space, ventilation, light, cleanliness, and accessibility adequate within all other rooms?**



## 2.6 Is there improvement in performing the procedures related to civil/commercial cases in the Court compared to last year?



## 2.7 Comparing administrative work style and interaction in the Court to other courts you work in, how would you rate the Court?



### Section 3: Additional Comments/Suggestions

The participating lawyers were asked in an open-ended question to list any suggestions they may have to improve the performance and decrease the time needed for the disposition of Civil/Commercial Cases in the panels of the Court.

As illustrated in the following table, we have examined and analyzed the responses of all participants and have classified and grouped the responses in the following table, which indicates also the number of votes received for each category and the percentage it received relative to all participants (125 lawyers).

We have excluded some proposals for one of the following reasons:

- 1- The suggestion is not related to the work of the court and raises issues irrelevant to TCOFI.
- 2- The suggestion is not in line with the general rules and legal logic.
- 3- There is no suggestion but rather a complaint about the poor working conditions within the court, which were considered of a general nature and are not applicable.

No.	Category	Proposals	%/125	No. of Attorneys
<b>A – Human Resources</b>				
1.	A	Training court employees, inspect their work regularly and insuring their respect for lawyers and working hours	43%	54
2.	A	Proper treatment of lawyers by judges and prosecutors by setting up periodic seminars with lawyers	15%	19
3.	A	Adequate training for judges to increase efficiency and effectiveness to improve their level	12%	15
<b>B – Court Procedures</b>				
4.	B	Grouping fees' estimation, fees' payment and filing cases in one place and using IT	37%	46
5.	B	Improving filing, copying, reviewing, schedule and billing departments by using computers	34%	42
6.	B	Punctuality in hearings by Judges	32%	40
7.	B	Facilitation of the process of receiving official copies of documents by putting the filing and copying room in one place	30%	37

No.	Category	Proposals	%/125	No. of Attorneys
8.	B	Increase court cashiers, fees' revisers and number of cash receiving areas and extending working hours to 2 pm.	29%	36
9.	B	Typing Court decisions immediately after being announced revising them properly before typing	14%	18
10.	B	Improving microfilm, providing proper maintenance and reducing or abolishing microfilm fees	11%	14
11.	B	Finding a comprehensive solution for bailiffs problems to avoid delays	11%	14
12.	B	Streamlining of procedures to file cases	10%	12
13.	B	Posting bulletins to show locations for sessions and other departments or information office in each floor	8%	10
14.	B	Increase number of Court secretaries to facilitate inspection of documents	7%	9
15.	B	Increasing court civil circuits	4%	5
16.	B	Increasing number of experts	1%	1
<b>C – Court Facilities and Equipment</b>				
17.	C	Posting all cases and their documents on the internet	20%	25
18.	C	Increase and better management of courtrooms and increase the number of lawyers rooms	18%	22
19.	C	Cleanliness of and better housekeeping of the courthouse and its utilities	10%	12
20.	C	Increase number of photocopying machines	8%	10
21.	C	Providing lifts for lawyers as judges and litigants	6%	8
22.	C	Mail box to receive complaints to be reviewed periodically by the President of the court	6%	7
23.	C	Increasing number of court guards to protect lawyers	1%	1

## IV - Analysis of the Results

### Section 1: Administrative Procedures

Q #	Question	Excellent (5)	V Good (4)	Good (3)	Fair (2)	Poor (1)	Average Weight Value	Weighted Average %	Rating
		No./ Points	No. / Points	No. / Points	No. / Points	No. / Points			
1-1	Fees Assessment/ Estimation	11/55	15/60	41/123	43/86	15/15	2.712	54.24	Fair
1-2	Fees Review	11/55	18/72	43/129	36/72	17/17	2.760	55.20	Fair
1-3	Fees Payment (Cashier)	4/20	2/8	12/36	22/44	85/85	1.544	30.88	Poor
1-4	Copying Summons/Case Microfilming	3/15	2/8	13/39	21/42	86/86	1.520	30.40	Poor
1-5	Determination of Circuit & 1 <sup>st</sup> Session Date	8/40	11/44	30/90	43/86	33/33	2.344	46.88	Poor
1-6	Scheduling	9/45	10/40	37/111	37/74	32/32	2.416	48.32	Poor
1-7	Acknowledging Litigants (Service Department)	2/10	7/28	14/42	36/72	66/66	1.744	34.88	Poor
1-8	Collection of Official Copies	2/10	1/4	9/27	17/34	96/96	1.368	27.36	Poor
1-9	Receipt of Original Documents of Disposed Cases	2/10	1/4	5/15	14/28	103/103	1.280	25.60	Poor
1-10	Collection Unit (Paying or Retrieving Case or Lawyers' Fees)	3/15	3/12	16/48	22/44	81/81	1.600	32.00	Poor
1-11	Enough guidance about procedures readily available	1/5	0/0	12/36	15/30	97/97	1.344	26.88	Poor

\* Poor: Less than 50%, Fair: From 50% to Less Than 60%, Good: From 60% to Less Than 75%, V Good: From 75% to 90%, Excellent: More than 90%

Overall, lawyers' satisfaction rating for Section (1) was negative for most areas of the Tanta Court's administrative procedures. Nine (9) of the eleven (11) questions asked in this section scored grade "poor" (with 1 such question scoring very close to fair. Two (2) questions scored grade "fair".

Some of these low scores were considerably low. These are (i) receipt of original documents of disposed cases, (ii) enough guidance about procedures, (iii) collection official copies, and (iv) collection unit (paying or retrieving case or lawyers' fees) receiving 25.6%, 26.88%, 27.36% and 32% respectively.

Broken down by level of lawyers' syndicate's registration levels, the overall satisfaction rating for section one remains with respect to each level separately on average as that indicated by the overall rating for all levels combined.

## **Section 2: General Questions**

The general questions were multipurpose and designed to measure: (i) the level of experience of the participating lawyers in dealing with civil and commercial cases and in dealing with TCOFI; (ii) the perception of the lawyers as to the time spent in case filing initiation and the overall working environment in TCOFI. The results show that:

- 74.4% indicated that more than 50% of the cases they handle are civil/commercial cases and that more than 67.2% indicated that more than 50% of the cases they deal with are in TCOFI.
- 71.2% indicated that the percent of judgments passed by TCOFI that was changed by the High Court of Appeal is less than 50%.
- Only 31.2% indicated that the percent of the time spent in case filing initiation is appropriate.
- Only 29.6% indicated that they are satisfied with the environment of

the Court's space, ventilation, light, cleanliness and accessibility.

- 29% of the participating lawyers indicated that there is improvement in performing procedures compared to last year.
- 28% of the participating lawyers indicated that administrative work style and interaction with the Court is better than other courts, with 79% indicating that it is less than other courts.

### Section 3: Additional Comments/Suggestions

Proposals suggested by the surveyed lawyers in Section 3 were examined, analyzed and grouped in a list of 23 proposals classified in three categories:

- (A) Proposals Re Human Resources
- (B) Proposals Re Court Procedures
- (C) Proposals Re Facilities and Equipment

After analyzing all suggestions received from lawyers, a number of suggestions were repeated by most lawyers, others were raised by a few and a number of proposals received individual support, as illustrated by the following table, which is listed in descending order of the proposals receiving the most support.

No.	Category	Proposals	%/125	No. of Attorneys
1.	A	Training court employees, inspect their work regularly and insuring their respect for lawyers and working hours	43%	54
2.	B	Grouping fees' estimation, fees' payment and filing cases in one place and using IT	37%	46
3.	B	Improving filing, copying, reviewing, schedule and billing departments by using computers	34%	42
4.	B	Punctuality in hearings by Judges	32%	40
5.	B	Facilitation of the process of receiving official copies of documents by putting the filing and copying room in one place	30%	37
6.	B	Increase court cashiers, fees' revisers and number of cash receiving areas and working to	29%	36

No.	Category	Proposals	%/125	No. of Attorneys
		2:00 p.m.		
7.	C	Posting all cases and their documents on the internet	20%	25
8.	C	Increase and better management of courtrooms and increase the number of lawyers rooms	18%	22
9.	A	Proper treatment of lawyers by judges and prosecutors by setting up periodic seminars with lawyers	15%	19
10.	B	Typing Court decisions immediately after being announced revising them properly before Typing	14%	18
11.	A	Adequate training for judges to increase efficiency and effectiveness to improve their level	12%	15
12.	B	Improving microfilm, providing proper maintenance and reducing or abolishing microfilm fees	11%	14
13.	B	Finding a comprehensive solution for bailiffs problems to avoid delays	11%	14
14.	B	Streamlining of procedures to file cases	10%	12
15.	C	Cleanliness of and better housekeeping of the courthouse and its utilities	10%	12
16.	B	Posting bulletins to show locations for sessions and other departments or information office in each floor	8%	10
17.	C	Increase number of photocopying machines	8%	10
18.	B	Increase number of Court secretaries to facilitate inspection of documents	7%	9
19.	C	Providing lifts for lawyers as judges and litigants	6%	8
20.	C	Mail box to receive complaints to be reviewed periodically by the President of the court	6%	7
21.	B	Increasing court civil circuits	4%	5
22.	B	Increasing number of experts	1%	1
23.	C	Increasing number of court guards to protect lawyers	1%	1

### **First Group**

1. Training court employees, regular inspection of their work and ensuring their respect for lawyers and working hours, grouping fees' estimation, fees' payment and filing cases in one place, Introducing microfilm and IT system, improving filing, copying, reviewing, and fees' departments, punctuality in hearings by Judges and facilitation of receiving of official copies of documents

were considered major issues raised by lawyers, which cause discontent among lawyers and consume lawyers' efforts and time.

2. Three suggestions related to the development of human resources received together the support of 88 proposals by the surveyed lawyers, including (i) providing training to court personnel and supervision of their work to improve their performance, (ii) training of judges'; and (iii) improvement of manner of dealing with lawyers by judges. These were considered major issues raised by lawyers, which cause great inconvenience in performing court services.
3. Suggestions to provide adequate training to court personnel in order to increase their efficiency was forwarded as the low caliber of court personnel remains a crucial element in court performance.
4. Problems associated with the performance of servers were considered a real cause for case delays prompting suggestions for a comprehensive solution.

### **Second Group**

- 1- A number of suggestions related to the improvement of court work circumstances. These include observing working hours, displaying notice boards, and providing proper maintenance to the courthouse.
- 2- Suggestions related to work procedures, such as grouping various activities regarding court fees filing cases in one place and using IT systems, punctuality in hearings by Judges, facilitation of the process of receiving official copies of documents, extending working hours to 2 pm., prompt typing of Court decisions are of concern and are in line with what the lawyers mentioned in relation to weaknesses observed in relation to administrative procedures. The suggested solutions were discussed on two parameters the first related to streamlining administrative procedures by reducing bottlenecks, and the second by providing adequate training to court personnel in order to increase their efficiency, as the low caliber of court personnel is a crucial element which has been raised.

### **Third Group**

This group is related to suggestions which received a low rating (less than 10%), such as mail box to receive complaints to be reviewed periodically by the President of the court, increasing court civil circuits, increasing number of experts, and increasing number of court guards to protect lawyers. Similarly, suggestions such increase number of Court secretaries to facilitate inspection of documents and providing lifts for lawyers as judges and litigants received minor attention.

## V - Conclusions

According to the results derived from the proposals and recommendations received from the lawyers the following conclusions were observed:

1- Proposals ranking from No. 1 to No. 5 represented the most important issues that have a negative impact on the Court's efficiency. This was evidenced by the percentages of proposals that ranged from 43% (suggestion No. 1) to 29% (suggestion No. 6).

These suggestions mainly relate to training of court employees and quality of their work, fees related activities, case management and introducing an IT system.

2- The less important issues as shown by the survey statistics having a negative impact on the court effectiveness ranged from 8% (suggestions No. 16 and 17) to 1% (suggestions No. 22 and 23). These suggestions mainly relate to providing for a speedier dispute resolution by increasing the number of circuits and experts and providing venue for receiving complaints.

3- Issues of medium importance from the point of view of lawyers with respect to court effectiveness ranged from 20% to 10% (suggestions No. 7 to suggestion No. 15). These suggestions relate to use of internet, increasing certain physical resources (microfilm, office space, maintenance, cleanliness). Also, of medium importance are training of judges and supervision over court bailiffs.

Our recommendations in relation to the above results are as follows:

1-The first priority would be to concentrate on issues from 1 to 6 as these, from the point of view of the surveyed lawyers, constitute the major drawback having a negative impact on the court efficiency, while (except for the IT system) do not require huge capital investments.

2- Other important issues like the launching of an effective training of

judges as well as resolving bottlenecks causing the delay in cases should be given a priority.

3- Finally administrative and physical resources could be considered a third priority as these might require special budgets and are regulated with the constraints of the budget of the Ministry of Justice.

#### 4. Questionnaire Design

a. **Q. 3 (Proposals)**. In order to obtain the maximum benefit of the proposals, we suggest that the questionnaire ask the lawyers to state the problem and the solution recommended, as almost all responses stated the end result desired. For example some would state as a proposal that the procedures should be speedier without identifying what is holding the process and without specifying the recommended solution.

b. **Ranking system used**. The second group of questions may require rethinking of the ranking system. At present the ranking system requires yes or no responses. Review of the responses received lead us to recommend that the ranking in this section be reviewed to provide for multiple rankings ranging from exemplary, satisfactory, or needs improvement, or alternatively, very satisfied, neither satisfied or dissatisfied, very dissatisfied.

c. **Number of lawyers surveyed**. Survey of Courts with lesser number of lawyers admitted to the bar and practicing lead us to suggest lowering the number of lawyers to be surveyed where information indicate that the court in question does not attract sufficient number of lawyers. The second group of questions may require

\*\*\*\*\*

## ANNEX I - Methodology

### A. Introductory Phase:

Upon receipt of the questionnaire from AOJSII, and prior to conducting the pretest survey, H&A examined the questionnaire and held a meeting with the Project. H&A proposed certain changes to the questionnaire, but AOJSII maintained that H&A should not make changes to the questionnaire as the questionnaire was discussed and approved by the MOJ (Attached is a copy of the sample questionnaire used).

The questionnaire was shared with the data collectors in preparation to the Sample Survey, and the means and manner of dealing with the lawyers being surveyed was explained and discussed. Arabic instruction sheet and note explaining the goals and objectives of the Project and the purpose of the survey was provided by AOJSII and handed over to the data collectors.

H&A further prepared questionnaire analysis forms that were also shared with the Project. These forms were used to tabulate and analyze data received from the TCOFI Survey and followed the same structure of the questionnaire: a- Part one: The Administrative procedures; b- Part two: General Questions; and c- Part three: Proposals of Surveyed Attorneys ("Survey Analysis Forms").

### B. Survey Administration Phase:

On the day of conducting the TCOFI Survey, the H&A team accompanied by Ms. Hala Helmy of AMIDEAST met with the President of TCOFI in order to agree on the detailed work plan.

The Data Collectors met each respondent/lawyer individually in order to build the necessary rapport and successfully obtain the data requested.

The questionnaires were distributed after explanation of the objectives of the Project and the Survey. H&A responded to inquiries received from the lawyers before and during the answering period. No personal information was collected from the lawyers, except for syndicate's membership

registration number, degree of courts before which the lawyer is licensed, year of registration and years of experience.

After completion of the questionnaires by the participating lawyers, the questionnaires were validated by the data collectors who reviewed the answers on all questionnaires in order to make sure that the questions were properly answered. The Data Collectors ensured that the selected sample meets the pre-set standards by:

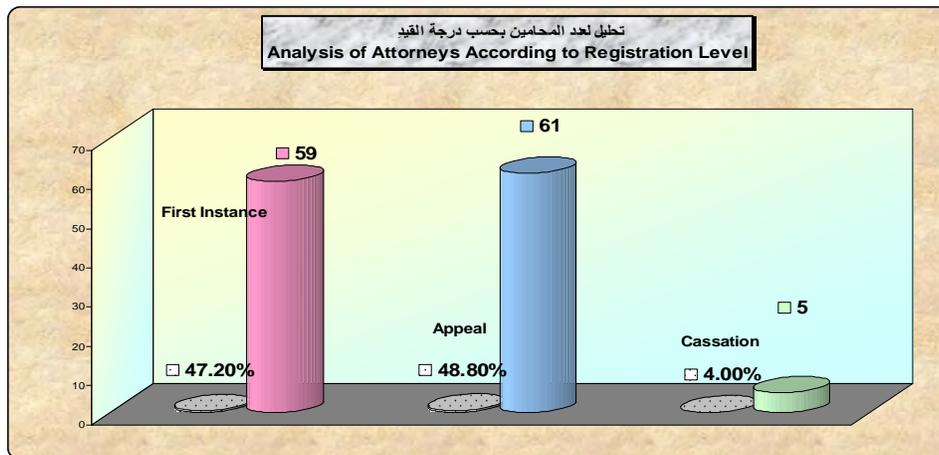
- Answering all inquiries and questions received from lawyers.
- Ensuring that all questions were answered in a proper and complete manner.
- Checking all answers received on an individual basis.

Data Collectors reviewed and disregarded the non-compliant questionnaires filled out by the lawyers on a daily basis in order to know how many were left to reach the required 125 questionnaires.

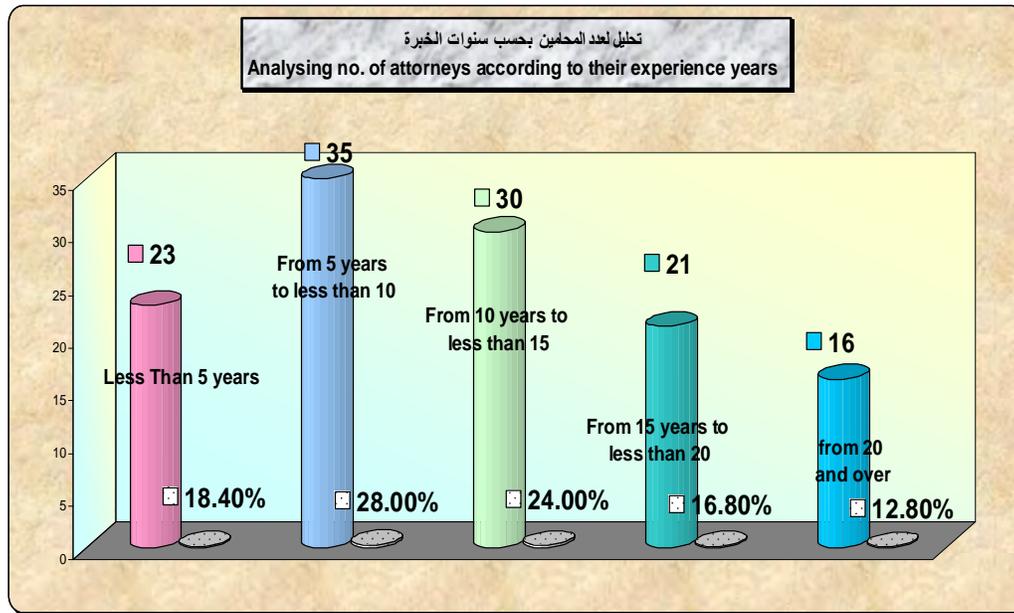
### Methodology adopted in selecting the Sample Lawyers

While ensuring that the selected sample meets the pre-set standards for selecting the sample, the sample lawyers, as illustrated by the by the following charts, represented a broad range of experience in:

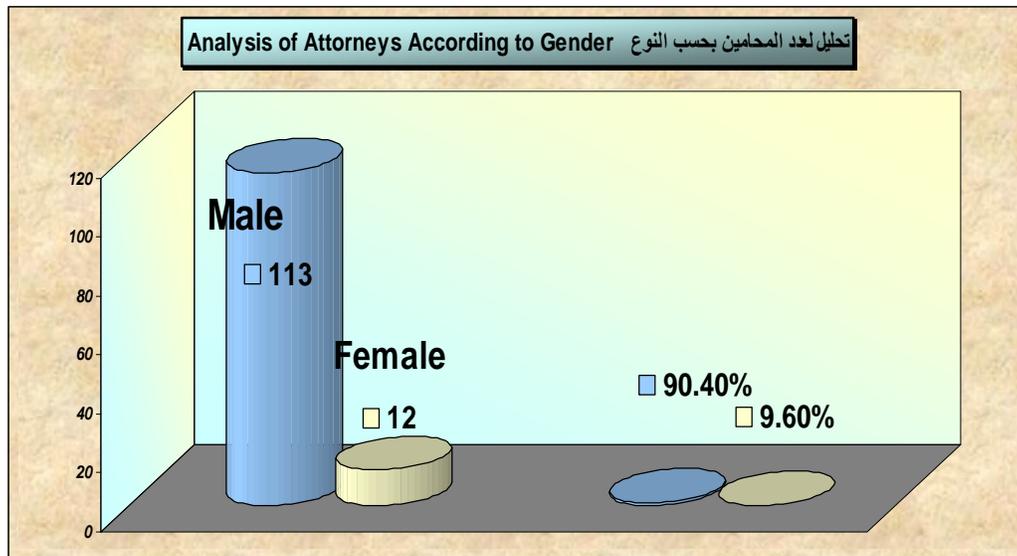
- 1- The level of registration: Cassation, Courts of Appeal and Courts of First Instance (minimum two (2) years experience).



2- According to the level of experience: More than 20 years, from 15 to less than 20 years, from 10 to less than 15 years, from 5 to less than 10 years and less than 5 years.



3- According to gender (Male- female):



### **Problems Related to the Administration of the Survey**

No significant difficulties were met during the administration of the survey, but the following were some problems which encountered the working team:

- Difficulty in getting lawyers to be surveyed increased on a daily basis due (i) to the lower number of lawyers within the jurisdiction of TCOFI, and (ii) the same lawyers who were surveyed in the first days were the lawyers who mostly showed up on the following days.
- Lawyers continued to pose extensive inquiries about the nature and objectives of the survey.
- Questions related to the type and number of civil and commercial cases dealt with by the lawyers created suspicions that these questions were related to tax issues and lead to refusal of some lawyers to refrain from taking the survey.
- Inaccurate answers by some lawyers caused unnecessary delays and were time consuming.

### **C. Survey Analysis Phase:**

Completed questionnaires were received by H&A's Cairo Office on a daily basis on the second day the questionnaires were conducted. The Legal Consultant reviewed questionnaires received on a daily basis and have advised the Data Collectors of any remarks they had in order to take such comments into consideration when progressing with the remaining questionnaires.

After receiving the questionnaires and completing of the tabulation process, the tabulation process was subjected a review process by the data entry members and the Legal Consultant to ensure that the responses stated in the questionnaires are correctly entered and reflected in the tabulation.

The Team Manager and Legal Consultant held several meetings to review and analyze the results.

At the same time and over several sessions, the Team Manager, Legal Consultant, together with the Data Collectors analyzed the results and derived the recommendations and conclusions.

**Data Analysis:** Data was analyzed, taking into consideration:

- a- Responses to questions no. 2/2 and 2/3 were divided into five segments in order to facilitate the analysis process. These segments are as follows: less than 25%, from 25% to less than 50%, from 50% to less than 75%, from 75% to less than 85% and from 85% to less than 100%.
- b- Responses to question no. 6/2 and 7/2 were divided into three segments illustrating the degree of improvement in the handling process of cases: less than 50%, from 50% to less than 75% and more than 75%.
- c- Proposals suggested by the surveyed lawyers in Section 3 were examined, analyzed and grouped in a list of 27 proposals as illustrated in Section III of this Report.

### **Statistical Method Used in Analyzing Data**

Quantitative results were processed by standard statistical techniques to provide the results appearing in most of the tables attached to this Report. The following methodology was adopted:

1 - The Survey Analysis Forms have been designed to reflect the choices specified for each question. Accordingly, the Survey Analysis Forms reflected the nature of the responses required from each question.

2 - The Survey Analysis Forms design also took into consideration that the forms contain two different sections: The first section related to data identifying each lawyer by level of registration at the Lawyers' Syndicate, years of experience, gender and city. The second section related to the grouping of responses so that it is possible to determine the number of lawyers who choose each answer.

3 - The Survey Analysis Forms enable: (i) the determination of the number of lawyers who chose each answer; and (ii) the percentage of lawyers for every answer to the total number of lawyers participating in the survey.

4 – A separate analysis form was allocated for Section 1 and Section 2 of the questionnaire to analyze the responses of each registration level: cassation, Courts of Appeal and Courts of First Instance. This reflects the effect of the lawyers' experience on the impression and opinions of the participating lawyers.

5 – In order to measure the statistical inference of the trends in the opinions of the sample survey (125 lawyers) with respect to each question, the following was observed:

- a. With respect to each response for each question, the number of lawyers who selected such response was determined (numerousness) and referred by the sign "N".
- b. A relative weight in the form of weight points to each answer that is to be chosen from, which varies depending on the answer chosen and whether it is considered a strength or weakness. For example, questions with five choices were given the following points and ratings: excellent was given 5 points, very good was given 4 points, good was given 3 points, fair was given 2 points and poor was given 1 point.
- c. Determination of the weighted value (V) for each choice in each question, referred by the sign "P" was made by multiplying the number of repeated answers (numerousness "N") by the weighted value (P). So, if the number of lawyers (N) allocating a degree of "Excellent" in response to a question is 20, then the weighted value for this response is:

$$V = N \text{ multiplied by the relative weight}$$
$$\text{i.e.} = 20 \text{ lawyers} \times 5 \text{ points} = 100 \text{ relative points}$$

In order to calculate the general average for each question which represents the general trend, we added the total number of grades for all selected answers to each question, to be divided by the total no of lawyers (i.e. 125 lawyers)

General average for the weighted points for each question =  
Weighted grade for the first choice + weighted grade for the second choice + ..... ÷ by 125 lawyers

d- To calculate the percentage of the general average for each total weighted grade for each question, the average general for each weighted grade is divided by the maximum weighted grade, which is 5 points, and which represents the most positive choice in terms of strengths, as follows:

General average for total weighted grade = average general for total grade x 100 ÷ 5

Advantages of this method are:

- 1- It enables measuring the general trend in an objective manner
- 2- It enables the measurement and analysis of results on various levels as follows:
  - The level of each choice within each question.
  - The average level for answers to the total choices for each question.
  - The level of total questions in each section of the questionnaire.
  - The simplicity in calculating, and using simple mathematical equations.
  - The ability to easily apply this concept by using computers as we designed a comprehensive statistical model.
  - The flexibility in applying the concept as we could add or delete any item without having any effect on the statistical model.