



# EXPERIENCES AND PERCEPTIONS OF JUSTICE IN SERBIA

Results of the survey with the general public, enterprises,  
lawyers, judges, prosecutors and court administrative staff

Results of 2009 and 2013 in comparison





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**December 2014**

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## **PREFACE**

This report summarizes a survey of perceptions, experiences and reform expectations with regard to the Serbian Judiciary by the general public, enterprises, lawyers, judges, prosecutors and court administrative staff. The survey was conducted in 2013/2014 and is a follow-up to a similar survey carried out in 2009/2010, which provides a baseline for the analysis in this report. It was funded by the Multi Donor Trust Fund for Justice Sector Support (MDTF-JSS), established with generous contributions from the EU delegation in Serbia, the United Kingdom Department for International Development (DFID), the Swedish International Development Cooperation Agency (SIDA), Norway, Denmark, the Netherlands, Slovenia, Spain, and Switzerland. More information about the trust fund and additional analytical work is available at [www.mdtfjss.org.rs](http://www.mdtfjss.org.rs).

The work on the survey carried out by IPSOS was led by a World Bank technical team composed of Mr. Gregory Kisunko (Senior Public Sector Specialist) and Mr. Domagoj Ilic (Consultant). The survey report was drafted by IPSOS and finalized by a World Bank Team composed of Mr. Klaus Decker (Senior Public Sector Specialist and Task Team Leader), Ms. Georgia Harley (Justice Reform Specialist), Mr. Srdjan Svircev (Public Sector Specialist), Michaela Halpern (Consultant), Mr. Kornel Drazilov (Program Assistant) and Mr. Nenad Milic (Consultant).

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## SUMMARY OF THE KEY FINDINGS

1. **This report presents the findings of two surveys<sup>1</sup> and provides information about stakeholders' experiences, perceptions, reform expectations and impacts of the previous judicial reforms of the justice system in Serbia.** The objective of the baseline survey conducted in 2010 was to: (i) provide a baseline against which future reform results could be assessed; and (ii) help identify areas for further judiciary reform<sup>2</sup>. The objective of the follow-up survey, conducted in 2013, was to assess the initial impact of the first four years of reforms and expectations with respect to the new National Reform Strategy for the period of 2014 - 2018.

2. **The survey polled members of the general population, representatives of the business sector, members of the legal profession (lawyers) working in private practice, and employees in the judiciary.** In brief, this report presents a multi-dimensional, multi-stakeholder snapshot of experiences with, and views on, Serbia's judiciary in two time periods, before and after implementation of the judicial reform of 2010.

3. **The top findings of these surveys can be summarized as follows:**

- **Only one in four citizens trusts the justice system in Serbia.** The vast majority of citizens feels that trust in the judiciary is primarily undermined by long-lasting court proceedings, corruption, political influence on the judiciary, and by bad and non-transparent personnel policy.
- **According to all stakeholders, the efficiency – reflected in the length of court proceedings – was, and has remained, the biggest problem of the justice system.** The efficiency of administrative services provided by courts had a considerably more positive assessment than the efficiency of court proceedings, however almost one half of the court users still think that administrative tasks in courts should be completed in less time.
- **According to court users, another big problem of the justice system is the integrity of the judiciary.** The majority of the citizens believes that the judiciary is not independent and that corruption is still widespread in the justice system.
- **In comparison to 2009, the general perception and experiences of court users have become somewhat more positive, while the opinions of service providers have become more negative.**
- **The majority of providers of court services are disappointed with the effect of the reforms of 2010.** Expectations that the reforms will improve the situation in various aspects of the court system were very high. However, when asked about the actual results of the reforms, providers of court services were very negative.
- **Expectations with respect to the new National Reform Strategy for the period 2014 – 2018 are very high, and exceed, considerably, the expectations with respect to the 2010 reforms.**

### *Efficiency*

4. **The findings in this survey point to a lack of efficiency as a key factor that was, and still is, one of the main problems and challenges in the Serbian judiciary.** The findings of the survey conducted in 2010 pointed to problems related to efficiency, and the findings of the survey conducted in 2013 also show that, when it comes to efficiency of the Serbian judiciary, no major breakthrough or improvement has been recorded after the implementation of the 2010 reforms.

5. **Negative opinions about the efficiency of the judicial system considerably prevail over positive opinions, both among users and providers of court services and lawyers.** Personal

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<sup>1</sup> The first survey was conducted in 2010 and looked at the situation in the Serbian judiciary until December 31, 2009. The follow-up survey was conducted in 2013 and early 2014 and looked at the Serbian judiciary until December 31, 2013.

<sup>2</sup> In this survey "the judiciary" refers to the courts and prosecutors' offices. It does not include the police, penal system and Ministry of Justice.



experiences with the efficiency of judicial services are even more negative than general impressions of those citizens who did not have any experience with the court system. The majority of citizens who had experience with court proceedings think that their case took too long. The excessive duration of the case proceedings was aggravated by a considerable number of canceled and unproductive hearings (which did not contribute to the resolution of the case), as well as by long time intervals between the hearings, which ranged from three to four months on average.

6. **In comparison with the period before implementation of the January 2010 reforms, the general perception of the efficiency of the judiciary among court users has become somewhat more positive**, but court users who have experience with a court system remained equally dissatisfied with the duration of their case, while there has been an increase in the percentage of representatives of the business sector who are dissatisfied.

7. **In 2013 judges and prosecutors expressed considerably more negative opinions about the efficiency of the judiciary than in 2010, so their opinions came closer to opinions of court users.** Efficiency is the measurement dimension with the biggest recorded concurrence of opinions between users and providers of court services.

8. **Judges and prosecutors consider the obstructive attitude of parties to be the most important reason for the prolonged duration of the cases, while the court-related issues are seen to have less of an impact.** In addition, a substantial percentage of judges and prosecutors see the reasons for long duration of court cases in gaps in legislation and inefficient procedural provisions, but also in the lack of court capacities.

9. **The efficiency of administrative services in courts was evaluated more positively than the efficiency of court proceedings, and the percentage of court users who are satisfied with the efficiency of the administrative services increased from 2009.** According to court users, the ability to complete all tasks at one place has improved (instead of going “from door-to-door”), as has the time needed to complete the task. The number of visits to the court needed to complete the task has also somewhat decreased. Although the assessment of the efficiency of court services is more positive, around half of court users still believe that these tasks could have been completed in less time. Court staff working on these administrative services think that the efficiency could be improved through an increase in the number of staff, stimulation of unmotivated staff with higher salaries, simplified procedures, and better technical equipment.

### ***Quality of Court Services***

10. **The perception of the general quality of work of the judicial system by court users and lawyers on the one hand, and providers of court services on the other hand, is remarkably different.** While the general population and lawyers evaluate the quality of the work of the judiciary as rather low (or average in the best case), providers of court services found the quality of services to be high (or average in the worst of case).

11. **In comparison to 2009, the general impressions about the quality of work of the judiciary among court users have become somewhat more positive**, but assessments of the quality of the services provided in the concrete cases in which the citizens participated did not change. Also, the opinions of lawyers in the concrete cases are more negative. However, assessments by court service providers have become somewhat more negative, so the opinions between users and providers are slightly closer, but the difference is still significant and the gap is very wide.

12. **According to court users, the main cause of quality deficiencies in their court cases was poor work of judges, poor organization in the courts and poor legal solutions.** Judges, however, most frequently identify unclear laws and understaffing to be the main reasons for poor quality. The

prosecutors found that the principal cause for poor quality is lack of staff, while lawyers believe that the poor quality of the judiciary is linked to the poor organization within judicial institutions.

13. **In comparison to 2009, the frequency that lack of staff was mentioned as the reason for reduced quality of court services has increased** in all three groups of legal professionals, particularly among judges.

14. **Court users are more satisfied with the quality of administrative services than with the quality of court proceedings.** Court users mainly evaluate the quality of administrative services as average, but a higher percentage of them evaluate this quality as high rather than low. The majority of court users are satisfied with the various aspects of the work of administrative services in courts (working hours, accessibility of information and staff, behavior and competence of staff, and time spent waiting in line), and the percentage of satisfied users has increased in comparison to 2009. However, the perception of quality of administrative services is considerably more positive among the service providers than among users, and this difference has remained significant despite the increase of favorable opinions of court users.

### ***Accessibility***

15. **The majority of court users and legal professionals found that the judicial system is generally accessible to citizens.** Nevertheless, a considerably smaller percentage of court users than service providers share this opinion. In comparison to 2009, the opinions of the service providers have become somewhat more negative, so they came closer to the opinions of court users, but the difference is still considerable.

16. **Court users and legal professionals found that the judicial system is most accessible to citizens when it comes to the accessibility of information, the geographical proximity of courts, and ease of use of the court buildings.** They also found that the judicial system is least accessible in terms of cost of court proceedings (both those related to lawyers' fees and court fees).

17. **The majority of court users thought that, in their case, it was easy to access information.** Court users drew on both formal and informal sources to seek information about their case, but mainly turned to their lawyers for help. In comparison to 2009, a change was noted only in case of citizens who have a misdemeanor case where they expressed slightly more dissatisfaction with the accessibility of information.

18. **The cost of court proceedings was actually the only aspect of accessibility that the majority of court users and legal professionals perceive as a problem for citizens.** Most court users who had experience with a court case believe that the costs of their court case were too high and a considerable burden to their budget. Citizens who stated that they had a dispute for which they thought it should be resolved in court but decided not to start a court case also specified that the cost of court proceedings is the main reason for that decision.

19. **In comparison to the population averages, citizens with lower education and older citizens perceive the judicial system as less accessible to them in all aspects,** while citizens who live outside of urban areas perceive access to information as the main problem, followed by the challenges when finding their way in the court house and problems related to the distance to the court.

20. **The accessibility of administrative court services was assessed as satisfactory by both court services users and providers.** In comparison to 2009, the opinions of court users about the accessibility of administrative services have become more positive, and opinions of providers of administrative court services have become more negative, so that the opinions have mainly become concurrent. The percentage of court users who believe that accessibility of information and navigating around the courthouse is not a problem was even higher than the percentage of providers of court

services who shared that opinion. The majority of the court users believe that the total cost of the court administrative services which they used was reasonable and was not a burden on their budget.

### **Fairness**

21. **A majority of court users found that the judicial system was fair**, at least to some extent, if not completely fair (circa one half of the general population and 60% of business sector representatives). The majority of court users with experience with a court case perceived their trial as fair (mainly or completely), but considerably less than half of them thought that it was completely fair (37% of the general population and 44% of business sector representatives).

22. **The assessment of fairness was strongly affected by the outcome of the case.** A considerably higher percentage of court users evaluated their trial as being completely fair when the judgment was in their favor. However, even in the case of a favorable outcome, the percentage of court users who evaluated their trial as completely fair barely exceeds one half (53%).

23. **The general impressions of court users about the fairness of the judicial system, as well as assessments of fairness in a concrete case where they were a party in the case, have become more positive since 2009.** While in 2009 the percentage of citizens who had negative impressions about the judiciary exceeded the percentage of those who had positive impressions, in the year 2013 this ratio has changed in favor of positive impressions. The percentage of court users who evaluated their trial as completely fair has increased as well. While almost one half of court users gave a moderate rating in 2009 for fairness, in 2013 the percentage of citizens who evaluated their trial as completely fair almost equaled the percentage of citizens who gave a moderate rating (37% and 39% respectively).

24. **Positive changes in evaluations of fairness were noted in criminal and civil cases**, while in misdemeanor cases the percentage of court users who rated their trial as fair has somewhat decreased. Representatives of the business sector are more satisfied with the fairness of their trial than members of the general population, but their ratings have not changed in comparison to 2009.

25. **Providers of court services evaluated fairness considerably more positively than court users, while the ratings of lawyers were closer to those of court users.** In comparison to 2009 the ratings have become closer to each other, as the opinions of court users and lawyers became somewhat more positive while the opinions of service providers somewhat more negative, but the difference still remains significant.

26. **Legal professionals think that fairness was affected by an overburdened judiciary, poor organization and poor legal solutions.** However, while almost half of the lawyers see the politicization of the judiciary as a reason for lack of fairness, and one in five point to corruption as the main issue, a considerably smaller percentage of judges and prosecutors associate a lack of fairness with these issues. Compared to 2009, the biggest changes were recorded in assessments by prosecutors. In 2013, more than 25% of prosecutors specified an overburdened judiciary and poor organization as the reason for inadequate fairness of the judiciary. The percentage of lawyers who mention corruption as the main reason has somewhat decreased.

27. **At the same time, a majority of professionals believe that the judicial system treats all citizens equally regardless of their gender, age, nationality, place of residence, education, or disabilities.** The socio-economic status of citizens is perceived as the dominant factor for unequal treatment: 42% of lawyers, 25% of prosecutors and 17% of judges (similar to 2009) think that citizens are not treated equally in terms of socio-economic status. At the same time, more than 60% of citizens think that socio-economic status is the source of unequal treatment, and more than 40% think that treatment varies depending on education levels and ethnicity. A considerable percentage of business sector representatives also believe that enterprises are treated unequally based on several factors.



More than a half of them believe that the treatment varies depending on ownership structure of the enterprise, and almost half of them believe that the treatment depends on the company's size.

### ***Integrity***

28. **The results of both studies suggest that integrity was and still is one of the major problems of the judicial system in Serbia.** Users of court services and lawyers believe that integrity is an issue, compared to the providers of court services. However, a considerable portion of judges and prosecutors also share negative views of the integrity of the judicial system, both in terms of corruption and independence of the judiciary.

29. **Most court users and lawyers (almost 60%) believe that the judiciary is not independent, while one in four judges and one in three prosecutors agrees with this opinion.** Compared to 2009, opinions of court users and lawyers have become somewhat more positive, while the opinions of prosecutors and judges have become more negative, so the views get closer, but the discrepancy is still significant.

30. **A majority of judges and prosecutors listed politicians, political parties and the media as the main entities which threaten the independence of the judiciary.** However, in their opinion, other institutions are also responsible: more than a third of judges and prosecutors believe that some ministries and the government have impaired the independence of the judicial system, one in five reports that independence is endangered by businessmen (some companies), and a somewhat higher percentage reports that NGOs have been the threatening factor.

31. **The great majority of citizens and lawyers (almost 90%) perceive the presence of corruption in the judicial system, at least to some extent, and this view is shared by more than half of prosecutors and 42% of judges.** Compared to 2009, the portion of those who believe that corruption is present in the judiciary is reduced in all groups, considerably more so among judges and prosecutors than among court users and lawyers. While one in four judges and prosecutors believed that the judiciary was free of corruption in 2009, in 2013 this view was shared by over half of judges and 44% of prosecutors.

32. **Most judges and prosecutors believe that integrity is impaired by sensationalist media reports (78% of judges and 80% of prosecutors) and by the duration of court proceedings (73% of judges and 77% of prosecutors).** A majority also believes that integrity was endangered by an inadequate and insufficiently transparent human resources policy, political influences on the judiciary and inadequate sanction policies for cases of corruption.

33. **From the citizens' point of view, the confidence in the judicial system was reduced by a number of factors.** The largest portion of citizens (more than 80%) believes that trust was impaired by the duration of court proceedings, corruption, political influence on the judiciary and an inadequate and not sufficiently transparent human resources policy.

34. **About a third of court users consider there to be corruption in administrative court services.** This is a considerable and positive progress compared to 2009, when the portion of citizens who shared this opinion was substantially larger.

## **Costs**

35. **About a half of court users found trial costs to be too high.** However, perceptions of whether costs were reasonable were strongly influenced by the respondents' assessment of the quality of court performance. The citizens who are satisfied with the quality perceive costs as more affordable and less of a burden on their budget. Compared to 2009, the portion of users who assess costs as extremely high has changed only among the citizens who have experience with misdemeanor cases - in the negative direction; the portion of citizens who assessed total costs as too extensive has risen to 18%.

36. **Most of the users of administrative services assess the total cost of administrative services as reasonable and not as a particular burden on their budget.** Compared to 2009, percentage of the general population who assesses the costs of administrative services as not a considerable burden on their budget has increased.

### ***Perception of Results of the Reforms Introduced in January 2010 and Expectations with respect to the New National Judicial Reform Strategy for the Period 2014 to 2018.***

37. **General support to the judicial reforms introduced in 2010 has decreased considerably among court users as well as providers of court services and lawyers.** The reduced support among judges and prosecutors for the reforms is certainly a result of disappointment in the effects of these reforms. Expectations that the reforms will improve the situation in various aspects of the functioning of the judicial system were far higher than the actual positive effect of the reforms.

38. **Judges and prosecutors had the greatest expectations in relation to fairness and integrity.** More than half of them expected improvements in these areas, but the portion of those who said that improvements had already occurred is by far lower; less than 30% perceive that fairness has improved, while one in four consider that the integrity of the judicial system has improved. More than half of the prosecutors also expected improvements in efficiency, but only 27% estimated that they had actually materialized. Judges and prosecutors had low expectations regarding the improvement of working conditions (41% of judges and 37% of prosecutors) and more rational budget spending (34% of judges and 40% of prosecutors), but not many perceived positive effects of the reforms in any of the two areas. One in five judges and 15% of prosecutors believe that the reforms have improved their working conditions; 15% of judges and 13% of prosecutors think that the reforms have contributed to more rational budget spending.

39. **Lawyers, compared to judges and prosecutors, had considerably lower expectations, so the extent of their disappointment is considerably smaller.** While discrepancies between the lawyers and judges and prosecutors in terms of expectations towards the effects of reform were substantial, the perceptions of the actual effects of reform are similar.

40. **Similarly to lawyers, providers of administrative services had considerably lower expectations towards the reforms in their sector,** so their disappointment was less. The perception of the actual effects of the reforms is considerably closer to perceptions of judges and prosecutors. The employees in administrative services expected negative consequences primarily in terms of increased workload, or reduced number of employees. Only 19% expected positive results of the reforms, and a similar share assessed the reform effects as positive.

41. **Knowledge of the reforms has decreased substantially among citizens, as well as support to the reforms.** Those who have heard of the reforms mainly associate them with the reappointment of judges and prosecutors, which was the case with the reforms introduced in 2010.

42. **At the end of 2013, providers of court services and lawyers were not well informed about the new National Judicial Reform Strategy for the period 2014 to 2018.** Little more than a third of judges and prosecutors considered themselves as well informed, while more than half of lawyers and

providers of administrative services estimated that they had no or almost no information about the new judicial reform strategy.

43. **In spite of insufficient knowledge, the great majority of judges and prosecutors generally support the new strategy, in the same way as they supported the introduction of the reforms in 2010.** The portion of providers of administrative services and lawyers who support the new strategy is considerably higher than the share of those who supported the reforms in 2010. Concrete expectations in different aspects of the functioning of the judicial system are considerably higher than with the reforms introduced in 2010, and greater expectations are particularly tangible in the case of providers of administrative services and lawyers.

44. **Most judges and prosecutors expect the new reforms to have positive effects on all aspects of the performance of the judiciary.** The optimism is most extensive in terms of the efficiency of the judicial system: 62% of judges and 67% of prosecutors expect that the new reforms will improve efficiency. More than 60% of prosecutors expect improvements with regard to accessibility of the judicial system. Judges have the lowest expectations regarding the contribution of the new reforms to more rational budget spending (51%), and the prosecutors have the lowest expectations regarding quality of working conditions (56%).

45. **Lawyers are less optimistic than judges and prosecutors.** The biggest portion of lawyers expects improvement of efficiency (56%) and accessibility of judiciary (53%), and a smaller portion expects improvements in fairness and integrity of the judiciary (43%).

46. **The employees in administrative services, similarly to lawyers, have considerably lower expectations towards the new reforms than they had with respect to the 2010 reforms.** About a half expects improvements in accessibility and efficiency, and a similar portion expects improvements in the quality of working conditions and a general increase of performance. Expectations are very low when it comes to improvements of the normative framework that regulates activities of administrative services; less than half (45%) expects positive changes here.

47. **Not many citizens were informed about the new National Judicial Reform Strategy at the end of 2013** (11% of general population and 26% of business sector representatives), but the great majority of those who were supported the proposed reforms.

#### ***Gender-related differences***

48. **No gender-related differences were identified by these two surveys in experiences of men and women with the judicial system that would imply different treatment before the court.** Both men and women were equally satisfied or dissatisfied with the average length of their proceedings, the quality of work of the judiciary and the fairness of the judicial system.

49. **With regard to a broad perception of the performance of judiciary, evaluation does vary, but these discrepancies are not systemic and they do not point to general differences in perception of the judiciary.** Women have generally more positive impressions of fairness of the judiciary than men do, and similar portions of men and women agree that citizens of both genders are treated equally before the court (72% of men and 69% of women).

### ***Effects of Personal Experiences with the Justice System***

50. **Those court users who had experience with court cases gave somewhat more negative ratings about the functioning of the judiciary as compared to those who had no experience with court cases.** Court users with experience with court cases evaluated the efficiency and accessibility of the judicial system more negatively; in addition, business sector representatives who had experience with the court system also evaluated the quality of services more negatively than business representatives without this experience. There were no differences regarding the assessment of fairness between court users with and without experience with court cases.

51. **The court users who had experience with court cases evaluated the quality and fairness in their concrete case more positively than they evaluated the quality of services and fairness of the judicial system in general.** However, as would be expected, the evaluations of fairness were dependent on the outcome of the trial, so that respondents whose cases were resolved in their favor reported more positive views than those whose cases were not.

52. **Compared to 2009, among the members of the general public who had experience with court cases, positive impressions of efficiency, quality of services, and fairness of the judicial system have grown to a greater extent than among users without this experience, so views have come closer to each other.** As for accessibility, the views of users who had experience with court cases have not changed, and the views of users without this experience have become more positive, so the discrepancy has increased.

53. **Business sector representatives who had experience with the court system have a more positive impression about efficiency, but it is still less positive than the impression of business sector representatives without this experience.** Views on quality and accessibility among the business sector representatives who had experience with the court system have not changed, while views have become more positive among those business sector representatives without this experience.

54. **The overall confidence in the judicial system has grown somewhat more among the citizens who had experience with court cases compared to citizens without this experience.** So, while in 2009 citizens who had no experience with court cases had considerably more confidence in the judicial system than citizens who had experience with court cases, the level of confidence of these two groups have come closer to each other.

## INTRODUCTION

### Survey background and objectives

55. **With the purpose of providing assistance to Government efforts in justice sector reform and modernization, the World Bank conducted two surveys.** The first survey was conducted in 2010 in order to collect baseline information on perceptions of the court and prosecutorial performance and expectations from the reform implemented in January 2010. The second, follow-up, survey was conducted in 2013 in order to identify the impact of the first four years (2010 - 2013) of reforms and the expectations from the new National strategy of reform for the period 2014-2018.

56. **The surveys aimed to measure perceptions of judicial performance against five core values (efficiency, quality, fairness, accessibility, and integrity - independence and presence of corruption), and to compare the views of multiple stakeholders** (court services users - general public and business sector, court services providers -judges, prosecutors and providers of court administrative services, and lawyers as intermediaries between users and providers of court services). In addition to the issue of integrity the problem of partiality of judges was included in the follow up survey.

57. **The surveys also aimed to measure judicial performance from the point of view of users with personal experiences with court proceedings,** as well as the influence of these personal experiences to general perceptions of the judiciary in relation to the five values. In order to achieve this goal, users of court services with experience with court cases and users without such experience were surveyed.

58. **The survey also focused on costs of judicial services,** with respect to perceptions of accessibility of court services, and views of cost, with respect to quality of the delivered services, from the point of view of users with experience with court cases. Finally, one of the aims of the surveys was to gain insights in the role of media in shaping the public opinion of judiciary.

### Strengths and Limitations of Judiciary Surveys

59. **Surveys can map experiences, perceptions, and expectations from the point of view of various stakeholders, thus providing an indication of the judiciary's popular legitimacy that cannot be measured in other ways.** It is important to address the perceptions of the general public and of the users of the justice system, as perception data can point to areas where there may be a need to follow up with administrative data.

60. **It is often argued, however, that there are limitations to using perception data to measure performance.** First, the perceptions of members of the general public who have not had personal contact with the justice system could be influenced by media coverage of cases at the time of the survey, such that survey results could fluctuate randomly over time and measure a general mood rather than system performance. Both factors could render surveys less useful as baselines for measuring reform progress over time and as tools for identifying reform priorities. Another argument is that perceptions and reform expectations could be influenced by whether or not the respondent has received an advantageous verdict, for example. Thus, the argument goes, responses would not measure the quality of the process and the system but the respondent's opinion of the outcome of the case.

61. **In this sense, the current survey aims to measure the experiences and perceptions of changes in the past 3 years, as well as expectations for future reforms of the judicial system in Serbia.** In addition, this study observes experiences, perceptions and expectations, by examining various dimensions of performance of the judicial system, comparing the perceptions of various stakeholders and recognizing the limitations of research instruments. By comparing the perceptions and expectations, it is possible to recognize similar and different trends among stakeholders and thus recognize the influence of the fact that, for example, the respondent had experience with the services of a court or didn't have such experience, whether the verdict was delivered or not in his / her favor, how time and costs influence the perception, whether certain segments of population have different experiences with justice system - and whether and how it affects their opinions.

## **Structure of the report**

62. **The review of the survey results is organized as follows:** The introductory section contains an overview of perceptions of the five dimensions of judiciary performance across survey groups and across time. More detailed data on perceptions of the five basic dimensions are presented in the next three sections. The section on quality, besides perceptions of overall quality of judiciary services, encompasses the perceptions of fairness, integrity (presence of corruption and independence) and impartiality, and public trust in judiciary, while the cost issue is presented in the section on accessibility. Perceptions of performance of court administrative services alongside the five dimensions by users and providers of the services are presented in a separate section (Section 4). The penultimate section deals with expectations and perceived effects of the reform implemented in January 2010 and expectations from the new National strategy of reform. The final section deals with the perceived role of media in shaping the public opinion on judiciary system in Serbia.

## **METHODOLOGY**

### **1 Introduction**

63. **The survey on the judicial system encompassed 4 separate surveys on different target populations**, that is: (i) Survey on General Population (citizens of Serbia 18+) (users and non-users); (ii) Survey on Representatives of Business Sector (users and non-users); (iii) Survey on legal professionals who have private practice (private lawyers); and (iv) Survey on Public Officials Employed in Justice Sector.

### **2 Sample and method of selecting respondents**

64. **In order to ensure methodological consistency, that is, valid comparability of results, sample drafts and drafts of data collection methods for all target groups in the follow-up survey were based on sample drafts and drafts of data collection methods in the baseline survey.**

#### ***General population***

65. **Both the baseline and follow-up surveys on general population were based on a national representative sample.** The type of sample was a three-stage random sample. Besides a representative sample for the general population, the survey was also done on a booster sample of users of court services.

66. **In the follow-up survey, the users of court services are defined as members of the general population of the citizens of Serbia (18+) who participated themselves in a court case which was FINISHED (the first instance verdict was passed) in the period from the beginning of 2011 till the end of 2013<sup>3</sup>.** The proceedings could have started earlier, but the first instance verdict had to be passed in that period. The court proceedings could have dealt with criminal, civil or misdemeanor matters. The respondent could have participated in it ONLY as a party in proceedings (not as a witness). In both surveys the plan is to interview 1000 representatives of general population and an additional 600 users of court services. In the follow-up survey, a total of 1048 interviews were conducted on a random sample of general population and an additional 650 interviews with users of court services (Table A1 in Annex)<sup>4</sup>.

#### ***Representatives of business sector***

67. **In the case of business sector representatives, one stage stratified sample was used both in the baseline and follow-up survey.** Stratification was done by geographical regions, economic activity and size of enterprise. The sampling frame were private enterprises evidenced in Serbian Business Registers Agency. In the majority of cases the questionnaire was filled out by two persons in the enterprise: the highest positioned manager available and the person who is the best informed about judicial proceedings and administrative services. Namely, questions on perception could be answered by a manager or lawyer within or outside of the enterprise who is included in a court case.

68. **Both in the baseline and follow-up survey, it was planned to cover 800 randomly selected registered enterprises and a booster sample of 200 enterprises – users of court services.** In the follow-up survey, a total of 810 interviews were conducted on a representative random sample of

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<sup>3</sup> In the baseline survey conducted in 2010, first instance judgment had to be made in the period from the beginning of 2007. till the end of 2009

<sup>4</sup> Total of 1035 interviews was conducted in the baseline survey on a random sample of general population and additional 555 interviews with users of court services.

private enterprises population and 210 interviews with users of court services<sup>5</sup> (Table A.2.2a in Annex). The method of selecting respondents for the booster sample of users of court services was the same as in case of random sample of enterprises; that is, the enterprises were randomly selected from the register of Serbian Business Registers Agency, whereas the interviews were applied only to the enterprises which the screening telephone interview identified as users of court services.

### ***Lawyers***

69. **The sample frame for the survey on lawyers was the list of private lawyers registered in the Bar Association of Serbia. Respondents were chosen randomly from 8 regional associations: Belgrade, Čačak, Kragujevac, Niš, Požarevac, Zaječar, Šabac and Vojvodina. 800 lawyers were interviewed.**

### ***The employed in judiciary***

#### ***Judges and prosecutors***

70. **The questionnaire was distributed to all judges, prosecutors and deputy prosecutors employed in the judicial and prosecutor's institutions during the survey.** Given that the universe, by definition, encompassed judges and prosecutors who were active in these positions during the survey fieldwork, the main survey conducted in 2010 encompassed only judges and prosecutors who were reappointed in 2009, while the 2013 survey encompassed also judges and prosecutors who were not reappointed during the main survey, but who were returned to work by the decision of the Constitutional Court, as well as judges and prosecutors hired in between the two surveys (Table A.2.2c,d and e in the Appendix). In order to provide full privacy and confidentiality of the collected data, the questionnaires were self-administered. Given the method, huge differences between questionnaires in regard to response rate can be observed. This report includes results for the judges and prosecutors who answered the given question.

#### ***The employed in administration***

71. **The questionnaires were distributed to administrative staff in 43 courts chosen for the main survey.** The sample was created in such a way that the number of the chosen administrative staff in each of these three regions is proportional to the number of judges in the given region. In collaboration with the head of the government sector in each town, questionnaires were distributed to all departments. The number of questionnaires was proportional to the number of those employed in each department, so most of the questionnaires were distributed to the employed in the registry office in each court. The data collection method was a self-administered questionnaire. A total of 900 questionnaires each were distributed in both the basic survey and follow-up survey; in the main survey, 571 administrative employees completed the questionnaire (response rate 63%), and 579 in the follow-up survey (response rate 64%).

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<sup>5</sup> In the baseline survey, 853 interviews were conducted on a representative random sample in the population of private enterprises and 212 with users.



### **3 Data collection method**

72. **The applied data collection method is F2F for all interviewed groups, except for those employed in the judiciary who filled out a self-administered questionnaire in order to be provided with stronger guarantees in regard to anonymity of interviews.** Members of the general population were interviewed in their households. Business sector representatives and lawyers were interviewed at work, after answering a screening questionnaire over the phone. Those employed in the judiciary filled out self-administered questionnaire, since it was identified in the 2010 survey that they felt uneasy being interviewed by interviewers, while self-administering suited them better as it added a new layer of confidentiality.

### **4 Fieldwork timeline**

73. **The survey was conducted during the second half of 2013.** Respondents were asked about their perceptions and experiences with the judiciary system, with the focus on the period prior to 2013, in order to obtain information about the situation after implementation of the reform of the judiciary system. The survey on the general population, the business sector and lawyers was conducted in November and December 2013. Interviews in prosecutor's offices and courts were conducted from November 2013 till February 2014.

74. Detailed methodology is described in this report's Appendix.

## OVERVIEW OF PERCEPTION OF FIVE DIMENSIONS OF JUDICIARY PERFORMANCE

### Summary

75. As an illustrative summary of the general perceptions of judicial performance among court users and justice service providers, a brief summary of perceptions of the court system in 2013 and changes in perception compared with the 2009 survey is presented through five dimensions of court services (efficiency, quality, fairness, accessibility and integrity). For a clearer layout, presented first are net scores (obtained by subtracting the percentage of negative scores from the percentage of positive scores) (Tables i.1 and i.2). A more detailed overview of the comparison of evaluations of the five dimensions between target groups obtained in the survey conducted in 2013 is shown in Figures I.1.1 to I.1.6<sup>6</sup>, and changes in perception compared with the survey conducted in 2009 for each individual target group is shown in Figures I.2.1 to I.2.7.<sup>7</sup>

The obtained results show the following:

- Efficiency, quality and integrity (independence and presence of corruption) are the main issues of the court system in the opinion of users of court services, but from the point of view of the overall results obtained with all target groups, efficiency is the main problem.
- Users of court services are more likely to evaluate efficiency, quality and integrity of the court system with negative than with positive grades, while fairness and accessibility are aspects which users are more likely to evaluate positively than negatively.
- There are substantial differences between users and providers of court services with regard to perceptions of performance of the court system. Providers of court services, particularly judges, are considerably more likely to evaluate all dimensions more positively, so, with the exception of efficiency and prosecutors' opinion on presence of corruption, positive evaluation prevails over negative.
- As for perceptions of efficiency, this is where the opinions of users and of providers of court services match most, and this is also the only dimension with evenly distributed positive and negative judges' evaluation, while prosecutors are a lot more likely to give negative than positive grades (even more negative than those of general population with experience with court cases).
- Differences between users and providers of court services are greatest in perceptions of quality, followed by perceptions of independence of judiciary.
- Perceptions of judges are at least somewhat more positive than perceptions of prosecutors on all dimensions, so differences compared to users of court services are greater in the case of judges than prosecutors.
- Perceptions of lawyers are much closer to perceptions of users than to providers of court services, but lawyers' evaluations of efficiency and quality of court services are a lot more negative than users' evaluations, and somewhat more negative in regard to presence of corruption.
- Users with experience with court cases, as compared to users without this experience, evaluate most dimensions more negatively, with just a few exceptions of dimensions which were similarly

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<sup>6</sup>All dimensions were evaluated on 4-point scales, except the presence of corruption which was evaluated with 5 point scale with users of the services and 3 point scale with providers of the services and lawyers. Due to this discrepancy in measurement scale, the evaluations of the presence of corruption can be only roughly compared to the evaluations of other dimensions, and between users and providers of the services

<sup>7</sup> In the survey in 2009, the 5-point scales were used for evaluations of efficiency and quality and due to this variation in measurement scales used for different dimensions, the comparisons between dimensions were less precise. In order to make the comparisons between dimensions more precise, and at the same time comparable with the results obtained in the 2009 survey, in the survey 2013, the respondents were first asked to evaluate efficiency and quality on 5 point scale (same as in 2009), and then, the respondents who selected the middle ratings were asked to opt for either positive or negative grades (*But if expressing your opinion you should opt only between negative and positive, which side your opinion would be closer to?*). In this way the evaluations were obtained on both, the 5-point scale (used for comparisons with evaluations for year 2009) and the 4 point scale (used for comparisons with evaluations on other dimensions for year 2013)

evaluated (quality and presence of corruption in general population and fairness both in general population and among business sector representatives)

- Compared to 2009, perceptions of users and providers of court services became closer, since perceptions of users of services have become more positive (with some exceptions of accessibility and quality where there were no changes), and perceptions of providers of court services have become more negative (with the exception of perceptions of presence of corruption, which become more positive). However, with the exception of efficiency, perceptions of providers of court services are still significantly more positive than perceptions of users of court services
- The major positive change among users of court services is in perceptions of independence of the judiciary, and the major negative change among providers of court services is in perceptions of accessibility of the judiciary
- Lawyers' opinions have become more negative in regard to efficiency, quality and accessibility, and more positive in regard to fairness, independence and presence of corruption

**Table i.1: 2013 NET SCORES ON FIVE DIMENSIONS**

	General public with experience with court case	General public without experience with court case	Business sector with experience with court case	Business sector without experience with court case	Lawyers	Judges	Prosecutors
Efficiency	-19	-7	-25	-7	-61	+1	-25
Quality	-30	-30	-34	-9	-64	+54	+49
Accessibility	+2	+19	+15	+28	+21	+60	+48
Fairness	+5	+4	+23	+23	+24	+67	+63
Integrity - independence	-28	-18	-22	-9	-12	+48	+30
Integrity-corruption	-37	-38	-21	-10	-43	+9	-8

**Table i.2: 2009 AND 2013 DIFFERENCES IN NET SCORES<sup>8</sup> ON FIVE DIMENSIONS**

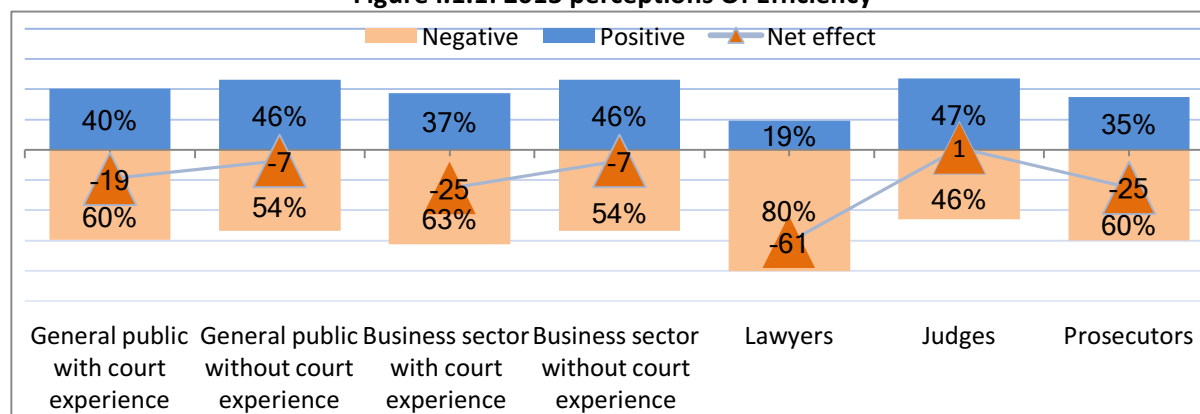
	General public with experience with court case	General public without experience with court case	Business sector with experience with court case	Business sector without experience with court case	Lawyers	Judges	Prosecutors
Efficiency	+15	+11	+13	+19	-6	-16	-30
Quality	+12	+4	0	+17	-12	-15	-20
Accessibility	0	+5	0	+11	-29	-20	-32
Fairness	+11	+6	+15	+13	+10	-15	-12
Integrity - independence	+28	+30	+12	+33	+18	-8	-18
Integrity-corruption	+9	+8	+14	+26	+22	+36	+46

## I.1 Perceptions of five dimensions of judiciary performance across survey groups

76. **Efficiency is the only dimension where negative opinions prevail over positive opinions in all groups, with the exception of judges whose positive and negative opinions are evenly distributed.** Users of court services with experience with court cases share more negative opinions than users without this experience, while negative opinions are most present among lawyers. (Figure I.1.1)

<sup>8</sup>Differences were calculated by simple subtraction of net scores obtained in 2013 from the net score obtained in 2009. As already noted above, in order to make the evaluations obtained in the 2013 survey comparable with those obtained in the 2009 survey, for all comparisons the five point scales for the evaluations of efficiency and quality were used

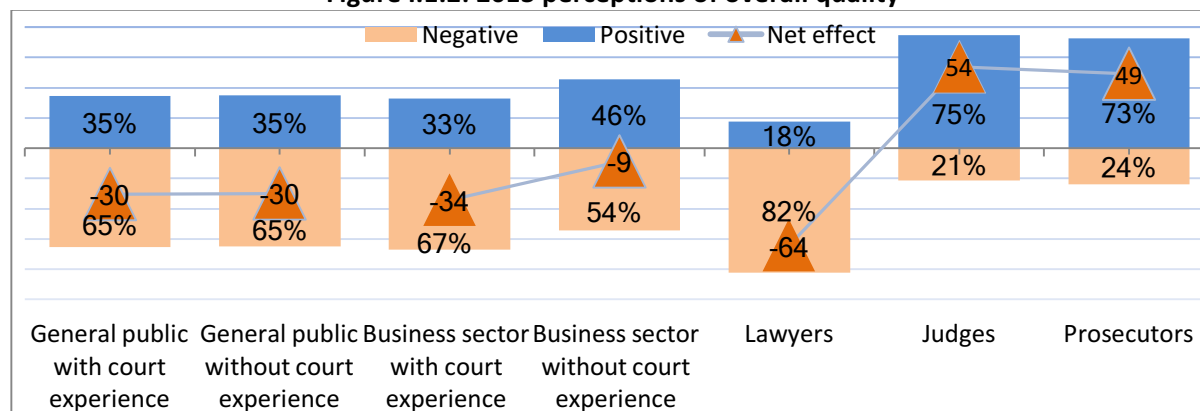
**Figure I.1.1: 2013 perceptions Of Efficiency**



Note: Question: General public and business sector: What is your general opinion of how the judicial system in Serbia functioned over the past few years? Judges, prosecutors and lawyers: What do you think in general of the work of the judicial system in Serbia over the past few years; Scale: 1. Very negative, 2. Negative, 3. Positive, 4. Very positive; Shown in the figure: 1,2=Negative, 3,4=Positive. Base: Total target population

77. **As for evaluation of quality, differences are the greatest between users of court services and lawyers on one side, and providers of court services on the other.** While most providers of court services give positive scores, most users, and particularly lawyers, evaluate the quality negatively. The impressions of quality of services in the general population are equally negative among users with experience with court cases and those without this experience, while business sector representatives with experience with court cases evaluate quality of services more negatively than representatives without this experience. (Figure I.1.2)

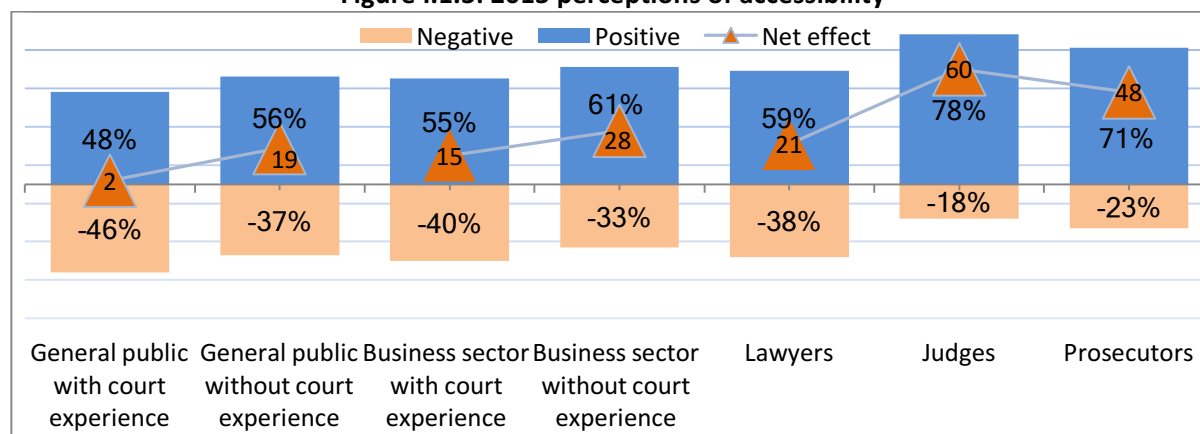
**Figure I.1.2: 2013 perceptions of overall quality**



Note: Question: General public and business sector: What is your general impression of the quality of work of the judiciary in the past few years? Judges and prosecutors: What was the quality of work of the institution in which you worked in the last 12 month? Lawyers: How do you rate the quality of work the judicial system provided to the public in the last 12 months? Scale: 1=very low, 2=low; 3=high, 4=very high, Shown in the figure: 1,2=Negative, 3,4=Positive. Base: Total target population

78. **Accessibility and fairness are the only dimensions with prevailing positive over negative scores in all groups.** However, providers of court services are a lot more likely than users and lawyers to give positive scores, and differences are particularly striking when compared to users with experience with court cases. (Figure I.1.3)

**Figure I.1.3: 2013 perceptions of accessibility**

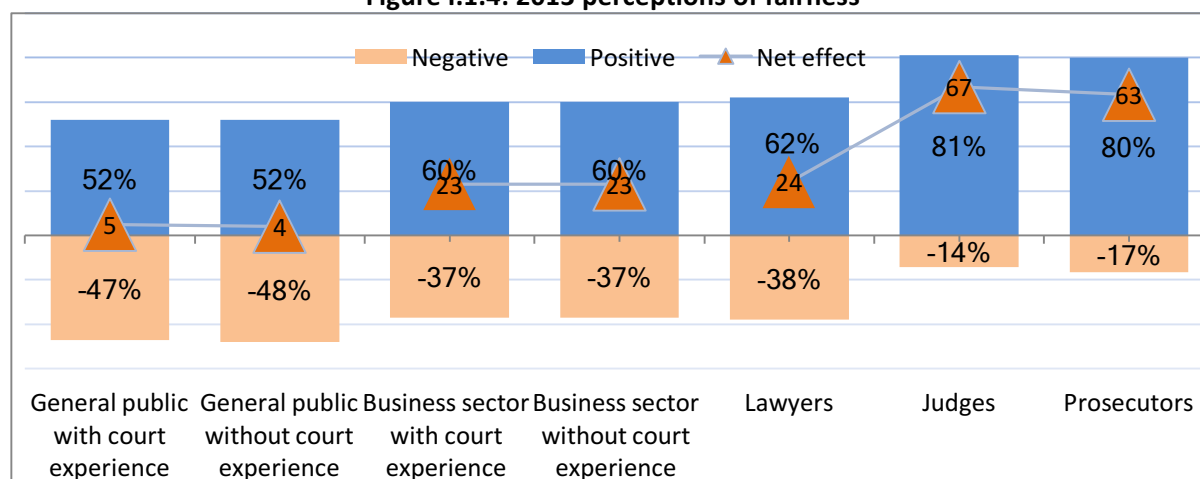


Note: Question: General public and business sector: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, ethnicity, handicap, the language they use...? Judges, prosecutors and lawyers: To what extent were the courts accessible to all citizens, notwithstanding their age, education level, financial status, ethnicity, disability... in the last 12 months? Scale: 1. Very inaccessible 2. Mostly inaccessible 3. Mostly accessible, 4. Fully accessible; Shown in the figure: 1,2=Negative, 3,4=Positive.

Base: Total target population

79. **Fairness, similar to accessibility, is more likely to be evaluated positively than negatively among users of court services and lawyers, but the opinion of providers of court services is far more positive than the opinion of users and lawyers.(Figure I.1.4)**

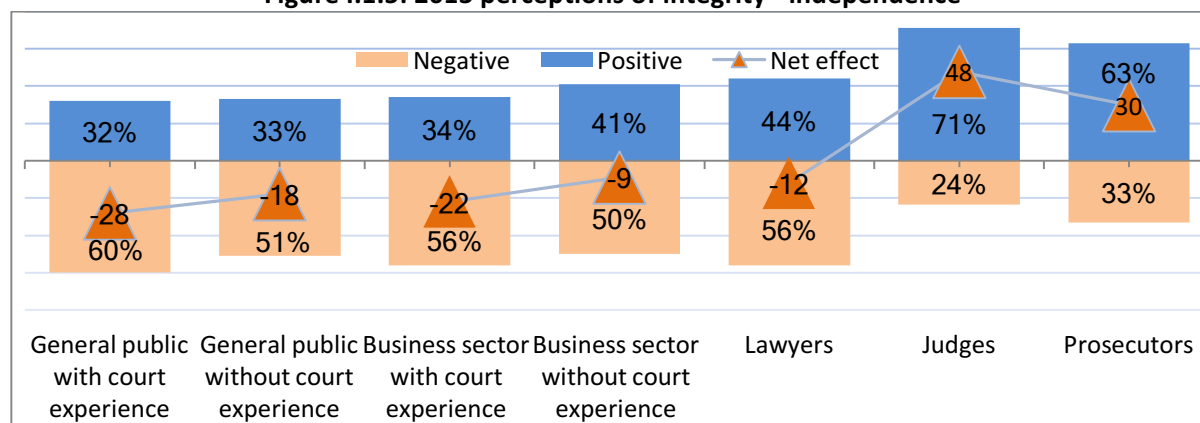
**Figure I.1.4: 2013 perceptions of fairness**



Note: Question: In your opinion, how fair was the judicial system in the last 12 months (2013)? (Scale: 1=very unfair 2 =mainly unfair 3=mainly fair, 4= very fair; Shown in the figure: 1,2=Negative, 3,4=Positive). Base: Total target population

80. **When evaluating the independence of the judiciary, as in the case of quality, a striking imbalance between the opinion of users and lawyers on one side, and providers of court services on the other is present.** While most users of court services and lawyers do not consider the judiciary independent, most judges and prosecutors do consider it independent (Figure I.1.5)

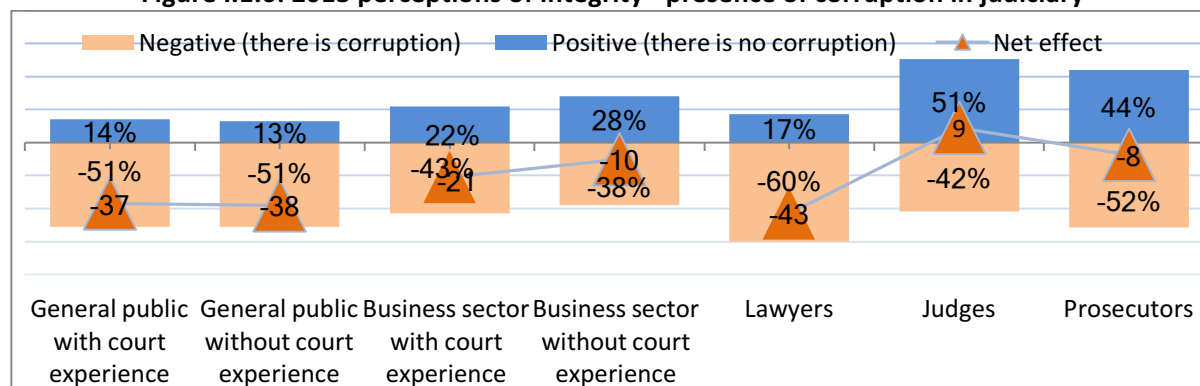
Figure I.1.5: 2013 perceptions of integrity - independence



Note: Question: To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities - politics? Scale of 1 to 4, 1 = "Not independent", 2 = "mostly not", 3 = "mostly independent", 4 = "fully independent"; Shown in the figure: 1,2=Negative, 3,4=Positive. Base: Total target population

81. **Imbalance between users of court services and lawyers on one side, and providers of court services on the other, is also great in the case of opinions on the presence of corruption in the judiciary.** As it was said already, the evaluation scales were different, so this comparison is relatively rough. However, there is considerable difference between users of court services and lawyers on one side and providers of services on the other in regard to the evaluation that corruption is not present in the judiciary at all. While a relatively low percentage of users of court services and lawyers believe that corruption is not present in the judiciary, more than half of judges, and somewhat less than half of prosecutors, share this opinion. Differences are particularly striking between evaluations of the general population and judges.

Figure I.1.6: 2013 perceptions of integrity - presence of corruption in judiciary

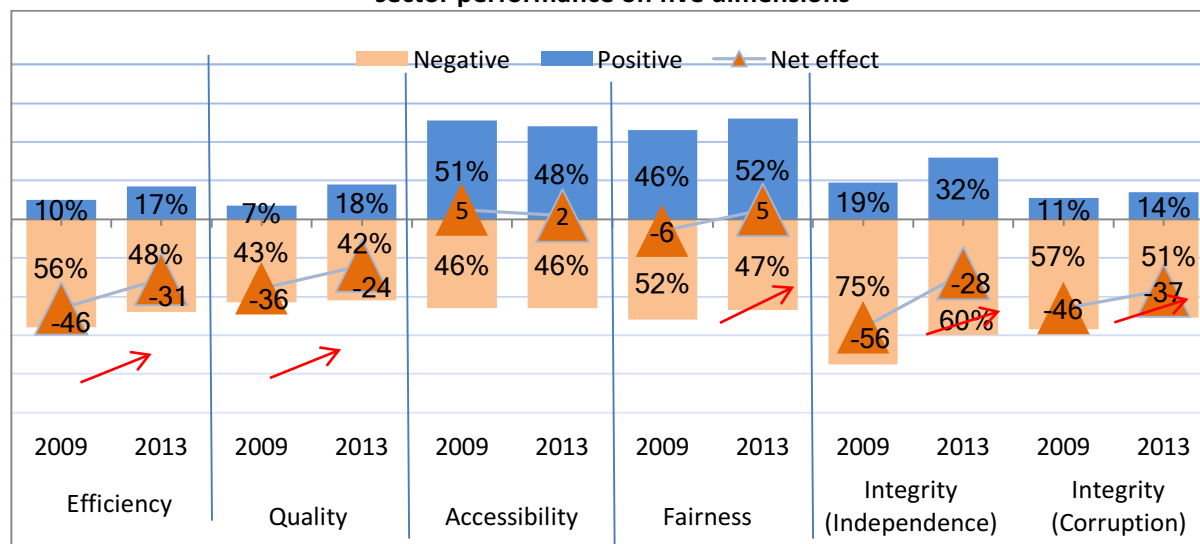


Note: Question: General public and business sector: How present is corruption in judicial system? Scale from 1 to 5, 1 = 'not at all' and 5 = 'to a great degree'; Shown in the figure: 1,2=Positive, 4,5=Negative; Judges, prosecutors and lawyers: Was there corruption in the judicial system in the last 12 months? Scale: 1 = There was no corruption, 2=To an extent, 3=To great extent; Shown in the figure: 2,3=Negative, 1=Positive. Base: Total target population

## I.2 Perceptions of five dimensions of judiciary performance across time (2009 and 2013)<sup>9</sup>

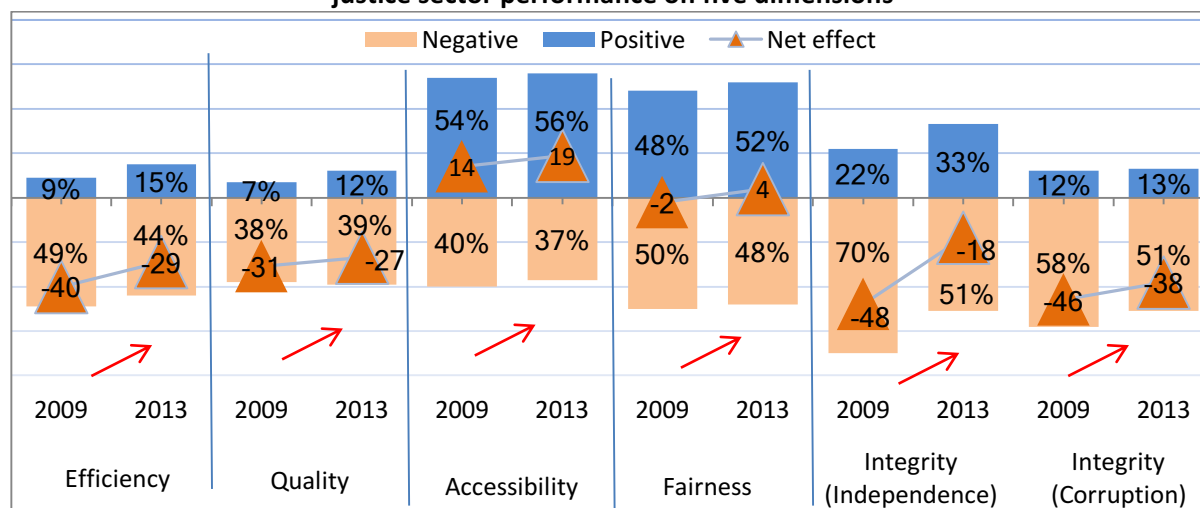
82. The opinion of members of general population with experience with court cases has become more positive on all dimensions, with the exception of accessibility, where the opinion hasn't changed. (Figure I.2.1)

Figure I.2.1: 2009 and 2013 general public with experience with court case - perceptions of justice sector performance on five dimensions



83. The opinion of members of general population without experience with court cases has become more positive on all dimensions (Figure I.2.2)

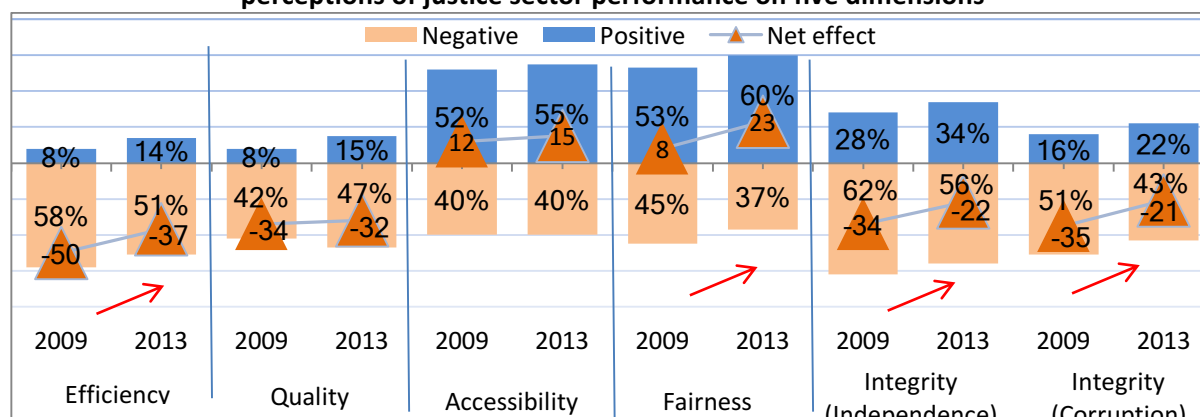
Figure I.2.2: 2009 and 2013 general public without experience with court case - perceptions of justice sector performance on five dimensions



84. As for business sector representatives, scores for efficiency, fairness and integrity (independence and presence of corruption) have become more positive, and scores for quality and accessibility haven't changed. (Figure I.2.3)

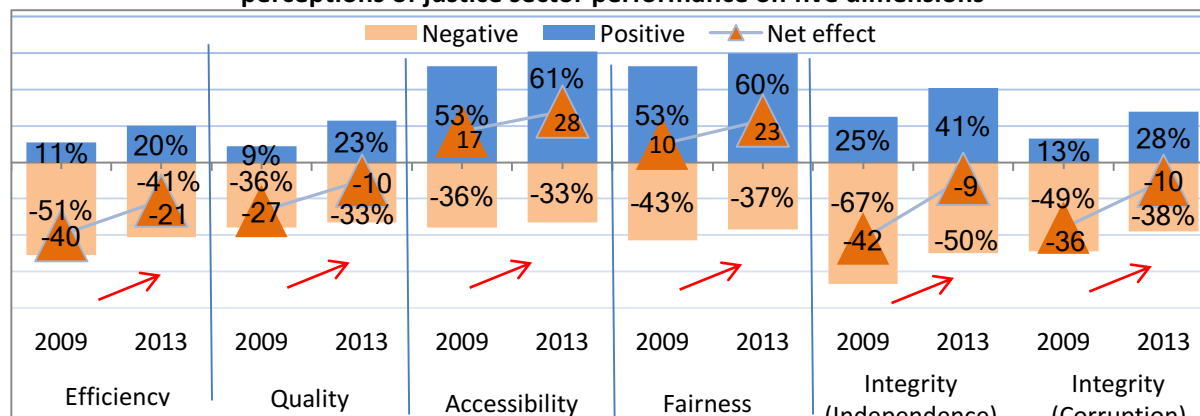
<sup>9</sup>As already mentioned above, efficiency, quality and presence of corruption were evaluated with 5 point scales (presence of corruption with providers with 3 point scale), while accessibility, fairness and independence were evaluated with 4 point scales

**Figure I.2.3: 2009 and 2013 members of business sector with experience with court case - perceptions of justice sector performance on five dimensions**



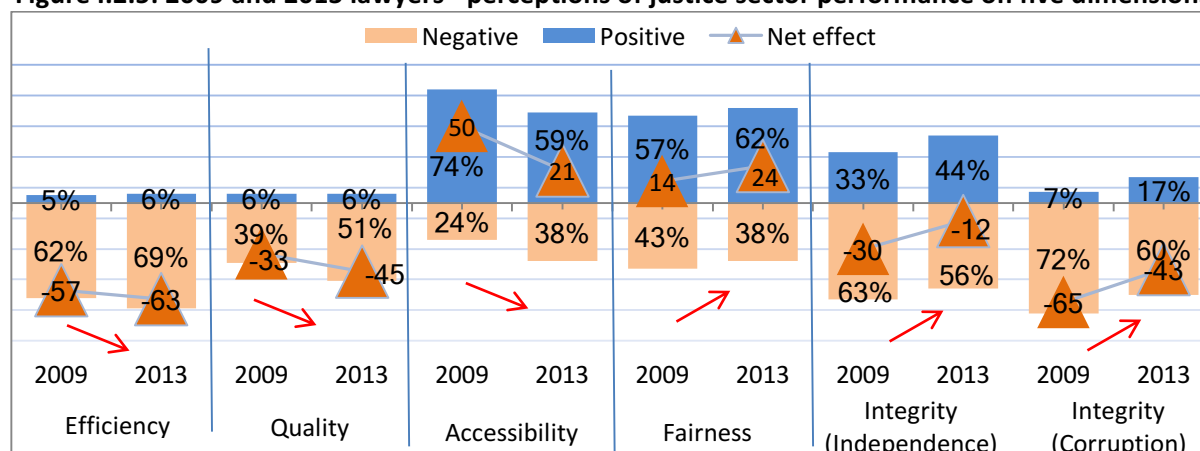
85. As in case of general population, the opinion of business sector representatives without experience with court cases has become more positive on all dimensions. (Figure I.2.4)

**Figure I.2.4: 2009 and 2013 members of business sector without experience with court case - perceptions of justice sector performance on five dimensions**



86. The opinion of lawyers has become more negative in regard to efficiency, quality and accessibility, and more positive in regard to independence of judiciary and presence of corruption. (Figure I.2.5)

**Figure I.2.5: 2009 and 2013 lawyers - perceptions of justice sector performance on five dimensions**





87. Changes in the opinions of judges and prosecutors are negative on all dimensions, with the exception of presence of corruption, where their opinions have become considerably more positive. (Figures I.2.6 and I.2.7)

Figure I.2.6: 2009 and 2013 judges - perceptions of justice sector performance on five dimensions

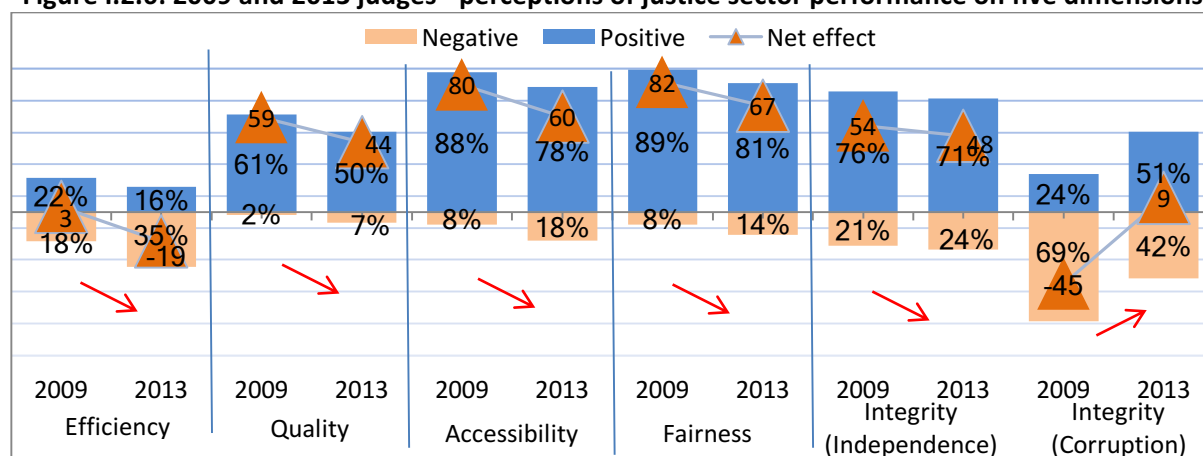
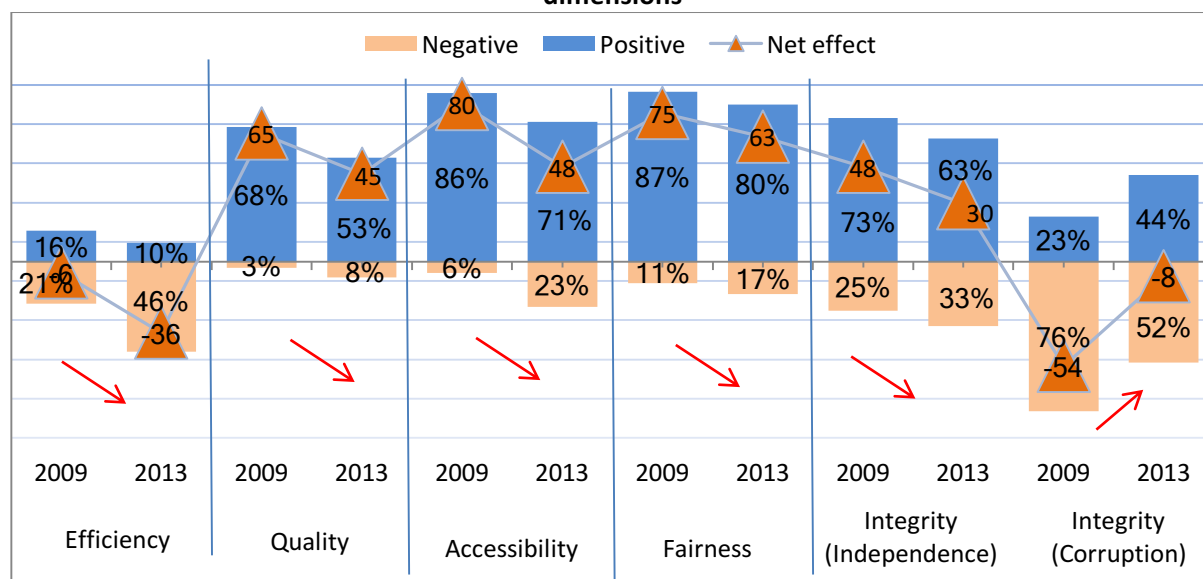


Figure I.2.7: 2009 and 2013 prosecutors - perceptions of justice sector performance on five dimensions



## 1. EFFICIENCY OF JUDICIARY SERVICE DELIVERY

### 1.1. Perceptions of efficiency of court service delivery

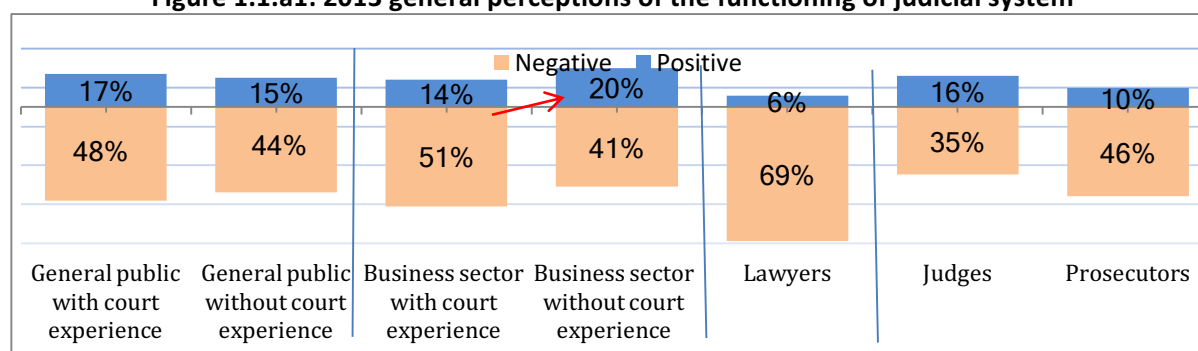
#### 1.1.a General perceptions of the functioning of judicial system

88. Efficiency of the justice system is the biggest problem of the judiciary, both according to court users and providers of court services. Negative opinions about the efficiency of the functioning of the justice system prevail considerably over positive opinions of both court users, providers of court services, and lawyers. Perceptions of efficiency of the justice system's functioning by court services providers have become close to the perception of the court services users, since the opinions of court users have become somewhat more positive, while the opinions of providers of court services have become considerably more negative. Personal experiences with court efficiency are even more negative than the general impressions of citizens without such experience, but the general assessment of efficiency has somewhat improved in both cases.

89. General opinions about the functioning of the judicial system are considerably more negative than positive, both among the court users, providers of court services and lawyers. More than 40% of the general population and representatives of the business sector have a negative opinion about overall functioning of judicial system, and less than 20% have a positive opinion; more than one third of the judges and almost a half of the prosecutors express negative opinions, while only 16% of the judges and 10% prosecutors express positive opinions. The most negative opinion was expressed by the lawyers, among whom even 69% have a negative opinion and only 6% have a positive opinion. (Figure 1.1.a1)

90. Opinions of the citizens who have experience with a court case are even more negative than opinions of those without such experience, and this difference is particularly striking in business sector (a negative opinion was expressed by 51% of the members of business sector who have experience with a court case, and 41% of those without such experience). (Figure 1.1.a1)

Figure 1.1.a1: 2013 general perceptions of the functioning of judicial system

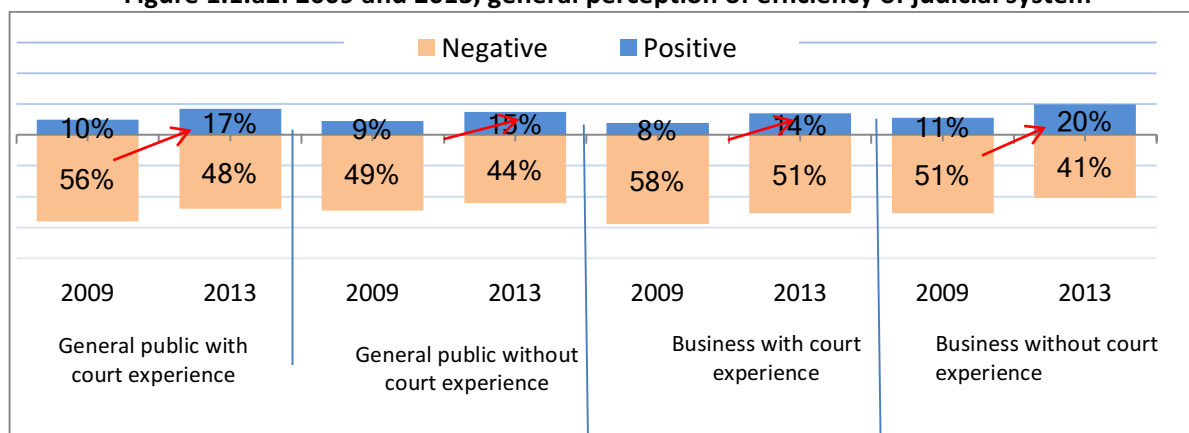


Note: Question: General public and business sector: What is your general opinion of how the judicial system in Serbia functioned over the past few years? Judges, prosecutors and lawyers: What do you think in general of the work of the judicial system in Serbia over the past few years; Scale: 1. Very negative, 2. Negative, 3. Satisfactory 4. Positive, 5. Very positive.

Base: Total target population

91. In comparison with 2009, opinions of both the general population and representatives of the business sector have become more positive, and opinions of the judges are considerably more negative, which resulted in much a bigger concurrence of the attitudes of court users and providers of court services. (Figures 1.1.a2 and 1.1.a3)

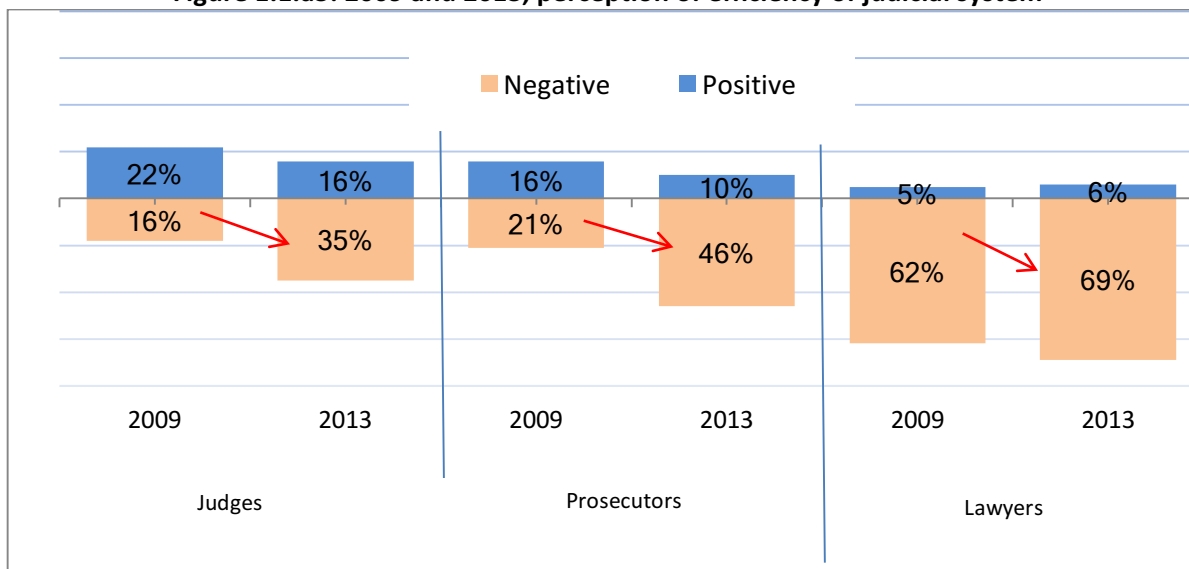
Figure 1.1.a2: 2009 and 2013, general perception of efficiency of judicial system



Note: Question: What is your general opinion of how the judicial system in Serbia functioned over the past few years? Scale: 1. Very negative, 2. Negative, and 3. Satisfactory 4. Positive, 5. Very positive Base: General public and business sector total target population

92. The increase of negative opinions among judges and prosecutors is striking: the number of judges who expressed negative opinions increased by 19% in comparison with 2009, and the number of prosecutors who expressed negative opinions increased by 25% in comparison with 2009. The percentage of negative opinions also increased among the lawyers, but to a considerably lesser extent: 7%. (Figure 1.1.a3)

Figure 1.1.a3: 2009 and 2013, perception of efficiency of judicial system



Note: Question: What do you think in general of the work of the judicial system in Serbia over the past few years; Scale: 1. Very negative, 2. Negative, and 3. Satisfactory 4. Positive, 5. Very positive, Base: Legal professionals total target population

**1.1.b Perceptions of efficiency of case proceedings****Summary**

93. Court users with experience with court cases and providers of court services do not agree in their assessment of the length of court processes: while a majority of court users think that their cases lasted too long, according to judges just circa one fourth of the cases on which they worked, on average, lasted more than they should have lasted, and according to prosecutors circa one third of the cases lasted longer than they should have. According to information obtained from the court users, duration of misdemeanor and civil cases has not changed since 2009, and in criminal cases it has even been prolonged. The number of canceled and unproductive hearings, as well as too big time span between two hearings (which, on average, ranged from three to four months) substantially contributed to too long duration of cases.

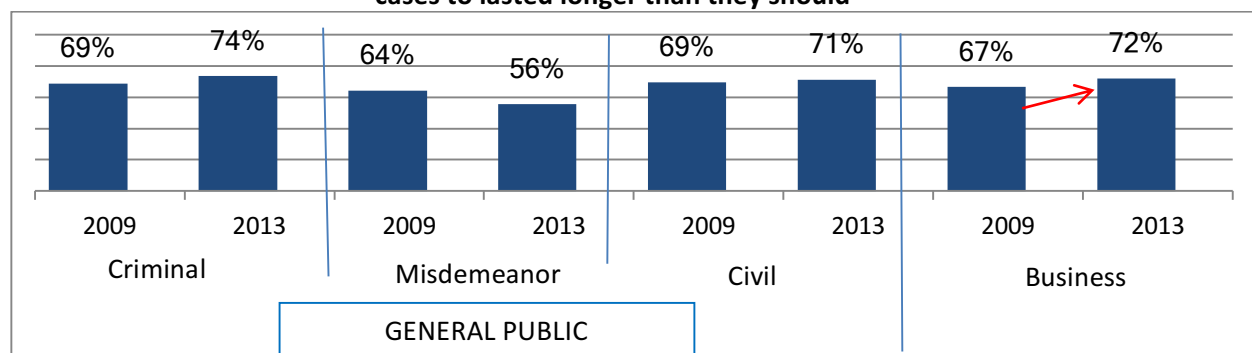
94. Total efficiency of hearings (percentage of hearings contributing to resolution out of the total number of scheduled hearings) calculated based on data obtained from court users, court services providers and lawyers is relatively matching, range between 55% and 65%, with some exception of the efficiency based on prosecutors' estimates which is somewhat lower than 50%, and court users in misdemeanor cases, which is somewhat above 70%. The percentage of productive hearings has increased somewhat in civil and business sector cases, while it remained at the same level in criminal and misdemeanor cases. The percentage of productive hearings was shown to decrease with extended duration of court proceedings, indicating that lengthy duration is very likely not a consequence of specificities of the cases, requiring a larger number of hearings in order to reach quality solution, but on the contrary, just leading to an increased number of canceled and unproductive hearings.

95. According to court service providers the reasons for extended duration of cases are more often obstructions from the parties in the proceedings, gaps in legislation and inefficient procedural provisions, than errors of the court.

**1.1.b.1 Duration of proceedings**

96. **Most court users are not satisfied with duration of their court proceeding.** More than 70% of citizens with experience in criminal, civil, and business sector cases, and almost 60% of citizens with experience in misdemeanor cases consider their court proceeding longer than necessary. The percentage of dissatisfied citizens hasn't changed since 2009, while business sector representatives are now even more likely to be dissatisfied with duration of their court proceeding. (Figure 1.1.b.1.1)

**Figure 1.1.b.1.1 Share of court users in general population and business sector who perceive their cases to lasted longer than they should**

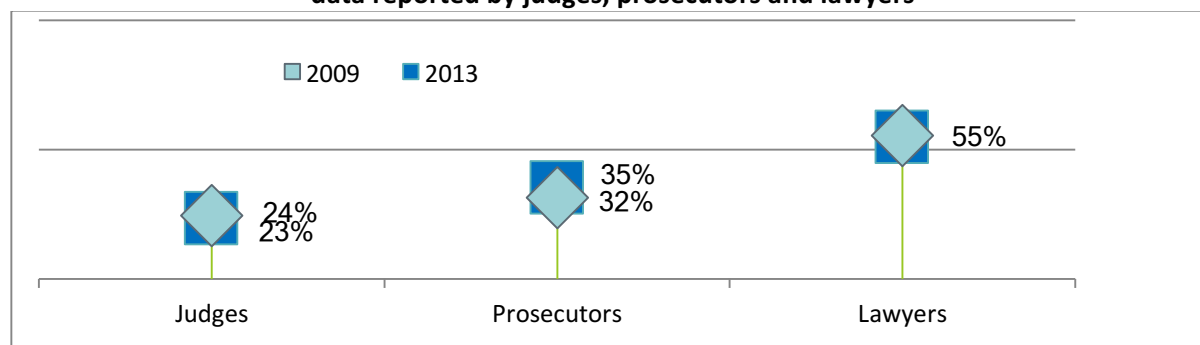


Note: Question: Difference between duration of the case in months reported by court users and their estimations of the number of months the case should have lasted: When was the case filed - month and year - when was the first instant judgment render? / How long do you think the first instance proceeding should have lasted - in months?

Base: General public and members of business sector with experience with court cases

97. **According to judges and prosecutors, however, a far lower percentage of cases lasted longer than necessary:** in judges' estimations, on average, about one fourth of their cases lasted longer than necessary, and in prosecutors' estimation about one third. Lawyers' estimations matches citizens' estimations a lot more, since they estimated that about 55% of their typical cases lasted longer than necessary. Judges', prosecutors' and lawyers' perception of duration of their cases hasn't changed since 2009. (Figure 1.1.b.1.2)

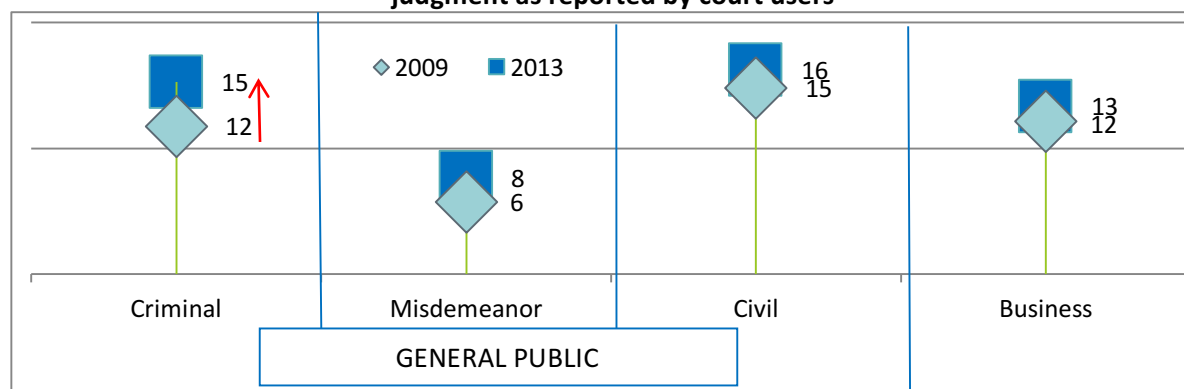
**Figure 1.1.b.1.2 Average percentage of cases that lasted longer than they should have based on data reported by judges, prosecutors and lawyers**



Note: Question: Please estimate the percentage of your cases in the last 12 months that lasted longer than they should have for any reason? Base: Judges, prosecutors and lawyers who provided data (Judges 2009 79%, 2013 81%; Prosecutors 2009 76%, 2013 74%; Lawyers 2009 99, 2013 100%)

98. **Dissatisfaction with the efficiency of court proceedings is not surprising given their duration.** As reported by the citizens<sup>10</sup> in 2013, the average duration of court proceeding from case filing to first-instance judgment in criminal and civil cases was about 15 months, in misdemeanor cases 8 months, and in business sector cases 13 months. Compared with the data reported in 2009, the only change occurred in criminal cases, and this change is negative: on average, cases lasted 3 months longer. (Figure 1.1.b.1.3)

**Figure 1.1.b.1.3 2009 and 2013 Average number of months from case filing to first-instance judgment as reported by court users**



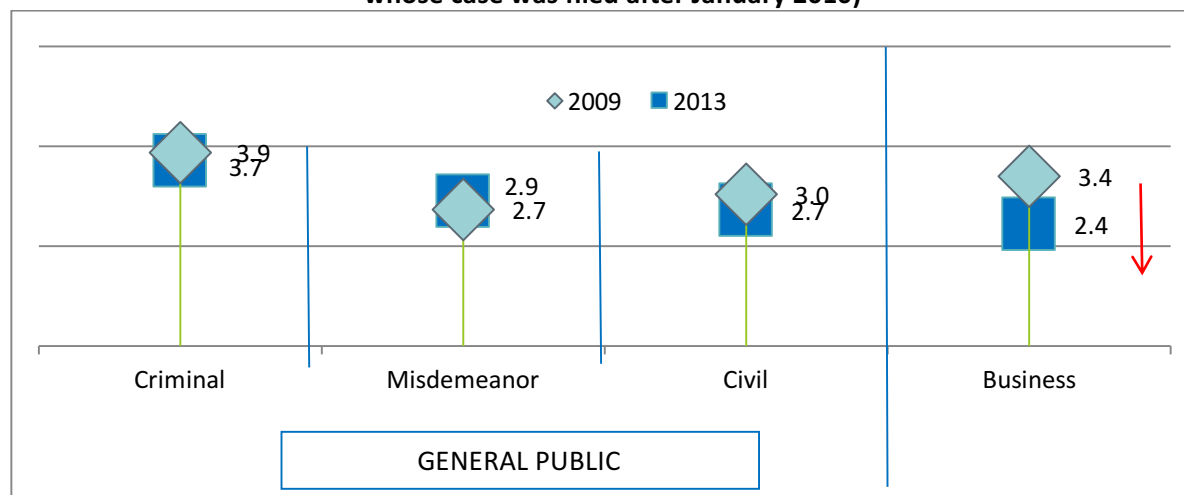
Note: Question: When was the case filed -month and year? / When was the first instance judgment rendered- month and year? General public and members of business sector with experience with court cases who reported data (Criminal cases 2009 87%, 2013 88%; Misdemeanor 2009 92%, 2013 96%; Civil 2009 92%, 2013 96%; business 2009 83%, 2013 91%)

99. **Striking are, however, great variations in duration of cases.** According to data reported in 2013, the duration of criminal cases ranged from less than one to 70 months; in misdemeanor cases it ranged from less than one to 46 months, in civil and business cases from less than one to more than 100 months.

<sup>10</sup>Information obtained from citizens and business sector representatives about duration of their court case is based on recollections and may somewhat differ from reality. However, consistency of the information obtained in surveys conducted in 2009 and 2013 indicates that the results are reliable, so it may be assumed that the average values are in the range of actual with reasonable size of deviations.

100. **As well, several months usually passed from the case filing to the first appearing before court.** In criminal cases, citizens usually waited about 4 months, in civil and misdemeanor cases about 3 months, while business sector representatives waited somewhat more than 2 months. Compared to 2009, the interval from case filing to the first appearing before the court decreased only with business sector cases, while with other types of cases it remained the same. (Figure 1.1.b.1.4)

**Figure 1.1.b.1.4: 2009 and 2013 Average number of months that passed between a case being filed and a party appearing in court, as reported by court users (for follow up are selected only those whose case was filed after January 2010)**



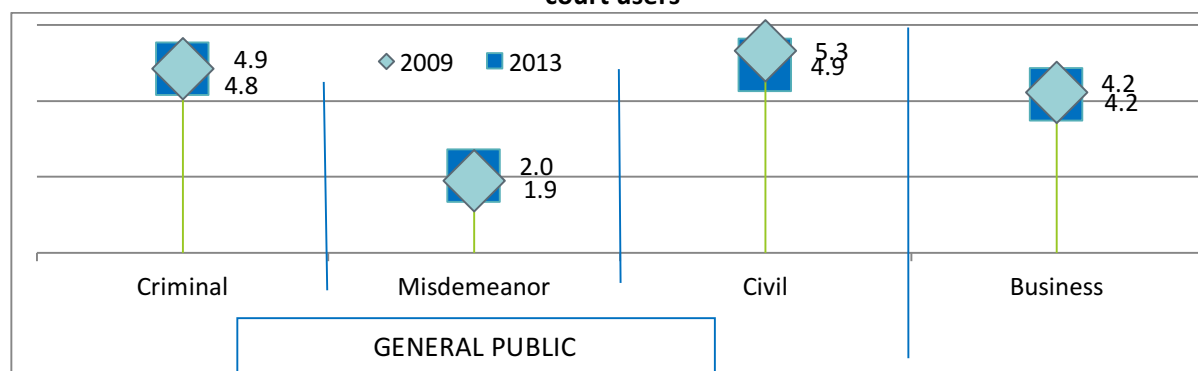
Note: Question: When was the case filed (month and year)?/When did one of the parties appear before a judge for the first time (month and year)? Base: General public and members of business sector with experience with court cases who reported data (Criminal cases 2009 94%, 2013 73%; Misdemeanor 2009 93%, 2013 87%; Civil 2009 94%, 2013 78%; business 2009 79%, 2013 79%)

### 1.1.b.2 Efficiency of hearings

#### i) Number of scheduled hearings

101. **According to information obtained from citizens who have experience with a court case in 2013, the number of scheduled hearings in first-instance proceedings is not big.** Based on information obtained from citizens-court users in 2013, on average, five hearings were scheduled in criminal and civil cases, two hearings in misdemeanor cases, and four hearings in business cases. Average number of scheduled hearings hasn't changed since 2009. (Figure 1.1.b.2.1)

**Figure 1.1.b.2.1: 2009 and 2013 average number of scheduled hearings based on data reported by court users**



Note: Question: How many total hearings were scheduled in the first-instance court, including those that were scheduled but not held? Base: General public and members of business sector with experience with court cases who reported data (Criminal cases: 2009 90%, 2013 96%; Misdemeanor 2009 88%, 2013 92%; Civil 2009 89%, 2013 93%; Business 2009 83%, 2013 91%)

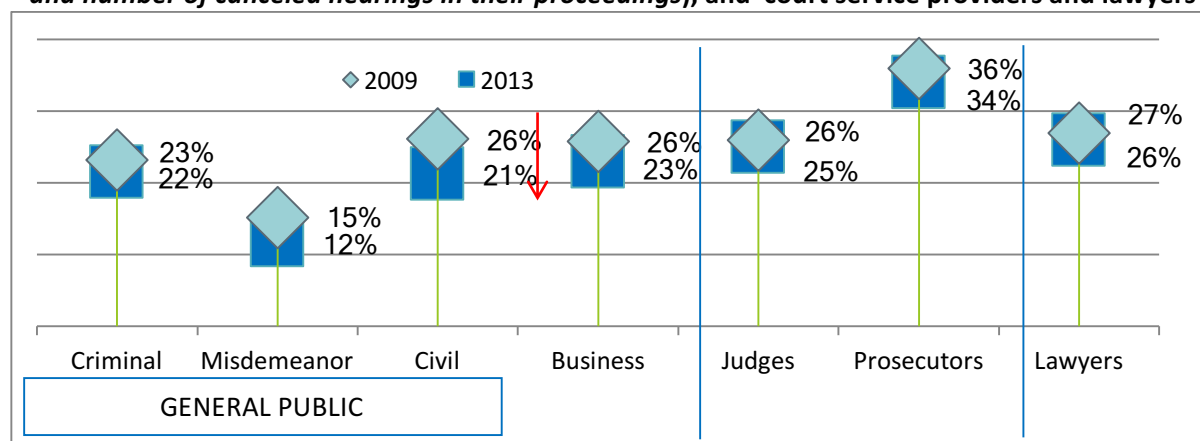
102. **However, there are great variations within all types of cases present.** The number of scheduled hearings in criminal cases range from 1 to 32 hearings, in misdemeanor cases from 1 to 10 hearings, in civil cases from 1 to 50 hearings, and in business cases from 1 to 30 hearings.

103. **Hearings are usually scheduled with big time intervals in between them, on average from three to four months.** This wide distribution of hearings in time hasn't changed since 2009.

**ii) Percentage of canceled hearings**

104. **According to 2013 estimates of both court users, court service providers, and lawyers, a significant percentage of scheduled hearings in their cases was canceled.** According to citizens' estimates, in criminal and civil cases, as well as in business cases, on average, somewhat more than one fifth of scheduled hearings were canceled, while the percentage of canceled hearings in misdemeanor cases was lower, 12%. Judges' and lawyers' estimates of the percentage of canceled hearings in cases they worked on match citizens' estimates, while prosecutors think that a somewhat higher percentage of hearings was canceled in cases they worked on - one third of scheduled hearings on average. In comparison to 2009, the only change took place in civil cases, where the average percentage of canceled hearings was reduced for 5% (from 26% to 21%). (Figure 1.1.b.2.3)

**Figure 1.1.b.2.3: 2009 and 2013 Average percentage of hearings unheld out of total scheduled hearings, as reported by court users (Ratio between the reported number of scheduled hearings and number of canceled hearings in their proceedings), and court service providers and lawyers**



Note: Question: Estimate the percentage of hearings scheduled for your cases in the last 12 months that were not held) Base: Users of court services, providers of court services (without Appellate), and lawyers, who reported data (Criminal cases: 2009 87%, 2013 94%; Misdemeanor 2009 77%, 2013 88%; Civil 2009 82%, 2013 87%; Business 2009 94%, 2013 100%; Judges 2009 79%, 2013 80%; Prosecutors 2009 65%, 2013 74%; lawyers 2009 99%, 2013 99%)

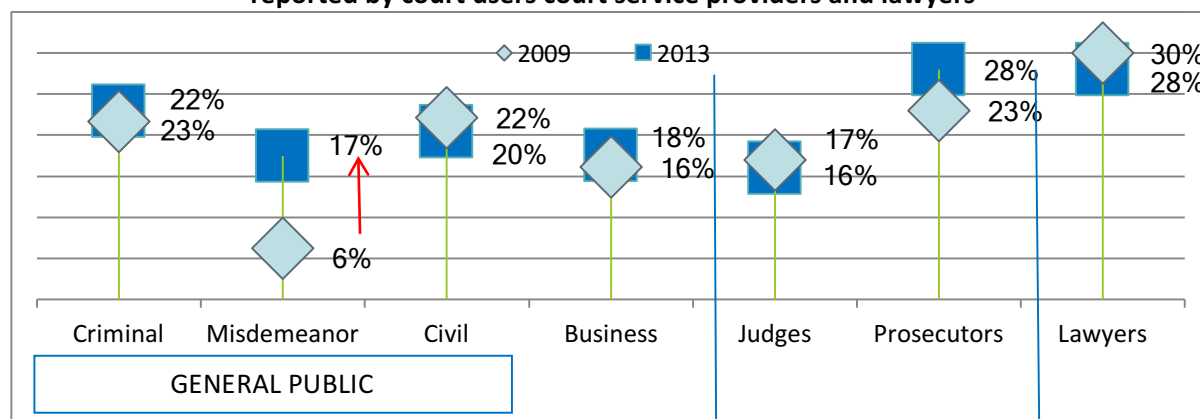
**iii) Percentage of inefficient hearings (hearings that did not contribute to resolution of the case)**

105. **A substantial percentage of hearings was also evaluated as inefficient by the citizens in their court cases, and also by judges, prosecutors and lawyers in cases they worked on.** According to court users, in 2013, about one fifth of the hearings, on average, were inefficient, i.e. didn't contribute to resolution of their case<sup>11</sup>. According to judges, the percentage of inefficient hearings was somewhat lower, 16% on average, and according to prosecutors and lawyers, somewhat higher, 28% on average. In comparison to the year 2009, the percentage of inefficient hearings has changed only in

<sup>11</sup>Although the average number of inefficient hearings varies somewhat by type of case (from 17% in misdemeanor cases to 22% in criminal cases), probability of error that there is a difference between types of cases is bigger than 5%, so such conclusion would be unreliable according to accepted standards of statistical concluding

misdemeanor cases, and in the negative direction: the average percentage of inefficient hearings has risen for 11% (from 6% to 17%). (Figure 1.1.b.2.4)

**Figure 1.2.b.2.4: 2009 and 2013 average percentage of hearings not contributing to resolution, as reported by court users court service providers and lawyers**



Note: Court users: Ratio between the reported number of scheduled hearings and number of hearings not contributing to case resolution in their proceedings; Court providers: Estimate the percentage of hearings held in the last 12 months that did not contribute to progress in resolution of court cases

Base: Users of court services, providers of court services (without Appellate), and lawyers, who reported data (Criminal cases: 2009 64%, 2013 83%; Misdemeanor 2009 59%, 2013 71%; Civil 2009 63%, 2013 79%; Business 2009 92%, 2013 85%; Judges 2009 63%, 2013 72%; Prosecutors 2009 55%, 2013 65%; lawyers 2009 96%, 2013 100%)

#### iv) Efficiency index

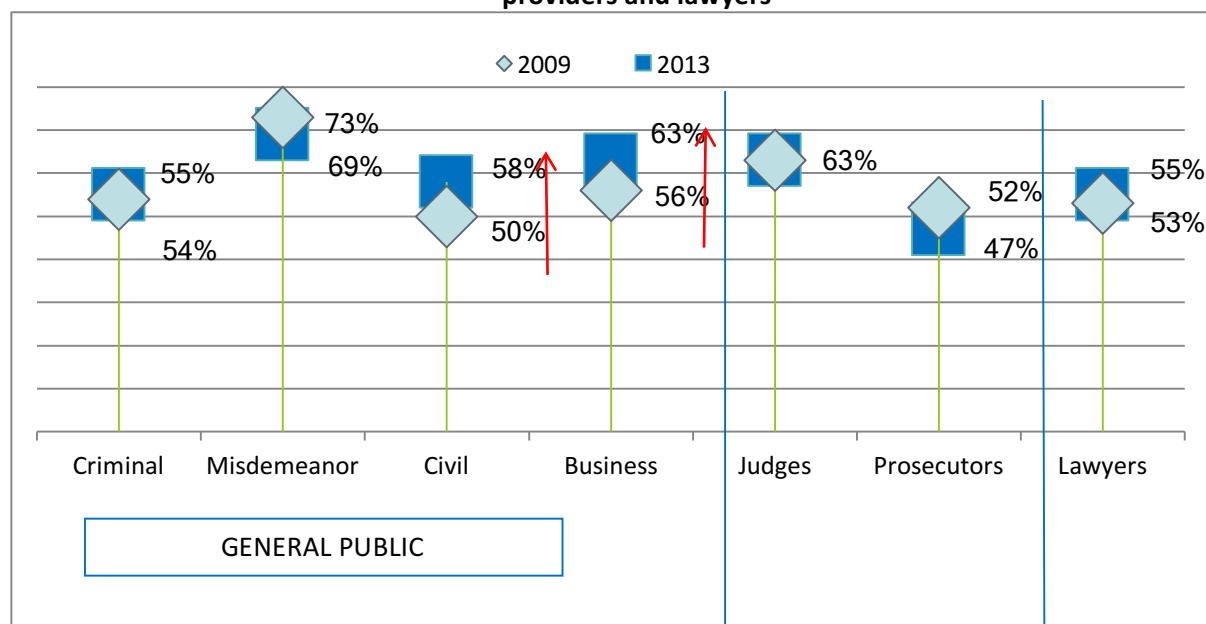
106. Based on the information on the number of canceled and inefficient hearings, an efficiency index was calculated, showing the share of efficient hearings (hearings contributing to the resolution of a case) in the total number of scheduled hearings.<sup>12</sup>

107. Efficiency indexes show that, on average, 55% of hearings were productive in criminal cases, and 58% in civil cases; the efficiency index is somewhat higher in business cases, 63%, while it is over 70% in misdemeanor cases. Efficiency indexes are based on information obtained from judges, prosecutors and lawyers belong to the same range as indexes calculated based on information obtained from court users. However, the efficiency index based on data provided by judges is higher than the one based on data provided by prosecutors (63% and 47% respectively), while the index based on data reported by lawyers is in between (55%). Compared to 2009, the efficiency index increased in civil cases for 8% and in business cases for 7%, while it stayed at the same level in criminal and misdemeanor cases. (Figure 1.1.b.2.5)

<sup>12</sup>Efficiency indexes were calculated on the basis of court user data as follows: (total number of scheduled hearings – number of canceled hearings – number of hearings failing to contribute to the resolution of a case) / total number of scheduled hearings \* 100. Efficiency indexes were calculated on the basis of data reported by judges, prosecutors and lawyers as follows: 100% - % of canceled hearings in the course of 2009/2013 - (% unproductive hearings\*% held/100) in the course of 2009/2013. Indexes are presented as average values (arithmetic means).



**Figure 1.2.b.2.5: 2009 and 2013 efficiency index - mean percentage of hearings contributing to process resolution, out of total scheduled based on data reported by court users, court providers and lawyers**



Note: Base: Users of court services, providers of court services (without Appellate), and lawyers, who reported data (Criminal cases: 2009 62%, 2013 83%; Misdemeanor 2009 54%, 2013 72%; Civil 2009 62%, 2013 77%; Business 2009 91%, 2013 77%; Judges 2009 63%, 2013 72%; Prosecutors 2009 85%, 2013 82%; lawyers 2009 96%, 2013 100%)

108. Correlations between the efficiency index and the number of scheduled hearings, (i.e. duration of court case)<sup>13</sup>, show that **as the number of hearings increases, (i.e. as the case lasts longer) the number of productive hearings decrease.**<sup>14</sup> This indicates that extended duration of court proceedings is very likely not to be a consequence of specificities of given cases requiring a larger number of hearings in order to reach quality solution, but on the contrary, that the number of canceled and unproductive hearings is only rising with extended duration of proceeding.

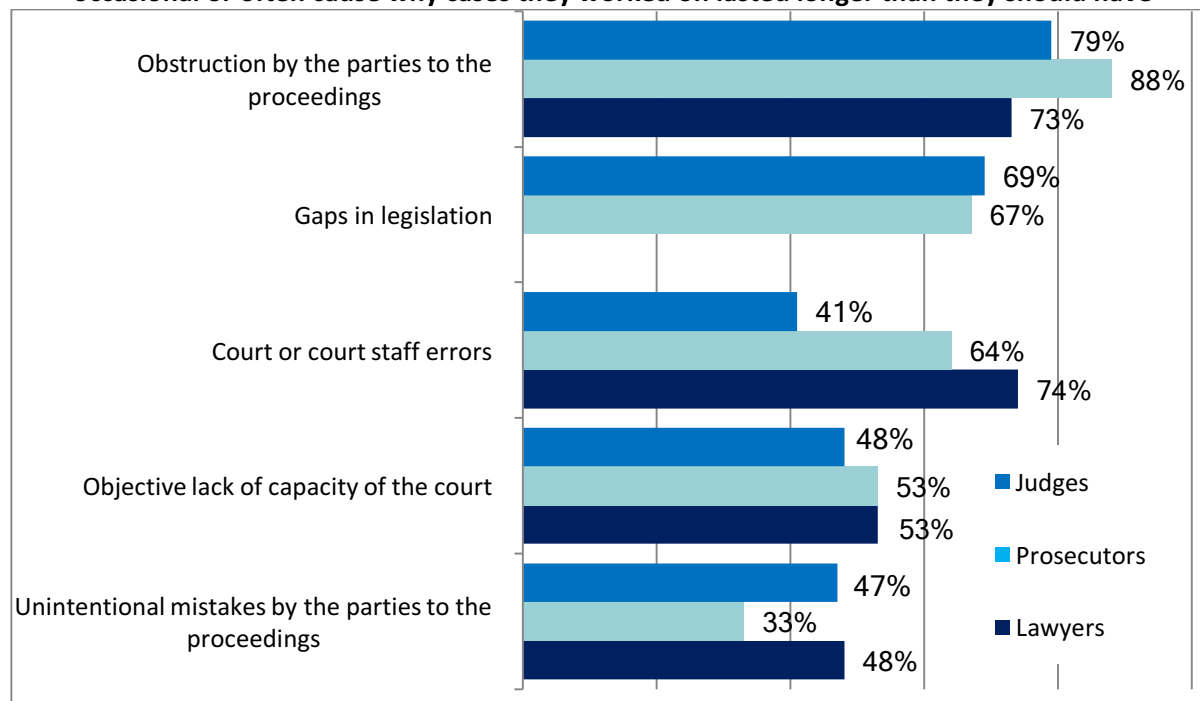
### 1.1.b.3 Perceptions of reasons for extended duration of the cases and inefficiency of hearings

109. **Judges and prosecutors primarily see the reasons for extended duration of cases and canceled hearings in the obstruction by the parties to the proceedings, and gaps in legislation or procedural provisions, and to a considerable less extent in court or court staff errors.** The lawyers, however, think that the reasons should equally be sought in the court as well as among parties to the proceedings. Circa one half of the judges, prosecutors and lawyers think also that the objective lack of court capacity (lack of staff and equipment - courtrooms, computers, cameras, etc.) was at least occasional, if not frequent reason for longer duration of the cases. This reason was also the only one which all three groups mentioned in higher percentage than in 2009 (8% more judges, 5%, more lawyers, and as much as 15% more prosecutors). (Figures 1.1.b.3.1 and 1.1.b.3.2)

<sup>13</sup>Correlation between duration of the case and number of scheduled hearings Pearson  $r = 0.62$ , Sig 0.001

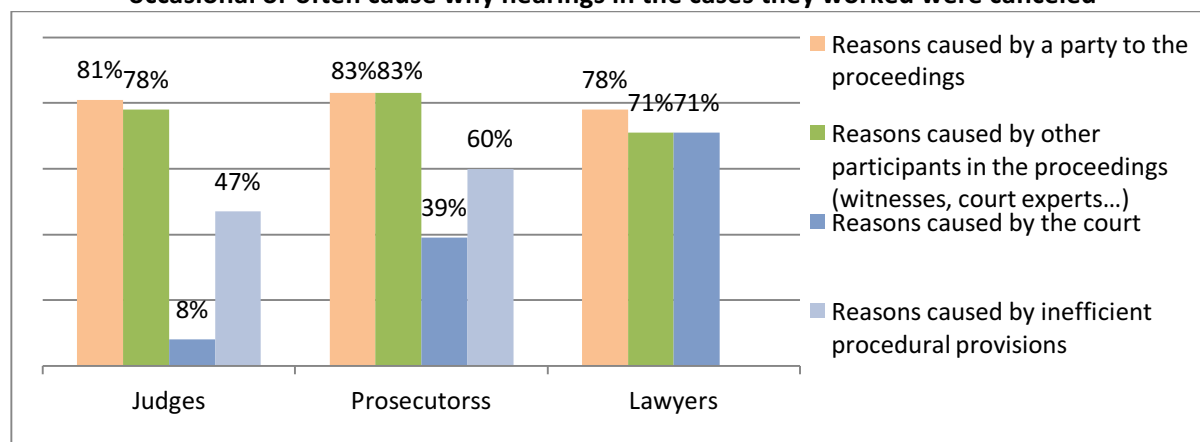
<sup>14</sup>Correlation between number of scheduled hearings and efficiency index Pearson  $r = -0.35$ , Sig 0.001; Correlation between duration of the case and efficiency index Pearson  $r = -0.34$ , Sig 0.001

**Figure 1.1.b.3.1: 2013 share of judges, prosecutors and lawyers who think that listed reasons are occasional or often cause why cases they worked on lasted longer than they should have**



Note: Question: How often, if at all, each of these reasons was the cause of the longer duration of the cases? Base: Judges and prosecutors (without Appellate) (Judges 97%, prosecutors 94%), lawyers total population<sup>15</sup>

**Figure 1.1.b.3.2: 2013 share of judges, prosecutors and lawyers who think that listed reasons are occasional or often cause why hearings in the cases they worked were canceled**



Note: Question: How often, if at all, each of these reasons was the cause why the hearings were not held? Base: Judges and prosecutors (without Appellate) (Judges 97%, prosecutors 2013 94%), lawyers total population<sup>16</sup>

<sup>15</sup> In the questionnaires for lawyers the option "Gaps in legislation" was not included

<sup>16</sup> In the questionnaires for lawyers the option "Reasons caused by inefficient procedural provisions" was not included

## 1.2. Effective enforcement

### Summary

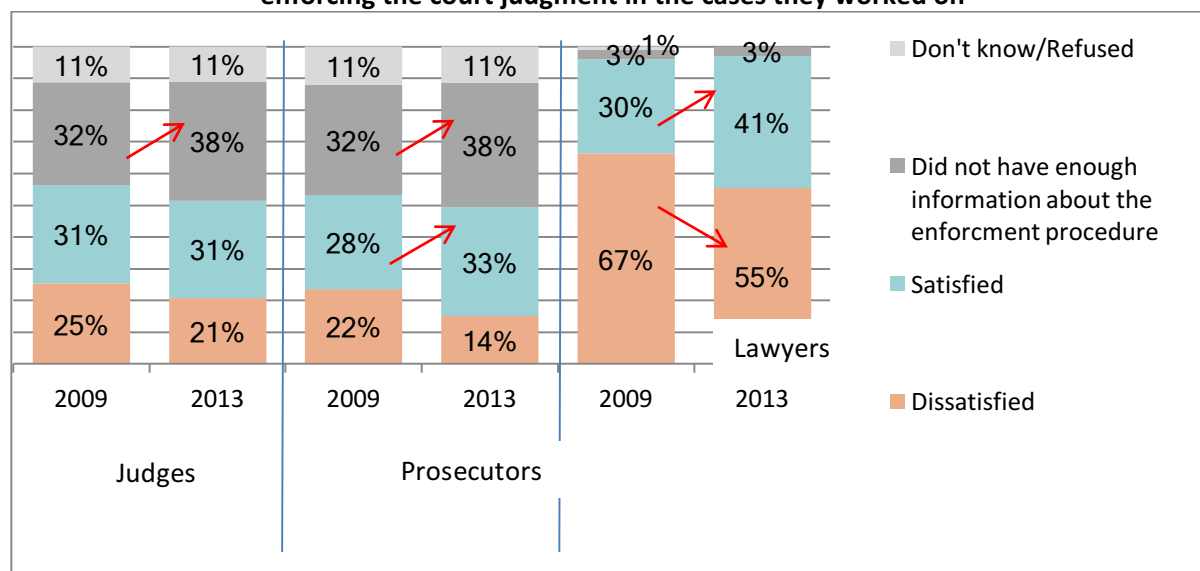
110. More than one third of judges and prosecutors reported not having enough information on the enforcement process in cases they worked on, and this percentage has even increased compared to 2009. Among the judges and prosecutors who stated their opinion on the issue of enforcement, a higher percentage was satisfied than dissatisfied with enforcement process, while among the lawyers the percentage of dissatisfied was considerably higher. Compared to 2009, from the point of view of prosecutors and lawyers the situation was somewhat improved, while from the point of view of judges there were no changes. Judges and prosecutors had far greater expectations in terms of the effects of *The Law on Enforcement and Security of Court Judgments* before it was launched in 2011, than in their opinion, this law actually contributed to increased efficiency of enforcing judgments.

111. A substantial percentage of judges and prosecutors reported having no information on the enforcement process in cases they worked on. This percentage has increased by 6% compared to 2009 (from 32% to 38%). (Figure 1.2.1)

112. Judges and prosecutors who did evaluate the situation with regard the enforcement were more likely to be satisfied than dissatisfied: about one third of judges and prosecutors were satisfied with judgment enforcement, while one in five judges and 14% of prosecutors were dissatisfied. In contrast to providers of judicial services, a higher percentage of lawyers tend to be dissatisfied with judgment enforcement (55%) than satisfied (41%) (Figure 1.2.1)

113. Compared to 2009, according to prosecutors and lawyers, the situation is improved at least somewhat: 5% more prosecutors were satisfied with judgment enforcement, while the percentage of satisfied lawyers has increased by 11%. (Figure 1.2.1)

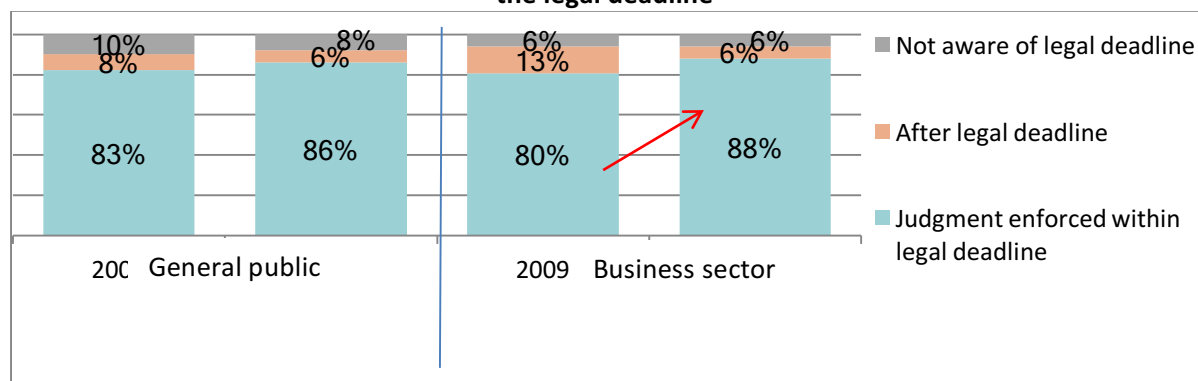
**Figure 1.2.1: 2009 and 2013 judges, prosecutors' and lawyers' satisfaction with the procedure for enforcing the court judgment in the cases they worked on**



Note: Question: How satisfied were you with the procedure for enforcing the court judgments in cases you worked on, in last three years? Base: Judges and prosecutors (2013 without Appellate) (Judges 2013 97%, prosecutors 2013 94%), lawyers total population

114. According to data reported by court users whose cases at the time of the survey had a final judgment that was rendered and enforced, the situation regarding judgment enforcement has improved somewhat only in business cases. The percentage of enforcing judgments within legal deadline, as compared to 2009, has increased in business sector by 8% (from 80% to 88%). (Figure 1.2.2)

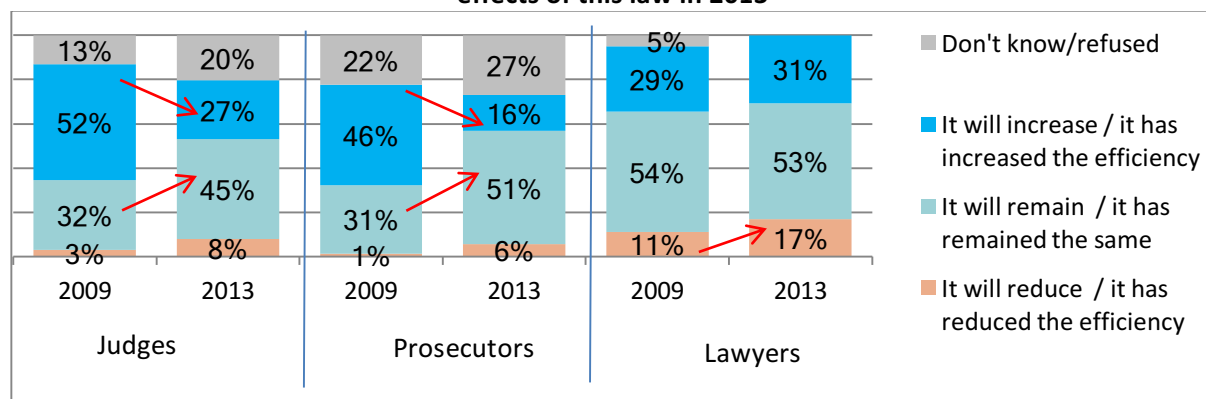
**Figure 1.2.2: 2013 share of court users with judgment enforced within the legal deadline and after the legal deadline**



Base: Court users in whose cases the final judgment was rendered and judgment was enforced at the time of survey (General public 56% 2009 and 66% 2013; Business sector 55% 2009 and 49% 2013)

115. Finally, judges and prosecutors had much greater expectations in terms of the effects of the Law on Enforcement and Security of Court Judgments launched in 2011, than, in their opinion, this law actually contributed to increased efficiency of enforcing judgments. While in 2009 more than half of judges and almost half of the prosecutors thought that the new law would increase efficiency of enforcing judgments, in 2013 only 27% of judges and 16% of prosecutors estimated that efficiency was really increased owing to this law. (Figure 1.2.3)

**Figure 1.2.3: Judges, prosecutors, and layers expectations in 2009 of the effects of the law on enforcement and security of court judgments launched in 2011, and evaluations of the actual effects of this law in 2013**



Note: Question: In your opinion, how the enactment of the new Law on enforcement and security of court judgments launched in 2011 will affect the efficiency of the judicial system (2009) / has affect the efficiency of the judicial system ( 2013 ) Base: Judges, prosecutors and lawyers total population

### 1.3. Perceptions of caseload and comfort with working conditions of judiciary service providers

#### Summary

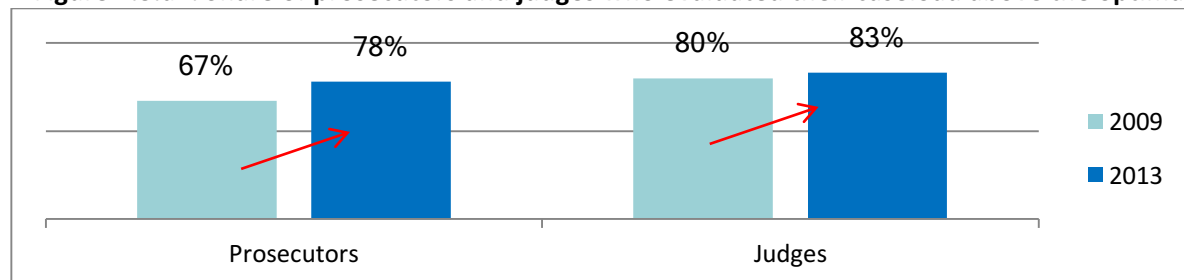
116. *Problems of judicial system efficiency are surely connected with working conditions of providers of court services. According to judges and prosecutors their working conditions are far from optimal:*

- *A majority of judges and prosecutors feel overburdened with their caseload, which in 2013 sometimes numbered more than 1.000 cases, and even more than 10.000 cases with some of the judges.*
- *According to judges and prosecutors, the difference between actual caseload and optimal caseload has increased in comparison with 2009, so that actual caseload in 2013 was assessed, on average, as more than twofold in comparison with the optimal one.*
- *Judges and prosecutors were quite divided in their opinions about the effects of the system of assignment of the cases on the efficiency of judges' work, but the share of those who think that it improved the efficiency is just somewhat more than one of ten.*
- *Besides the excessive caseload, a considerable percentage of judges and prosecutors are dissatisfied with the general organization of work, premises and equipment, and a salary, and satisfaction with working conditions has, in general, considerably decreased.*

#### 1.3.a Perceptions of caseload of judiciary service providers

117. **A majority of the judges and prosecutors evaluated their caseload to considerably exceed the optimal one**, and the perceptions of being overburdened with caseload have increased in comparison with 2009 by 11% with prosecutors, and 3% with judges (Figure 1.3.a1)

**Figure 1.3.a1: Share of prosecutors and judges who evaluated their caseload above the optimal**

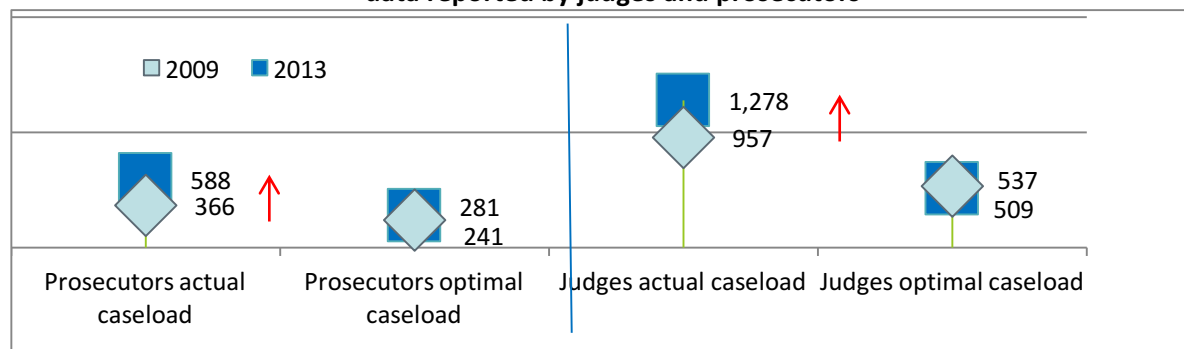


*Note: Question: Estimate the number of cases you worked on in the last 12 months. If you do not have precise information currently please provide your best estimate. Please include all cases opened, worked on and completed in the last 12 months. /What would have been the optimal annual caseload given the conditions you worked in in the last 12 months? Base: Judges and prosecutors who reported data (Prosecutors 2009, 82%, 2013, 82%; Judges 2009, 88%, 2013, 91%)*

118. **The difference between the actual caseload and the caseload which judges and prosecutors perceive as optimal is considerable, and it even increased in comparison with 2009:** according to prosecutors the actual caseload in 2009 exceeded the optimal by 34% on average, and in 2013 by 52%; according to the judges, the actual caseload in 2009 exceeded the optimal one by 44% on average, and in 2013 by 60%. (Figure 1.3.a2)

119. According to data obtained in the survey, the number of cases that the judges worked on in 2013 was on average somewhat less than 600, and an average caseload of prosecutors was somewhat below 300. In comparison with 2009 the caseload on average increased by 25% with judges and by 38% with prosecutors (Figure 1.3.a2)

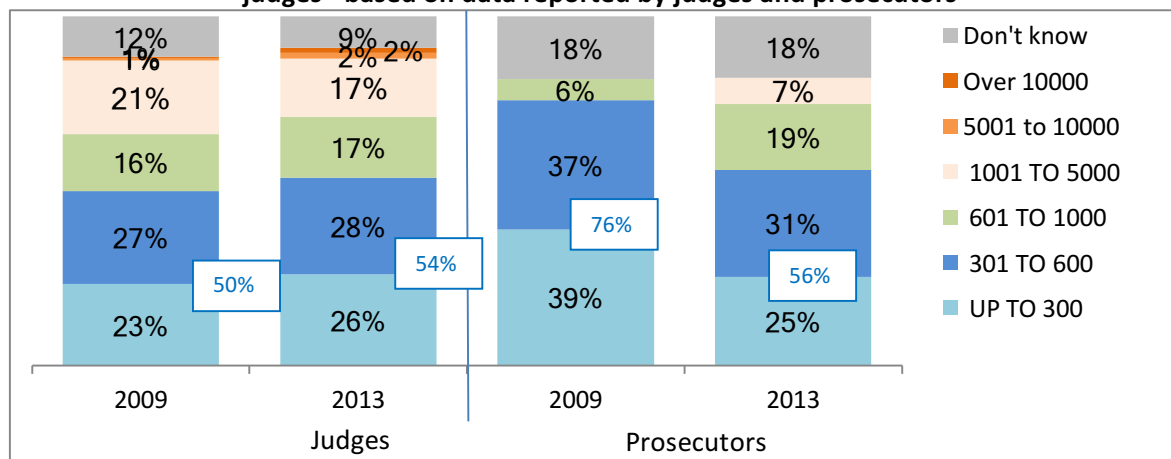
**Figure 1.3.a2: Average number of cases worked on in 2009 / 2013 (12 months) and average number of optimal annual caseload given the conditions they worked in this period - based on data reported by judges and prosecutors**



Note: Question: Estimate the number of cases you worked on in the last 12 months. If you do not have precise information currently please provide your best estimate. Please include all cases opened, worked on and completed in the last 12 months. /What would have been the optimal annual caseload given the conditions you worked in in the last 12 months?  
 Base: Judges and prosecutors who reported data (Prosecutors 2009, 82%, 2013, 82%; Judges 2009, 88%, 2013, 91%)

120. The range of caseload, however, is extremely big among both judges and prosecutors. More than half of judges and prosecutors reported to have been working on 600 cases at most in 2013, but some, especially among judges, were extremely overloaded: 17% of judges and 7% of prosecutors reported to have worked on between 1.000 and 5.000 cases, and 4% of judges mentioned to be working on more than 5.000 cases (out of whose 2% reported to be working on even more than 10.000 cases). None of the prosecutors reported in 2009 to have worked on more than 1000 cases, while in 2013 7% reported to have worked on more than 1000 cases. (Figure 1.3.a3)

**Figure 1.3.a3: Distribution of cases worked on in 2009 / 2013 (12 months) among prosecutors and judges - based on data reported by judges and prosecutors**

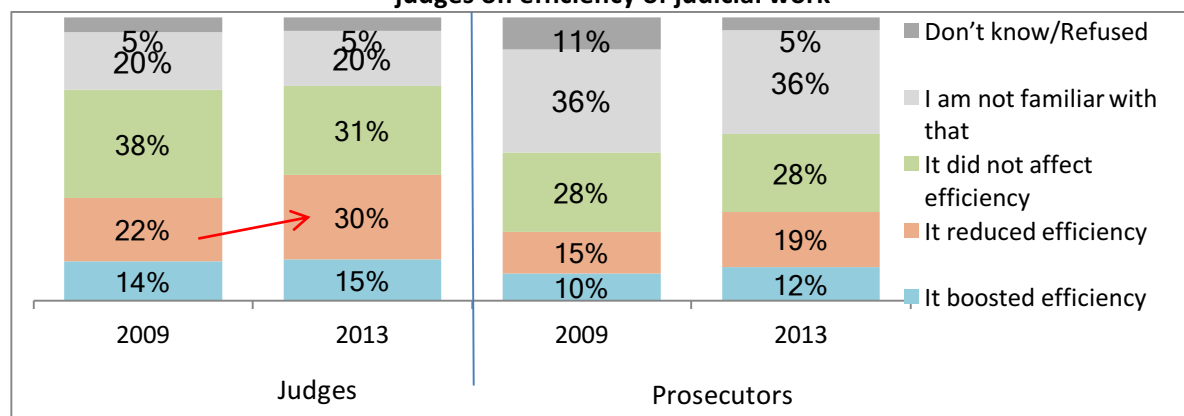


Note: Question: Estimate the number of cases you worked on in the last 12 months. If you do not have precise information currently please provide your best estimate. Please include all cases opened, worked on and completed in the last 12 months. Base: Total population of judges and prosecutors

121. Judges and prosecutors were quite divided in their opinions about the effects of the system of assignment of the cases on the efficiency of judges' work, but the share of those who think that it improved the efficiency is just somewhat more than one of ten. 30% of judges reported that the system did not affect efficiency, yet an equal number (30%) reported that it reduced efficiency. A substantially smaller percent think that it boosted the efficiency (15%). In comparison to 2009, the share of judges who think that the system reduced the efficiency has increased by 8%. Among the prosecutors, 28% were of the opinion that the system of assignment of the cases did not affect the efficiency, 19% that it reduced efficiency, and only 12% that it boosted the efficiency. Interesting

enough, each fifth judge and over one third of the prosecutors stated that they are not familiar enough with the system of assignment of the cases to be able to state an opinion on the matter. (Figure 1.3.a4)

**Figure 1.3.a4: 2009 and 2013 perceptions of the effects of the system of assignment of the cases to judges on efficiency of judicial work**

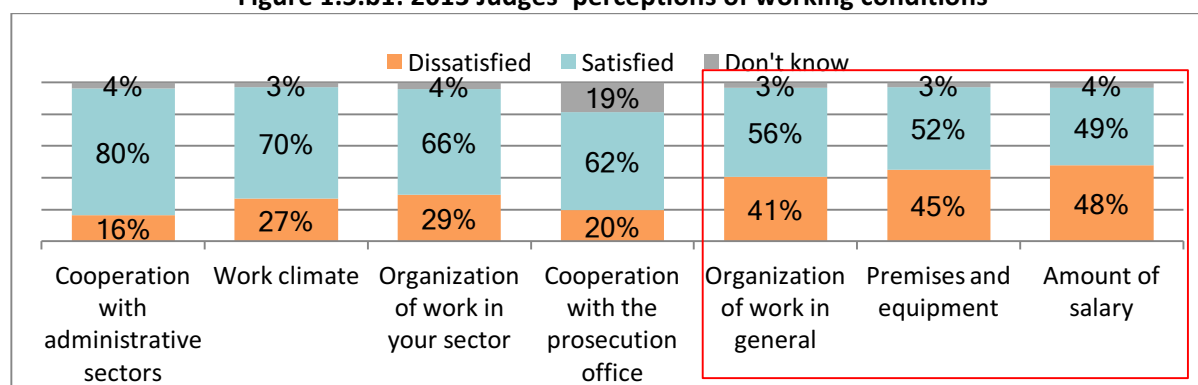


Note: Question: In your view, did the system of assignment of the cases to judges affect the efficiency of judicial work? If yes, how did it affect - did it boost or reduce efficiency? Base: Judges and prosecutors (without Appellate) (Judges 97%, prosecutors 94%),

### 1.3.b Perceptions of working conditions of judiciary service providers

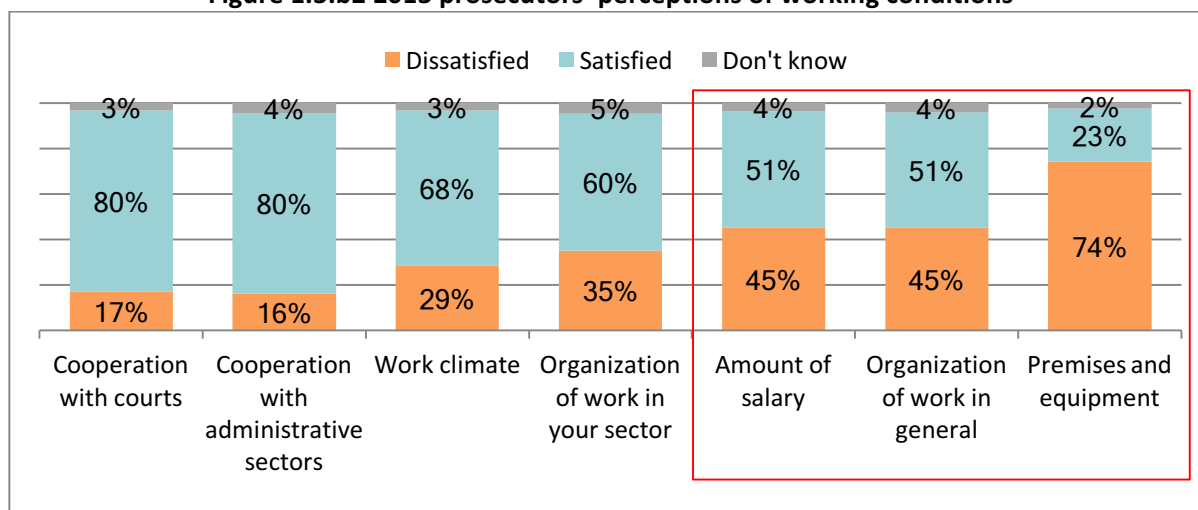
122. A substantial share of judges and prosecutors perceive their working conditions to be far from optimal. Most judges and prosecutors were satisfied with cooperation with other sectors and with organization of work in their own sector, but the percentage of the satisfied decreases considerably with regard to organization of work in general, premises and equipment, as well as amount of salary. More than 40% of judges and prosecutors were dissatisfied with organization of work in general, with premises and equipment, and with amount of salary. While judges are least satisfied with amount of salary (48% are dissatisfied), prosecutors are extremely dissatisfied with premises and equipment (74% are dissatisfied). (Figures 1.3.b1 and 1.3.b2)

**Figure 1.3.b1: 2013 Judges' perceptions of working conditions**



Note: Question: How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months? Scale: 1. Very dissatisfied, 2. Dissatisfied, 3. Satisfied, 4. Very satisfied. Base: Total population of judges

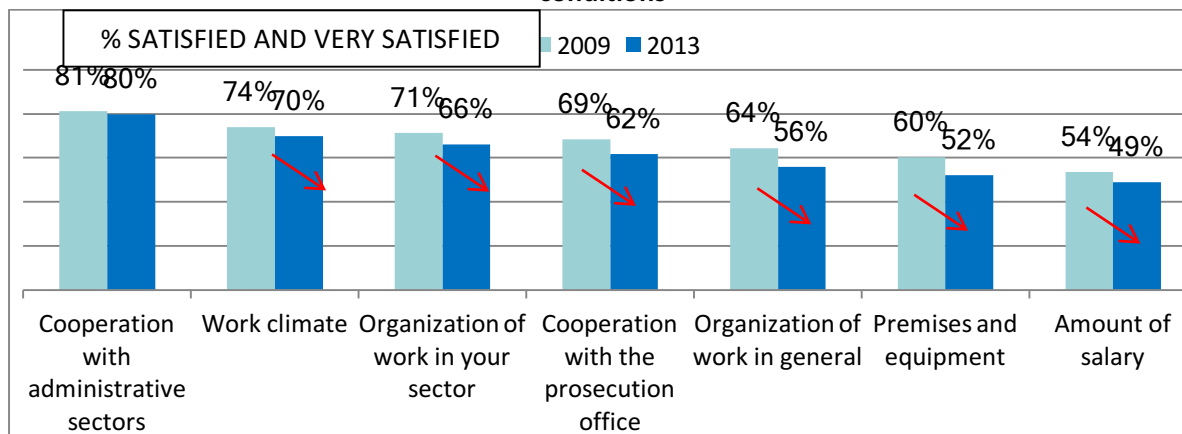
**Figure 1.3.b2 2013 prosecutors' perceptions of working conditions**



Note: Question: How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months? Scale: 1. Very dissatisfied, 2. Dissatisfied, 3. Satisfied, 4. Very satisfied. Base: Total population of prosecutors

123. Compared to 2009, satisfaction with working conditions has decreased on all aspects, with the exception of judges' satisfaction with cooperation with administrative sectors that stayed at the same level. Increase of dissatisfaction is especially striking among prosecutors. The percentage of those satisfied with premises and equipment has decreased by 30%, and percentage of the satisfied with amount of salary and organization of work in general has decreased by more than 20% (Figure 1.3.b3 and 1.3.b4)

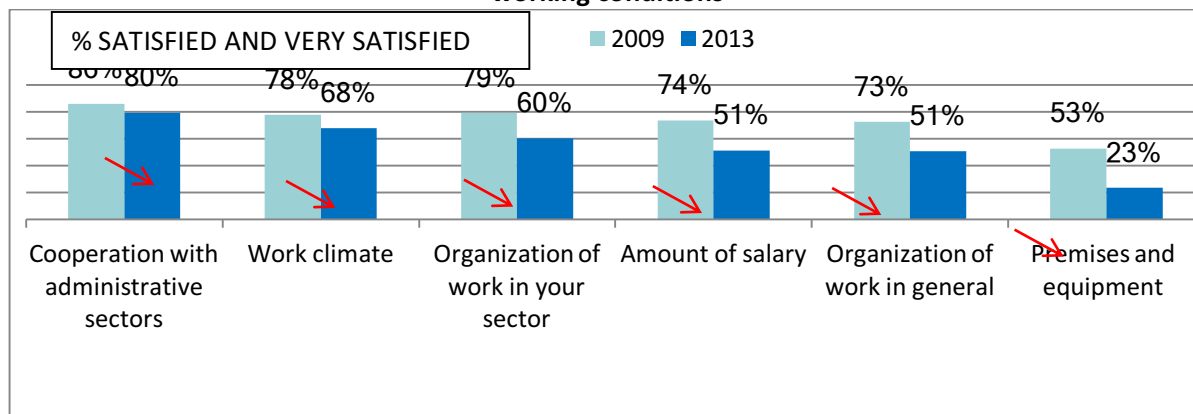
**Figure 1.3.b3 2009 and 2013 share of judges who were satisfied with listed aspects of working conditions**



Note: Question: How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months? Scale: 1. Very dissatisfied, 2. Dissatisfied, 3. Satisfied, 4. Very satisfied. Base: Total population of judges



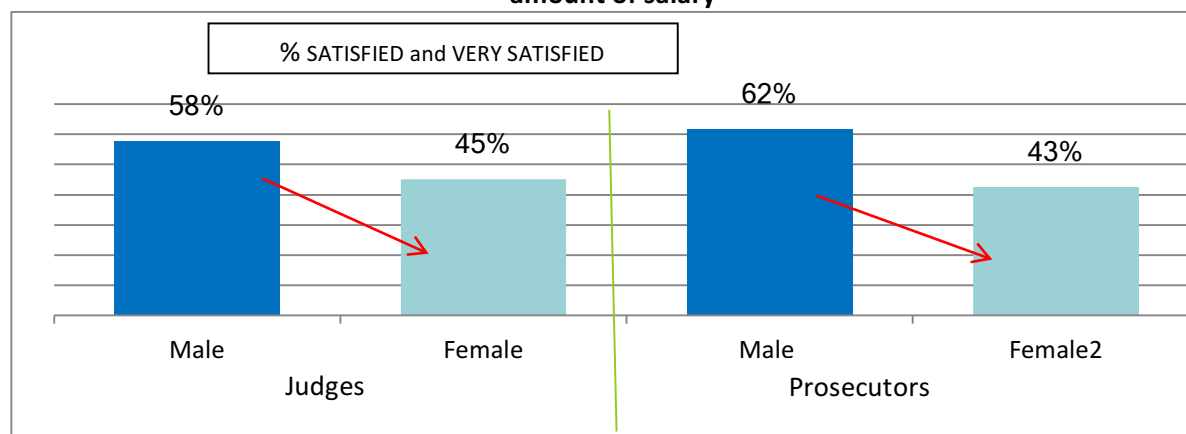
**Figure 1.3.b4 2009 and 2013 share of prosecutors who were satisfied with listed aspects of working conditions**



Note: Question: How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months? Scale: 1. Very dissatisfied, 2. Dissatisfied, 3. Satisfied, 4. Very satisfied. Base: Total population of prosecutors<sup>17</sup>

124. As for satisfaction with working conditions gender-wise, the only difference between men and women was shown regarding amount of salary. Women are a lot less likely to be satisfied with their salary than men, and this difference is greater among prosecutors than among judges: 13% of women judges less than men judges are satisfied with their salary, while 19% of women prosecutors less than men prosecutors are satisfied with their salary. (Figure 1.3.b5)

**Figure 1.3.b5: 2013 share of male and female judges and prosecutors who were satisfied with amount of salary**

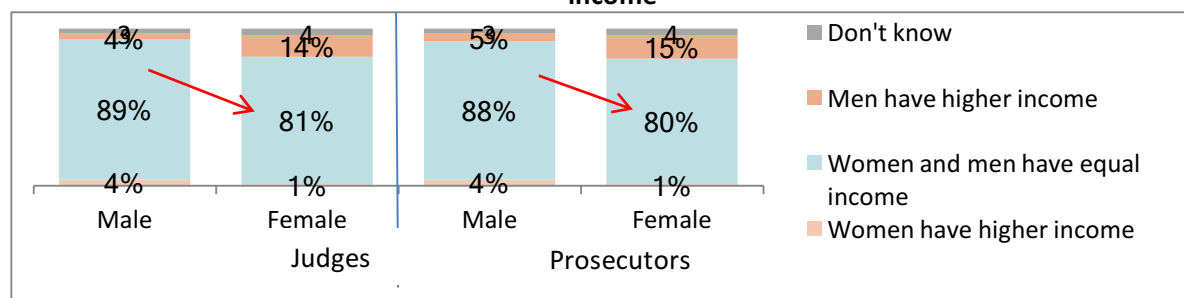


Note: Question: How satisfied were you with the amount of salary in the last 12 months? Scale: 1. Very dissatisfied, 2. Dissatisfied, 3. Satisfied, 4. Very satisfied. Base: Total population of judges

125. On the other hand, however, a great majority of men and somewhat less women, both among judges and prosecutors, believe that men and women in their profession have equal income. This opinion share 89% of men judges and 81% women judges, and 88% of men prosecutors and 80% of women prosecutors. As for the percentage that considers income unequal, almost all women believe that this difference is at the expense of women, while men are divided in this opinion. (Figure 1.3.b6)

<sup>17</sup> In 2009, prosecutors were not asked to evaluate their satisfaction with cooperation with courts

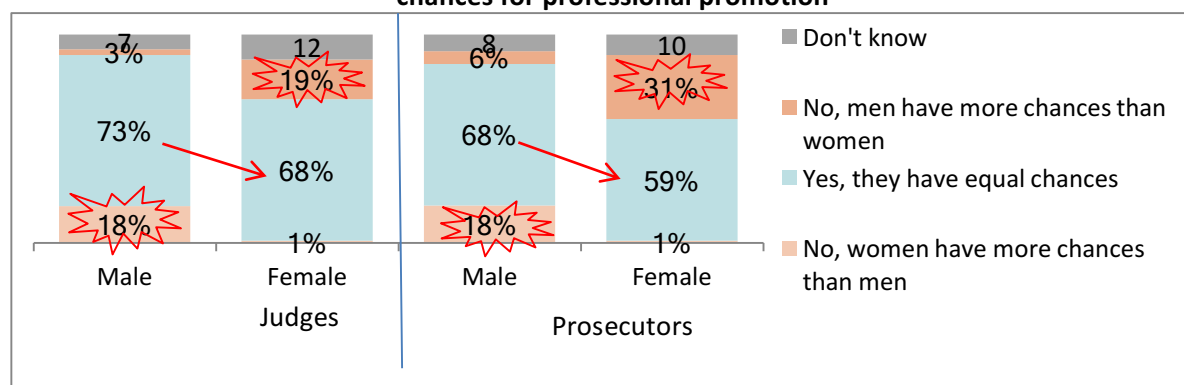
**Figure 1.3.b6: 2013 perceptions of gender equality among judges and prosecutors with regards to income**



Note: Question: Thinking about total income of people employed in your profession, which beside salary includes other forms of income-travel expenses, bonuses, and similar receipts, would you say that there are differences between men and women, or they are equal from that aspect? Base: total population of judges and prosecutors

126. **With regard the chances for professional promotion, however, differences between men and women are a lot more visible, especially among prosecutors.** Although, similar to the case of income, most women and men believe that they have equally chance of being promoted, the percentage of those who share this attitude is much lower and differences between perceptions of men and women are more visible: 18% of men judges and prosecutors believe that women have better chances to be promoted, while 19% of women judges and 31% of women prosecutors believe that men have better chances to be promoted. (Figure 1.3.b7)

**Figure 1.3.b7: 2013 perceptions of gender equality among judges and prosecutors with regards to chances for professional promotion**



Note: Question: Do you think that both men and women in your profession have equal chances for professional promotion? Base: total population of judges and prosecutors

## 2. QUALITY OF JUDICIARY SERVICES DELIVERED

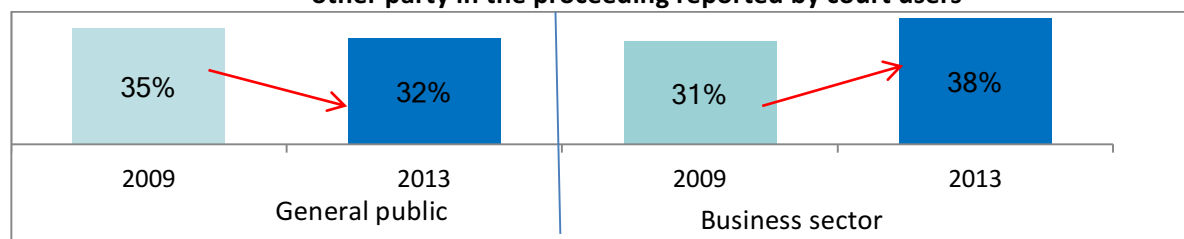
### 2.1 Legal quality of court decisions

#### 2.1.a Estimated percentage of the cases appealed to a higher court after the first instance judgment was rendered

127. **According to users of court services, circa one third of first-instance proceedings end up with appeal.** According to data reported by users of the court services, around one third of court proceedings with the general public, where first instance judgment was rendered between January 2011 and November 2013, were appealed, and 38% in the case of the business sector. In comparison with cases, where first instance judgment was rendered in the period starting January 2007 up to the end of 2009, the percentage of appeals decreased by 3% with the general public, while it increased by 5% with the business sector. (Figure 2.1.a1)

128. **Decision to file an appeal was found to be related to a party's perception of the fairness of the trial:** citizens who evaluated the trial to be fully fair filed an appeal substantially less frequently in spite of the fact that the judgment was not in their favor. (For more detail see section 2.3.a)

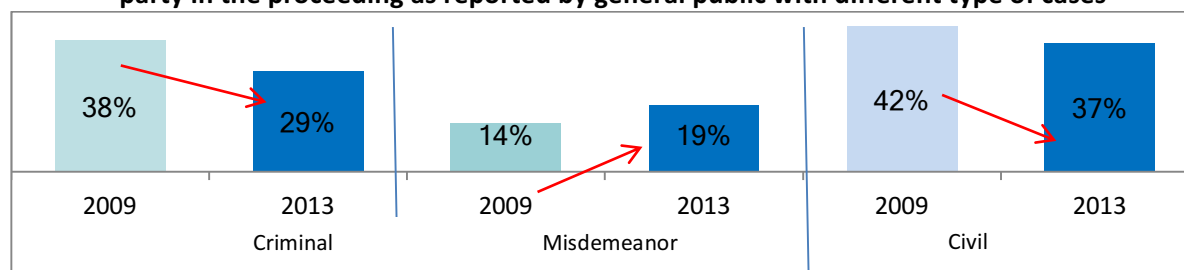
**Figure 2.1.a1: 2009 and 2013 percentage of appeals to a higher court filed by respondent or other party in the proceeding reported by court users**



Note: Question: Did you / your company or the other party appeal to a higher court? Base: General public and business sector with experience with court cases

129. **The appeals were most frequent in the civil cases (37%), then in criminal cases (29%), and the least frequent in misdemeanor cases (19%).** But while the percentages of appeals reported in the survey in 2013 have decreased with criminal and civil cases, it has increased with misdemeanor cases (Figure 2.1.a2)

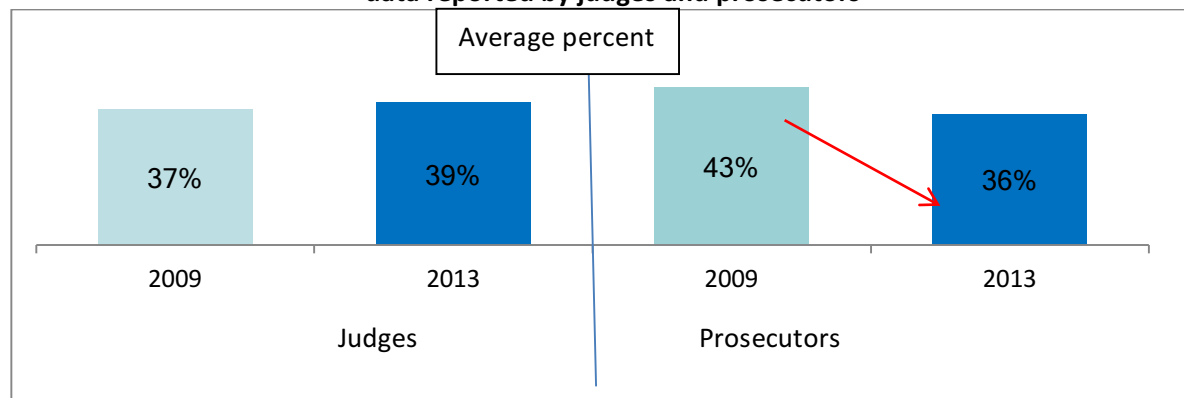
**Figure 2.1.a2: 2009 and 2013 percentage of appeals to a higher court filed by respondent or other party in the proceeding as reported by general public with different type of cases**



Note: Question: Did you or the other party appeal to a higher court? Base: General public with experience with court cases

130. **The estimated percentage of appealed judgments reported by court providers are, on average, quite close to those reported by court users:** 39% according to judges estimates of the cases they worked on in the last 12 months, and 36% according to prosecutors estimates. In comparison to 2009, on average, the percentage of appealed cases reported by judges did not change, while the percentage reported by prosecutors decreased by 7%. (Figure 2.1.a3)

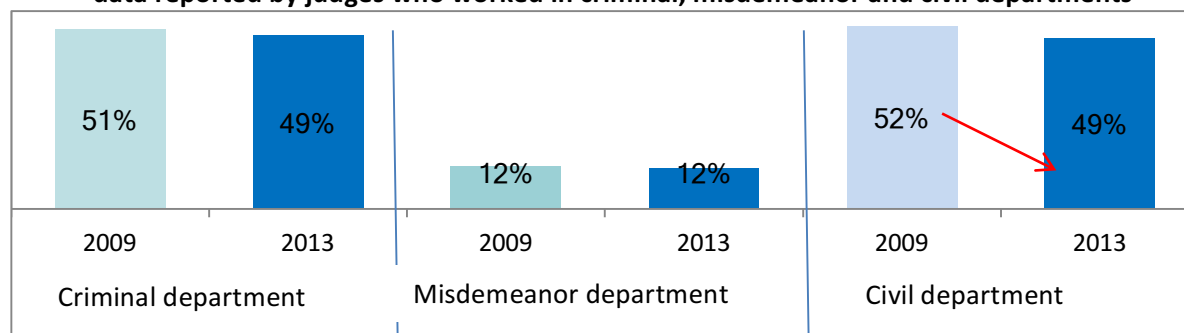
**Figure 2.1.a3: 2009 and 2013 average percent of judgments appealed to higher court based on data reported by judges and prosecutors**



Note: Question: Estimate the percentage of judgments in cases you worked on in the last 12 months that were appealed? If you do not have precise information currently, please provide your best estimate. Base: Court service providers without judges who work in appellate court and prosecutors who work in appellate prosecution, and who provided data (74% of judges 2009 and 77% 2013; 70% of prosecutors 2009 and 74% 2013)

131. On the other hand, substantially higher percentages of appealed cases were found, on average, with judges who worked in Criminal and Civil departments, than with the general public who had a criminal or civil case in the court. According to judges’ estimates, around half of the criminal cases as well as civil cases were appealed, while, as shown above, 29% of court users with criminal cases reported the case to have been appealed, and 37% with civil cases. On the other hand, based on information obtained from the judges who worked on misdemeanor cases, average percentage of appealed cases was somewhat lower than the percentage obtained from members of the general population who were a party in misdemeanor proceedings – according to judges’ estimates, an appeal was lodged in 12% of misdemeanor cases, while 19% of users stated that the their case was appealed. (Figure 2.1.a4)

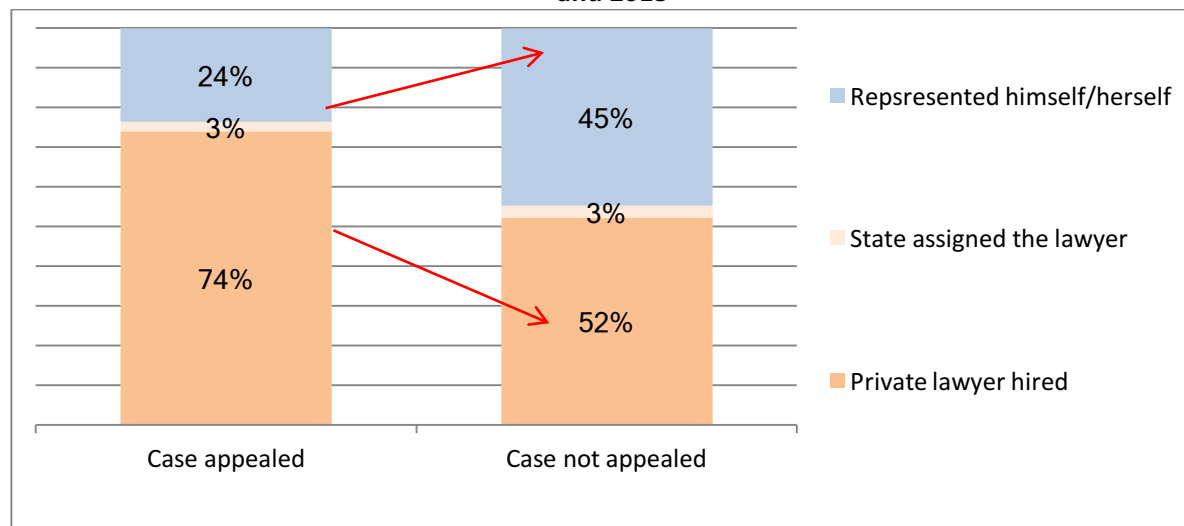
**Figure 2.1.a4: 2009 and 2013 average percent of judgments appealed to higher court based on data reported by judges who worked in criminal, misdemeanor and civil departments**



Note: Question: Estimate the percentage of judgments in cases you worked on in the last 12 months that were appealed? If you do not have precise information currently, please provide your best estimate. Base: Judges who worked in Criminal, Misdemeanor and Civil departments; Percent out of total sample of judges: Criminal - 2009, 24%, 2013, 26%; Misdemeanor - 2009, 26%, 2013, 20%; Civil - 2009, 32%, 2013, 29%.

132. Finally, in comparison to users of the court services, as well as providers, lawyers reported a much higher percentage of cases they worked on in 2009 and 2013 to have been appealed. According to lawyers, out of the cases they worked on, on average, as high as 70% of cases were appealed (in 2009 as well as in 2013). **But the lawyers’ estimate is in accordance with the finding that people more frequently decide to file an appeal if they hired a private lawyer, than if they represent themselves.** Among the appealed cases, 74% were cases in which a private lawyer was hired, and 24% the cases in which people represented themselves; among the cases which were not appealed, 52% were cases in which a private lawyer was hired, and 45% were cases in which people represented themselves. (Figure 2.1a5)

**Figure 2.1.a5: share of cases in which a private lawyer was hired among appealed cases (Joint 2009 and 2013)**

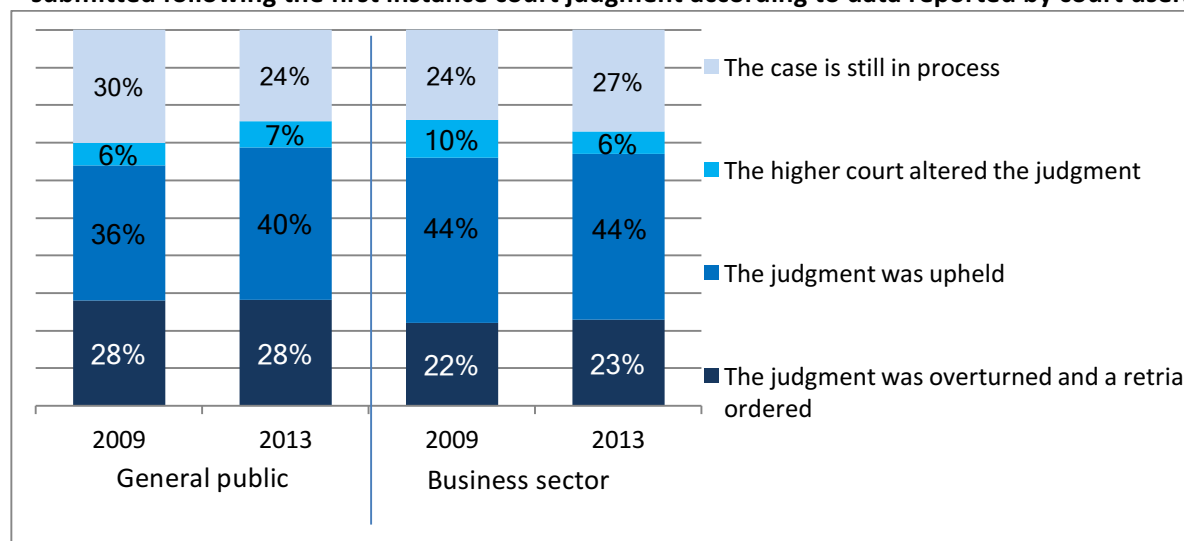


Note: Question: Did a lawyer represent you in the proceedings?/Did you file an appeal? Base: General public with experience with court cases

**2.1.b Decisions of the higher courts after the appeal was submitted following the first instance court judgment**

133. According to data reported by court users, the higher court most frequently upheld the judgment (in around 40% of cases), but in 28% of cases with the general public, and 23% with the business sector the judgment was overturned and a retrial was ordered. (Figure 2.1.b1)

**Figure 2.1.b1: 2009 and 2013 share of decisions of the higher courts after the appeal was submitted following the first instance court judgment according to data reported by court users**

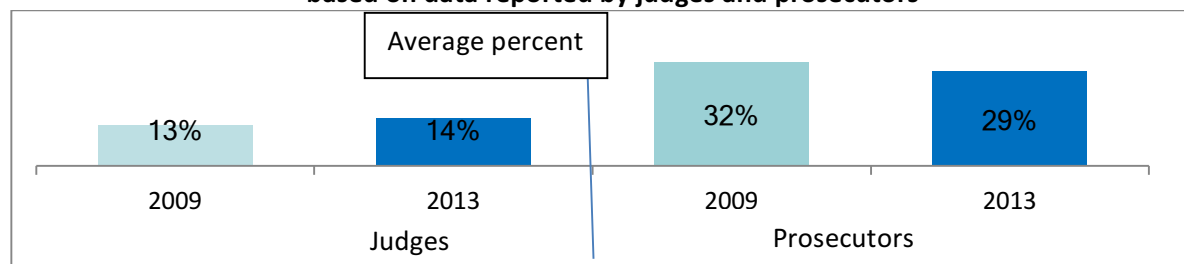


Note: Question: What was the decision of the higher court after the first appeal was submitted following the first instance court judgment? Base: General public and business sector in whose case an appeal was filed either by the respondent or other party in the proceeding, (General public: 2009, 35%, of general public with court case, 2013, 32%; Business sector: 2009, 31%, 2013, 38% of business sector with court case)

134. In comparison to court users, judges reported substantially smaller percentage of cases in which retrial was ordered, while the estimates of prosecutors were in accordance with court users. According to judges, on average, in 2013 the retrial was ordered in 14% of cases (similar in 2009), and according to prosecutors, in 29% of cases (similar in 2009). (Figure 2.1.b2)

135. According to estimates of lawyers, the percentage of cases they appealed and in which retrial was ordered was again higher than those reported by users and providers of the court services. On average, lawyers estimated that 36% of cases they have appealed in 2013 were referred back and the retrial was ordered (similar in 2009).

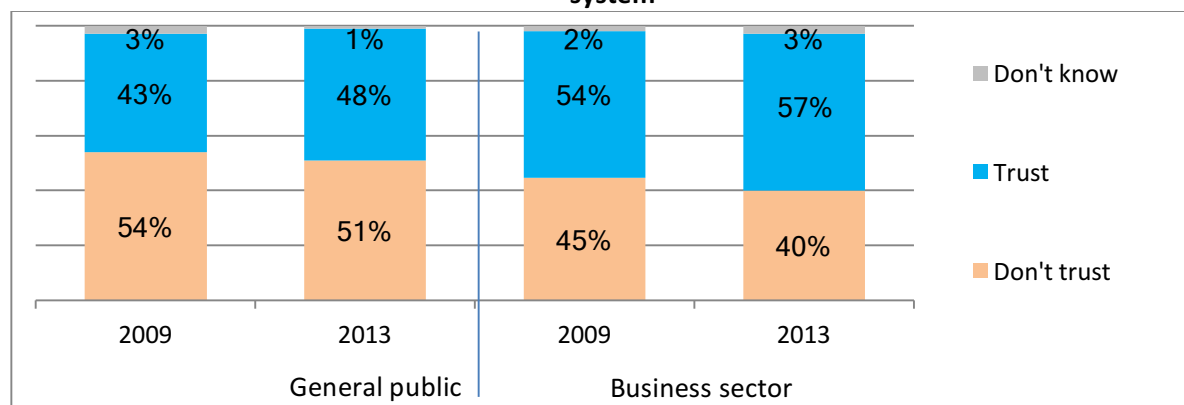
**Figure 2.1.b2: average percent of appealed cases which were referred back and a retrial ordered, based on data reported by judges and prosecutors**



Note: Question: What percentage of appealed cases were referred back and ordered a retrial by a higher instance court in the last 12 months? If you do not have precise information currently, please provide your best estimate. Base: Court service providers without judges who work in appellate court and without prosecutors who work in appellate prosecution, and who provided data (74% of judges 2009 and 77% 2013; 70% of prosecutors 2009 and 74% 2013 - out of total target population)

136. Finally, the court users with experience with court cases are divided in their trust of the appellate system. The trust is higher with members of the business sector (57% have trust) than with the general public (48% have trust). In comparison to 2009, trust in the appellate system has somewhat increased. (Figure 2.1.b3)

**Figure 2.1.b3: 2009 and 2013 court users with experience with court cases trust in appellate system**



Note: Question: Do you trust the appellate system? Base: General public and business sector with experience with court case

## 2.2 General quality of court services

### 2.2.a Perception of the quality of justice sector services

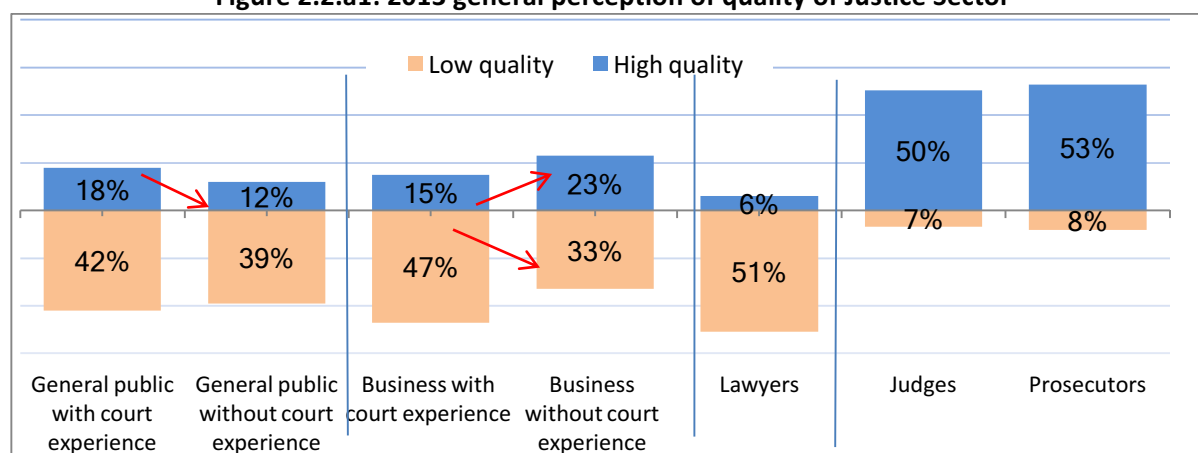
#### Summary

137. Perceptions of users and providers of the overall quality of the court services are noticeably different. Users - the general public and business sector, as well as lawyers, evaluate quality as rather low (or average at best), while providers (judges and prosecutors) evaluate it as quite high (or average at worst). The views became somewhat closer in 2013 in comparison with 2009, as positive perceptions among users somewhat increased, and perceptions of providers became more negative - but the gap is still huge. Personal experiences with court services are more positive than the overall impressions of the quality of the justice sector, and in the case of the general public, the overall impressions of the quality are more positive with people with experience with court cases as well. But while overall impressions of the quality of the justice sector become more positive, the evaluations of the quality of court service in the specific case one participated in did not change over time.

138. **Users and providers of court services have drastically different perceptions of quality of work of the judicial system.** The users – general population and business sector, as well as lawyers, evaluate the quality of the judicial system as rather low (or average in the best case), while providers of court services (judges and prosecutors) evaluate the quality of the same services as rather high (or average in the worst case). The most striking difference in evaluations of the quality of the court services was found between service providers and lawyers. Half of the judges and prosecutors evaluated the quality of court services as high, and less than 10% as low, while in the case of lawyers it is completely the opposite. General public and business sector evaluations are closer to lawyers, but more positive. (Figure 2.2.a1)

139. **Overall impressions of the quality of the general public with experience with court proceedings are more positive than the impressions of the general public without such experience.** But, interestingly enough, it is vice versa in the case of the business sector. Almost half of the members of business sector with experience with court cases evaluated the general quality of court services as low, and only 15% as high, while one third of those without such experience perceived the quality as low, and 23% as high. (Figure 2.2.a1)

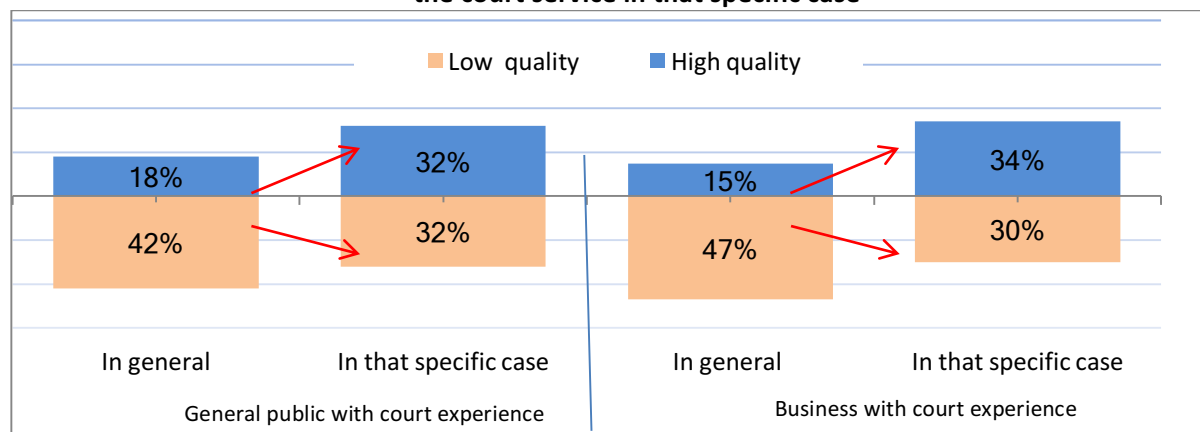
Figure 2.2.a1: 2013 general perception of quality of Justice Sector



Note: Question: General public and business: What is your general impression of the quality of work of the judiciary in the past few years? Judges and prosecutors: What was the quality of work of the institution in which you worked in the last 12 months? Lawyers: How do you rate the quality of work the judicial system provided to the public in the last 12 months? Scale from 1 to 5: 1=very low, 2=low;3=average;4=high, 5=very high Base: Total target population

140. On the other hand, members of the business sector with experience with court cases, similar to the general public with such experience, evaluated much better the quality of court service in the proceedings they participated in than the quality of justice sector services in general. Quite substantial differences were found in evaluations of the overall quality of the justice sector and the quality delivered in the specific court case one participated in. While around one third of the general public as well as members of the business sector evaluated the quality of court service in their specific case as high, and approximately the same number as low, only 18% of the general public and 15% of the members of the business sector evaluated the overall quality of the justice sector as high, and over 40% as low. (Figure 2.2.a2)

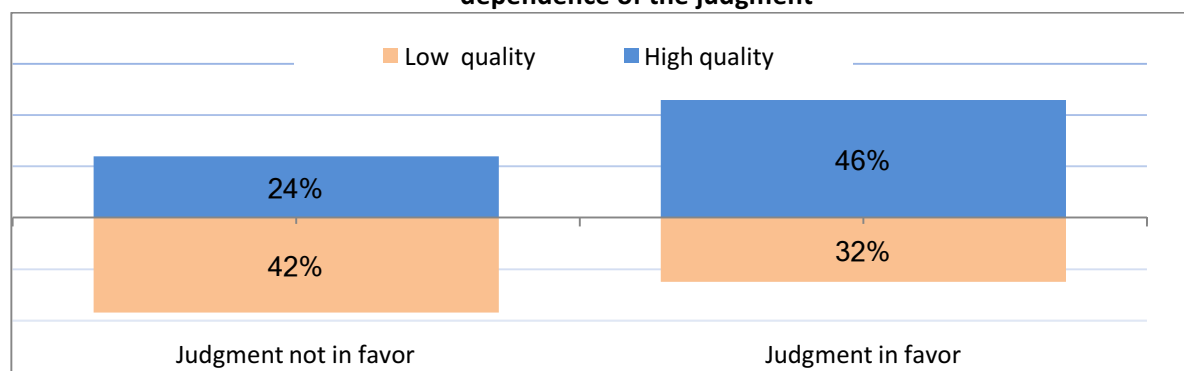
**Figure 2.2.a2: 2013 general perception of quality of Justice Sector, and perception of quality of the court service in that specific case**



Note: Question: What is your general impression of the quality of work of the judiciary in the past few years?/In Your opinion what was the quality of judicial work in that specific case? Scale from 1 to 5: low=1,2 high=4,5 Base: General public and business sector with experience with court cases

141. Not surprisingly, the evaluations of the quality of judicial work in a court case one participated in are related to the outcome of the trial: citizens whose judgment was in their favor were more satisfied with the quality of judicial work. But judgment was not the closing criterion: around one third of those whose judgment was in their favor evaluated delivered quality as low, and about a fourth of those whose judgment was not in their favor evaluated the quality as high (Figure 2.2.a3)

**Figure 2.2.a3: 2013 perception of quality of the court service in that specific case in dependence of the judgment**

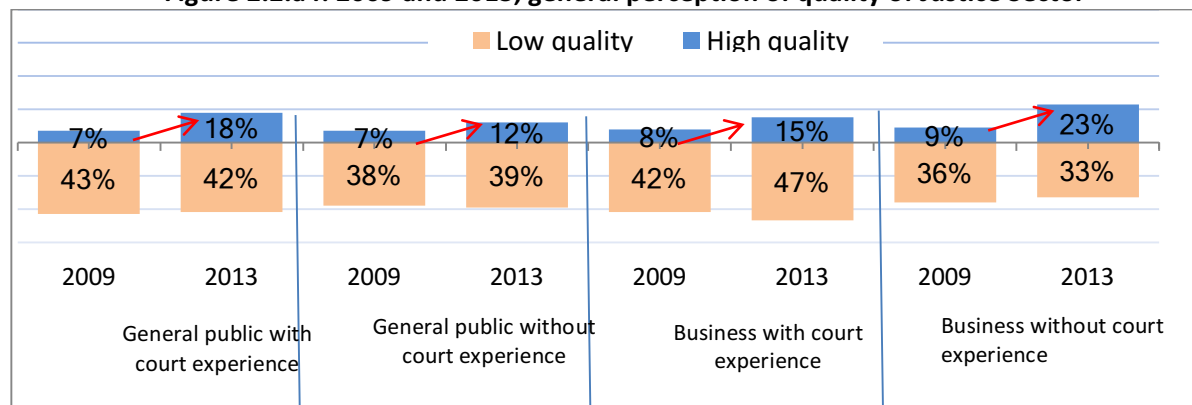


Note: Question: In Your opinion what was the quality of judicial work in that specific case? Scale from 1 to 5: low=1,2 high=4,5 Base: General public with experience with court cases

142. General impressions of the quality have somewhat improved with court users in the last four years, and again, more positive gains were found with members of the general public with experience with court proceedings than with those without such experience, and vice versa in the case of the business sector. (Figure 2.2.a4)



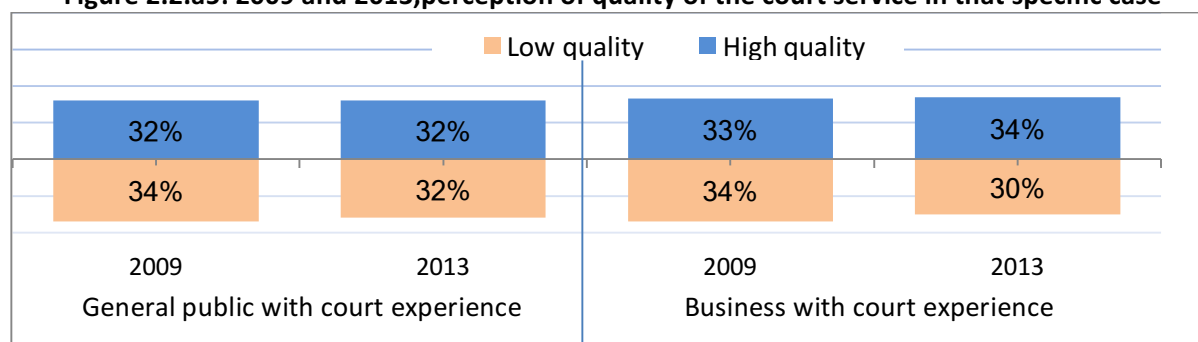
**Figure 2.2.a4: 2009 and 2013, general perception of quality of Justice Sector**



Note: Question: What is your general impression of the quality of work of the judiciary in the past few years? Scale from 1 to 5: low=1, 2 high=4, 5 Base: General public and business sector total target population

143. But while general impressions of the quality of the justice sector have improved, the evaluations of the quality of the court service in a specific court case one participated in did not change after the implementation of the reforms in 2010. (Figure 2.2.a5)

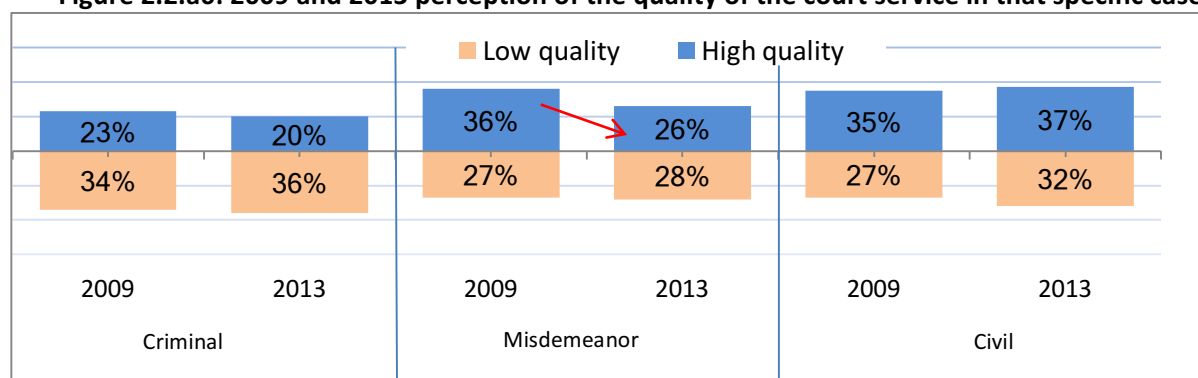
**Figure 2.2.a5: 2009 and 2013, perception of quality of the court service in that specific case**



Note: Question: In Your opinion what was the quality of judicial work in that specific case? Scale from 1 to 5: low=1,2 high=4,5 Base: general public and business sector with experience with court cases

144. From the point of view of different types of cases, the least satisfied with the quality of judicial work are people with experience in criminal cases (each fifth evaluated the quality as high), while the most satisfied are people who participated in the civil cases (37% evaluated the quality as high). No changes in evaluations of the quality were found before and after the implementation of the reforms in 2010 with people who participated in criminal or civil cases, while the percentage of positive evaluations in misdemeanor cases decreased by 10% (Figure 2.2.a6)

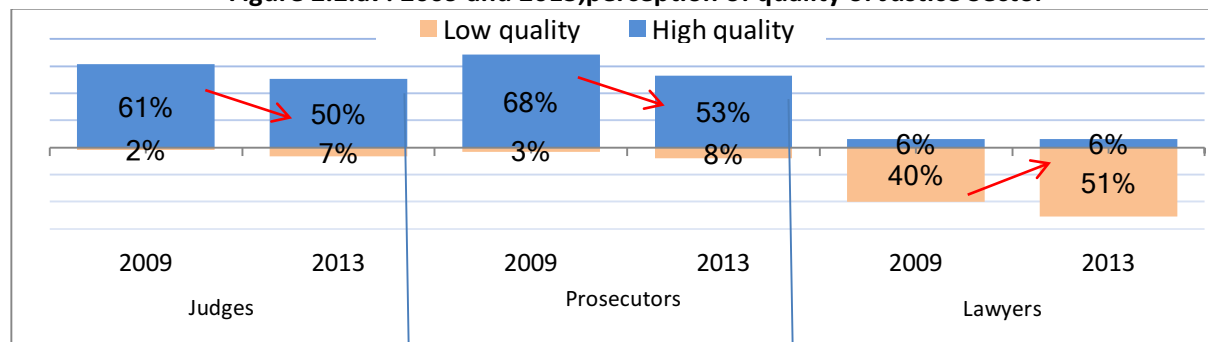
**Figure 2.2.a6: 2009 and 2013 perception of the quality of the court service in that specific case**



Note: Question: In Your opinion what was the quality of judicial work in that specific case? Scale from 1 to 5: low=1,2 high=4,5 Base: General public with experience with court cases

145. Finally, evaluations of the quality became more negative with service providers, as well as with lawyers. In 2013, in comparison with 2009, the percentage of court service providers who evaluated the quality of court services as high has decreased by 11% with judges and by 15% with prosecutors. The positive evaluations among lawyers in 2013 stayed as low as in 2009, while the percentage of lawyers who evaluated the quality as low, increased by 11%. (Figure 2.2.a7)

Figure 2.2.a7: 2009 and 2013, perception of quality of Justice Sector

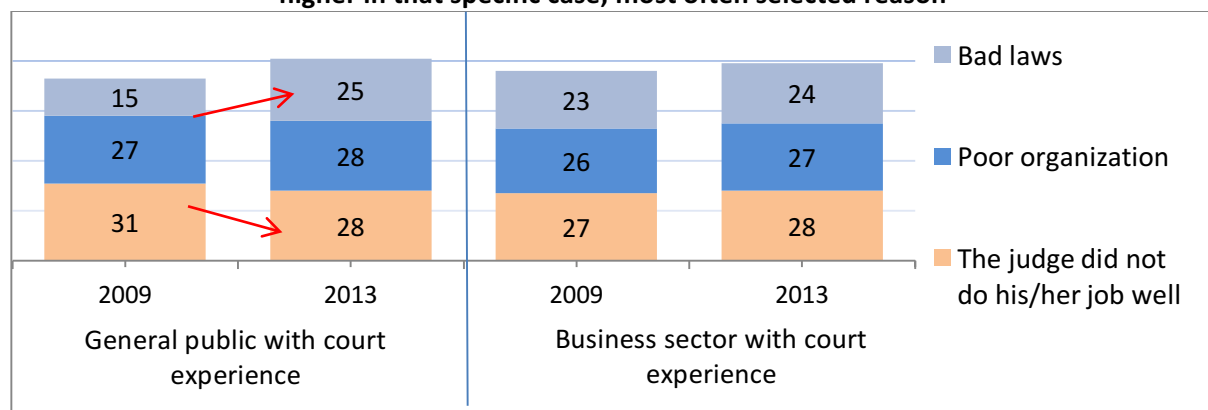


Note: Question: Judges and prosecutors: What was the quality of work of the institution in which you worked in the last 12 month? Lawyers: How do you rate the quality of work the judicial system provided to the public in the last 12 months? Scale from 1 to 5: low=1,2 high=4,5 Base: Legal professionals total target population

### 2.2.b Perceived reasons why quality of work in justice sector was not higher

146. Court users most frequently named three reasons why the quality of court service in the specific case one participated in was not higher: poor job done by the judge, poor organization, and bad laws. Other listed reasons (poor job done by prosecutor, lack of staff, contempt of court, improper conduct and non-fulfillment of obligations to the court by the parties in the proceedings, poor working conditions, poor infrastructure) were chosen by less than 5% of court service users (with the exception of lack of staff which was selected by 7% of members of the business sector). In comparison to 2009, the percentage of the general public who named the bad laws as the main reason increased by 10% (from 15% in 2009 to 25% in 2013), while the percent of those who selected the poor job done by judge slightly decreased (from 31% to 28%). (Figure 2.2.b1)

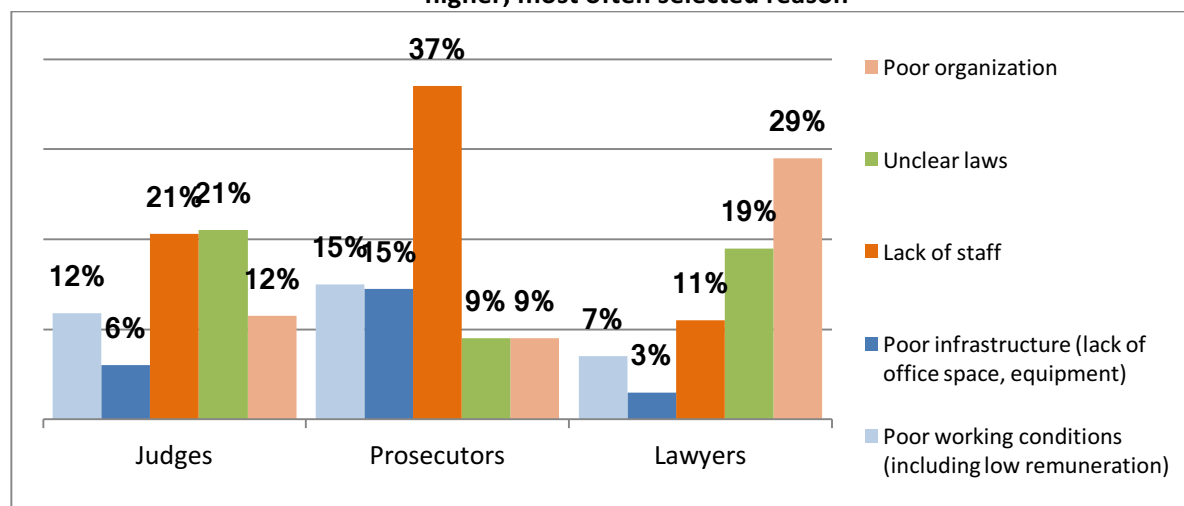
Figure 2.2.b1: 2009 and 2013 perceived main reason why the quality of the court service was not higher in that specific case; most often selected reason



Note: Question: Which of the following would you identify as the main reason explaining why you did not rate the quality of judicial work more highly? Base: general public and business sector with experience with court cases who evaluated quality of court service in that specific case less than high (68% of general population and 67% of business sector in 2009, and 68% of general public and 66% of business sector in 2013)

147. **The reasons lying behind the assessments of the quality of judicial services as less than high varied across judges, prosecutors and lawyers, and more agreement among the three groups of legal professionals was found across time (similarity in trends) than in the frequency of selection of each particular reason as an obstacle to the higher quality of court services.** Unclear laws, along with the lack of staff, were the reasons most frequently named by judges: 21% of judges selected lack of staff and the unclear laws as the main reasons why the quality of judicial work was not higher. For prosecutors, lack of staff is the predominant reason: 37% of prosecutors selected this reason as the main one, while only 9% opted for unclear laws. On the other hand, lawyers most frequently selected poor organization (29%), followed by unclear laws (19%), while the lack of staff was named by only 11%. Other reasons (lack of opportunity for additional education and training, poor coordination of judicial bodies, poor professionalism and preparedness of legal representatives, lack of regulations pre-empting contempt of court, improper conduct and non-fulfillment of obligations to the court) were mentioned by a smaller percentage of the court service providers (between 4% and 8%). (Figure 2.2.b2)

**Figure 2.2.b2: 2013, perceived main reason why the quality of the court service was not higher; most often selected reason**



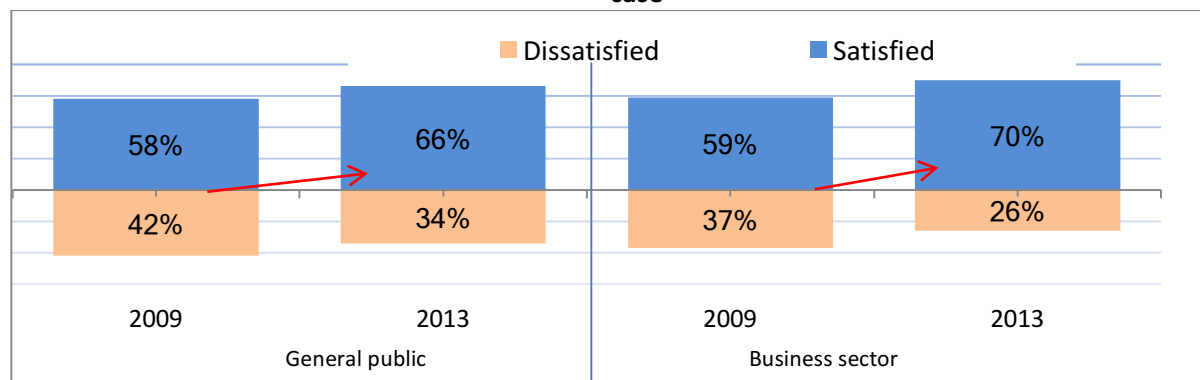
Note: Question: Which of the following reasons that explain why the quality of work was not higher would you select as the most important one? Base: legal professionals total target population

148. **In comparison with 2009, importance of some reasons decreased in 2013 (unclear laws, lack of regulations), while the importance of other reasons increased (lack of staff, poor infrastructure).** In comparison to 2009, the frequency of naming the lack of staff as the reason for reduced quality increased with all three groups. The increase is especially noticeable in the cases of judges: 13% of judges selected lack of staff before the implementation of reforms in 2010, and 21% in 2013, while in the case of prosecutors it was 32% and 37% (respectively), and in the case of lawyers 6% and 11% (respectively). Some decrease in frequency of naming the unclear laws was also found with all three groups; 25% of judges, 16% of prosecutors, and 25% of lawyers named unclear laws in 2009, while it was 21%, 9%, and 19% in 2013 (respectively). Frequency of naming poor organization increased with judges and prosecutors (from 7% to 12% among judges, and from 5% to 9% among prosecutors), and lack of regulations pre-empting contempt of court decreased (from 12% to 9% among judges and from 8% to less than 1% among prosecutors). The frequency of selecting poor working conditions and poor infrastructure increased among prosecutors (from 10% to 15% and from 8% to 14%, respectively), while the percent of judges who selected these reasons stayed the same.

### **2.2.c Perception of the quality of the administrative services of the court related to court proceedings**

149. **Perception of quality of administrative services of the court pertaining to the given court case has improved in comparison with 2009.** Members of the general population and business sector who had to complete some administrative task related to their court case were more satisfied with the quality of court administrative services, than with quality of court work related to the court proceedings. A majority of the users of court administrative services were satisfied the quality of administrative services, and satisfaction increased after the reforms in 2010. (Figure 2.2.c1)

**Figure 2.2.c1: satisfaction with the quality of the court administrative services related to court case**



*Note: Question: How satisfied were you with the efficiency of the court administrative service? Efficiency entails no waste of time and the fast and quality completion of the task? Scale from 1 to 4: dissatisfied=1,2 Satisfied=3,4 Base: General public and business sector who had to complete some administrative tasks relevant to their case in the court. General public, those who complete the administrative tasks themselves (General public: 27% of population with court experience 2009, and 25% 2013; Business sector: 52% with court experience 2009 and 48% 2013)*

150. **However, the increased satisfaction reported in 2013 was hardly due to increased efficiency.** The number of visits to the courthouse needed to accomplish the task did not change before and after the reforms launched in 2010. Members of the general public reported that, on average, they had to go to the courthouse 4 to 5 times to complete the task, and members of business sector, 3 times. The average time spent in the courthouse (every time one came to complete the task) was somewhat reduced based on data reported by the general public (from 45 minutes to 39 minutes, on average), but it stayed the same based on data reported by members of the business sector (between 40 and 44 minutes on the average).

## 2.3 Fairness, impartiality and integrity

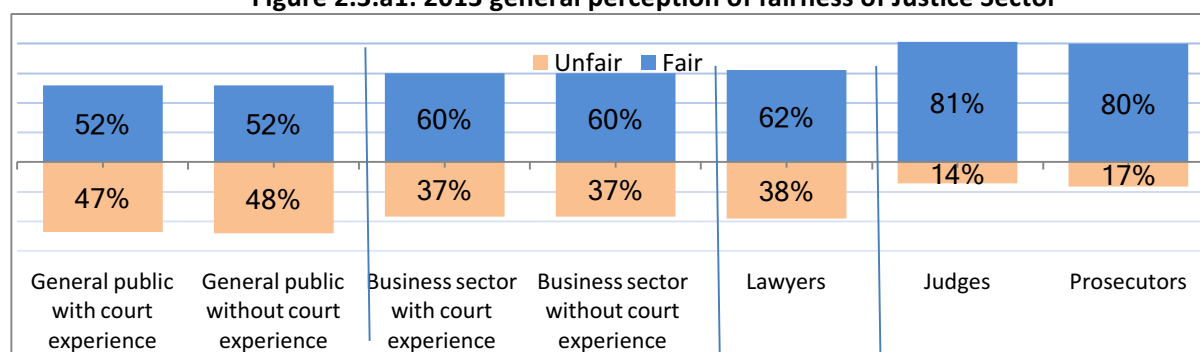
### 2.3.a Perception of the fairness of justice sector

#### Summary

151. General perceptions of the fairness of justice sector are mainly positive with all surveyed groups, but a substantially higher percentage of court service providers than court services users and lawyers evaluated justice sector as fair. Perceptions between users and lawyers on one side, and providers on the other, became somewhat closer in 2013 compared to 2009 as positive perceptions among users and lawyers somewhat increased, while perceptions of judges became somewhat more negative, and perceptions of prosecutors have not changed - but the gap is still quite high. Users with experiences with court services have more positive opinions about the fairness in that specific case than about the fairness of the justice sector in general, and in these general perceptions of the fairness there is no difference between users with and without experience with court cases. But while overall impressions of the fairness of justice sector become systematically more positive among the users (either with or without experience with court cases), the evaluations of the fairness of court service in the specific trial one participated in somewhat improved with general public, but did not change with business sector. Attitudes towards the fairness of the trial are influencing the decision to file an appeal. Out of those whose judgment was not in favor, an appeal was filed by 8% of general public and 6% of business sector among those who felt their trial was fully fair, while it was filed by 63% of general public and 63% of business sector among those who felt that their trial was not fair.

152. The majority of members of all target groups shared the opinion that the judicial system was fair, although providers of court services evaluated the fairness with considerably more positive grades than users of court services and lawyers. The most striking difference in evaluations of the overall fairness was found between members of the general public and court services providers: While the members of the general public are closely divided into those who evaluate the justice sector as fair (52%), and those who view it as unfair (somewhat less than 50%), 80% of service providers evaluate the judiciary sector as fair, and only 14% of judges and 17% of prosecutors see it as unfair. Interesting enough, but lawyers' perceptions of the fairness of justice sector are more positive than the views of general public, and quite similar to those of business sector. (Figure 2.3.a1)

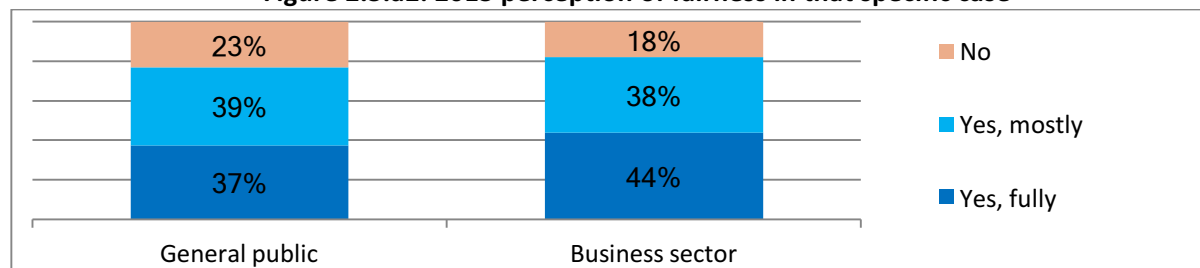
Figure 2.3.a1: 2013 general perception of fairness of Justice Sector



Note: Question: In your opinion, how fair was the judicial system in the last 12 months (2013)? Scale from 1 to 4: 1=very unfair 2=mainly unfair 3=mainly fair, 4= very fair Base: Total target population

153. In the general impressions about fairness, no differences were found between people with and without experience with court cases. However, people with experience with court cases evaluate the fairness of their own trial more positively than the fairness of the justice sector in general (Figure 2.3.a2)

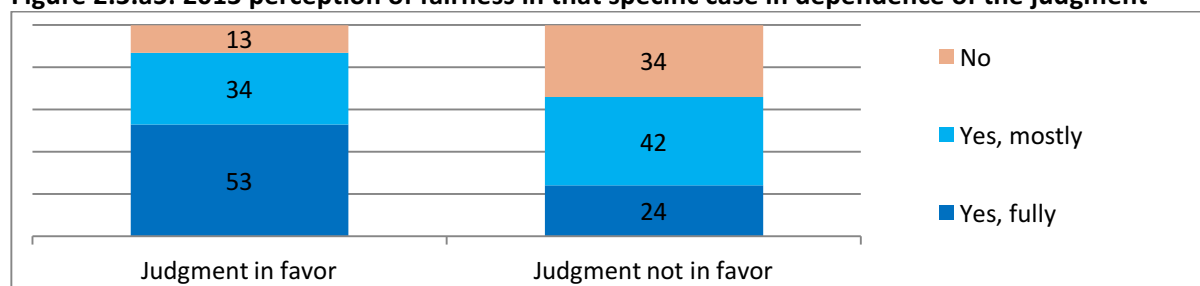
**Figure 2.3.a2: 2013 perception of fairness in that specific case**



Note: Question: Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial? Scale from 1 to 3: Fully, mostly, no. Base: General public and business sector with experience with court cases

154. **Not surprisingly, the evaluations of the fairness of one’s own trial are related to the judgment.** A substantially higher percentage of the members of the general public evaluates that they had a fair trial if the judgment was in their favor (87%), and more than half evaluate the trial as fully fair. But still, a majority of those for whom the judgment was not in favor (66%) evaluates the trial as fair, and each fifth as fully fair. (Figure 2.3.a3)

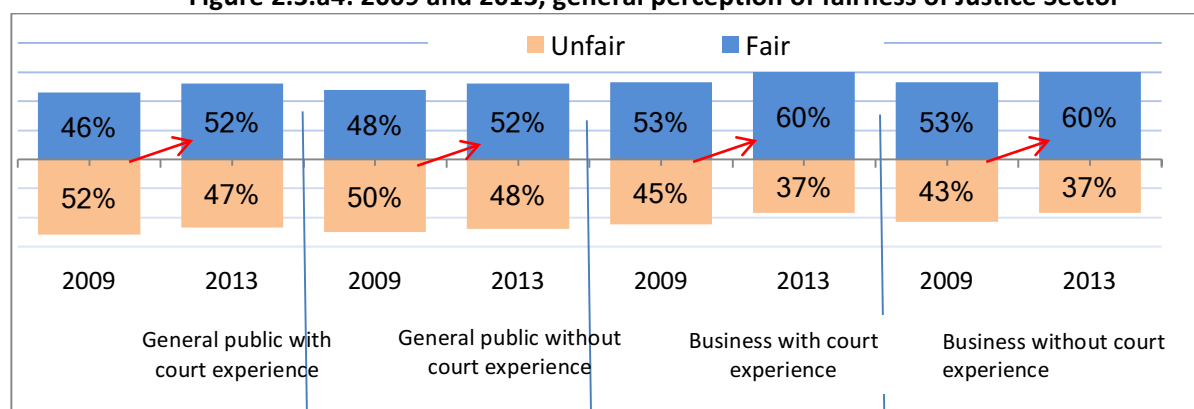
**Figure 2.3.a3: 2013 perception of fairness in that specific case in dependence of the judgment**



Note: Question: Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial? Scale from 1 to 3: Fully, mostly, no. Base: General public with experience with court services

155. **General perceptions of users of court service with regards to fairness became more positive.** In 2009, a bigger share of the general public had negative than positive opinions, while the distribution became vice versa in 2013; positive opinions have increased with business sector as well. (Figure 2.3.a4)

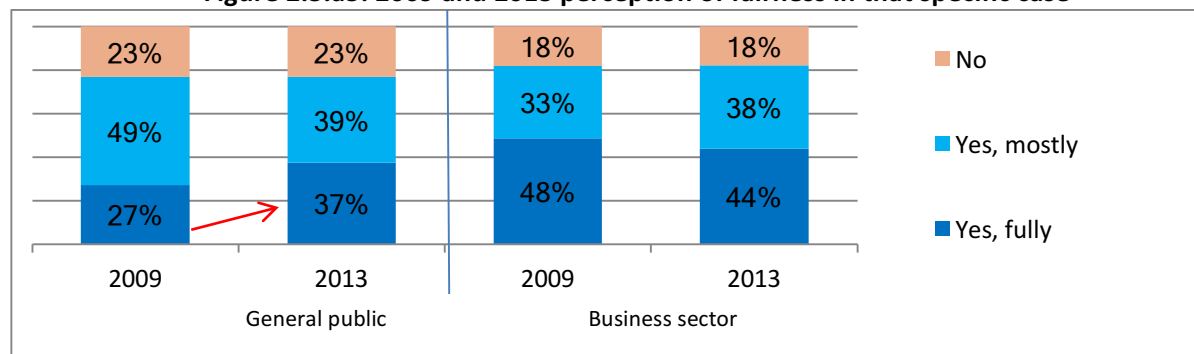
**Figure 2.3.a4: 2009 and 2013, general perception of fairness of Justice Sector**



Note: Question: In your opinion, how fair was the judicial system in the 2009 / last 12 months (2013)? Scale from 1 to 4: 1=very unfair 2=mainly unfair 3=mainly fair, 4= very fair. Base: General public and business sector total target population

156. With regards to evaluations of fairness in the specific court case, the percentage of the general public who evaluated their trial to be fully fair has increased, while no changes were found with business sector. (Figure 2.3.a5)

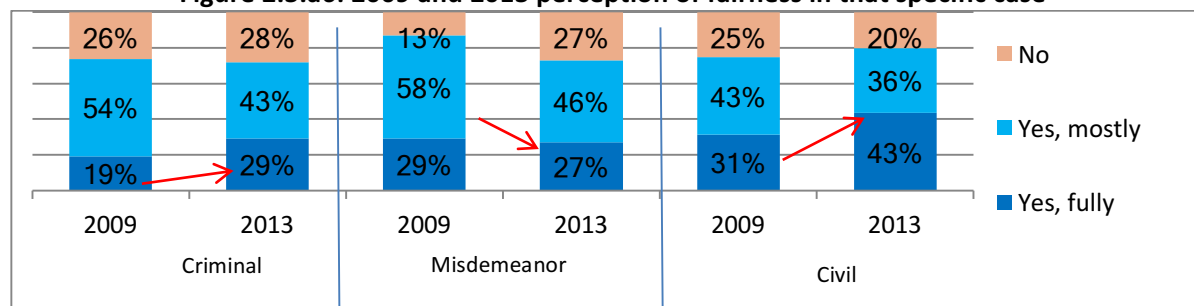
Figure 2.3.a5: 2009 and 2013 perception of fairness in that specific case



Note: Question: Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial? Scale from 1 to 3: Fully, mostly, no. Base: General public with experience with court services

157. Improvements in evaluations of the fairness of the trial were found in criminal cases (10% more evaluated to have had a fully fair trial), and in civil cases (12% more evaluated to have had a fully fair trial), while the percentage of people who evaluated their trial as fair in misdemeanor cases has decreased. (Figure 2.3.6)

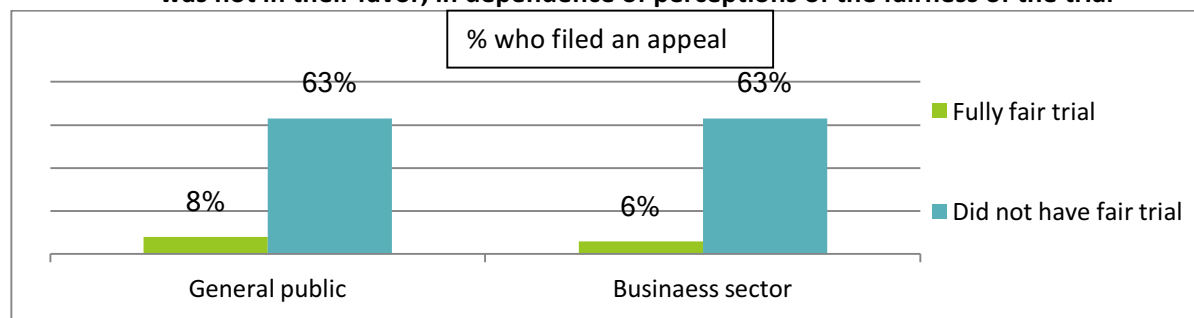
Figure 2.3.a6: 2009 and 2013 perception of fairness in that specific case



Note: Question: Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial? Scale from 1 to 3: Fully, mostly, no. Base: General public with experience with court cases

158. Perceptions of the fairness of the trial also have an influence on the decision to file an appeal. An appeal was filed by substantially higher percentage of those whose judgment was not in favor and who alongside felt that their trial was not fair (63%), than by those whose judgment was not in favor but who felt that the trial was fully fair (8% of general public and 6% of business sector) . (Figure 2.3.a7)

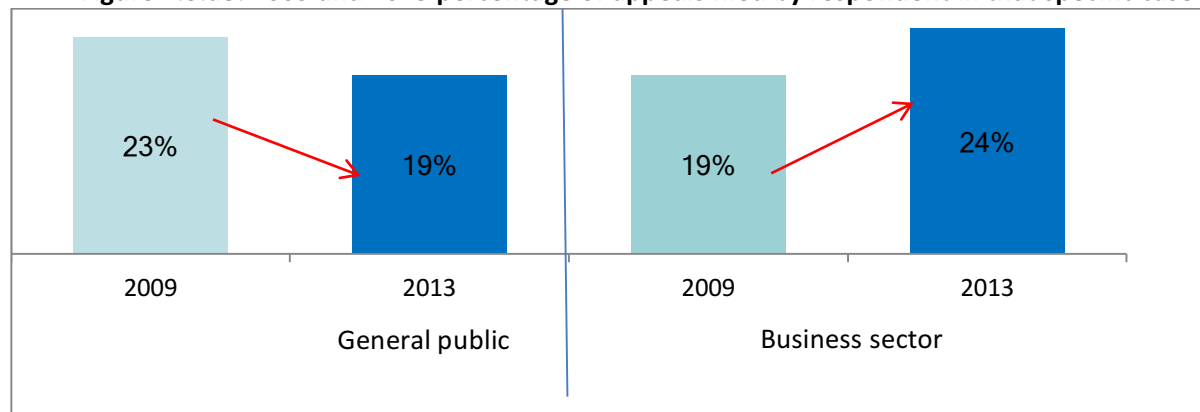
Figure 2.3.a7: share of appeals filed among participants in court proceedings whose judgment was not in their favor, in dependence of perceptions of the fairness of the trial



Note: Base: General public, 12% of target population, Business, 15%

159. In 2013, each fifth member of the general public reported to file an appeal. In comparison to 2009, the percentage of appeals decreased by 4%. On the other hand, each fourth member of business sector reported that they filed an appeal, and the percentage of appeals increased by 5%. (Figure 2.3.a8)

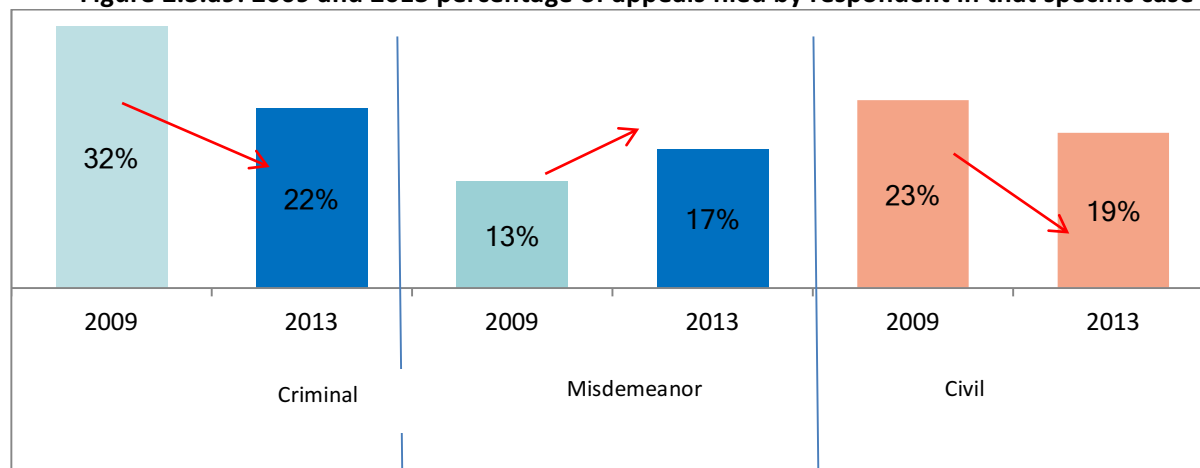
Figure 2.3.a8: 2009 and 2013 percentage of appeals filed by respondent in that specific case



Note: Question: Did you/your company file an appeal? Base: General public and business sector with experience with court cases

160. According to court users' statements, appeals were most frequent in criminal cases, where the users themselves lodged the appeal, and least frequent in misdemeanor cases. But in comparison with 2009, the percentage of appeals in criminal and civil cases has somewhat decreased, while it has increased in misdemeanor cases. (Figure 2.3.a9) These trends are in accordance with the trends of perceived fairness, as shown above (Figure 2.3.a6)

Figure 2.3.a9: 2009 and 2013 percentage of appeals filed by respondent in that specific case

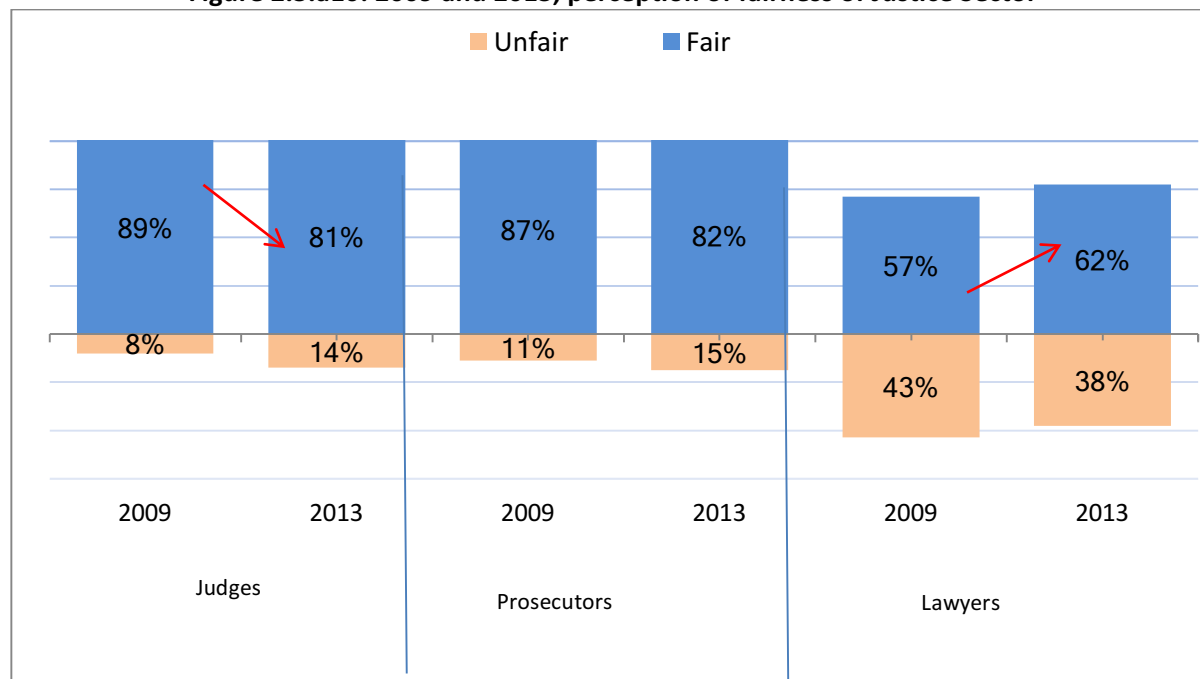


Note: Question: Did you file an appeal? Base: General public with experience with court cases

161. On the other hand, trends in perceptions of fairness of the justice sector varied among professionals. In comparison with 2009, evaluations of fairness became more negative with judges, did not change with prosecutors, and became more positive with lawyers. The percentage of judges who feel that the justice sector is fair has decreased by 8%, but nevertheless, over 80% of judges and prosecutors still evaluate justice sector as fair. On the other hand, the percentage of lawyers who evaluated the justice sector as fair increased by 5%, but still lags substantially behind the one of judges and prosecutors. (Figure 2.3.a10)



Figure 2.3.a10: 2009 and 2013, perception of fairness of Justice Sector



Note: Question: In your opinion, how fair was the judicial system in the last 12 months (2013)? Scale from 1 to 4: Unfair=1 very, 2 mainly Fair=3 mainly, 4 very. Base: Legal professionals total target population

### 2.3.b Perceived reasons why fairness of justice sector was not complete

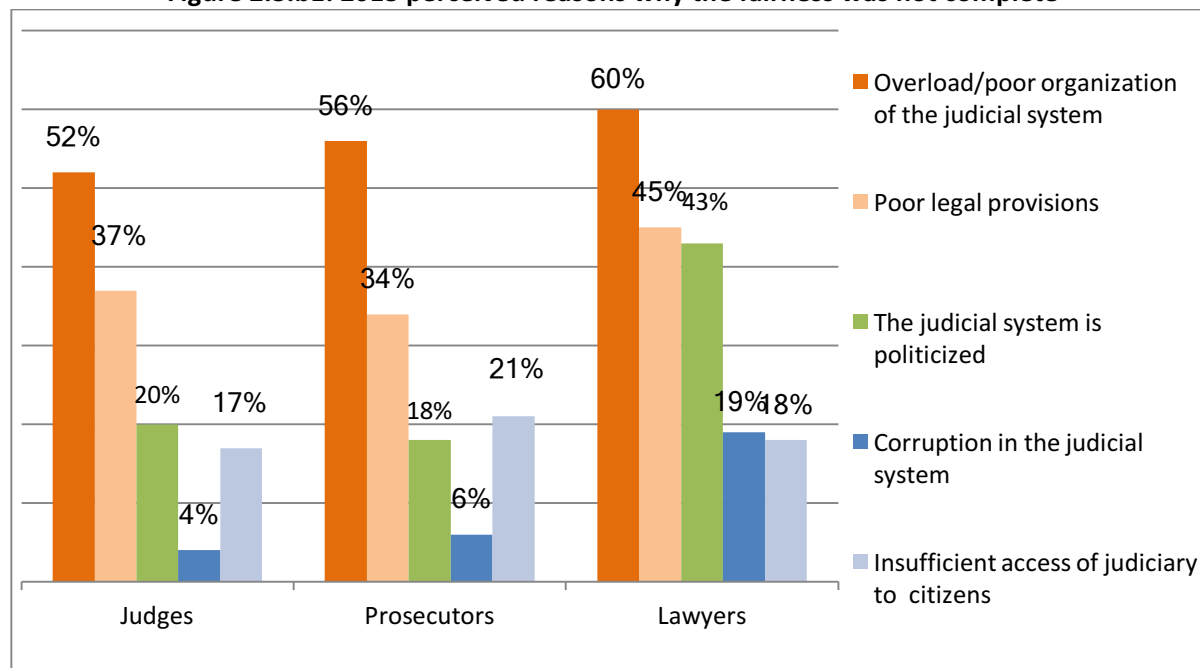
#### **Summary**

162. Legal professionals - court service providers, as well as lawyers, agreed that reasons for incomplete fairness of the justice sector lie primarily in the overload and poor organization of the justice system and poor legal provision. But while almost half of lawyers view politicization of the justice sector as the reason for inadequate fairness, and one fifth name corruption as the reason. A substantially smaller percentage of judges and prosecutors connects these matters with the problem of fairness.

163. Legal professionals – providers of court services and lawyers, agree that reasons for lack of fairness of judicial system is primarily the result of overburdened providers of services and poor organization of judiciary, as well as poor legal regulations. Over 50% of judges and prosecutors, and 60% of lawyers named the overload and poor organization as the reason for inadequate fairness; more than one third of judges and prosecutors, and 45% of lawyers named the poor legal provision. The agreement was also found with regards to access of the judiciary to citizens: approximately one fifth member of all three groups of legal professionals named it as the reason. (Figure 2.3.b1)

164. However, substantial differences were found between justice service providers and lawyers with regards to politicization and corruption of the judicial system as the reasons why fairness of justice sector was not complete. While 45% of lawyers see politicization of justice system as the reason for inadequate fairness, only one fifth of the service providers share this opinion. While 43% of lawyers think that corruption of the judicial system is the reason, only 4% of judges and 6% of prosecutors share this opinion. (Figure 2.3.b1)

Figure 2.3.b1: 2013 perceived reasons why the fairness was not complete



Note: Multiple choice; most often selected reason Question: What is the chief reason why you did not grade fairness of the judicial system as totally fair? Base: Legal professionals who did not evaluate fairness with the highest grade (81% of judges, 87% prosecutors; 89% of lawyers)

165. **In comparison to 2009, the most striking differences were found with prosecutors.** In 2013, 25% more prosecutors named overload and poor organization as the reason for insufficient fairness in judicial system (31% in 2009, and 52% in 2013); 8% more prosecutors named poor legal provisions (26% in 2009 and 34% in 2013). On the other hand, the frequency of naming corruption somewhat decreased with all three groups: by 2% with judges (from 6% to 4%), by 5% with prosecutors (from 11% to 6%), and by 6% with lawyers (from 25% to 19%). Access to the judiciary was the reason also named by somewhat fewer judges (23% in 2009, and 17% in 2013), but by an increased percent of lawyers (9% in 2009, and 18% in 2013).

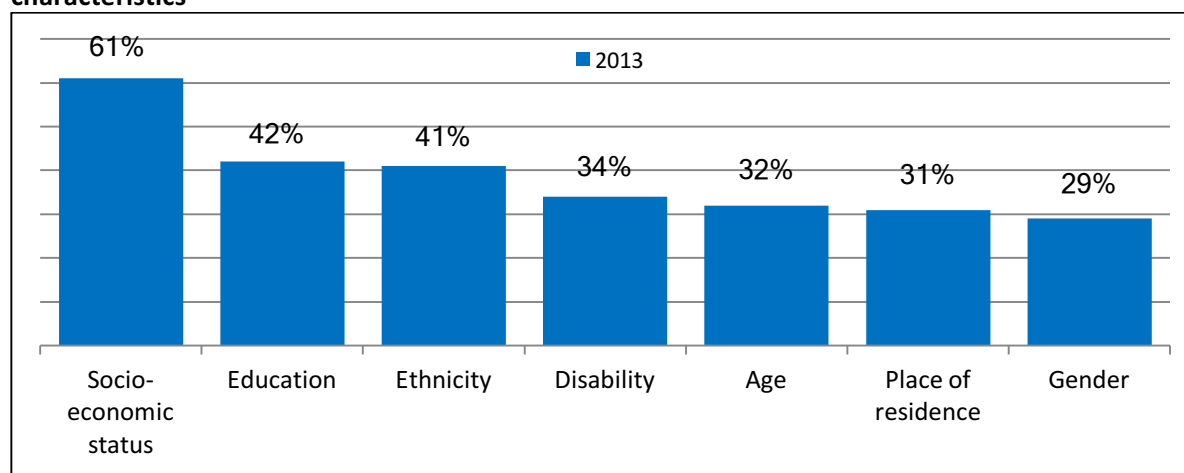
### 2.3.c Equality of treatment of all citizens by judicial system

#### Summary

166. Quite a substantial percentage of the general public feel that the judicial system does not treat all citizens equally and a considerable number of the members of the business sector shares the same feelings with regards to the equality of treatment of the legal entities. In comparison with general public, the number of judges and prosecutors who feel that all citizens are not treated equally is considerably smaller, especially in the case of prosecutors. The amount of lawyers who think that all citizens are not treated equally is between that of general public on one side and judges on the other, but closer to the latter one.

167. A considerable percentage of the general population thinks that the judicial system does not treat all citizens equally. According to citizens' opinions, the unequal treatment is predominant with regards to socio-economic status. As high as 61% of the citizens believe that people with different socio-economic status are not equally treated. More than 40% think that different treatment is provided to people dependent on their education and ethnicity; around one third believe that disabled people are treated unequally, and that treatment differs dependent on age and place of residence; 29% feels that males and females are treated unequally. (Figure 2.3.c1)

**Figure 2.3.c1: 2013 share of general public who think that the judicial system do not treat all members of the general public equally, in dependence of their socio economic and demographic characteristics**

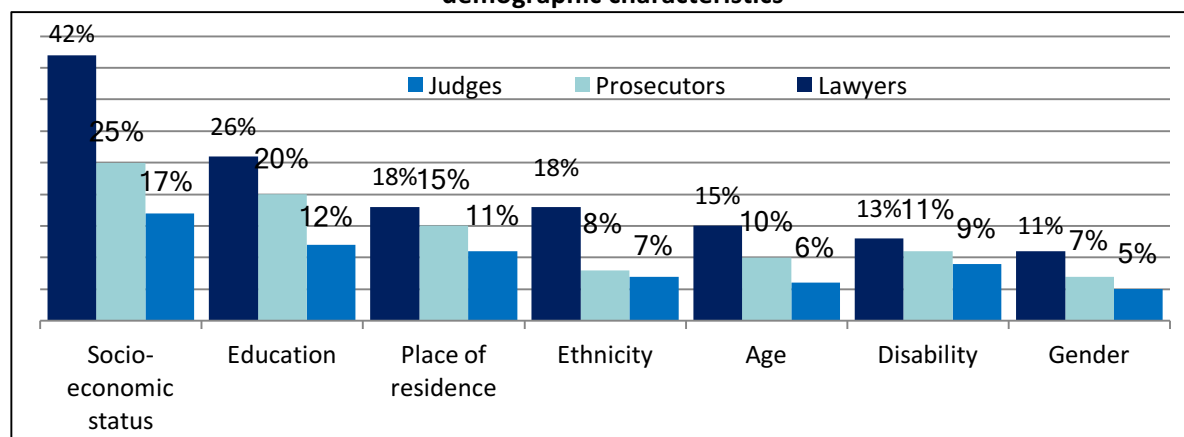


Note: Question: In your view, do the judicial system in Serbia equally treat all citizens notwithstanding their...Base: General public total target population

168. Similar to the general public, judges and prosecutors see socio-economic status and education as predominant areas of unequal treatment, but in a substantially smaller percentage; 25% of judges and 17% of prosecutors think that people are treated unequally dependent on their socio-economic status, and 20% of judges and 12% of prosecutors believe that people are treated differently in dependence of their education. Lawyers' attitudes are between those of the users and providers, but closer to the latter one. (Figure 2.3.c2)

169. The most striking difference between lawyers on one side, and judges and prosecutors on the other, is in perception of political affiliation as a factor of the unequal treatment of the citizens. Almost all lawyers, 98%, think that citizens are treated differently dependent on their political affiliation, while only 1% of judges and 1% of prosecutors share this opinion.

**Figure 2.3.c2: 2013 share of judges, prosecutors and lawyers who think that the judicial system do not treat all members of the general public equally, in dependence of their socio economic and demographic characteristics**

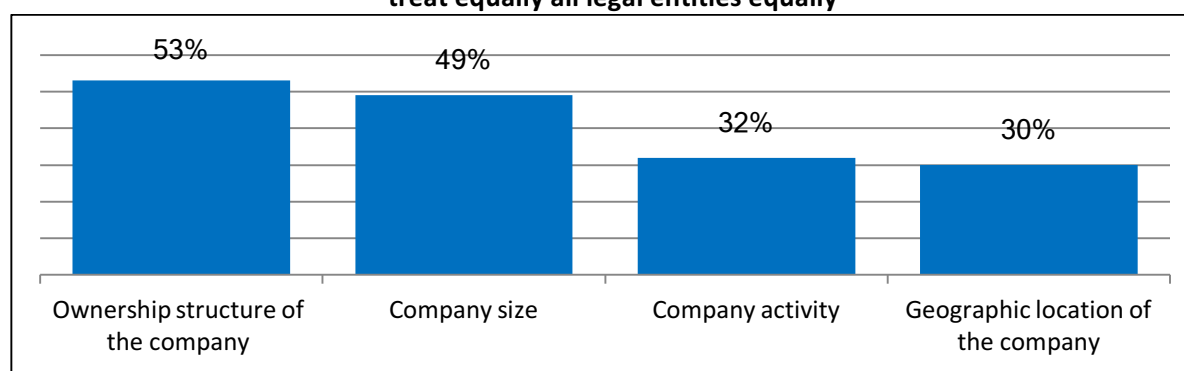


Note: Question: In your view, do the judicial system in Serbia equally treat all citizens notwithstanding their... Base: Legal professionals total target population

170. In 2013, in comparison with 2009, judges and prosecutors somewhat more frequently selected the place of residence and gender as the characteristics based on which citizens were unequally treated (5% more judges and 11% more prosecutors named place of residence, and 2% more judges and 4% more prosecutors named gender). Judges also selected socio-economic status and education somewhat more frequently, while prosecutors named disability, age, and ethnicity somewhat more frequently.

171. **When the inequality of the treatment of legal entities is in question, the views are similar to those related to the inequality of the citizens.** A considerable percentage of the members of the business sector think that companies are unequally treated on several bases. More than half feel that treatment varies dependent on the ownership structure of the company, and almost half think that company size makes a difference. Almost one third believe that treatment varies dependent on the company's activity and its geographical location. (Figure 2.3.c3)

**Figure 2.3.c3: 2013 share of members of business sector who think that the judicial system do not treat equally all legal entities equally**



Note: Question: In your view, do the judicial system in Serbia equally treat all legal entities notwithstanding their... Base: Members of business sector total target population

Similar to lawyers, all members of the business sector (100%) believe that companies are treated differently dependent on their political affiliation.

### 2.3.d Perception of corruption within the judiciary

#### Summary

172. A majority of the citizens (51%) think that corruption is present in the judiciary to a considerable extent, and with regard to the presence of corruption, the judiciary is positioned as the second highest among the state institutions (following the health system). Quite a substantial percentage of the judges (41%), and majority of prosecutors (52%) agree that corruption is present in judiciary, but, contrary to the citizens, only 3% of judges and 2% of prosecutors think that it is present to a considerable extent. Lawyers' views are somewhat closer to the views of court service providers than to those of users. In 2013, in comparison with 2009, percentage of those who believe that corruption is present in the judicial system decreased with all groups, but substantially more with judges and prosecutors than with court users and lawyers, so the gap in opinions became even bigger

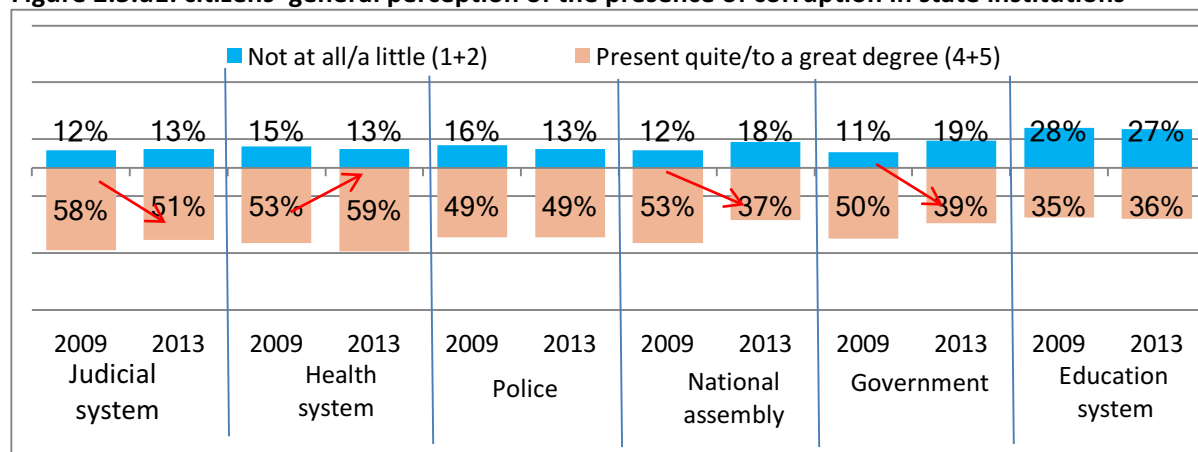
173. Contrary to the widely stated opinions that corruption is present in judiciary, (not surprisingly) a relatively small percentage of court users reported that they personally resorted to informal means in the course of proceedings, but according to lawyers, as high as 40% of their clients asked them to use some informal means to influence the work of judge.

174. Opinions about the contribution of internal control to strengthening the integrity of the judiciary were divided. A substantial part of court services providers think that internal control did not exist at all, and out of those who think that it existed, just somewhat over half believe that it improved the integrity. With regard the support to integrity coming from professional associations (Bar Association, Association of Judges, and Association of Prosecutors), opinions are divided again, but in general, the views are hardly very enthusiastic.

#### 2.3.d.1 General perceptions of corruption within judiciary

175. **According to citizens' views, by the presence of corruption, the judicial system is positioned as the second highest among the six state institutions.** With the presence of corruption, the judicial system follows the health system, and these are the only two institutions for which majority of the citizens believe that corruption is present to a considerable degree (51% and 59% respectively). In 2013, as compared to 2009, the share of citizens who think that corruption is present in the judicial system decreased (from 58% to 51%), while the percentage of those who think that corruption is present in the health system increased (from 53% to 59%); so in 2013, the judicial system handed over its leading position to the health system. (Figure 2.3.d1)

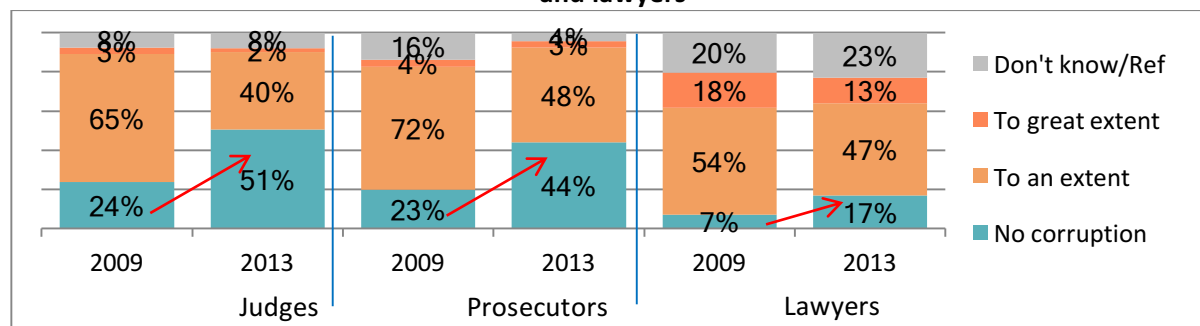
Figure 2.3.d1: citizens' general perception of the presence of corruption in state institutions



Note: Question: General public: How present is corruption in the following sectors and institution? Scale from 1 to 5, 1='not at all' and 5='to a great degree'; 1, 2=there is no corruption, 4, 5= there is corruption. Base: General public total target population

176. Similar to views of the general public, quite a substantial percentage of judges (42%), and as high as 52% of the prosecutors agreed that corruption is present in judiciary. But great discrepancy was found with regards to degree of its presence: while a majority of the citizens think that corruption is present to a considerable degree, just 2% to 3% of court service providers share this opinion. Opinions of lawyers are somewhat closer to that of court service users than to judges and prosecutors. (Figure 2.3.d2)<sup>18</sup> Finally, quite a substantial percentage of judges (51%) and a somewhat less percentage of prosecutors (44%) think that corruption in the judiciary is not present at all, while this opinion is shared by a substantially smaller percentage of court service users and lawyers. (Figures 2.3d2)<sup>19</sup>

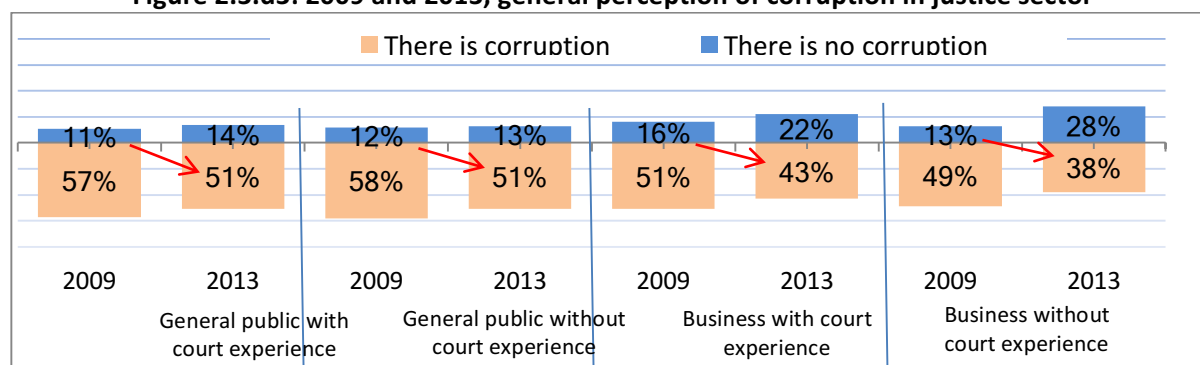
**Figure 2.3.d2: 2009 AND 2013, perception of corruption in justice sector - court service providers and lawyers**



Note: Question: Was there corruption in the judicial system in the last 12 months? Scale: 1 = There was no corruption, 2=To an extent, 3=To great extent. Base: legal professionals total target group

177. In comparison to 2009, the percentage of those who believe that corruption is present in the judiciary decreased among all groups, but substantially more with judges and prosecutors than with court users and lawyers (by 7% of general public, by 10% of members of business sector, by 12% of lawyers, and by as high as 28% of judges, and 24% of prosecutors). (Figures 2.3d2 and 2.3.d3)

**Figure 2.3.d3: 2009 and 2013, general perception of corruption in justice sector**



Note: Question: In your opinion, how present is corruption in judicial system? Scale from 1 to 5, 1 = 'not at all' and 5 = 'to a great degree'; 1,2=there is no corruption, 4,5 there is corruption; Scale from 1 to 5, 1 = 'not at all' and 5 = 'to a great degree'; 1, 2=there is no corruption, 4, 5= there is corruption. Base: General public and business sector total target population

### **2.3.d.2 Personal experiences with corruption of court users, court providers and lawyers**

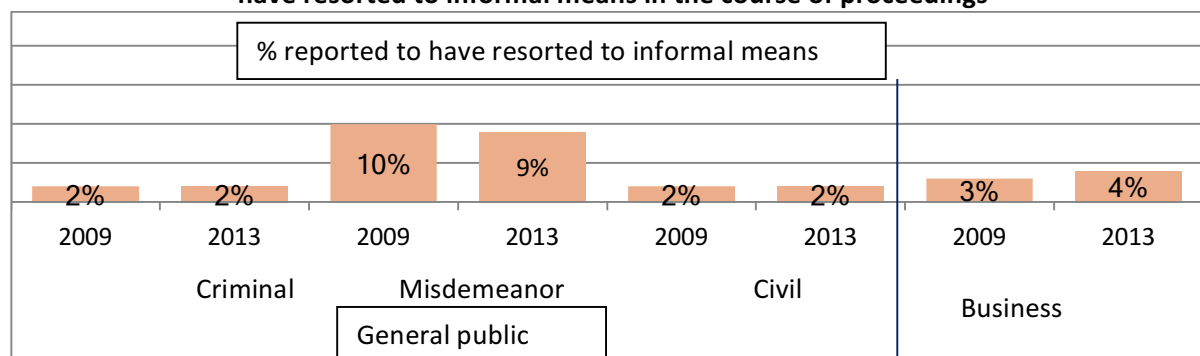
178. Comparing to the widely stated opinions that corruption is present in the judiciary, a relatively small percentage of court users reported that they personally resorted to informal means; but still, as high as 9% reported to have resorted to informal means in the course of misdemeanor

<sup>18</sup>It is noticeable that more than 20% of lawyers did not want to state their opinions with regards to presence of corruption

<sup>19</sup> Considerable number of the citizens, 27%, and business sector 22% opted for grade 3 on the scale from 1 meaning that corruption is not present at all, to 5 meaning to a great extent.

proceedings, 4% in civil proceedings, and 2% in criminal proceedings. But the discrepancy is not surprising, knowing that it is generally assumed that survey respondents are reluctant to volunteer information on actual corrupt behavior.<sup>20</sup> (Figure 2.3.d4)

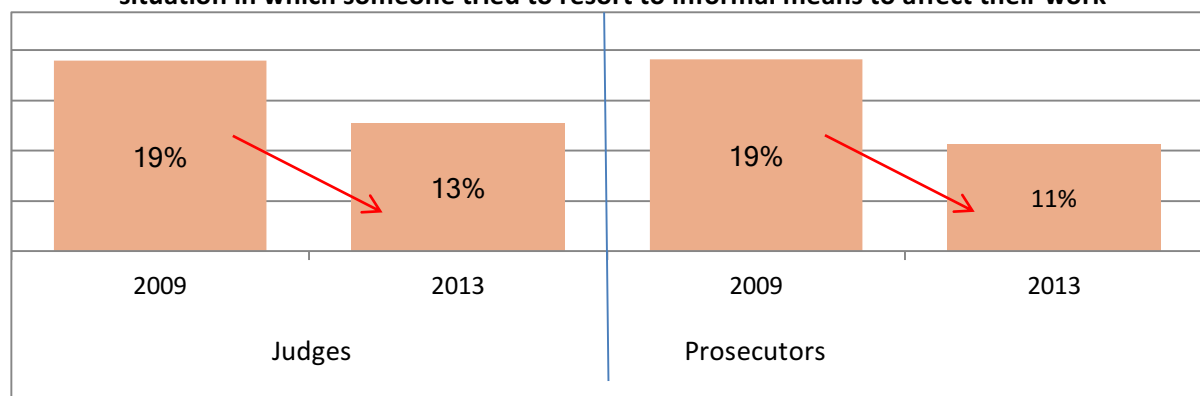
**Figure 2.3.d4: 2009 and 2013, share of users with experience with court cases who reported to have resorted to informal means in the course of proceedings**



Note: Question: Did you ever find yourself in circumstances in which you resorted to informal means -made an additional payment, offered a gift, pulled strings...- to have your case adjudicated more efficiently. Base: General public and business sector with experience with court cases

179. In comparison to court users, a higher percentage of both judges and prosecutors claimed to be approached by someone who tried to bribe them. Almost one fifth judge and prosecutor stated to be offered a bribe in 2009, but this percentage has decreased in 2013 by 6% with judges and 8% with prosecutors. (Figure 2.3.d5)

**Figure 2.3.d5: 2009 and 2013 share of judges and prosecutors who claimed to find themselves in a situation in which someone tried to resort to informal means to affect their work**

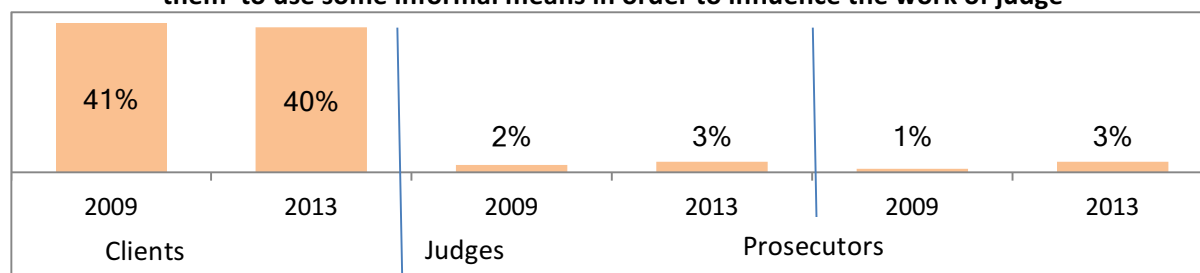


Note: Question: Did you find yourself in a situation in which someone tried to resort to informal means to affect your work?. Base: Judges and prosecutors total target population

180. According to lawyers, as high as 40% of their clients asked them to use some informal means, and this percentage did not change in comparison to 2009. But 3% of lawyers also claimed that a judge or a prosecutor offered them an agreement which implied some pecuniary advantage to make a judgment in favor of their client (Figure 2.3.d6)

<sup>20</sup>For example, in the SOSAC (Social assessment survey Serbia) survey commissioned by the World Bank and conducted by Ipsos Strategic Marketing in 2004, only 11 percent of citizens responded that they had to pay informally for health services, while 88 percent stated that informal payments are occasionally, often, or very often present in the health system. For more on socially desirable answering in surveys, see for example Roger Tourangeau, Lance J. Rips, and Kenneth Rasinski. 2000. *The Psychology of Survey Response*. Cambridge University Press.

**Figure 2.3.d6: share of lawyers who claimed that some of the clients, judges or prosecutors asked them to use some informal means in order to influence the work of judge**



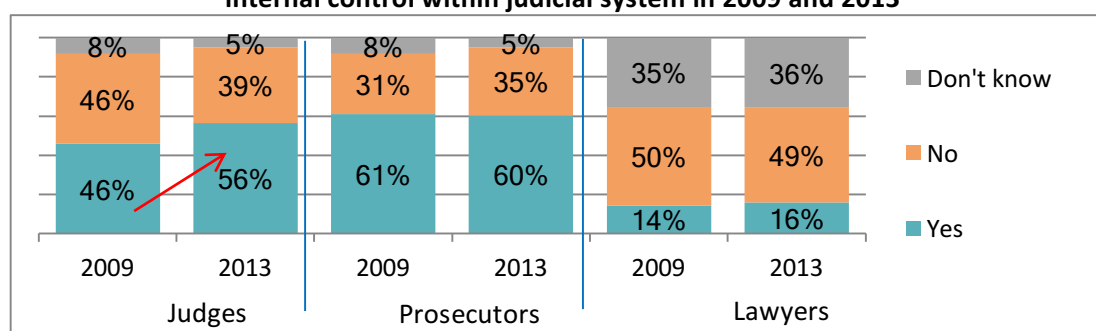
Note: Question: Did you find yourself in a situation in which your client asked you to use some informal means to influence the work of judges? Did you find yourself in a situation in which a judge / prosecutor offered you an agreement which implied some pecuniary advantage to make a judgment in favor of your client. Base: Lawyers total target population

**2.3.d.3 Perceptions of the roles of the internal control and professional association in strengthening the integrity of judiciary**

181. Providers of court services were quite divided in their opinions about the contribution of the internal control to integrity of judiciary, but the share of those who think that it helped strengthen the integrity is not encouraging.

182. Interesting enough, among providers of court services there was no agreement if the internal control within judiciary existed at all. A majority of the judges and prosecutors think that an internal control existed in the judicial system, but quite a substantial part thinks that it was not present at all. Out of those who thought that internal control existed, just slightly more than half believe that it contributed to the integrity of the judiciary. As for the lawyers, more than one third of them are not aware if there was an internal control at all, and half believe that it was not. Out of those who think that there was an internal control, less than half believe that it improved the integrity of judiciary. But the percentage with this opinion has increased in comparison to 2009 by as high as 23%. (Figures 2.3.d7. and 2.3.d8).

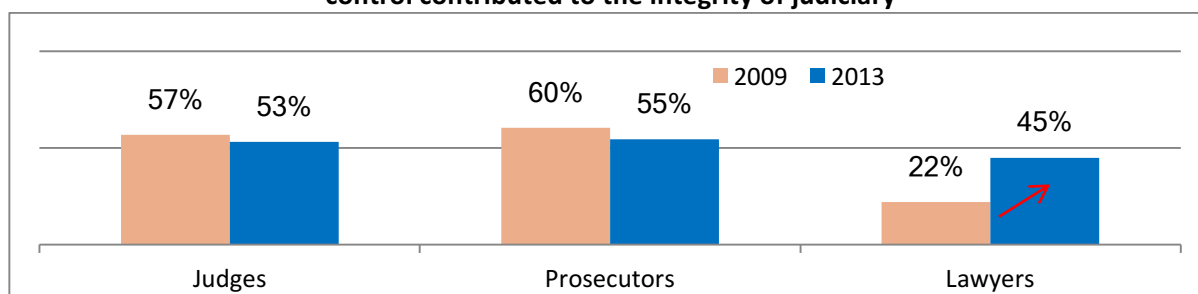
**Figure 2.3.d7: 2009 and 2013 judges, prosecutors and lawyers awareness of the existence of an internal control within judicial system in 2009 and 2013**



Note: Question: Was there any form of internal control within the judicial system in the last 12 months?. Base: Judges, prosecutors and lawyers total target population



**Figure 2.3.d8: 2009 and 2013 share of judges, prosecutors and lawyers who think that internal control contributed to the integrity of judiciary**

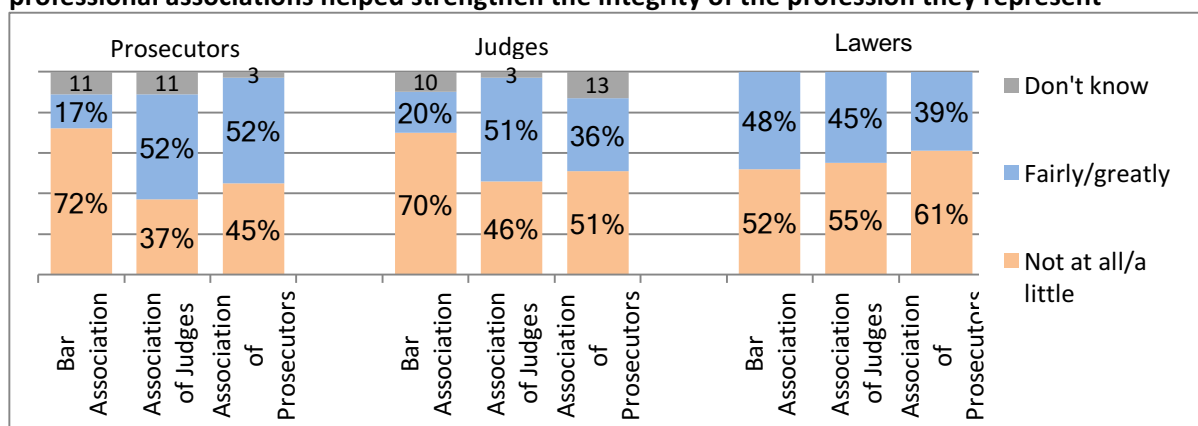


Note: Question: To what degree did the internal control that existed contribute to the integrity of the judiciary? Base: Judges, prosecutors and lawyers who believe that an internal control existed (Judges 2009 46%, 2013 56%; prosecutors 2009 61%, 2013 60%; lawyers 2009 14%, 2013 16%)

183. But a great majority judges, prosecutors and lawyers agreed that internal control is important for strengthening the integrity of the judicial system (86%, 89% and 95% respectively).

184. With regard to the support to strengthen the integrity coming from professional associations (Bar Association, Association of Judges, and Association of Prosecutors), opinions are divided again, but in general, the opinions are hardly very enthusiastic. Slightly more than half of the prosecutors believe that Associations of judges and Associations of prosecutors did help strengthen the integrity of their professions, but only 17% share this opinion with regards to Bar association. Judges perceive their association to be most helpful (51%), but only 36% think that Association of prosecutors was helpful. Similar to prosecutors, the smallest percentage of judges thinks that the Bar association was helpful (20%). On the other hand a majority of lawyers believe that none of the three associations helped strengthening the integrity, but while in the case of Bar Association and Association of judges this opinion is shared by slightly more than half of lawyers, over 60% think that the Association of prosecutors was not helpful. In comparison with 2009, the Association of judges and Association of prosecutors were perceived by judges and prosecutors as more supportive with regards to the strengthening of the integrity, while lawyers expressed more positive opinions with this regard about all three associations. (Figure 2.3.d9)

**Figure 2.3.d9: 2013 perceptions of prosecutors, judges and lawyers about the extent to which professional associations helped strengthen the integrity of the profession they represent**



Note: Question: To what extent did professional associations - Bar Association, Association of Judges, Association of Prosecutors - help strengthen the integrity of the profession they represent? Base: Judges, prosecutors and lawyers total target population

### 2.3.e Perception of court users with experience with court cases about courtesy and integrity of the judge

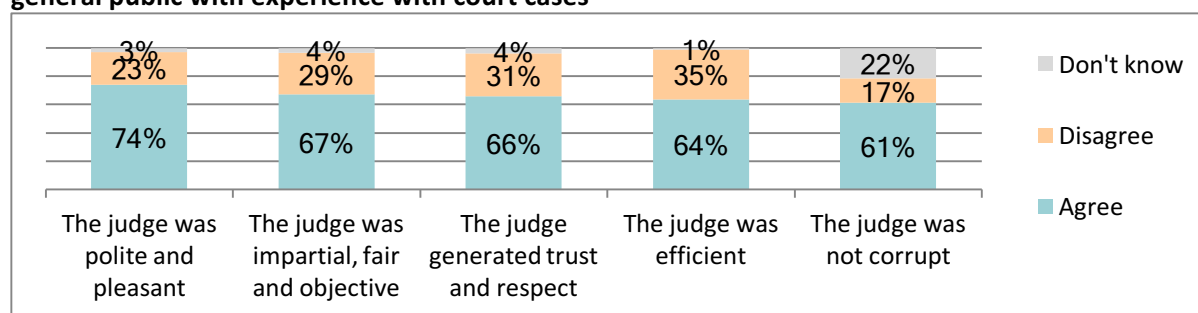
#### Summary

185. A majority of the court users agreed that during court proceedings judges showed courtesy and integrity. But still, a substantial part of the general public, and somewhat fewer members of the business sector were not satisfied with judge's attitude. It is noticeable that over 20% of court users stated that they do not know if the judge was corrupt.

186. The general public as well as the members of business sector were most satisfied with politeness of the judge (74% and 83% respectively). A somewhat smaller percentage reported that the judge was impartial (67% of general public and 69% of business sector) and that he/she generated trust (66% and 70% respectively), as well as that the judge was efficient (64% of general public and 62% of business sector) and not corrupt (61% of general public and 65% of business sector). (Figures 2.3.e1 and 2.3.e2)

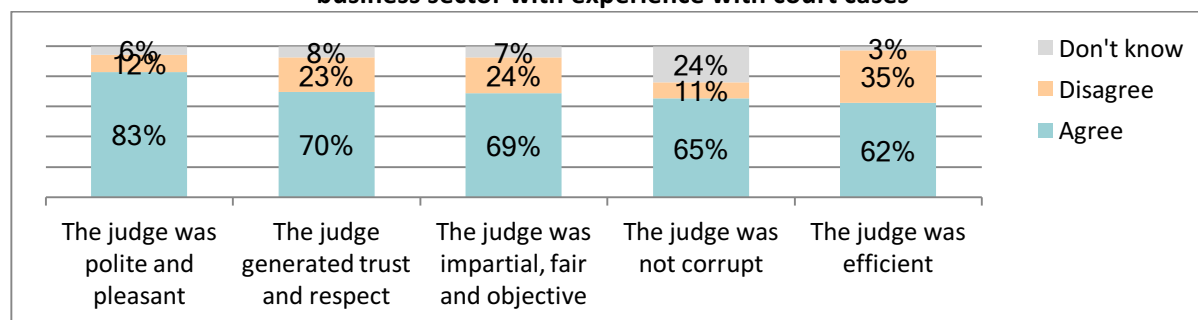
187. It is noticeable that respondents were most indecisive (or least ready to state their opinions) with regards to corruption; as high as 22% of general public, and 24% of the members of the business sector answered that they do not know if the judge was corrupted or not. (Figures 2.3.e1 and 2.3.e2)

**Figure 2.3.e1: 2013, perceptions of courtesy and integrity of judge in the course of proceedings - general public with experience with court cases**



Note: Question: To what extent do you agree with the following assertions...? Scale of 1 to 4, 1= 'fully disagree' 2 'disagree', 3=agree, 4 = 'fully agree'; presented: 1,2=agree, 3,4=disagree. Base: General public with experience with court services

**Figure 2.3.e2: 2013, perceptions of courtesy and integrity of judge in the course of proceedings - business sector with experience with court cases**



Note: Question: To what extent do you agree with the following assertions...? Scale of 1 to 4, 1= 'fully disagree' 2 'disagree', 3=agree, 4 = 'fully agree'; presented: 1,2=agree, 3,4=disagree. Base: Members of business sector with experience with court services

188. In comparison with 2009, the percentage of court users who evaluated the judge's behavior as polite and pleasant increased by 5% among members of the business sector and by 7% among the general public, but no changes were found in other domains of judge's attitude.

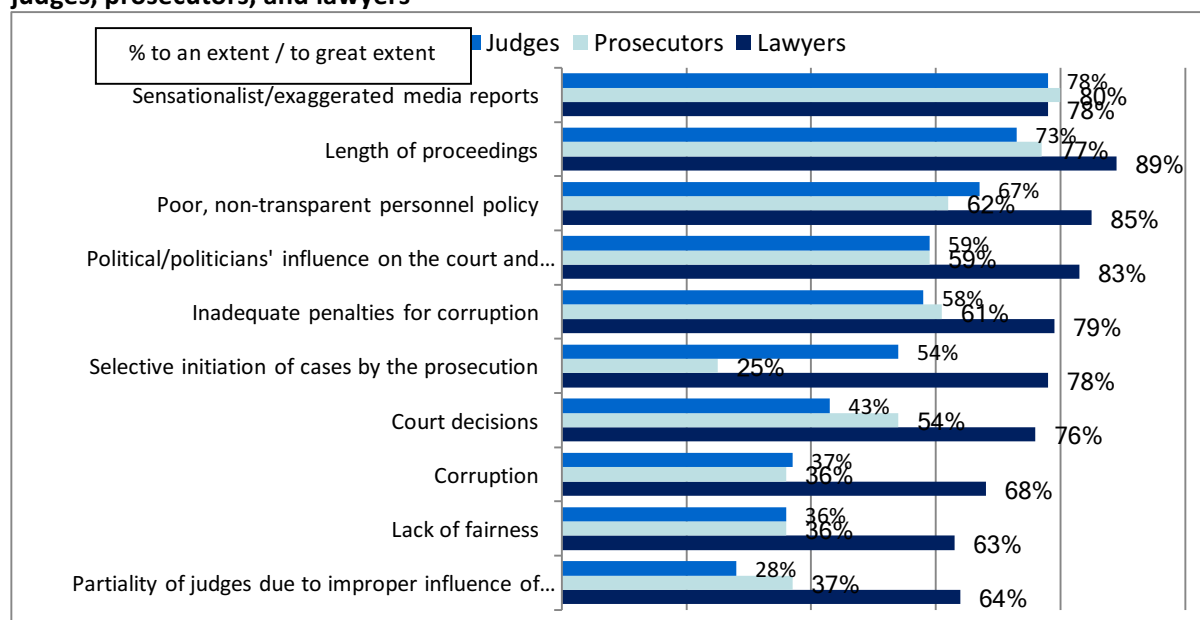
**2.3.f Perceived factors which undermine the integrity of the judicial system**

189. **According to court service providers, as well as lawyers, several factors undermined the integrity of the judicial system.** Judges and prosecutors think that integrity was primarily undermined by sensationalist media reports (78% of judges and 80% of prosecutors), and by length of proceedings (73% of judges and 77% of prosecutors). But a majority of judges and prosecutors also think that poor, non-transparent personnel policy, political influence and inadequate penalties for corruption undermine the integrity of the judicial system. More than half of judges think that selective initiation of cases by prosecution weaken the integrity, while more than half of prosecutors think that these are court decisions. While prosecutors agreed the least that integrity is harmed by selective initiations of cases, the judges agreed the least that partiality of judges undermine the integrity. It is noticeable that just somewhat more than one third of the court service providers agreed that corruption and lack of fairness undermine the integrity of judicial system, and just somewhat more than one third of prosecutors, and 28% of judges thought that the integrity was harmed by partiality of judges. (Figure 2.3.f1)

190. **In comparison to judges and prosecutors, a considerably higher percentage of lawyers thinks that all the listed factors undermine the integrity of judiciary.** Similar to judges and prosecutors, 78% of lawyers think that the media undermines the integrity of judicial system. However, lawyers think that length of proceedings, poor, non-transparent personnel policy, and political influence are factors which harm the integrity more than media. (Figure 2.3.f1)

191. **In comparison to 2009, the percentage of opinions that corruption is undermining the integrity decreased with all three groups** (by 14% with prosecutors, by 9% with judges, and by 7% with lawyers), while the opinions that political influence is harming factor decreased with lawyers (by 6%).

**Figure 2.3.f1: 2013, perceptions of factors which undermine the integrity of judicial system - judges, prosecutors, and lawyers**

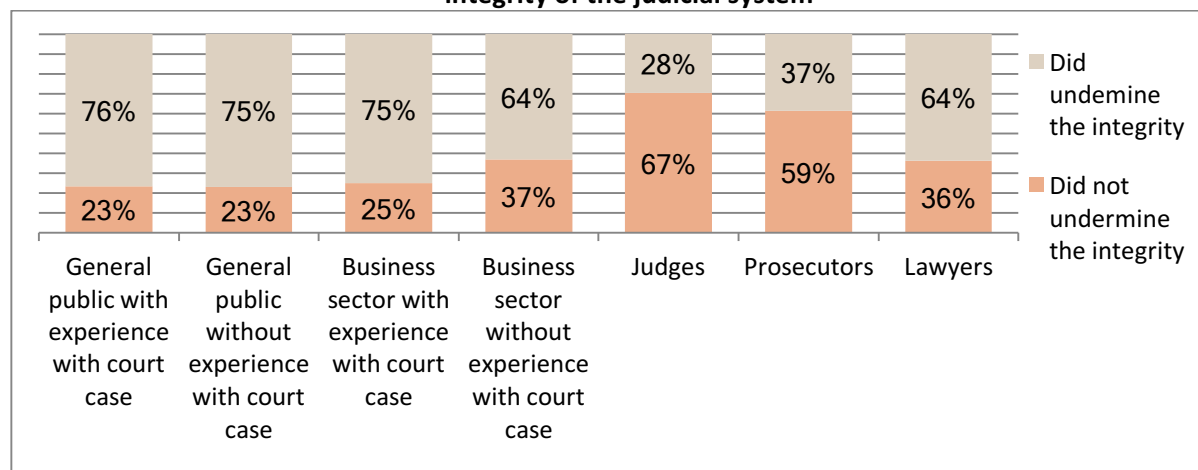


Note: Question: To what extent did the following factors undermine the integrity of the judicial system in the last 12 months? Scale 1 to 4, 1= 'not at all' 2 'mostly no', 3='to an extent', 4 = 'to great extent' Base: Legal professionals total target population

Finally, big discrepancy was found between users of court services and lawyers on one side, and court services providers on the other with regards to their perceptions about the partiality of judges (due to improper influence of other judges, lawyers and other persons participating in the proceedings as

a factor) as a factor undermining the integrity of judicial system in 2013<sup>21</sup>. While the great majority of court services users and lawyers think that the partiality of judges did undermine the integrity of judicial system, the great majority of judges and prosecutors share the opposite opinion. Still, 28% of judges and 37% of prosecutors agree that partiality of judges is due to improper influences of other professionals or other parties in the proceedings did undermine the integrity of judicial system. (Figure 2.3.f2)

**Figure 2.3.f2: 2013: perceptions about the partiality of judges (due to improper influence of other judges, lawyers and other persons participating in the proceedings) as a factor undermining the integrity of the judicial system**



Note: Question: To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months? Scale 1 to 4, 1= 'not at all' 2 'mostly no', 3='to an extent', 4 = 'to great extent' Base: Total target population

## 2.4 Independence of the judicial system

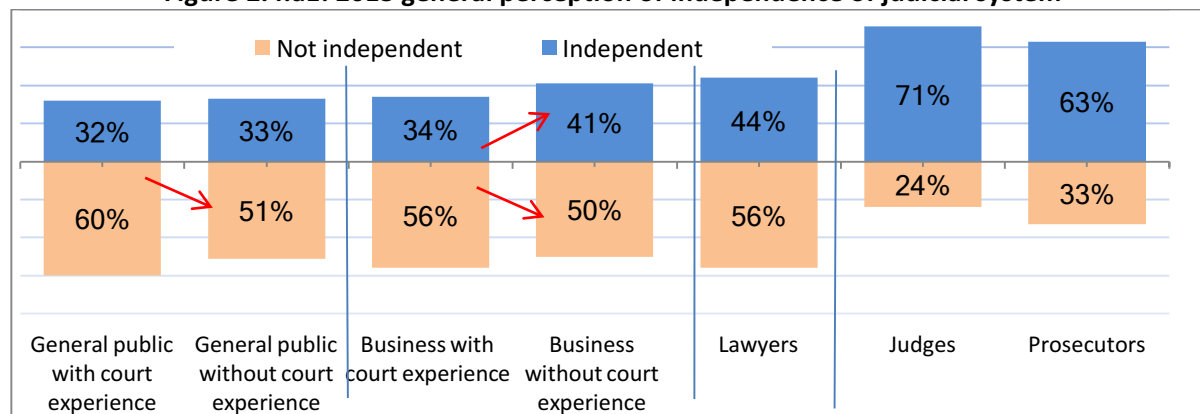
### Summary

192. Perceptions of the independence of the judicial system are quite different between providers of the court services on one side, and users of the services and lawyers on the other. While court users and lawyers mostly think that the judicial system is not independent, a majority of providers think that it is independent. Still, one fourth of the judges and each third of the prosecutors think that the judicial system is not independent. The views became somewhat closer in 2013, as a portion of those who think that the judicial system is independent somewhat increased among lawyers and users of court services and decreased among judges and prosecutors - but disparity is still quite substantial. Judges and prosecutors believe that media, followed by politicians and political parties jeopardize the most the independence of judicial system.

193. Users of court services and lawyers on one side, and providers of court services on the other, have considerably different perceptions of independence of the judiciary. Half of the members of the general public and business sector and somewhat more lawyers (56%) think that the judicial system is not independent, while just one third of the general public and somewhat more than 40% of the business sector and lawyers believe that it is independent. On the other side, over 70% of judges and over 60% of prosecutors believe that the judicial system is independent, while one fourth of the judges and each third of the prosecutors think that judicial system is not independent (Figure 2.4.a1)

<sup>21</sup> This question was not asked in 2009

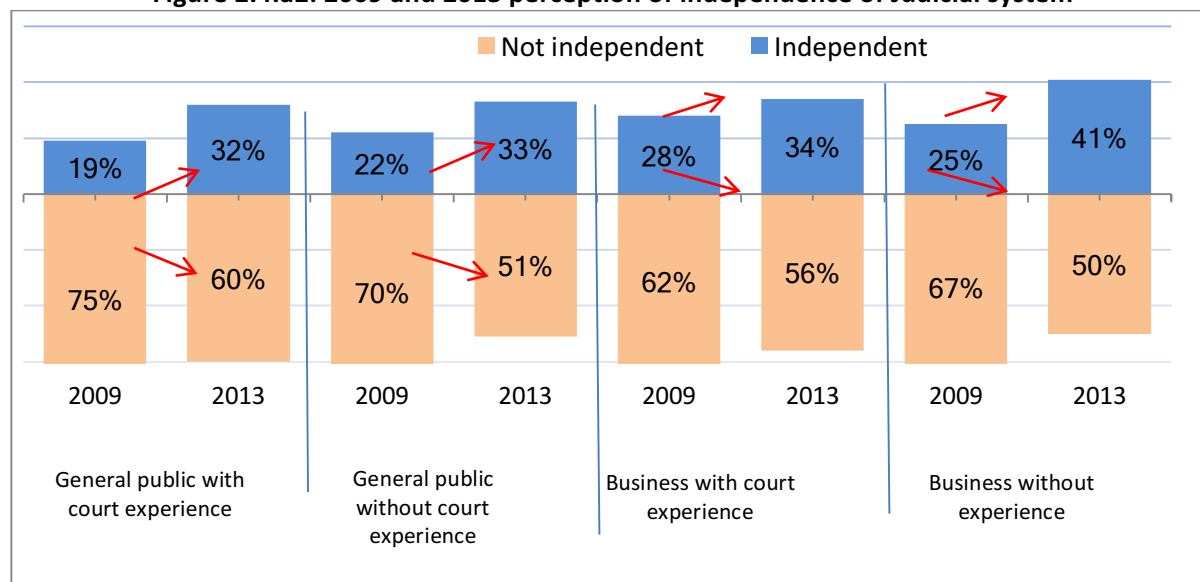
**Figure 2.4.a1: 2013 general perception of independence of judicial system**



Note: Question: To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities - politics? Scale of 1 to 4, 1 = "Not independent", 2 = "mostly not", 3 = "mostly independent", 4 = "fully independent" Base: Total target population

194. Opinions came closer in 2013, because the percentage of users of court services and lawyers who think that the judicial system is independent has increased, while the percentage of providers of court services with such opinion has decreased, although the differences in opinion are still considerable. In comparison with 2009, the opinions of the general public and business sector with regards to the independence of the judiciary have noticeably improved, but the views that the judicial system is not independent are still predominant. Interesting enough, in comparison with 2009, the share of judges and prosecutors who think that the judicial system is independent decreased by 5% and 10% (respectively). Nevertheless, the opinions that the judicial system is independent are still predominant. On the other hand, similar to citizens, the portion of lawyers who think that the judicial system is independent has increased, but a majority still share the opinion that the judiciary is not independent. (Figure 2.4.a2 and 2.4.a3)

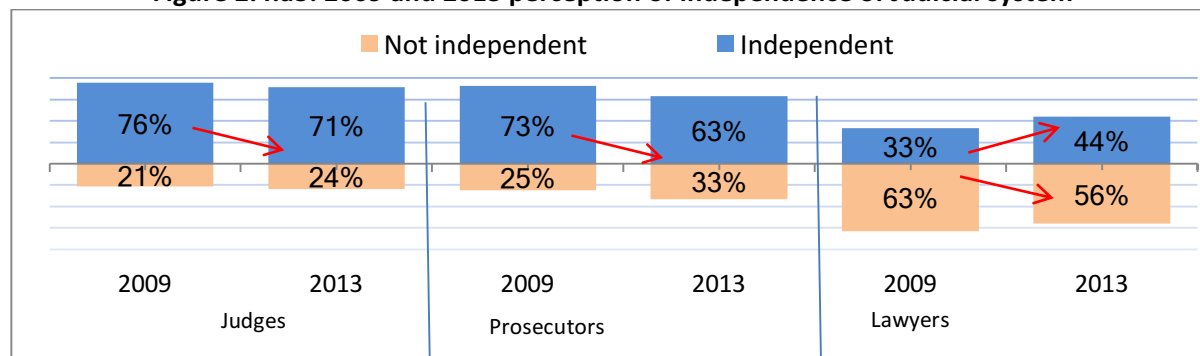
**Figure 2.4.a2: 2009 and 2013 perception of independence of Judicial system**



Note: Question: To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities - politics? Scale of 1 to 4, 1 = "Not independent", 2 = "mostly not", 3 = "mostly independent", 4 = "fully independent"

Base: General public and business sector total target population

**Figure 2.4.a3: 2009 and 2013 perception of independence of Judicial system**



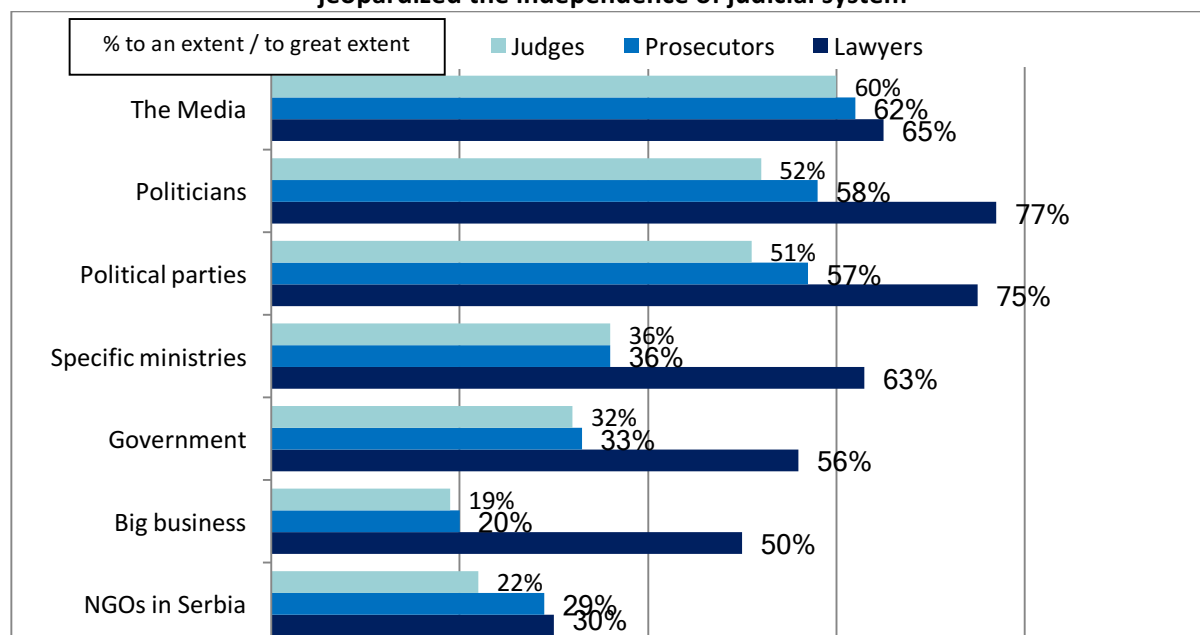
Note: Question: To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities - politics? Scale of 1 to 4, 1 = "Not independent", 2 = "mostly not", 3 = "mostly independent", 4 = "fully independent"

Base: Legal professionals total target population

195. A majority of judges and prosecutors believe that the media, politicians and political parties are jeopardizing the independence of the judicial system the most. But other institutions have their share of the responsibility as well: More than one third of judges and prosecutors think that specific ministries and the government jeopardize the independence of the judiciary, one fifth think that independence is jeopardized by big business, and slightly more that it is endangered by NGOs (Figure 2.4.a4)

196. In comparison with judges and prosecutors, lawyers assign more responsibility for distressed independence to all listed institutions. Similar to judges and prosecutors, lawyers find the media, political parties and politicians as the most responsible, but they allocate more responsibility to politicians (77%) and political parties (75%), than to the media (65%). In comparison with judges and prosecutors, lawyers also allocate more responsibility to specific ministries (63%), the government (56%) and big businesses (50%). (Figure 2.4.a4)

**Figure 2.4.a4: 2013 share of judges, prosecutors and lawyers who believe that listed institutions jeopardized the independence of judicial system**

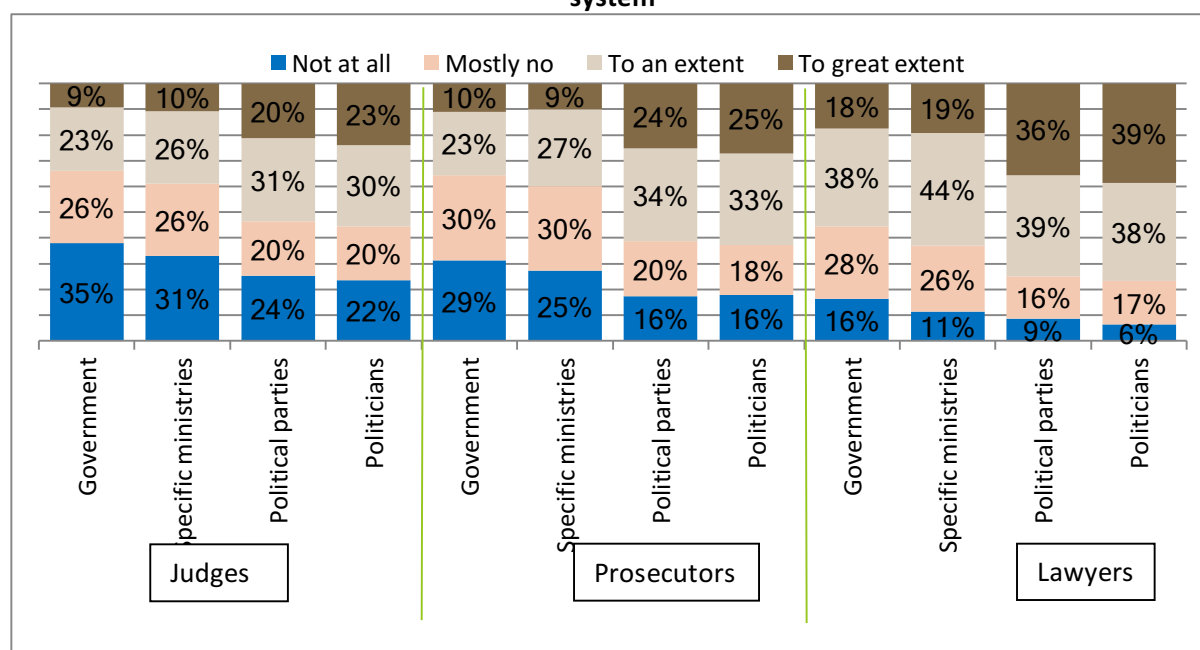


Note: Question: How much did the following institutions jeopardize the independence of the judicial system in the last 12 months? Scale of 1 to 4, 1 = 'not at all' 2 = 'mostly no', 3 = 'to an extent', 4 = 'to great extent' Base: Legal professionals total target population

197. Judges and prosecutors, as well as lawyers believe that politicians and political parties jeopardize the independence of the judiciary to a much greater extent than the government and specific ministries. However, as already noted above, still one third of judges and prosecutors think that the government did jeopardize the judicial system's independence, and somewhat more than one third think that specific ministries jeopardized the independence. Actually, just slightly more than one third of judges and 29% of prosecutors think that the government did not jeopardize the independence of the judiciary at all, and somewhat less than one third of judges and each fourth prosecutor think that ministries did not jeopardize the independence at all. On the other hand, around 10% of both judges and prosecutors think that the government and ministries did jeopardize the integrity to a great extent. (Figure 2.4.a5)

198. As opposed to court services providers, a majority of lawyers think that government and ministries did jeopardize the integrity, and almost one fifth believe that they jeopardize the independence to a great extent. Only 16% of lawyers think that government did not jeopardize the independence of the judiciary at all, and 11% that ministries did not jeopardize it at all. (Figure 2.4.a5)

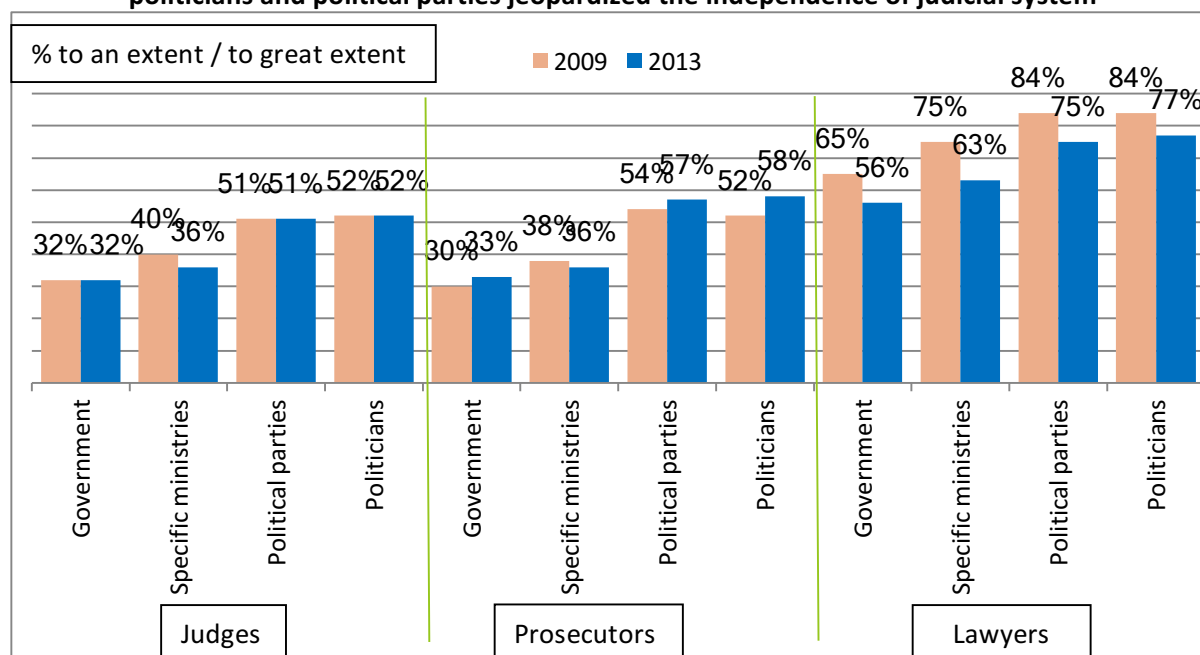
**Figure 2.4.a5: 2013 judges, prosecutors and lawyers perception of the extent to which government, ministries, politicians and political parties jeopardized the independence of judicial system**



Note: Question: How much did the following institutions jeopardize the independence of the judicial system in the last 12 months? Scale of 1 to 4, 1= 'not at all' 2 'mostly no', 3='to an extent', 4= 'to great extent' Base: Legal professionals total target population

199. In comparison to 2009, the changes of opinions about the government, ministries, politicians and political parties influence on independence of the judicial system were shown only in the case of lawyers. The percentage of lawyers who thought that these institutions have jeopardized the independence of the judicial system has somewhat decreased. The opinions of judges and prosecutors have not changed in comparison to 2009. (Figure 2.4.a6)

**Figure 2.4.a6: share of judges, prosecutors and lawyers who believe that government, ministries, politicians and political parties jeopardized the independence of judicial system**



Note: Question: How much did the following institutions jeopardize the independence of the judicial system in the last 12 months? Scale of 1 to 4, 1= 'not at all' 2 'mostly no', 3='to an extent', 4 = 'to great extent' Base: Legal professionals total target population

## 2.5 Relevant laws and their application

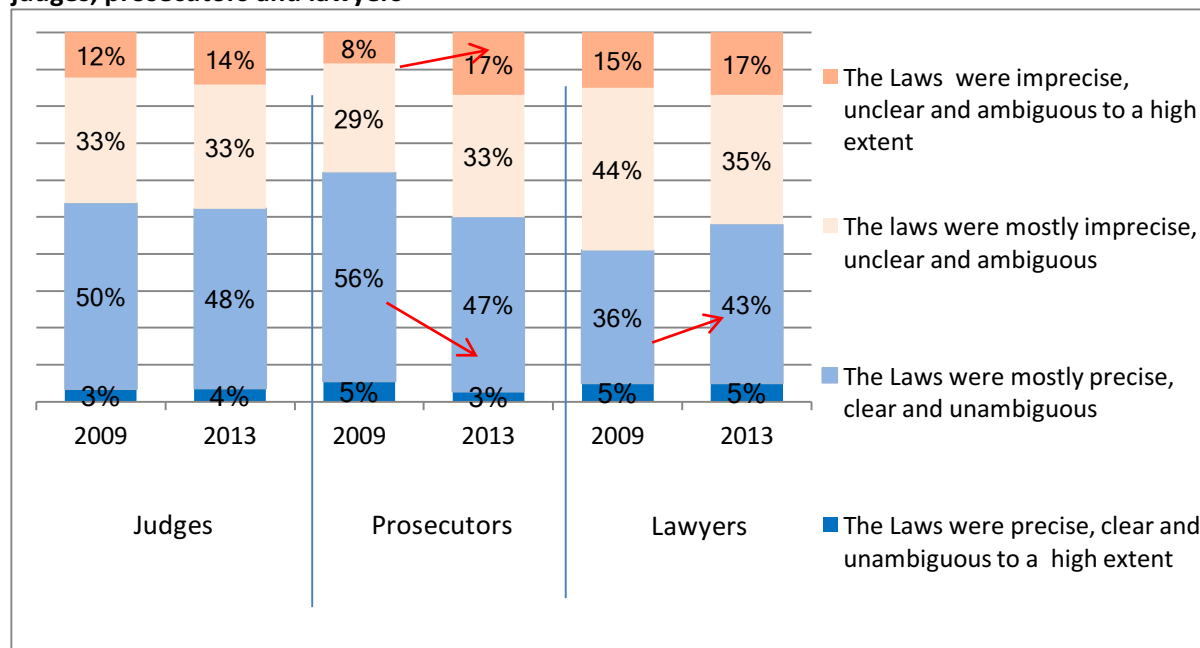
### Summary

200. A majority of legal professionals agree that laws are often imprecise and ambiguous, and not consistently fair and objective. Inconsistent interpretation of laws and inconsistent jurisprudence are perceived as frequent problems in enforcement of laws

201. **The Majority of legal professionals who participated in the survey agree that the laws are often imprecise and unclear.** Legal professionals are divided in their opinions about the precisions and ambiguity of the laws, but an extremely small number think that laws are generally precise, clear and unambiguous (4% of judges, 3% of prosecutors, and 5% of lawyers), and an even higher percentage think that laws were imprecise and ambiguous to high extent (14% of judges, 17% of prosecutors, and 17% of lawyers). The most frequent opinion is that laws were mostly (but not completely) precise, clear and unambiguous. In comparison with 2009, this attitude has somewhat decreased with prosecutors, but increased with lawyers. (Figure 2.5.1)



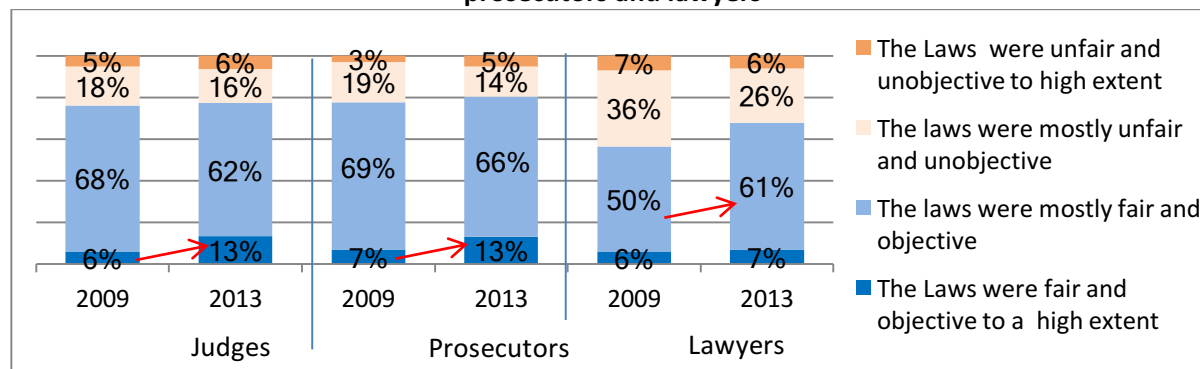
**Figure 2.5.1: 2009 and 2013 perception of clearness, precision and ambiguity of Serbian laws - judges, prosecutors and lawyers**



Note: Question: To what extent were Serbian laws precise, clear and unambiguous in last 12 months? Base: legal professionals total target population

202. A somewhat higher percentage of judges and prosecutors think that laws are generally fair and objective (13% of judges and prosecutors), and these percentages have increased in comparison to 2009 (by 7% with judges, and 6% with prosecutors). But a majority opted for the option that laws were mostly fair and objective (62% of judges, 66% of prosecutors, and 61% of lawyers). In comparison to 2009, the percentage of lawyers with this opinion increased by 11%. (Figure 2.5.2)

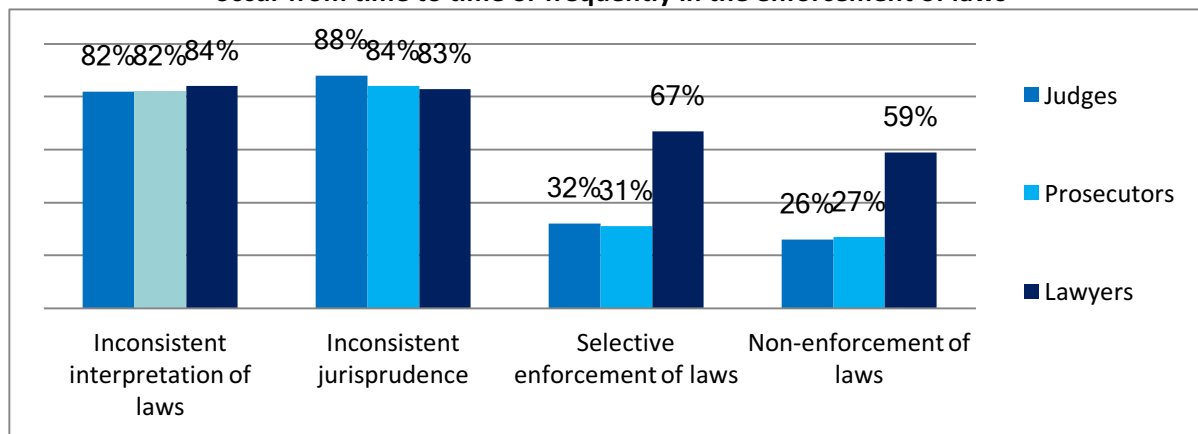
**Figure 2.5.2: 2009 and 2013 perception of fairness and objectivity of Serbian laws - judges, prosecutors and lawyers**



Note: Question: To what extent were Serbian laws months fair and objective in last 12? Base: legal professionals total target population

203. Most of the judges, prosecutors and lawyers (over 80%) agree that inconsistent interpretation of laws and inconsistent jurisprudence happen at least from time to time, if not often, in the enforcement of laws. On the other hand, while a majority of lawyers think that selective enforcement of the laws and non-enforcement of the laws also were the frequent problems, less than one third of judges and prosecutors share this attitude. (Figure 2.5.3)

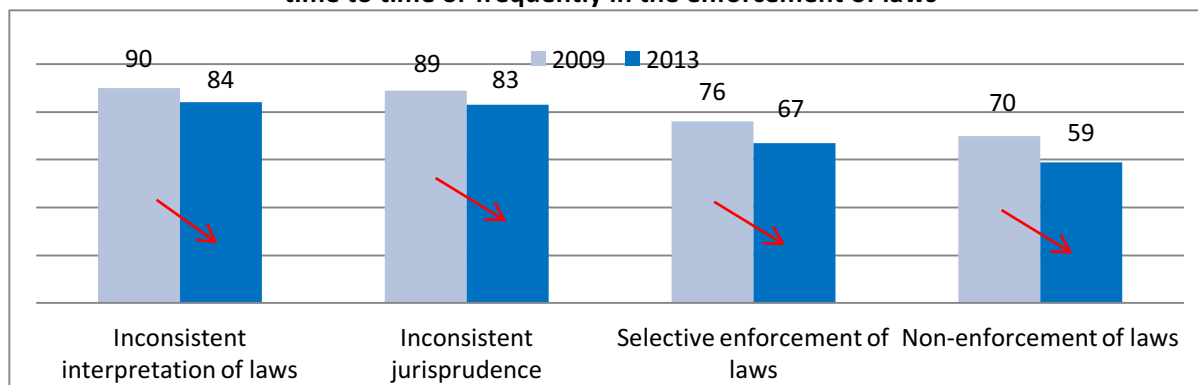
**Figure 2.5.3: 2013 share of judges, prosecutors and lawyers who estimate the listed problems to occur from time to time or frequently in the enforcement of laws**



Note: Question: How often did the following problems occur in the enforcement of laws? Scale: 1=never, 2=rarely, 3=from time to time, 4=frequently Base: legal professionals total target population

204. From the point of views of lawyers things are improving in comparison to 2009, while from the point of view of judges and prosecutors the changes are sporadic, and rather in the negative direction. While lawyers estimate that all four problems happen somewhat less often in 2013 than in 2009 (Figure 2.5.4), somewhat more judges (3%) think that selective enforcement of law is the frequent problem, and somewhat more prosecutors think that inconsistent jurisprudence (6%) and non-enforcement of the laws (8%) are the problems.

**Figure 2.5.4: 2009 and 2013 share of lawyers who estimated the listed problems to occur from time to time or frequently in the enforcement of laws**



Note: Question: How often did the following problems occur in the enforcement of laws? Scale: 1=never, 2=rarely, 3=from time to time, 4=frequently. Base: legal professionals total target population

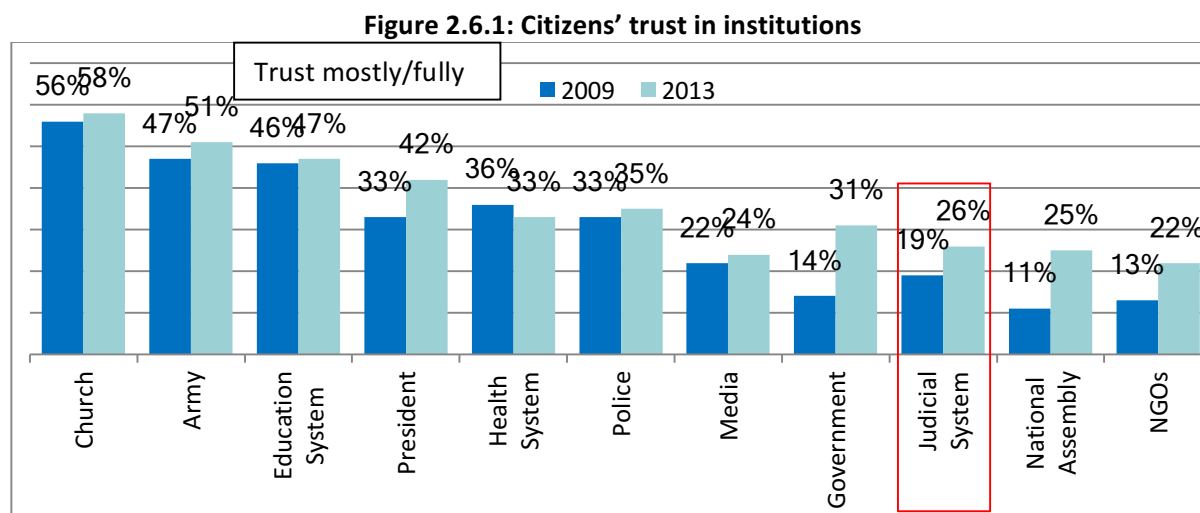
205. Finally, as shown above (Section 2.2.b), substantial part of judges (20%) and lawyers (19%), and somewhat less prosecutors (9%) named unclear laws as one of the main reasons for reduced quality of the court services. Bad laws were also named by each fourth court user as one of the main reasons for low quality of the court service delivered in the proceeding they participated in.

## 2.6 Public trust and confidence

### Summary

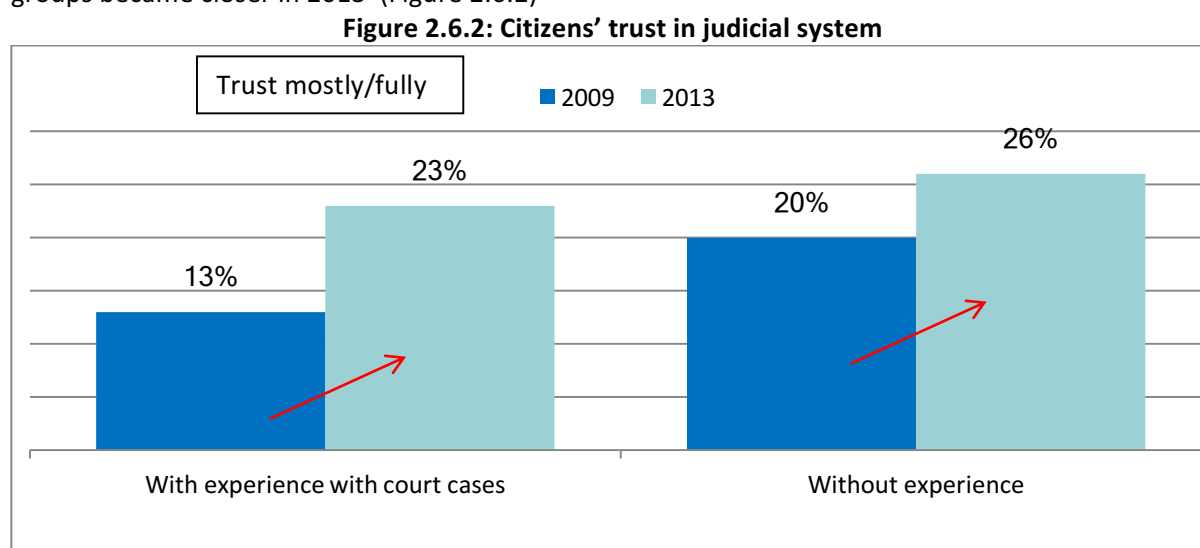
206. The judicial system is one of the least trusted institutions. Only 26% of the citizens really trust the judicial system. (Figure 2.6.1)

207. **The judicial system is one of the institutions which the public trusts the least.** Only 26% of citizens report that they trust the judicial system. In comparison to 2009, trust in the judicial system has increased by 7% (from 19% to 26%), but the increased trust was shown with regards to other state institutions too (with exception of health system). (Figure 2.6.1)



Note: Question: General public: Rate the degree in which you trust the following sectors and institutions in the last 12 months? Scale from 1 to 5, 1 = 'not at all' and 5 = 'fully' Base: General public total target population

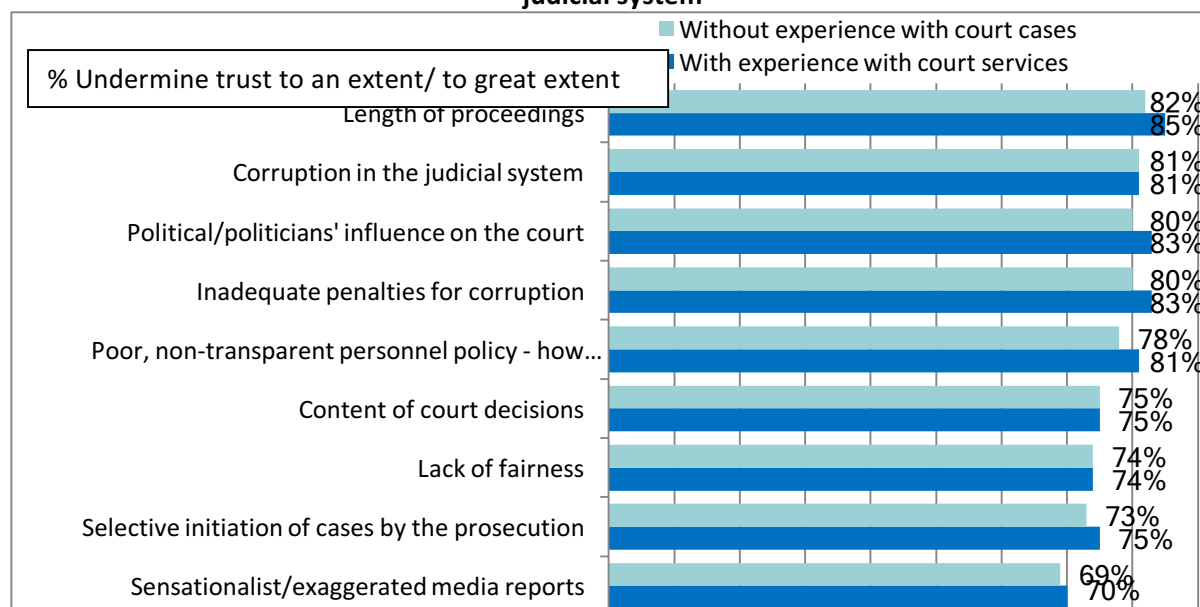
208. **The trust in the judicial system has increased among citizens with and without experience with court cases, but somewhat more with those with experience (10% and 6% respectively).** So, while in 2009 somewhat more people without experience showed trust in the judiciary, the two groups became closer in 2013 (Figure 2.6.2)



Note: Question: General public: Rate the degree in which you trust the following sectors and institutions in the last 12 months? Scale from 1 to 5, 1 = 'not at all' and 5 = 'fully' Base: General public total target population

209. **According to citizens' views, the whole variety of factors undermines the trust in the judicial system.** Over 80% selected length of proceedings, corruption, political influence, inadequate penalties for corruption, and poor, non-transparent personnel policy. Over 70% named content of court decisions, lack of fairness, and selective initiations of the cases. Finally, 70% named the sensationalist media reports. In comparison to court service providers' estimates of the factors undermining integrity of judicial system (as shown above, Section 2.3.f), citizens allocate more responsibility for reduced trust to all of the factors, with the exception of the media. While sensationalist media reports were the most frequently named factor by judges and prosecutors (78% and 80%), it was the least frequently selected by the citizens (70%)

**Figure 2.6.3: 2013 share of citizens who estimate the listed factors to undermine the trust in judicial system**



Note: Question: General public: To what extent did the following factors undermine the trust of the citizens in the judicial system in the last 12 months? Scale from 1 to 5, 1 = 'not at all' 2 = 'mostly not', 3 = 'to an extent', 4 = 'to a great extent' Base: General public total target population

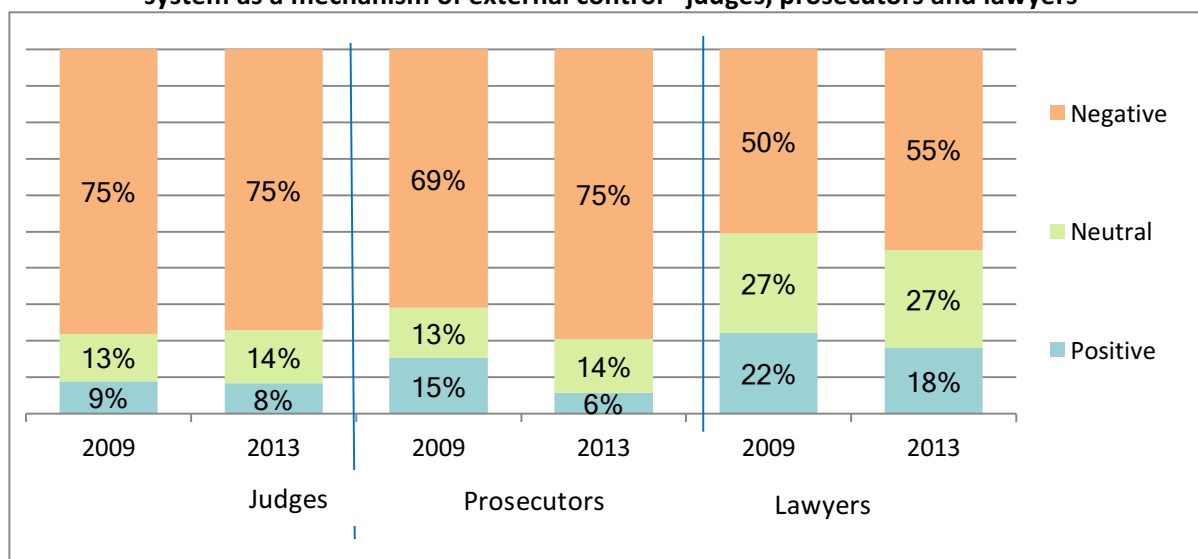
## 2.7 Perceptions about the role of media in creating the image of judiciary

### Summary

210. Legal professionals view media as highly responsible for the negative image of the judicial system. A substantial percentage of judges and prosecutors as well as of lawyers share the attitude that the media, as a mechanism of external control, has negative influence on integrity of the judicial system, and that, in general, the media generates a negative image of the judiciary. This attitude is the least shared among the citizens. Citizens are divided in their opinions about the role of media in creating the image of the judicial system, but most frequently (36%) they think that the image created by the media is objective.

211. **Judges, prosecutors and lawyers consider the media highly responsible for the negative public perception of the judicial system.** As already shown above (sections 2.3.f and 2.4.a), according to legal professionals (judges, prosecutors and lawyers), the media are one of the main factors (if not the main one) that jeopardize the integrity as well as the independence of the judicial system. A great majority of judges (75%) and prosecutors (75%), and more than half of lawyers (55%) also believe that the media, as a mechanism of external control, had negative influence on the integrity of judicial system. In comparison with 2009, these attitudes did not change with judges, and even somewhat increased with prosecutors and lawyers (Figure 2.7.1)

**Figure 2.7.1: 2009 and 2013 perception of the influence of media on the integrity of the judicial system as a mechanism of external control - judges, prosecutors and lawyers**

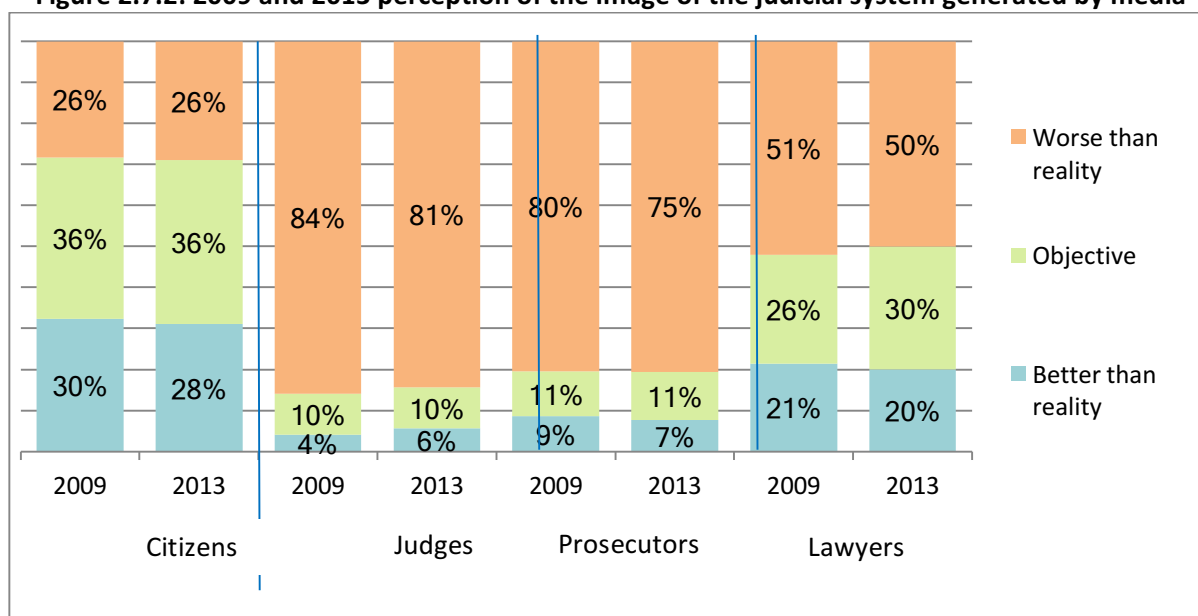


Note: Question: What influence had the media on the integrity of the judicial system as a mechanism of external control? Scale: 1=Negative, 2=Neutral, 3=Positive. Base: Legal professionals total target population

212. Not surprisingly, over 80% of judges and 75% of prosecutors think that the media generates the negative image of the judiciary, while 50% of lawyers share this attitude. (Figure 2.7.2)

213. On the other hand, citizens are divided in the opinions about the role of the media in creating the image of the judicial system, but most frequently (36%) they think that the image generated by the media is objective. (Figure 2.7.2)

**Figure 2.7.2: 2009 and 2013 perception of the image of the judicial system generated by media**



Note: Question: What image of the judicial system do media in Serbia generate in general? Scale: 1=worse than reality, 2=objective, 3= better than reality. Base: General population, judges, prosecutors and lawyers - total population

### 3. ACCESS TO JUDICIAL SERVICES

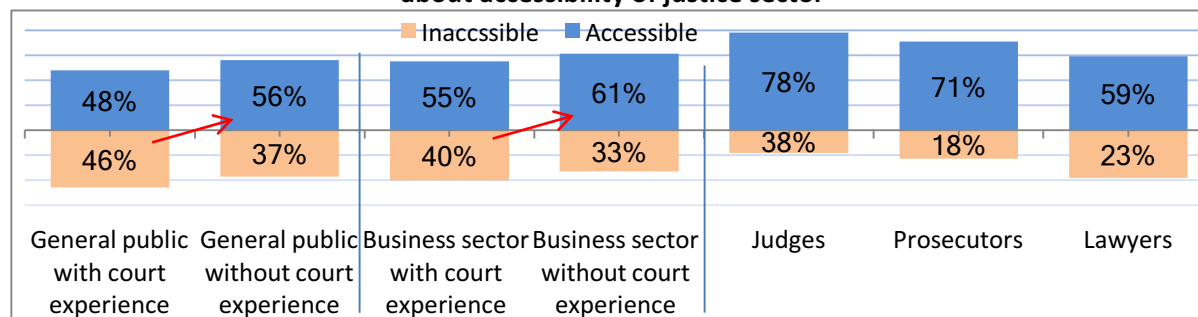
#### 3.1 General perception of accessibility of judicial system

##### Summary

214. A majority of the users of court services, with the exception of the general public with experience with court cases, think that the judicial system was in general accessible to citizens, but users as well as lawyers, still evaluate court services as less accessible than providers. The difference in perceptions of accessibility of the judicial system between users and providers of court services is especially noticeable in the case of users the general public with experience with court cases - while less than half of them view the judicial system as accessible to all citizens, over 70% of court service providers share this opinion. The views between the users and providers of court services became somewhat closer in 2013 in comparison with 2009, as perceptions of providers became more negative, but the gap is still quite large. The gap is bigger with users with experience with court cases since their opinions are more negative and have not changed over time, while the opinions of users without experience have somewhat improved. Users and providers of court services agree that the judicial system is hardly accessible to citizens in terms of costs (primarily in terms of lawyer costs, and then court costs), but mostly accessible in terms of information, geographical distance of the courthouse and courthouse layout.

215. **Most users of court services consider the judicial system generally accessible to citizens, but this opinion is shared by a significantly lower percentage of users than of providers of court services.** A majority of the users, with the exception of the general public with experience with court cases, think that the judicial system was in general accessible to citizens. However, positive impressions are somewhat less present with users with experience with court cases, than with users without such experience. The most negative perceptions are found with members of the general public with court experience, among which somewhat less than half have positive views (48%), and almost the same percentage have negative impressions (46%). Perceptions of members of the business sector are somewhat more positive than perceptions of the general public, but similar to the general public, perceptions of members of the business sector with experience with court cases are less positive than perceptions of those who did not have this experience (55% and 61% respectively). Perceptions of lawyers are similar to perceptions of users, while substantially higher percentage of judges (78%) and prosecutors (71%) think that the judicial system was accessible to all citizens. (Figure 3.1.1)

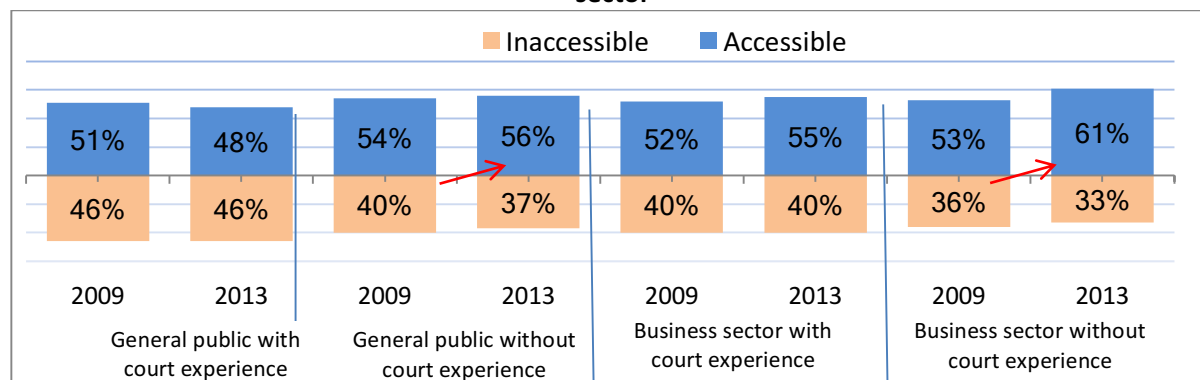
**Figure 3.1.1: 2013 perceptions of users of court services, providers of court services and lawyers about accessibility of justice sector**



Note: Question: General public and business sector: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, ethnicity, handicap, the language they use...? Judges, prosecutors and lawyers: To what extent were the courts accessible to all citizens, notwithstanding their age, education level, financial status, ethnicity, disability... in the last 12 months? Scale: 1. Very inaccessible 2. Mostly inaccessible 3. Mostly accessible, 4. Fully accessible. Base: Total target population

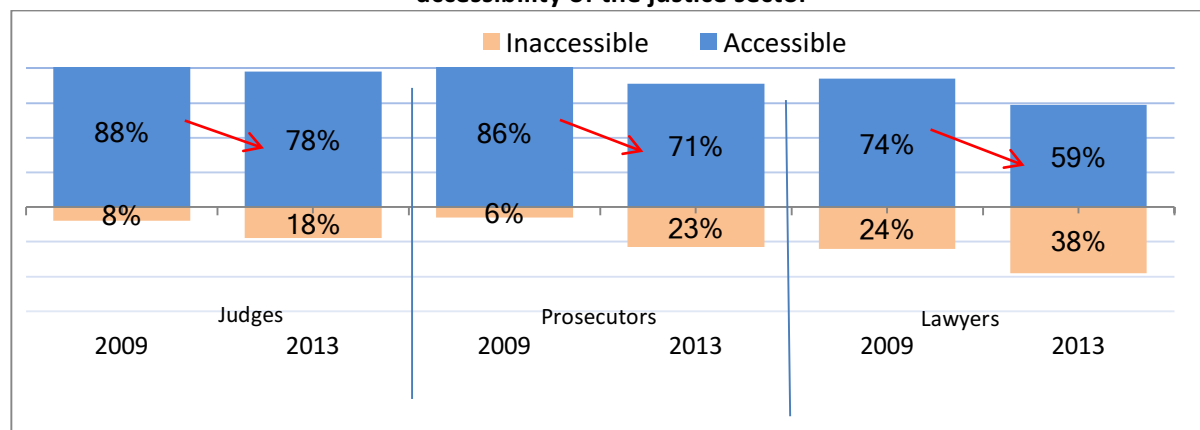
216. In comparison with 2009, the impressions of users without court experience have somewhat improved, but the impressions of users with experience with court cases did not change. On the other hand, perceptions of court services providers became substantially less positive, and so somewhat closer to perceptions of users. The percentage of court services providers who think that the judicial system was accessible to all citizens decreased by 10 points with judges (from 88% to 78%), and by 15 points with prosecutors (from 86% to 71%). The percentage of lawyers who think that the judicial system is accessible to all citizens substantially decreased as well, but their views are closer to perceptions of the users without experience with court cases, than to users with this experience. (Figure 3.1.2 and Figure 3.1.3)

**Figure 3.1.2: 2009 and 2013 perceptions of users of court services about accessibility of justice sector**



Note: Question: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, ethnicity, handicap, the language they use...? Scale:1. Very inaccessible 2. Mostly inaccessible 3. Mostly accessible, 4. Fully accessible. Base: General public and business sector total target population

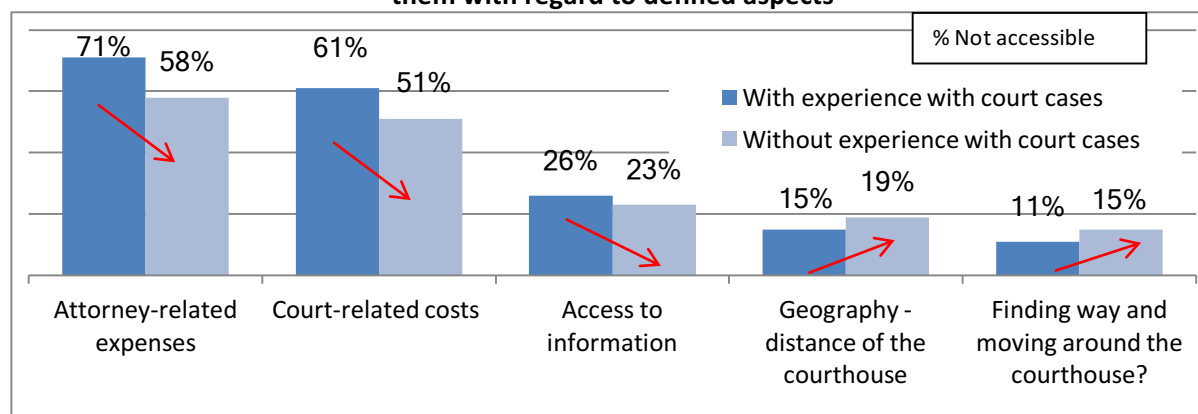
**Figure 3.1.3: 2009 and 2013 perceptions of providers of court services and lawyers about accessibility of the justice sector**



Note: Question: To what extent were the courts accessible to all citizens, notwithstanding their age, education level, financial status, ethnicity, disability... in the last 12 months? Scale:1. Very inaccessible 2. Mostly inaccessible 3. Mostly accessible, 4. Fully accessible. Base: Judges, prosecutors and lawyers total target population

217. Users of judicial services among general population view costs of proceedings as the biggest problem of accessibility of the judicial system to citizens. This opinion is substantially more present with users with experience with court cases, than with users without this experience: 71% of users with court experience think that the judicial system is not accessible to citizens in terms of lawyers' expenses and 61% in terms of court-related costs. This opinion is shared by a substantially smaller percentage of users without experience (58% and 51% respectively). On the other hand, a majority of users finds the judicial system accessible in terms of information, geographical distance of courthouse and courthouse layout. (Figure 3.1.4)

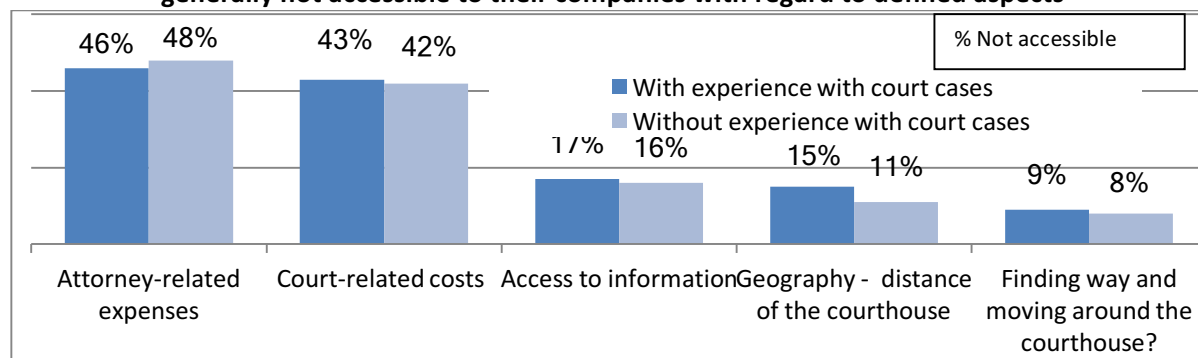
**Figure 3.1.4: 2013 share of general public who believe that judicial system is not accessible to them with regard to defined aspects**



Note: Question: How accessible is the judicial system to you personally? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

218. **Costs are perceived as the biggest barrier to accessibility of the judicial system to companies as well.** However, in comparison to the general population, a smaller percentage of members of the business sector think that the judicial system is inaccessible to their company due to expenses either related to lawyer or to court (somewhat over 40%). A minor share of members of the business sector views access to information, geographical distance of courthouse and courthouse layout as a problem. (Figure 3.1.5)

**Figure 3.1.5: 2013 share of members of business sector who believe that judicial system is generally not accessible to their companies with regard to defined aspects**

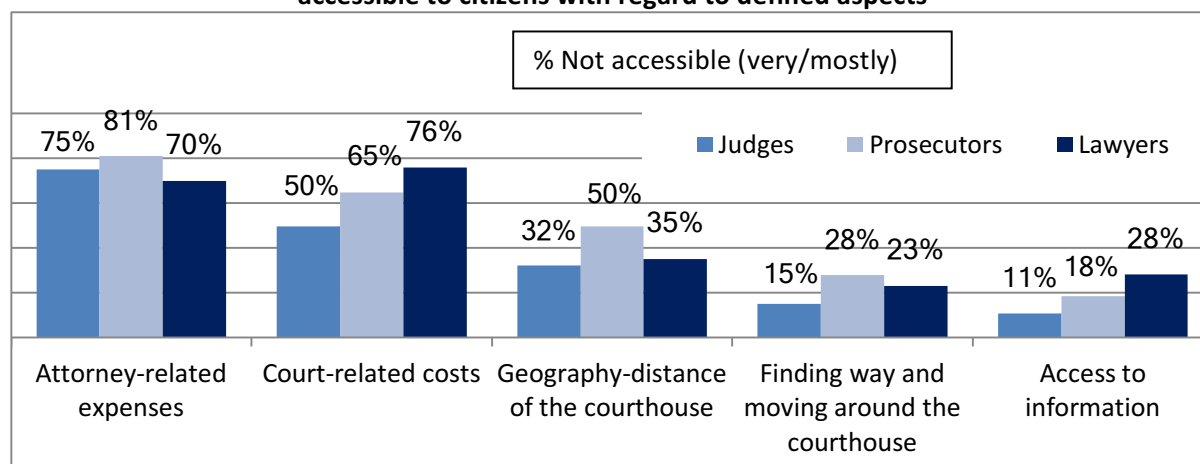


Note: Question: How accessible is the judicial system to your company? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

219. **Providers of judicial system services agree with the users that costs of court proceedings are the biggest obstacle to accessibility of the court system to the citizens.** In comparison with the citizens who have experience with a court case, an even higher percentage of the judges (75%) and prosecutors (85%) think that attorney-related costs are a barrier to accessibility of the judicial system. On the other hand, a smaller percentage of the judges than the citizens who have experience with a court case evaluate that court expenses are a barrier to accessibility of judicial system (50%). As regards the prosecutors, they agree more with the citizens in that respect (65%). Finally, not surprisingly, higher percentage of attorney see the court-related costs as problem with court accessibility (76%), than attorney-related costs (70%). (Figure 3.1.6)



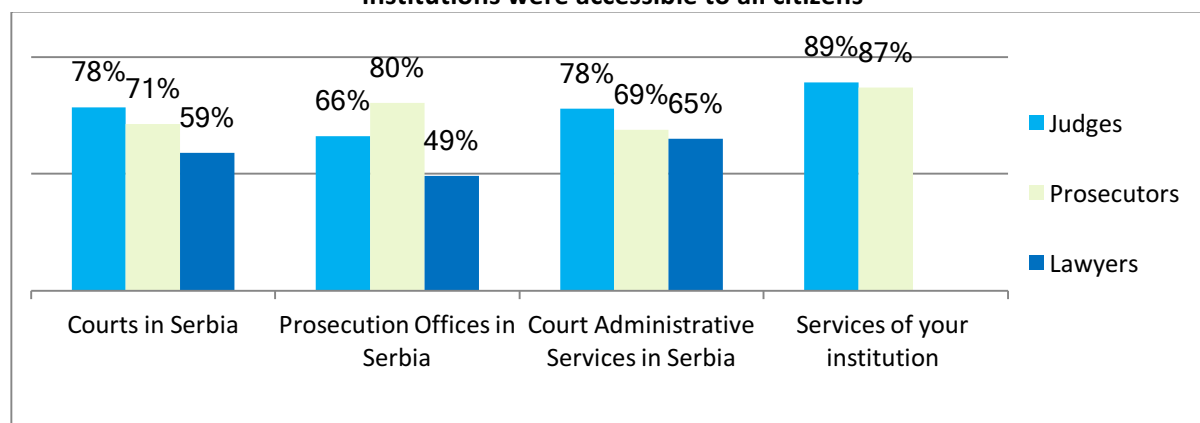
**Figure 3.1.6: 2013 share of legal professionals who believe that judicial system is generally not accessible to citizens with regard to defined aspects**



Note: Question: How accessible is currently the judicial system o citizens? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Judges, prosecutors and lawyers total target population

220. **Interesting enough, court services providers estimate the services of the institution they work for as more accessible to all citizens than the same institution in general:** 78% of judges estimated courts in Serbia as accessible to all citizens, but 89% estimated the court they work for as accessible; 80% of prosecutors estimated prosecution offices in Serbia as accessible, but 87% estimated the prosecution office they work for as accessible. In the same way, higher percentage of judges estimated courts in Serbia as accessible than prosecution offices (78% and 66% respectfully), and vice versa in the case of prosecutors (80% estimated prosecution offices in Serbia as accessible, and 71% courts in Serbia as accessible). Lawyer’s views are closer to judges - 10% more lawyers perceive courts as accessible to citizens than prosecution offices. (Figures 3.1.7)

**Figure 3.1.7: 2013 share of court service providers and lawyers who believe that listed judicial institutions were accessible to all citizens**

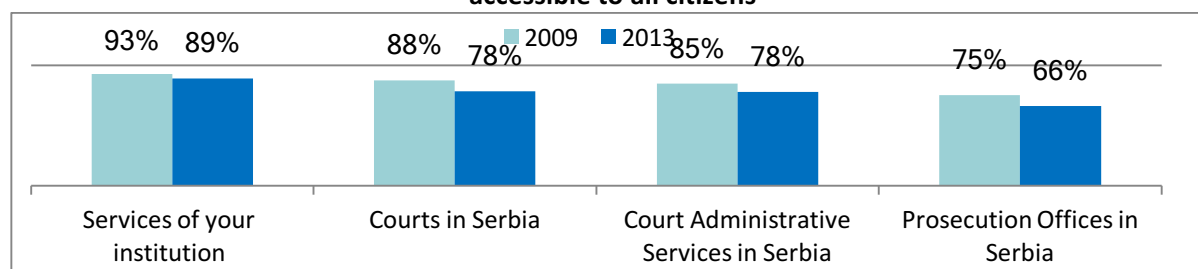


Note: Question: To what extent were the following judicial institutions accessible to all citizens in the last 12 month? Scale: 1.Very inaccessible, 2. Mostly inaccessible, 3. Mostly accessible, 4.Very accessible.<sup>22</sup> Base: Judges, prosecutors and lawyers total target population

221. **In comparison with 2009, percentages of service providers who think that listed institutions were accessible to all citizens have decreased,** but much less of a decrease when it comes to services of the institution the provider of the services works for, than in the case of other institutions. (Figures 3.1.8 and 3.1.9)

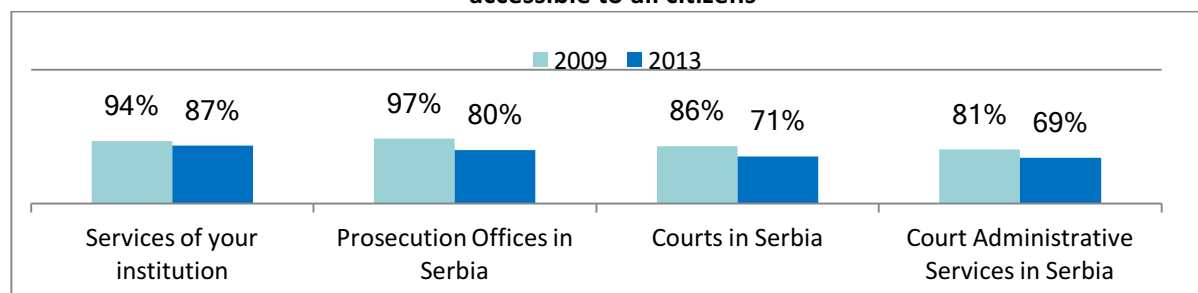
<sup>22</sup> Lawyers were not asked about services of their institution

**Figure 3.1.8: 2009 and 2013 share of judges who believe that listed judicial institutions were accessible to all citizens**



Note: Question: To what extent were the following judicial institutions accessible to all citizens in the last 12 month? Scale: 1. Very inaccessible, 2. Mostly inaccessible, 3. Mostly accessible, 4. Very accessible. Base: Judges total target population

**Figure 3.1.9: 2009 and 2013 share of prosecutors who believe that listed judicial institutions were accessible to all citizens**



Note: Question: To what extent were the following judicial institutions accessible to all citizens in the last 12 month? Scale: 1. Very inaccessible, 2. Mostly inaccessible, 3. Mostly accessible, 4. Very accessible. Base: Prosecutors total target population

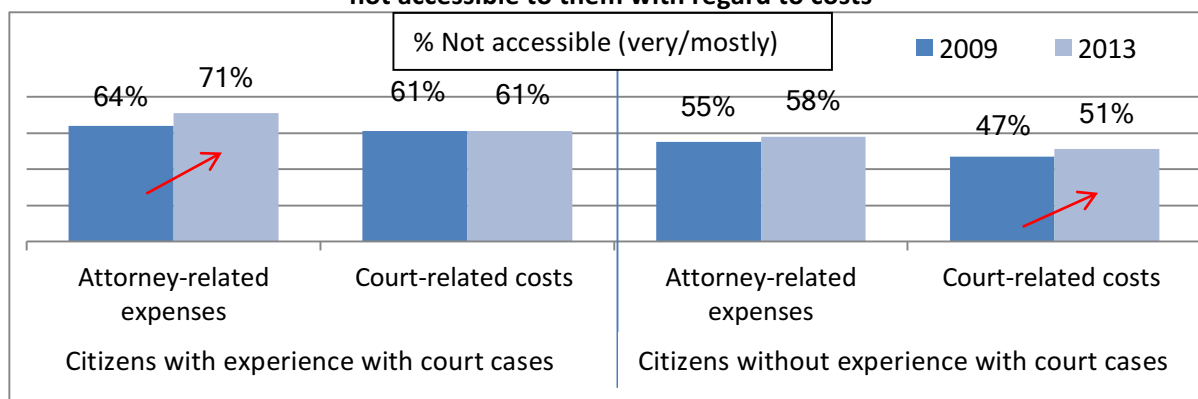
## 3.2 Financial access

### 3.2.a Perceptions of general public about the accessibility of judicial system with regards to costs

222. **Costs associated with court cases are evaluated by the general population as the biggest barrier to accessibility of the judicial system.** As shown above (Figure 3.4), the biggest burdens for the citizens are attorney-related expenses, followed by court-related costs. Let's now consider changes in perception of these costs between the citizens with experience and the citizens without experience with court cases in 2009 and in 2013.

223. **A higher percentage of the citizens with and without experience consider court case-related costs unaffordable in 2013.** In comparison with 2009, the percentage of the citizens with experience with a court case who think that lawyer-related expenses make the judicial system inaccessible to them has increased by 7%, while the percentage of the citizens who consider court-related costs as a barrier to accessibility of the judicial system has not changed. On the other hand, the percentage of the citizens without experience with a court case who think that court-related costs make the judicial system inaccessible to them has slightly increased (by 4%), while the percentage of those who think that lawyer-related costs are a barrier has not changed in 2013 as compared to 2009. (Figure 3.2.a1)

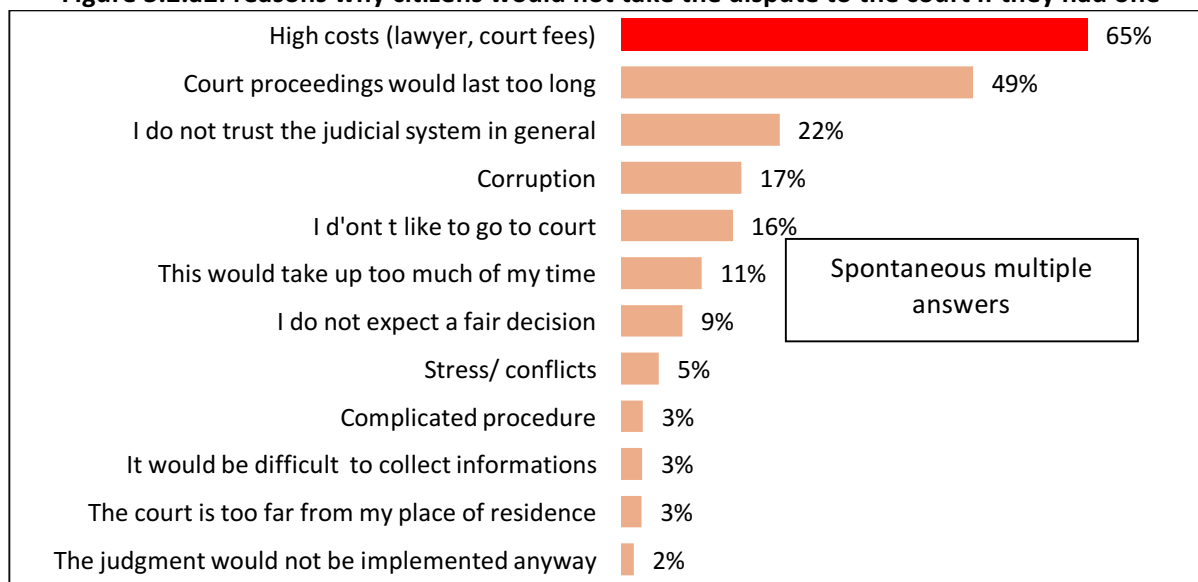
**Figure 3.2.a1: 2009 and 2013 share of general public who believe that judicial system is generally not accessible to them with regard to costs**



Note: Question: How accessible is the judicial system to you personally? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Citizens and business sector with experience with court cases

224. **High costs of the litigations are the most frequently mentioned reason why the high percentage of the citizens think that, if they had a dispute which they think could be settled in court, they most probably would decide against taking this dispute to the court.** In a survey conducted in January 2014<sup>23</sup>, as much as 63% of the citizens stated that, if they had a dispute which they think should be settled in the court, they would decide against such action (or would at least have a great dilemma). A majority of these citizens, 65%, mention the high costs as one of the top three reasons for not taking the dispute to the court. For the sake of comparison, the second most frequently mentioned reason is the excessive duration of court proceedings, which is mentioned by a considerably smaller percentage of the citizens, 49%. (Figure 3.2.a2)

**Figure 3.2.a2: reasons why citizens would not take the dispute to the court if they had one**

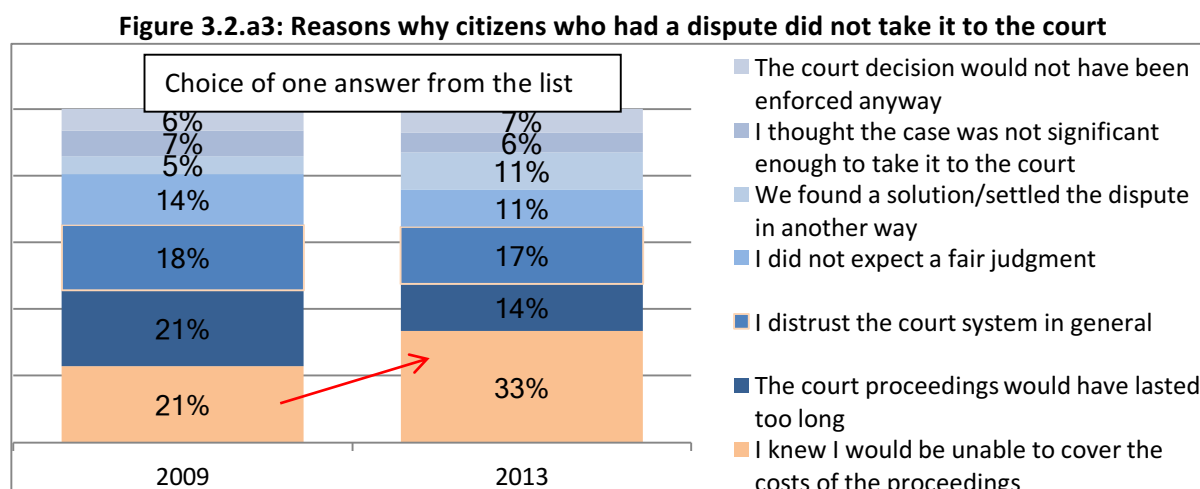


Note: Question: Why you would not take the dispute to the courts if you had one, what are the key reasons? Please name them by the order of importance, and first tell me the most important one. Multiple Spontaneous answers, up to 3 answers. Base: 63% of general public who stated that if they had a dispute which they think could be settled in court, they would most probably decide against this action)

225. **Citizens who already had a dispute they thought should be settled in the court but decided against such action (12% in 2009 and 9% in 2013), named most frequently the costs as the main reason for this decision too.** One third of these citizens named high costs as the main reason for not

<sup>23</sup> Omnibus Survey with random representative sample of the citizens of Serbia, age 18+, n=1003, conducted in January 2014 by Ipsos Strategic Marketing for the World Bank

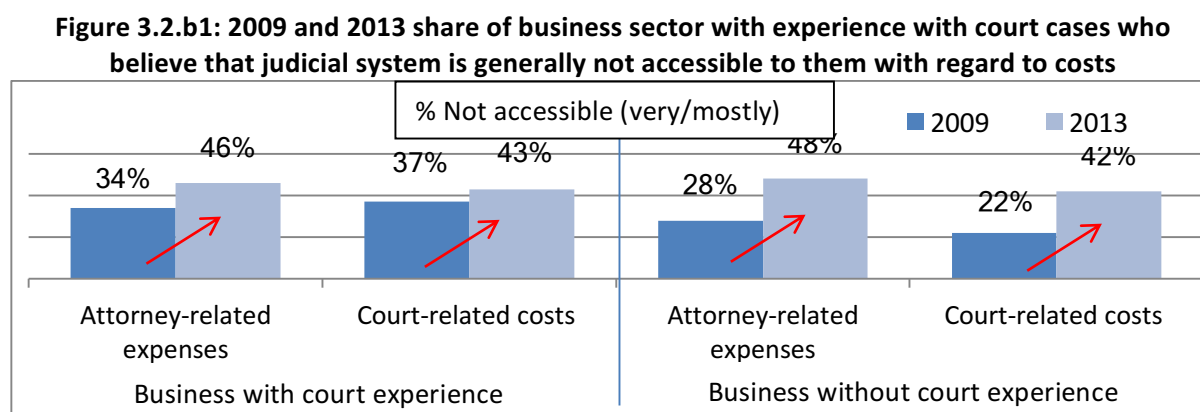
pursuing the case in the court. It is followed by distrust in the court system in general and long duration of proceedings, which was named as the main reasons by substantially less people (18% and 14% respectively). In comparison to 2009, the number of people who named costs as the main reason has increased for 12%. (Figure 3.2.a3)



**3.2.b Perceptions of members of the business sector about the accessibility of the judicial system with regards to costs**

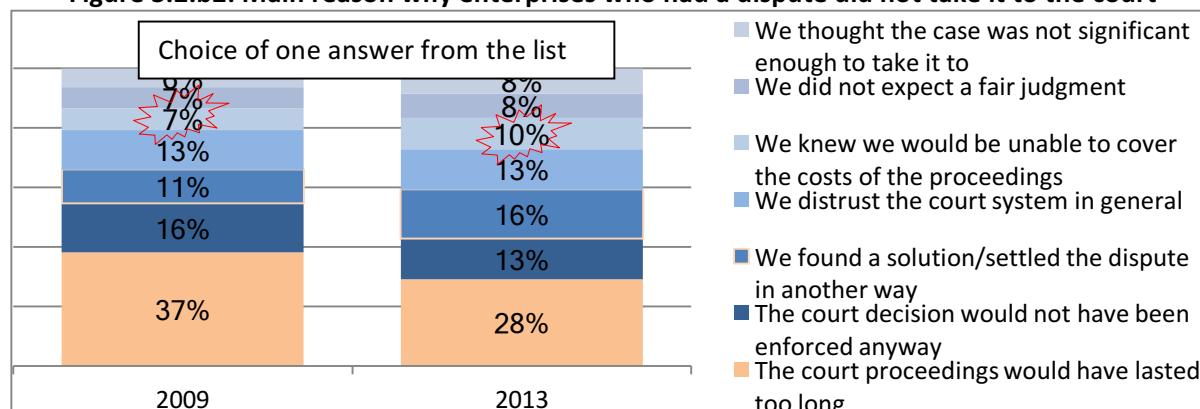
226. Similar to the general population, as already shown above (Figure 3.1.5), representatives of the business sector also consider high costs of litigations as the biggest barrier to accessibility of the judicial system to businesses.

227. In comparison with the year 2009, the percentage of representatives of the business sector who state that the judicial system is not accessible to them because of attorney-related and court-related costs has increased considerably, particularly in the case of representatives of the business sector who do not have experience with court cases. The percentage of business sector representatives without experience with court cases who stated that the judicial system is inaccessible to their company because of costs has increased by as much as 20% (with regard to both lawyer-related costs and court-related costs), while the increase is smaller in the case of representatives of the business sector with court experience: 12% in case of attorney-related expenses, and 7% in case of court-related costs. (Figure 3.2.b1)



228. However, among the members of the business sector who claimed that they already had a dispute they thought should be settled in the court but decided against such action (30% in 2009 and 24% in 2013), only 10% in 2013 and 7% in 2009 name costs as the main reason for not pursuing the case in the court. Duration of proceedings was named most often as the main reason for such decision (37% in 2009 and 28% in 2013). (Figure 3.2.b2)

**Figure 3.2.b2: Main reason why enterprises who had a dispute did not take it to the court**



Note: Question: What was one main reason why you didn't take the case to court? Base: Business sector who had dispute they thought should be settled in court but decided against such action; 30 in 2009, and 24% in 2013

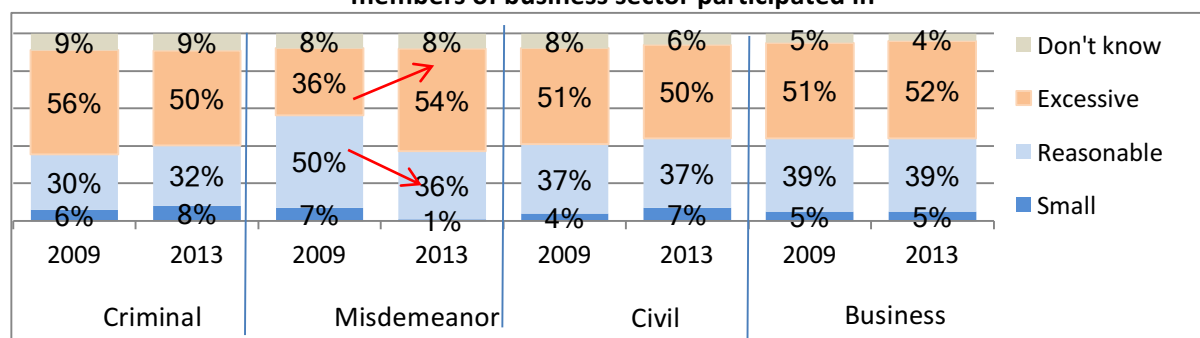
**3.2.c Perceptions of the general public and business sector about the affordability of courts in the specific case the court users participated in**

**Summary**

229. A majority of users of judicial services who have experience with a court case state that costs of their specific case was too high. In criminal cases the biggest share in costs were attorney-related expenses, in civil cases the costs are equally distributed between attorneys and court-related costs, while in misdemeanor cases, and in the business sector the share of court-related costs is dominant. A majority of the citizens, and more than one third of company representatives state that the cost of court cases were an excessive burden for their budget, but the burden is perceived as considerably smaller and costs as more reasonable if satisfaction with quality of proceedings is bigger.

230. Circa one half of the users of court services state that overall cost of their court case was too high. It is interesting that, in comparison with 2009, the percentage of the users of judicial services who evaluate these costs as excessive changed only in the case of citizens who had a misdemeanor case: the percentage of the citizens who had a misdemeanor case who evaluate their costs as excessive has increased by as much as 18% (from 36% to 54%). (Figure 3.2.c1).

**Figure 3.2.c1: 2009 and 2013 perceptions of the overall costs of the specific court case citizens and members of business sector participated in**



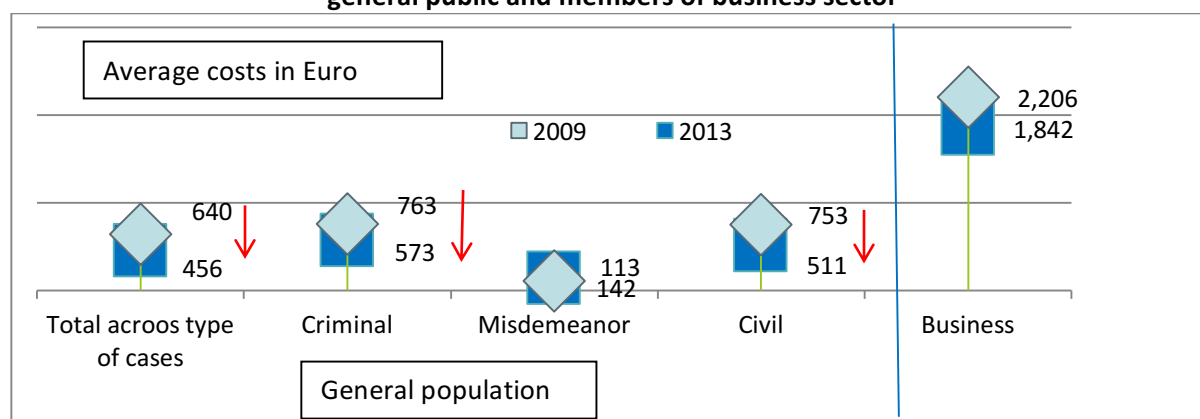
Note: Question: Do you think the costs were small, "reasonable" or excessive given the quality of court services you were provided?. Base: General public and business sector with experience with court cases

231. According to the citizens, average total costs were circa 750 Euros in criminal and civil cases, and around 140 Euros in misdemeanor cases (Figure 3.2.c2)<sup>24</sup>. In comparison with the costs reported in 2009, the costs, on average, have been reduced in criminal and civil cases, with no change in misdemeanor cases. On average, in criminal cases the costs have been reduced by 28%, and in civil cases by 32%.

232. According to the data reported by representatives of the business sector, the costs of the litigations of their companies were, on average, circa 1800 Euros. Although the costs reported in 2009 were, on average, somewhat higher in comparison to 2013, variation of reported data in 2009 is high, so the conclusion that the costs have also been reduced in cases of business sector would not be sufficiently reliable. (Figure 3.2.c2)

233. The range of reported costs in all types of court cases is rather big, as shown in Table 3.2.c1. In criminal cases in 2013, 27% of the users of court services reported costs exceeding 500 Euros (15% up to 1000 Euros, 8% up to 2000 Euros, 4% up to 4000 Euros, and 1% more than 4000 Euros). In civil cases, 25% reported costs exceeding 500 Euros (15% up to 1000 Euros, 7% up to 2000 Euros, 2% up to 4000 Euros and 1% more than 4000 Euros). In misdemeanor cases 23% of the citizens reported costs exceeding 100 Euros (14% up to 300 Euros, 3% up to 500 Euros, 3% up to 1000 Euros and 3% up to 2000 Euros). (Figure 3.2.c3)

**Figure 3.2.c2: 2009 and 2013 average costs of the specific court case based on reported costs by general public and members of business sector**



Note: Question: How much did the case cost you altogether? Total cost imply all costs and taxes, the lawyer's fee and travel costs (but does not include fines). Base: Members of general public and business sector with experience who reported total costs of their case (Percent who answered out of total target population: Criminal 2009 92%, 2013 97%; Misdemeanor 2009 95%, 2013 100%; Civil 2009 83%, 2013 100%; Business sector 2009 95%, 2013 94%)

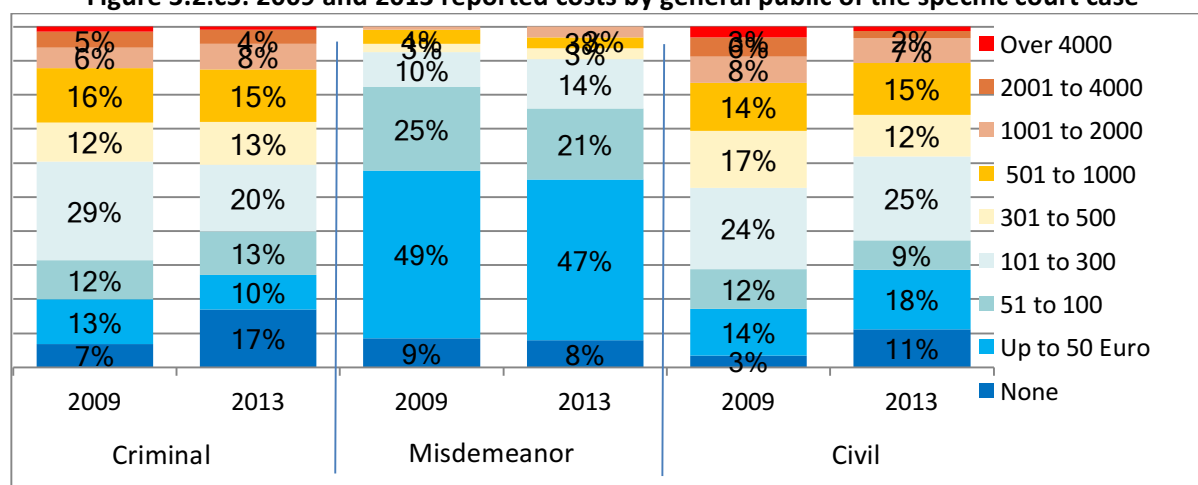
<sup>24</sup>Note that all distributions of the costs are skewed so that the median, the value separating the higher and lower 50%, are in all distributions of costs much lower than means (as shown in Table 3.1.c1). We presented means for convenience of obvious comparisons in spite that due to skewness of the distribution, means are somewhat unrealistic. For distribution of costs see also Figure 3.2.c3

Table 3.2.c1 2009 AND 2013 MINIMUM AND MAXIMUM COSTS IN EURO REPORTED BY GENERAL PUBLIC AND MEMBERS OF BUSINESS SECTOR (How much did the case cost you altogether? Total cost imply all costs and taxes, the lawyer's fee and travel costs (but does not include fines). Base: Members of general public and business sector with experience who reported total costs of their case (Percent who answered out of total target population: Criminal 2009 92%, 2013 97%; Misdemeanor 2009 95%, 2013 100%; Civil 2009 83%, 2013 100%; Business sector 2009 95%, 2013 94%)

		Criminal	Misdemeanor	Civil	Business
2009	Minimum	0	0	0	20
	Maximum	26.000	1.100	10.000	80.000
	Median*	280	30	300	800
2013	Minimum	0	0	0	30
	Maximum	10.000	1.500	15.000	51.000
	Median*	200	50	200	730

\*Value separating the higher and lower 50%

Figure 3.2.c3: 2009 and 2013 reported costs by general public of the specific court case



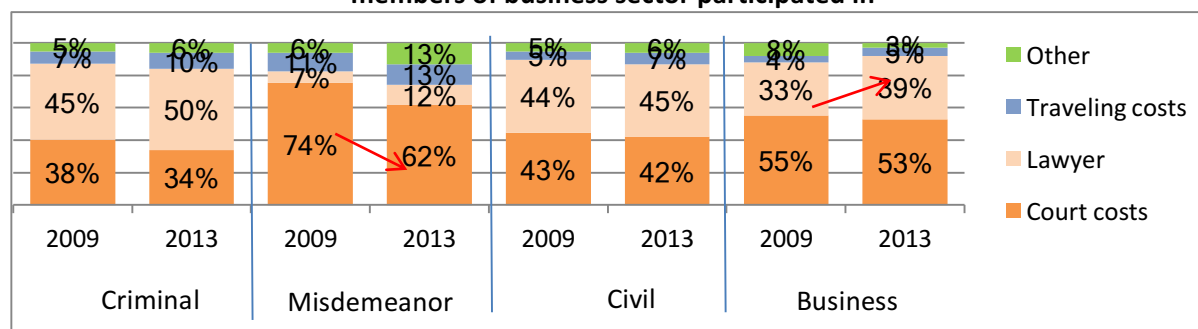
Note: Question: How much did the case cost you altogether? Total cost imply all costs and taxes, the lawyer's fee and travel costs (but does not include fines). Base: Members of general public with experience who reported total costs of their case (Percent who answered out of total target population: Criminal 2009 92%, 2013 97%; Misdemeanor 2009 95%, 2013 100%; Civil 2009 83%, 2013 100%)

234. According to users of court services distribution of costs varies depending on the type of case:

- In criminal cases about one half of total costs are the share of attorney-related expenses, and about one third of total costs are the share of court-related costs.
- In misdemeanor cases the biggest share in total costs are court-related costs, 62% (but in comparison with 2009 this share was reduced from 74% to 62%), while the share of attorney-related costs is just 12%;
- In civil cases attorney-related and court-related costs are evenly distributed (45% are attorney-related costs and 43% are court related costs, and this percentage was very similar to one reported in 2009);
- In court cases of the business sector somewhat more than a half of overall costs are the share of court-related costs, 53%, and 39% the share of attorney-related costs (in comparison with 2009 the share of attorney-related costs has somewhat increased). (Figure 3.2.c4)



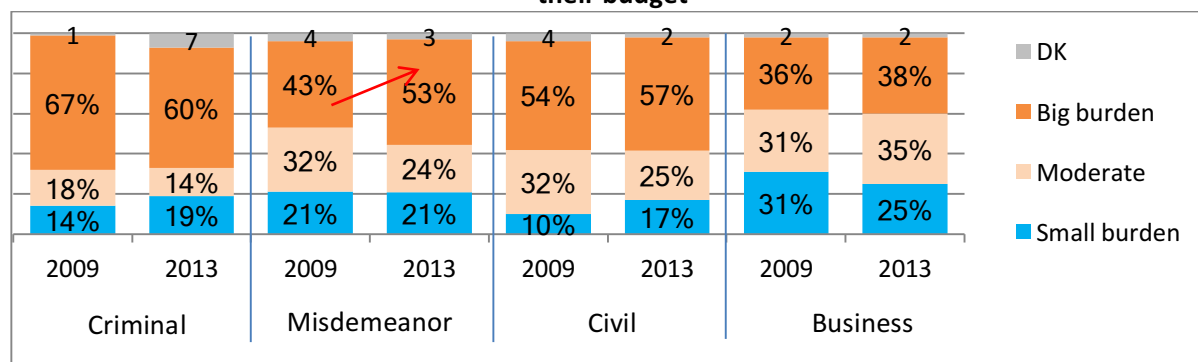
**Figure 3.2.c4: 2009 and 2013 estimated cost breakdown -mean percentages of the court costs, lawyer costs, traveling costs, and other costs in total costs in the specific court case citizens and members of business sector participated in**



Note: Question: Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any? Base: General public and business sector with experience with court cases who reported data (Percent who answered out of total target population: Criminal 2009 85%, 2013 97%; Misdemeanor 2009 93%, 2013 100%; Civil 2009 77%, 2013 100%; Business sector 2009 95%, 2013 94%)

235. **A majority of the citizens state that costs of their court case were too big for their budget:** 60% in criminal cases, 57% in civil cases and 53% in misdemeanor cases. In comparison with 2009, the change has been recorded only in the case of the citizens who had a misdemeanor case, since a higher percentage of them state that costs of their court case were a big burden for their budget. Compared with the citizens, a smaller percentage of business sector representatives evaluate that costs of their court case were a big burden for their company, but this percentage is still considerable, 38%. (Figure 3.2.c5)

**Figure 3.2.c5: 2009 and 2013 court users evaluations of the burden of the costs of court case to their budget**

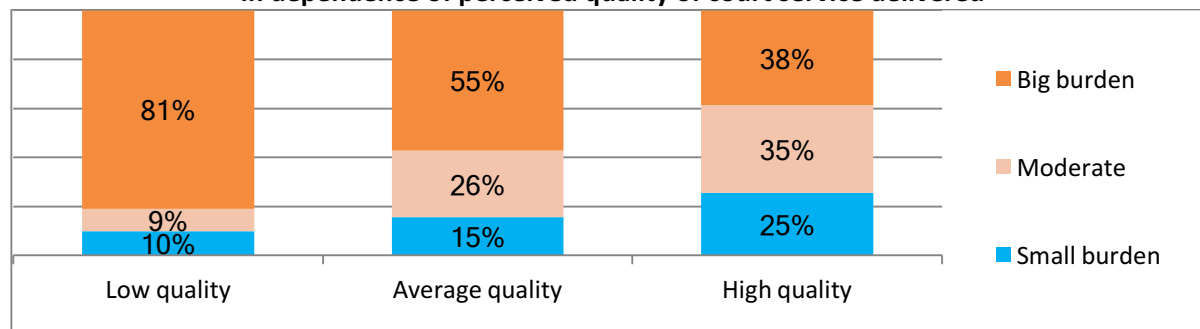


Note: Question: How much of a burden for your budget were these costs? Scale: 1 to 5, 1= Hugely, 5=Negligibly; Low=4,5, Moderate=3, High=1,2. Base: General public and business sector with experience with court cases

236. **It is striking, however, that the burden of these costs is perceived to be smaller, and the costs themselves more favorable proportionally to satisfaction with quality of court case.** Among the citizens who claim that quality of their court case was low, 81% perceive the costs of their court case as a big burden, and 75% claim that the costs were excessive, while among the citizens who evaluated the quality of their court case as high, 38% claim that their costs were a big burden and 29% claim that their costs were excessive. (Figures 3.2.c6 and 3.2.c7)

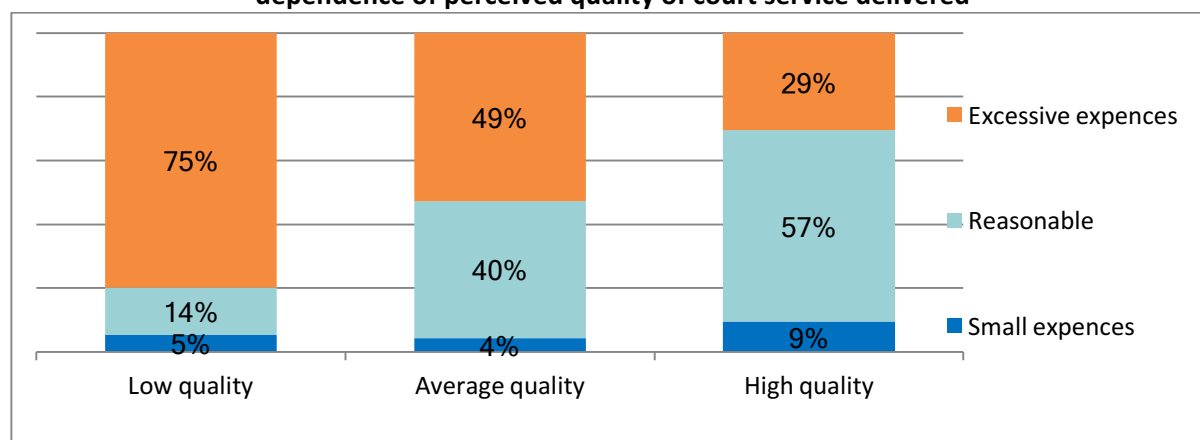


**Figure 3.2.c6: 2013 court users evaluations of the burden of the costs of court case to their budget in dependence of perceived quality of court service delivered**



Note: Question: How much of a burden for your budget were these costs? / What was the quality of judicial work in that specific case? Base: General public with experience with court cases

**Figure 3.2.c7: 2013 court users evaluations of the overall expenses of court case to their budget in dependence of perceived quality of court service delivered**



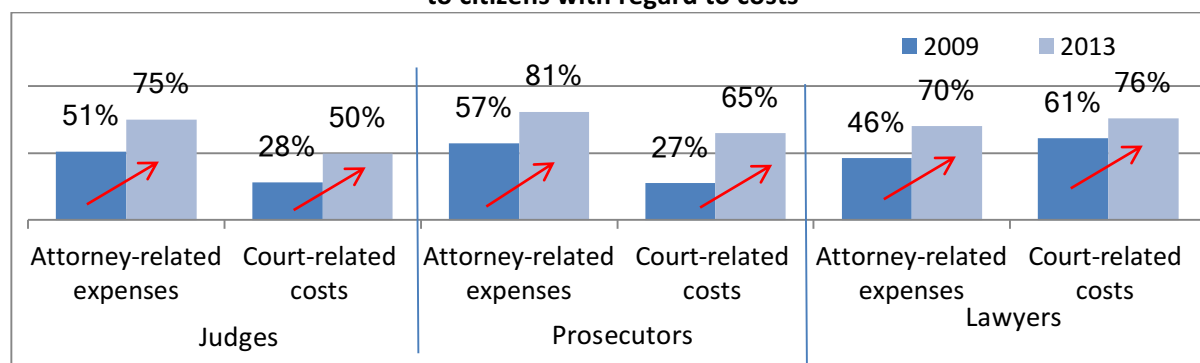
Note: Question: Do you think the costs were small, "reasonable" or excessive given the quality of court services you were provided? / What was the quality of judicial work in that specific case? Base: General public with experience with court cases

### **3.2.d Perceptions of court service providers and lawyers about the accessibility of the judicial system to the citizens with regards to costs**

237. **Providers of court services agree with users that costs of court proceedings are the biggest obstacle to accessibility of the court system to citizens** (as already shown above, Figure 3.1.6).

238. **In comparison with the year 2009, the percentage of respondents who think that the judicial system is hardly accessible to the citizens because of costs has increased also among judges, prosecutors and attorneys, and even considerably more than with the general population.** In 2009 less than one third of the judges and prosecutors were of the opinion that court expenses were a barrier to accessibility of the judicial system for the citizens, while in 2013 50% of the judges and 65% of prosecutors share that opinion. In comparison to 2009, in 2013 as much as 24% more of judges and prosecutors perceive attorney-related expenses as a problem in accessibility of judicial system; in case of judges this percentage has increased from 51% to 75%, and in case of the prosecutors from 57% to 81%. Percentage of those who think that costs are a problem in accessibility of the judicial system to the citizens has also increased considerably among the attorneys. It is interesting that the percentage of the attorneys who consider attorney-related expenses as a problem has increased more (from 46% to 70%) than the percentage of those who see court-related costs as a problem (from 61% to 76%). (Figure 3.2.d1)

**Figure 3.2.d1: 2013 share of legal professionals who believe that judicial system is not accessible to citizens with regard to costs**



Note: Question: How accessible is currently the judicial system to citizens? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Judges, prosecutors and lawyers, total target population

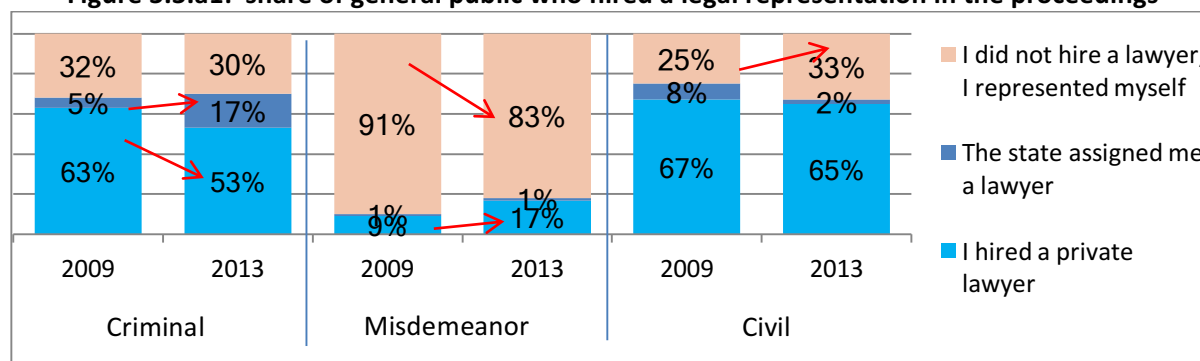
### 3.3 Access to lawyers / representation

#### 3.3.a Share of court users represented by a lawyer and by themselves

239. **Despite the fact that the majority of citizens think that costs of court cases are a big burden for them, according to the data reported in 2013, a majority of the citizens engaged a private attorney in criminal and civil cases.** According to the citizens, in criminal cases 53% hired the private lawyer, the state assigned an attorney in 17% of cases, and in 30% of cases the citizens represented themselves; in civil cases 65% hired a private lawyer, the state appointed an attorney in 2% of cases and 33% of the citizens represented themselves. Misdemeanor cases are an exception, where 17% of the citizens engaged a private lawyer and in 1% of the cases the state appointed the attorney, while in more than 80% of cases citizens represented themselves. (Figure 3.3.a1)

240. **In comparison with the year 2009, the number of users of private lawyers' services was increased or reduced, depending on type of case:** a somewhat higher percentage of the citizens who had a criminal case stated that the state assigned an attorney to them (17% against 5% in 2009), while the percentage of the citizens who engaged a private lawyer has decreased (from 63% to 53%); in misdemeanor cases percentage of the citizens who engaged a private attorney instead of representing themselves has somewhat increased (from 9% to 17%), while in civil cases the contrary has taken place, the percentage of the citizens who decided to represent themselves has increased (from 25% to 33%). (Figure 3.3.a1)

**Figure 3.3.a1: share of general public who hired a legal representation in the proceedings**

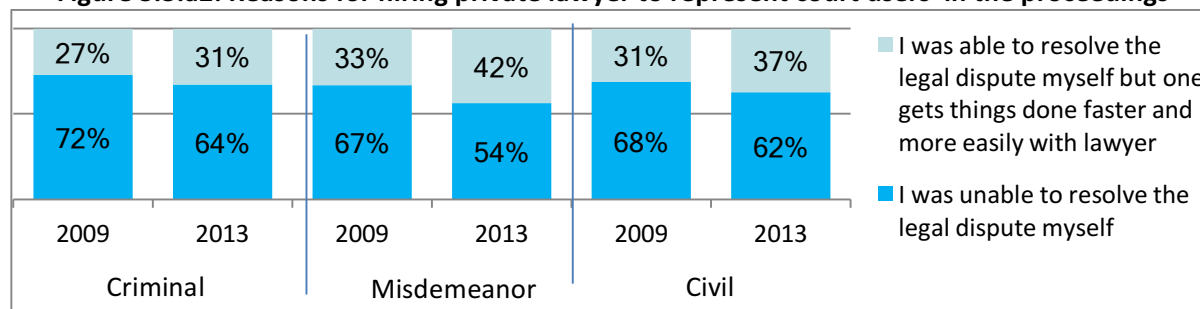


Note: Question: Did a lawyer represent you in the proceedings? Base: General public with experience with court proceedings

241. **A majority of the citizens decided to engage a private attorney because they realized that they were not able to cope themselves with the process, but a considerable percentage of the citizens did it out of conviction that the process will be finished faster and more easily with the help of an attorney (31% in criminal cases, 42% in misdemeanor cases and 37% in civil cases).** (Figure 3.3.a2)

242. **Majority of the citizens (more than 60%) have never been in the court without their attorney regarding their case.**

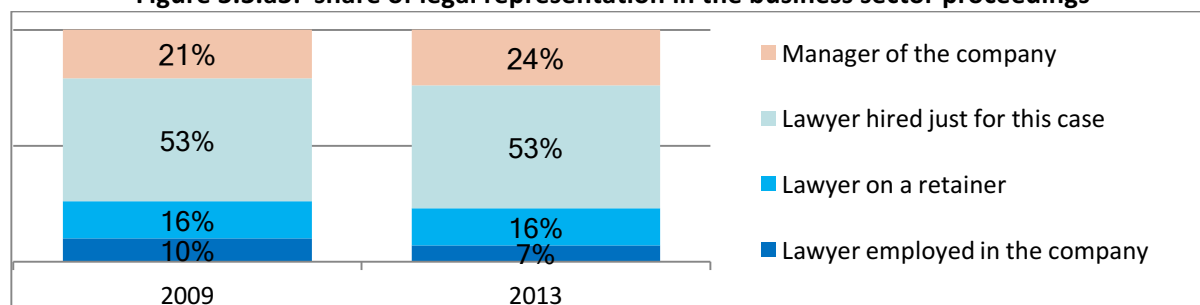
**Figure 3.3.a2: Reasons for hiring private lawyer to represent court users in the proceedings**



Note: Question: Why did you decide to hire a lawyer? Base: General public who hired lawyer to represent them in the court proceedings (Criminal cases: 63% 2009 and 53%; Misdemeanor: 9% 2009 AND 17% 2013; Civil: 67% 2009 and 65% 2013)

243. **In the business sector one out of four to five companies did not engage an attorney for their court case, but the company was represented by its manager (Figure 3.3.a3)**

**Figure 3.3.a3: share of legal representation in the business sector proceedings**



Note: Question: Did a lawyer represent you in the proceedings? Base: Business sector with experience with court proceedings

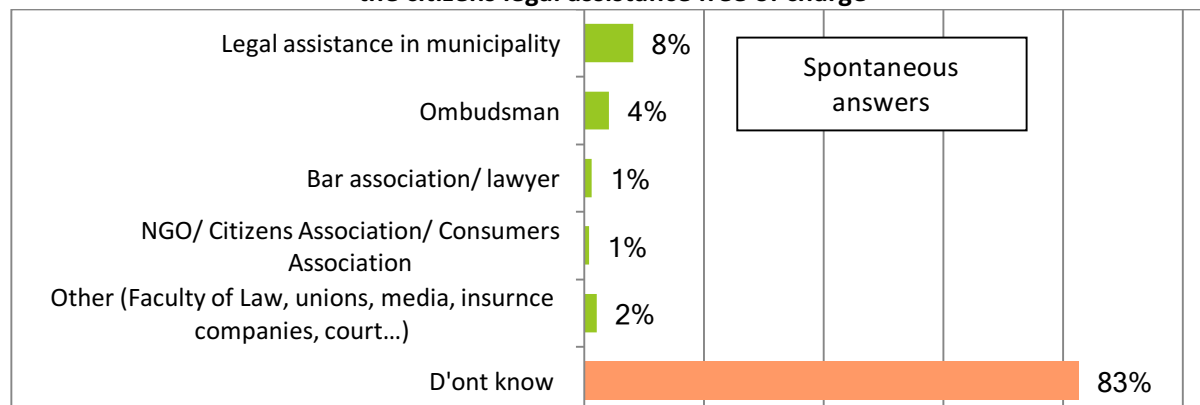
### **3.3.b Citizens' awareness of the organizations providing legal assistance free of charge**

244. **A great majority of citizens of Serbia, 83%, are not aware of any organization or institution that provides legal assistance free of charge.** Only 8% of citizens say that legal assistance is available in municipalities, and 4% mention the ombudsman; a total of 1% mention NGOs, or civil associations, or consumer associations. It is interesting that 1% mention even the Bar Association as an organization providing legal assistance free of charge. Others (about 2%) mention unions, the Faculty of Law, media, insurance companies and court. (Figure 3.3.b1)<sup>25</sup>

245. **Finally, 3% of citizens say they have used free legal assistance and a great majority of these 3% (93%) were satisfied with it.**

<sup>25</sup> Source: Survey with random representative sample of the citizens of Serbia, age 18+, n=1003, conducted in January 2014 by Ipsos Strategic Marketing for the World Bank

**Figure 3.3.b1: share of citizens who were able to name any organization or institution providing to the citizens legal assistance free of charge**



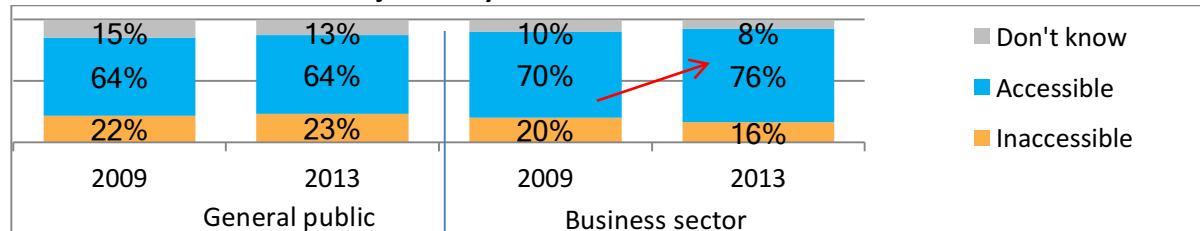
Note: Question: Can you name any organization or institution the people in Serbia can approach for legal assistance free of charge? Base: total population

### 3.4 Access to information

#### 3.4.a General perceptions of accessibility of the judicial system in terms of access to information

246. Most citizens (64%) and business sector representatives (76%) believe that information about the court system is at least mainly available to them. Compared to 2009, there is even a somewhat bigger proportion of business sector representatives who think that information is easily available (Figure 3.4.a1)

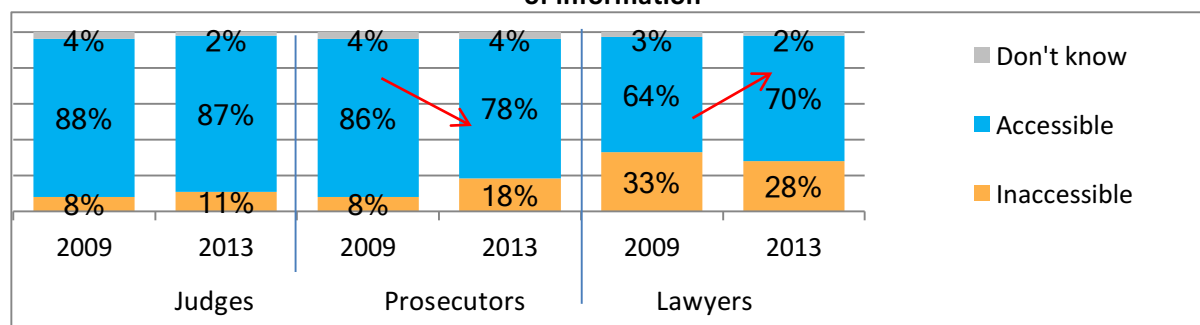
**Figure 3.4.a1: Perceptions of general public and business sector about the accessibility of the judicial system in terms of information**



Note: Question: How accessible was the judicial system to you personally in terms of access to information? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible Base: Total target population

247. An even bigger proportion of judges, prosecutors and lawyers than citizens think that information about the court system is at least somewhat available to citizens. This opinion is shared by the biggest proportion of judges, 87%, somewhat smaller proportion of prosecutors, 78%, and the smallest proportion of lawyers, 70%. Compared to 2009, the proportion of prosecutors who think that information is mainly available to citizens is reduced for 8%, the proportion of lawyers who share this opinion is increased by 6%, while there is no change in case of judges. (Figure 3.4.a2)

**Figure 3.4.a2: Perceptions of legal professionals about the accessibility of judicial system in terms of information**



Note: Question: How accessible is the judicial system to the citizens in terms of access to information? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible Base: Total target population

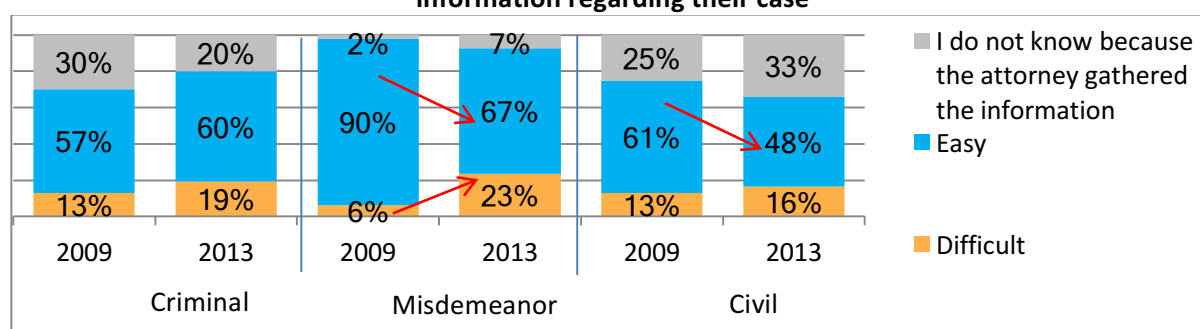
**3.4.b Perceptions of accessibility of information in the specific case the court users participated in**

248. Similar to the general perception of availability of information, most citizens evaluated that it was easy to obtain information about their particular court case. A substantial proportion of citizens (with exception of misdemeanor cases), let their lawyer collect information, but most of those who took part in collecting information were satisfied with how easily available it was. (Figure 3.4.b1)

249. Compared to 2009, however, there is a striking negative change in terms of perception of availability of information in misdemeanor cases (for which citizens themselves usually collect necessary information). The proportion of citizens with experience in misdemeanor cases who think that it is hard to obtain information is increased for 17%, while the percentage of those who consider it easy is reduced for 23%. (Figure 3.4.b1)

250. The proportion of those who say that it was easy to obtain information is reduced also in civil cases (from 61% to 48%), but there is an increased proportion of those who let their lawyer collect information (for 8%), so they couldn't make this evaluation (from 25% to 33%). (Figure 3.4.b1)

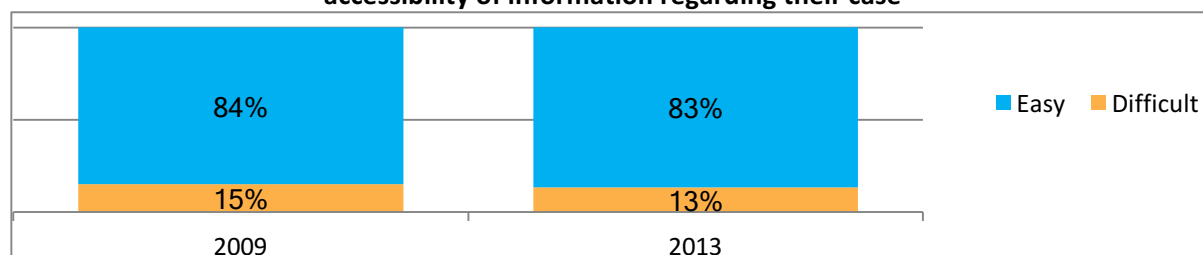
**Figure 3.4.b1: Perceptions of general public with court experience about the accessibility of information regarding their case**



Note: Question: How easy or difficult was it for you or your attorney to access information regarding the case? Scale from 1 to 4: 1=very difficult, 2=mostly difficult, 3=mostly easy, 4=very easy. Base: General population with experience with court cases

251. An even bigger proportion of business sector representatives, 83%, are satisfied with the ease of obtaining information about their case, and there are no changes compared to 2009. (Figure 3.4.b2)

**Figure 3.4.b2: Perceptions of members of business sector with court experience about the accessibility of information regarding their case**

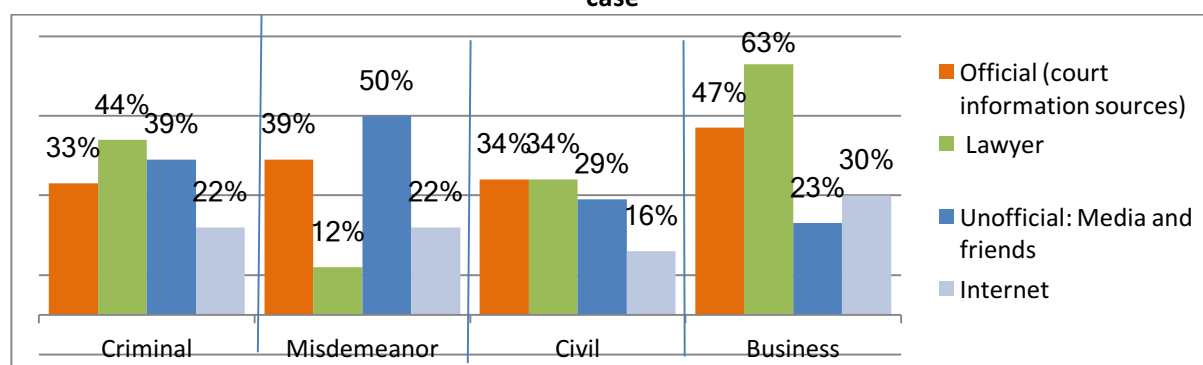


Note: Question: How easy or difficult was it for you or your attorney to access information regarding the case? Scale from 1 to 4: 1=very difficult, 2=mostly difficult, 3=mostly easy, 4=very easy. Base: General population with experience with court cases

### **3.4.c Sources of information citizens used to find out what they needed in their specific case**

252. When searching for information about their case, citizens use several sources of information, and the most frequently used sources of information vary depending on the type of case. In criminal cases, the source of information is usually lawyer (44%), while official court sources of information are used almost equally as unofficial (friends and media). As for misdemeanor cases, unofficial sources of information prevail (50%), followed by official court sources (39%), while in civil cases the lawyer and official court sources of information are used most frequently (34%). As for the business sector, the lawyer is the prevailing source of information (63%), and somewhat less than half of companies (47%) use official court sources. (Figure 3.4.c1)

**Figure 3.4.c1: Sources of information citizens used to find out what they needed in that specific case**



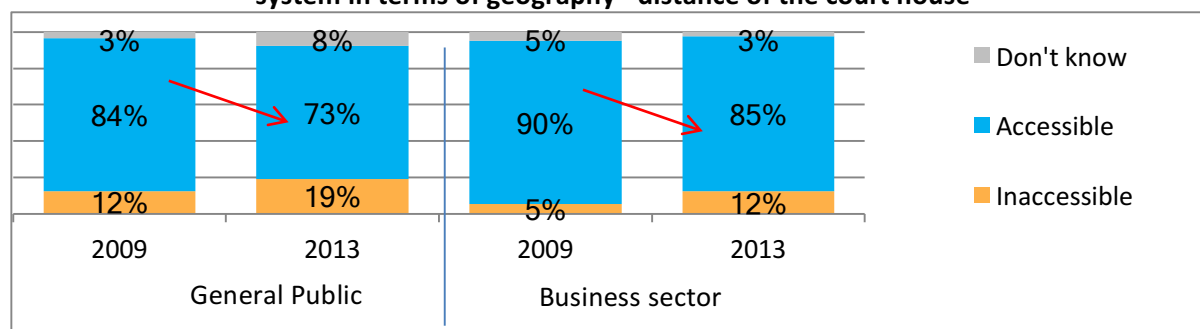
Note: Question: Which source of information did you use to find out what you needed to do in this specific case? Base: General population and business sector with experience with court cases; Multiple answers

## **3.5 Geographical / Physical access and comfort of the court building**

### **3.5.a Perceptions of geographical access to courts**

253. Most citizens (73%) and business sector representatives (85%) do not consider distance of court building a problem. Compared to 2009, however, the proportion of those who think that the court building is geographically accessible in 2013 is reduced in the case of citizens for 11%, and in the case of business sector representatives for 5%. (Figure 3.5.a1)

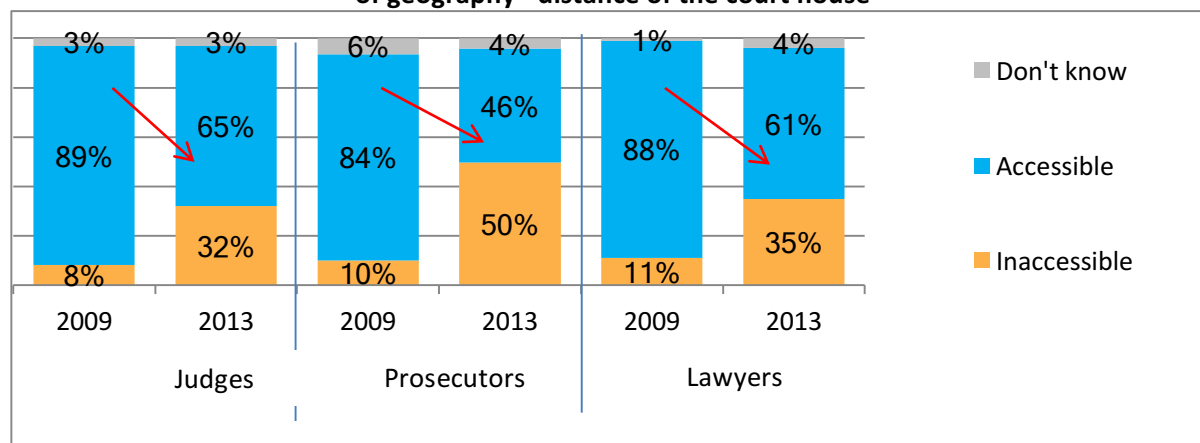
**Figure 3.5.a1: Perceptions of general public and business sector about the accessibility of judicial system in terms of geography - distance of the court house**



Note: Question: How accessible was the judicial system to you personally in terms of geography - given the distance of the courthouse? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

254. The percentage of judges, prosecutors and lawyers who do not consider distance of the court building a problem is also reduced compared to 2009, and even substantially more than in the case of citizens and business sector representatives (for 24% in case of judges, for 38% in case of prosecutors and for 27% in case of lawyers). So, while in 2009 a somewhat bigger portion of judges, prosecutors and lawyers than citizens, assumed that distance of the court building was not a problem, in 2013, compared with citizens, a lot smaller of a percentage of judges (65%) and lawyers (61%), and especially prosecutors (46%) thought that it was not a problem for the citizens. (Figure 3.5.a2)

**Figure 3.5.a2: Perceptions of legal professionals about the accessibility of judicial system in terms of geography - distance of the court house**

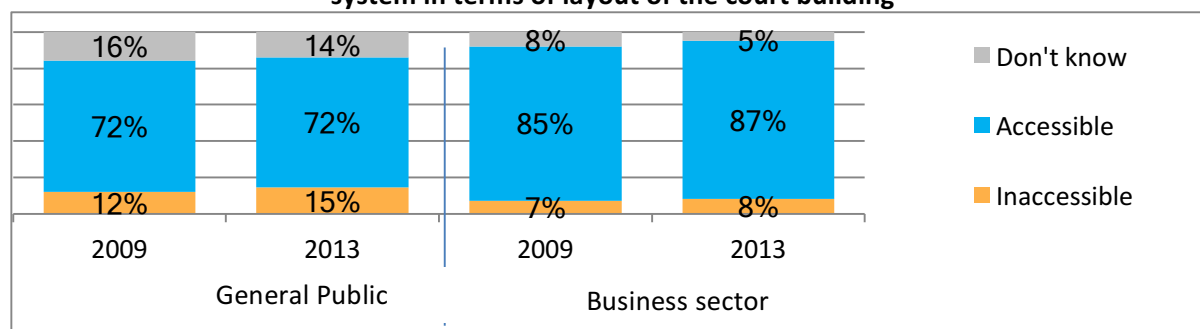


Note: Question: How accessible is the judicial system to the citizens in terms of geography - given the distance of the courthouse? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

### **3.5.b Perceptions of the level of comfort of the court buildings**

255. Most citizens (72%) and business sector representatives (87%) do not consider finding their way in the court building a problem, and this attitude hasn't changed since 2009. (Figure 3.5.b1)

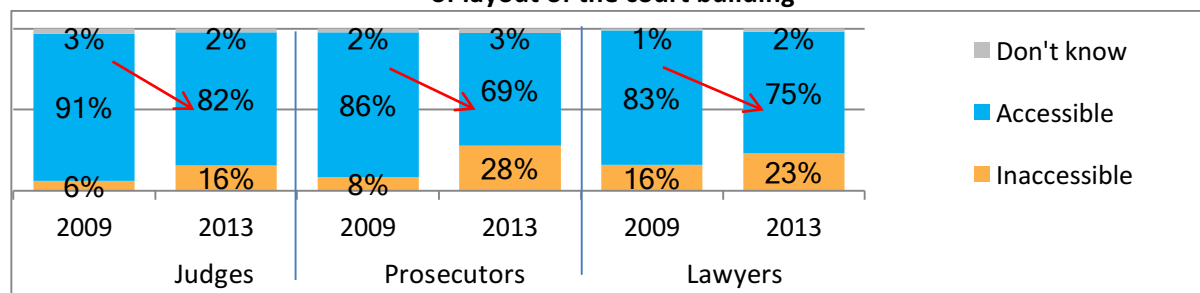
**Figure 3.5.b1: Perceptions of general public and business sector about the accessibility of judicial system in terms of layout of the court building**



Note: Question: How accessible was the judicial system to you personally in terms of layout - how easy was it to find your way and move around the courthouse? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

256. **Judges, prosecutors and lawyers mainly agree that citizens do not have a problem with finding their way in the court building.** But, unlike the citizens, the percentage of court service providers and lawyers with this attitude is reduced compared to 2009: for 8% in case of lawyers, for 9% in case of judges and for 17% in case of prosecutors. (Figure 3.5.b2)

**Figure 3.5.b2: Perceptions of legal professionals about the accessibility of judicial system in terms of layout of the court building**



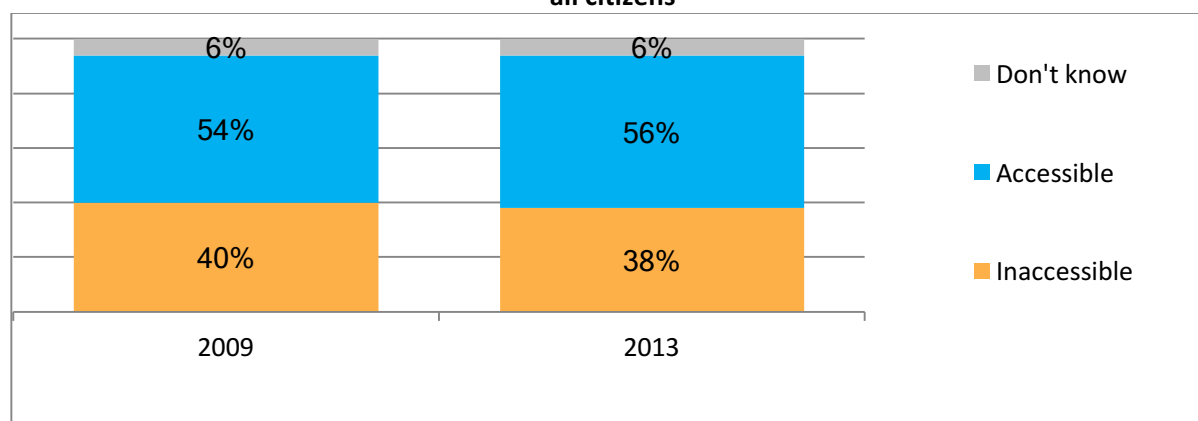
Note: Question: How accessible is the judicial system to the citizens in terms of layout - how easy was it to citizens find their way and move around the courthouse? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

### 3.6 Perceptions of the equality of all citizens with regard the accessibility of the judicial services

#### 3.6.a Perceptions of general public, business sector and legal professionals about the equality of all citizens with regard to accessibility

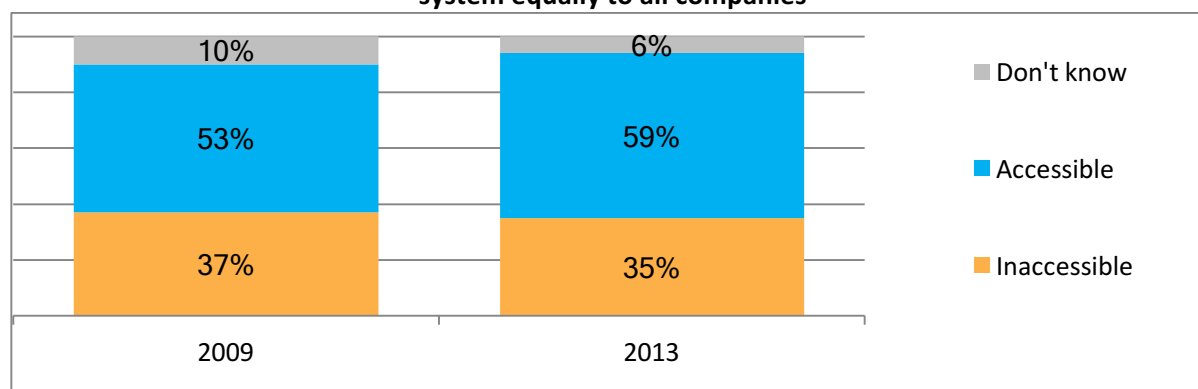
257. **More than 1/3 of citizens believe that the court system is not equally accessible to all.** Most citizens, 56%, consider the judiciary equally accessible to all citizens, regardless of their age, socio-economic status, ethnicity, disability and language they speak. However, a significant percentage, 38%, believes that it is not equally accessible to all. (Figure 3.6.a1)



**Figure 3.6.a1 Perceptions of general public about the accessibility of the judicial system equally to all citizens**

Note: Question: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, ethnicity, handicap, the language they use...? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible) Base: Total target population

258. **Business sector representatives have a similar opinion regarding equal accessibility of the judicial system to all companies**, regardless of their size, origin of capital and their 'political connections'. Most business sector representatives, 59%, consider the judicial system equally accessible to all companies, regardless of these features, but a significant proportion, 35%, still does not share this opinion. (Figure 3.6.a2)

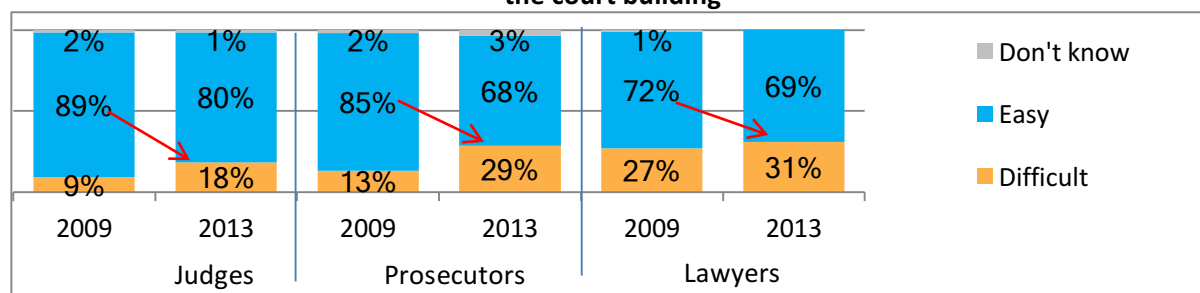
**Figure 3.6.a2 Perceptions of members of business sector about the accessibility of the judicial system equally to all companies**

Note: Question: When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all legal entities, notwithstanding their size, origin of capital, political "connections", headquarters.....? Scale from 1 to 4: 1=very inaccessible 2=mostly inaccessible 3=mostly accessible 4=very accessible. Base: Total target population

259. **Most judges, prosecutors and lawyers consider courts accessible to all citizens equally in terms of finding their way in the courthouse**, as well as in terms of availability of information.<sup>26</sup> Even 80% of judges consider finding one's way in the courthouse equally easy for all citizens, while this opinion is shared by a somewhat smaller proportion of prosecutors (68%) and lawyers (69%). Only 18% of judges, but still more lawyers, 31%, and prosecutors, 29%, do not agree with this opinion. Compared with 2009, however, the proportion of those who consider finding one's way in the courthouse equally easy for all is reduced somewhat in case of judges (for 9%) and lawyers (for 3%), and substantially reduced in case of prosecutors (for 17%). (Figure 3.6.a3)

<sup>26</sup> Judges, prosecutors and attorneys were asked only the questions of equality regarding these two particular aspects of accessibility of judicial system.

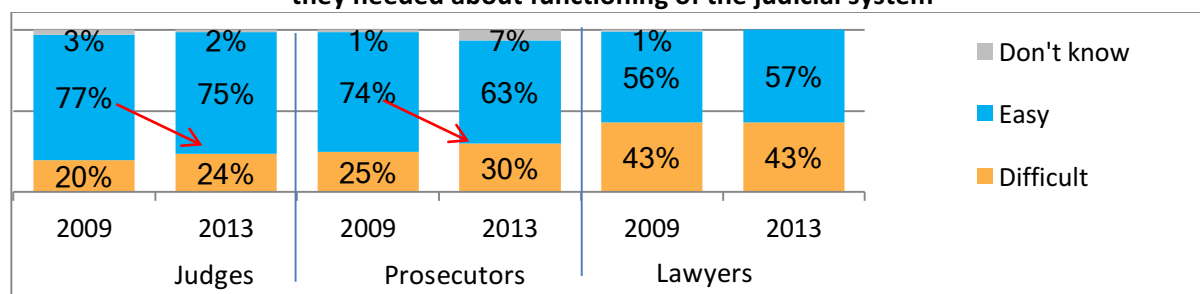
**Figure 3.6.a3: Perceptions of legal professionals about how easy it was for all citizens, notwithstanding their age, socioeconomic status, ethnicity and disability to find their way around the court building**



Note: Question: In the last 12 months, how easy or difficult was it, for ALL citizens, notwithstanding their age, education level, financial status, ethnicity, disability to find their way around the court building in which you worked? Scale from 1 to 4: 1=very difficult, 2=mostly difficult, 3=mostly easy, 4=very easy. Base: Total target population

260. **Most providers of court services and lawyers believe that information was equally available to all citizens, but a considerable portion still does not share this opinion.** As high as 75% of judges, but a significantly smaller percentage of prosecutors, 63%, and lawyers, 57%, think that it was equally easy for all citizens to obtain the information they needed in 2013. On the other hand, however, a substantial part does not share this opinion: one in four judges, 30% of prosecutors, and 43% of lawyers do not think that it was equally easy for all citizens to access information. Compared to 2009, judges and prosecutors have a somewhat less positive opinion about availability of information to all citizens (Figure 3.6.a4).

**Figure 3.6.a4: Perceptions of legal professionals about how easy it was for all citizens, notwithstanding their age, socioeconomic status, ethnicity and disability to access the information they needed about functioning of the judicial system**



Note: Question: In the last 12 months, how easy or difficult was it, for ALL citizens, notwithstanding their age, education level, financial status, ethnicity, disability to access the information they needed about functioning of judicial system? Scale from 1 to 4: 1=very difficult, 2=mostly difficult, 3=mostly easy, 4=very easy. Base: Total target population

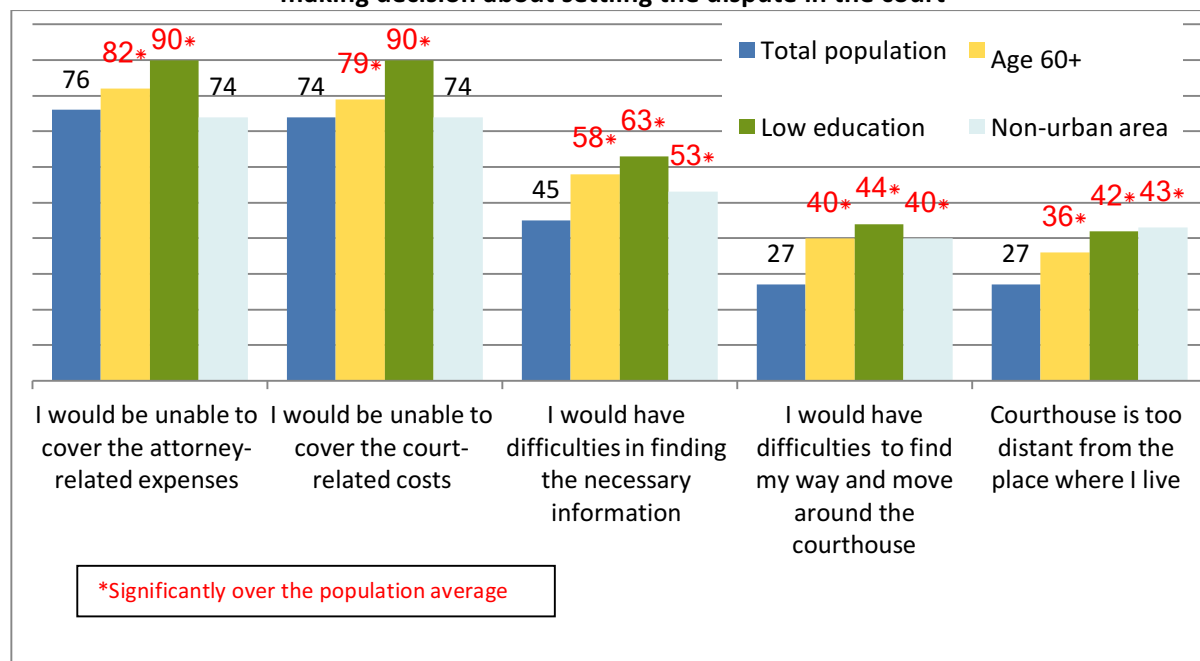
**3.6.b Perceptions of older citizens, low educated citizens and citizens living in non-urban areas about the accessibility of judicial services**

261. **Compared to the population average, citizens with low education (elementary school and less) and citizens over 60 years of age perceive the judicial system as less accessible to them in all aspects: in terms of costs, availability of information, distance of court building and finding one's way in the courthouse.** If they were in a situation to decide whether to take a dispute to court or not, 90% of poorly educated citizens and 82% of the elderly would consider trial costs a problem (which is 24%, and 6%, respectively, more than population average regarding lawyer-related costs, and 26%, and 5%, respectively, more in terms of court costs); 63% of the poorly educated and 58% of the elderly stated that they would have a problem with finding necessary information (18% and 13%, respectively, more than population average); 44% of the poorly educated and 40% of the elderly believe they would have problems finding their way in the courthouse (17% and 13%, respectively, more than population average), while 42% of the poorly educated and 36% of the elderly believe they would have problems

with distance of courthouse from their place of residence (15% and 9%, respectively, more than population average). (Figure 3.6.b1)<sup>27</sup>

262. **Citizens who live out of urban areas, compared to the population average, see more problems in obtaining necessary information, finding their way in the courthouse and distance of the courthouse.** Most citizens who live out of urban areas, 53%, think that they would have problems with accessing information (8% more than population average); 40% think they would have problems finding their way in the courthouse (13% more than average), while 43% consider distance of a courthouse a problem (16% more than population average). (Figure 3.6.b1)

**Figure 3.6.b1: Share of the citizens older than 60 years, low educated people and people living in non-urban area who perceive the problems of accessibility to judicial services as relevant in making decision about settling the dispute in the court**



Note: Question: The following are the reasons some people named were important to them when they considered the issue of taking or not taking a dispute to the court. How relevant each of them would be for you personally if you were in position to make decision about settling or not settling the dispute in the court? Scale: 1) not relevant at all 2) mostly not relevant 3) mostly relevant 4) highly relevant. Base: Total target population

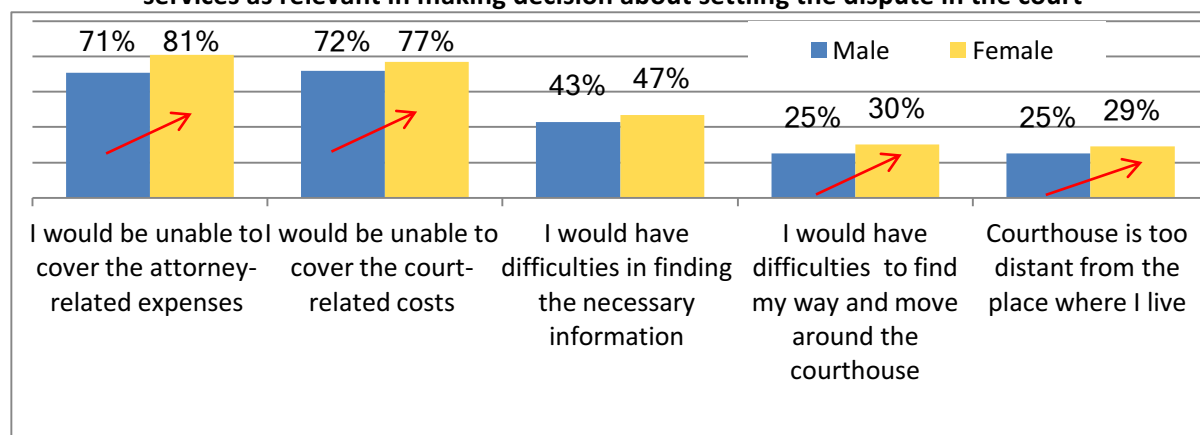
### 3.6.c Gender differences in perceptions about the accessibility of judicial services

263. **As for gender differences regarding accessibility of court system, the only significant difference between women and men was found in terms of lawyer-related costs.** Considerably more women 81%, than men, 71%, stated that lawyer-related costs would be a relevant issue for them when making decision whether to take a dispute in court or not. This is also the only problem women mentioned in higher percentage comparing to population average. Women mentioned in a somewhat higher percentage than men the problem of finding their way in the court building, as well as the court distance, but differences are relatively small (5% and 4%, respectively). (Figure 3.6.c.1)<sup>28</sup>

<sup>27</sup> Source: Survey with random representative sample of the citizens of Serbia, age 18+, n=1003, conducted in January 2014 by Ipsos Strategic Marketing for the World Bank

<sup>28</sup> Source: Survey with random representative sample of the citizens of Serbia, age 18+, n=1003, conducted in January 2014 by Ipsos Strategic Marketing for the World Bank

**Figure 3.6.c1: Share of male and female who perceive the problems of accessibility to judicial services as relevant in making decision about settling the dispute in the court**



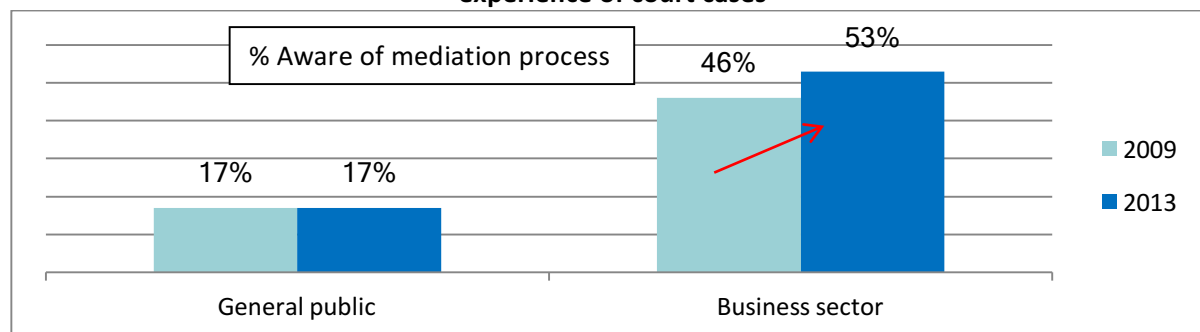
Note: Question: The following are the reasons some people named were important to them when they considered the issue of taking or not taking a dispute to the court. How relevant each of them would be for you personally if you were in position to make decision about settling or not settling the dispute in the court? Scale: 1) not relevant at all 2) mostly not relevant 3) mostly relevant 4) highly relevant. Base: Total target population

### 3.7 Perceptions about mediation

#### 3.7.a Perceptions of general public and business sector about mediation procedure

264. **Awareness of the mediation process, as an option for settling disputes, is rather low among the court users with experience with court cases.** Only 17% of citizens with experience in court cases and somewhat more than a half of business sector representatives, 53%, know what mediation is. Compared to 2009, awareness of the mediation process hasn't changed in general population, while it has somewhat increased among business sector representatives (from 46% in 2009, to 53% in 2013). (Figure 3.7.a1)

**Figure 3.7.a1: Awareness of the mediation process among general public and business sector with experience of court cases**



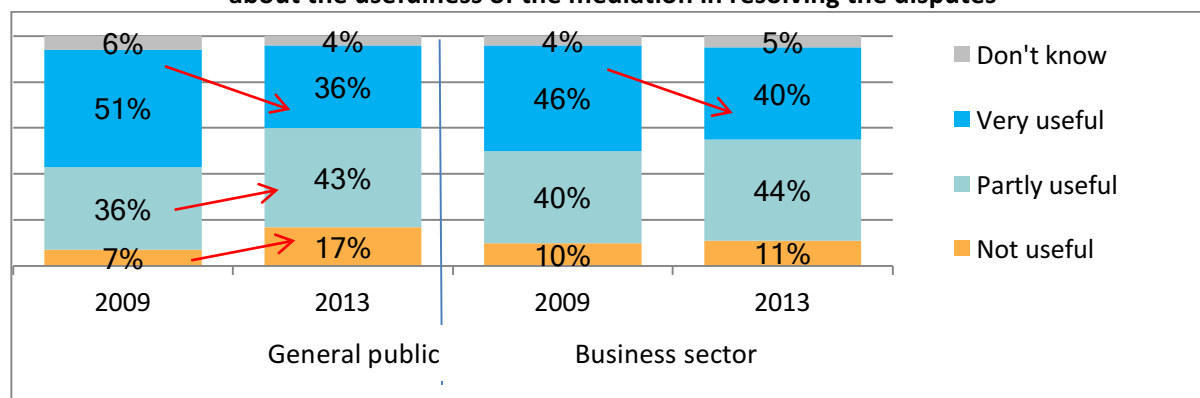
Note: Question: Do you know what a mediation process in resolving the disputes is? Base: general population and business sector with experience with court cases

265. **Most citizens and business sector representatives who have heard of mediation consider it useful, but they are much more likely to think that it is just partly useful, than very useful.** While 43% of citizens consider mediation partly useful, only somewhat more than a third, 36%, consider it very useful. Business sector members also have different stands: 44% consider mediation only partly useful, and 40% consider it very useful. (Figure 3.7.a2)

266. **It is striking that, compared to 2009, the percentage of the general public who consider mediation very useful has decreased by 15% (from 51% to 36%), while the percentage of those who consider mediation not useful at all has increased by 7%. As for business sector members, changes**

in attitudes towards mediations are less considerable as compared to 2009: the percentage of those who consider mediation very useful has decreased by 6% (from 46% to 40%), while the percentage of those who consider mediation not useful has not changed. (Figure 3.7.a2)

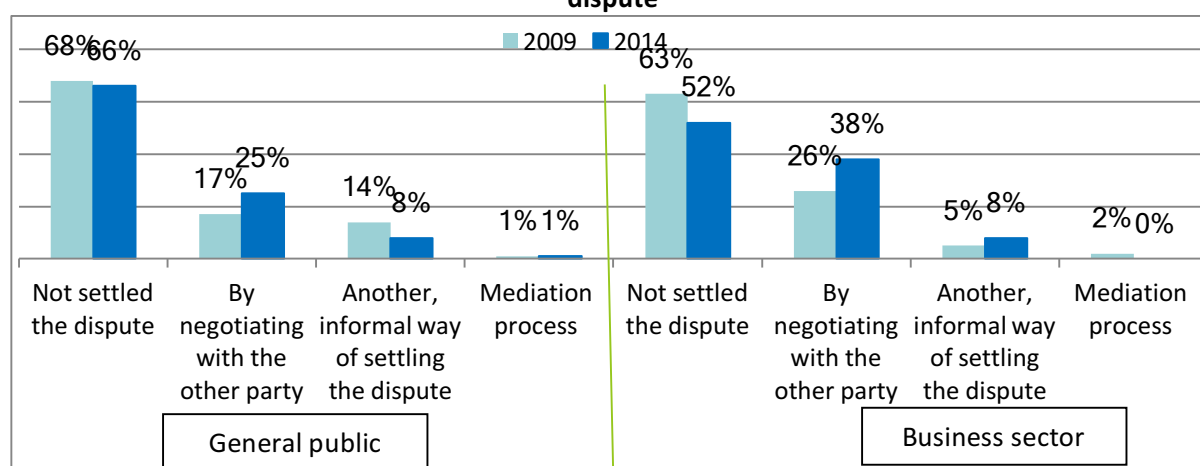
**Figure 3.7.a2: Perceptions of general public and business sector with experience with court cases about the usefulness of the mediation in resolving the disputes**



Note: Question: How useful is a mediation process in resolving the disputes to parties to court proceedings i.e. can it help settle a dispute? / business sector: to parties to the proceedings in cases involving legal persons. Scale: 1. Not useful, 2. Partly useful 3. Very useful. Base: General population with experience with court cases who are aware of mediation, 17% of general population with court experience 2009 and 2013; Business sector with experience with court cases who are aware of mediation, 2009, 46% and 2013, 53% of business sector with court experience

267. Finally, people who claimed to have had a dispute they thought should be settled in the court but decided against such action rarely choose to settle the dispute by mediation procedure. Only 1% of general population (out of those who had a dispute but decide not to settle it in the court for any reason) opted to settle the dispute by mediation process, while in the business sector mediation was chosen by only 2% in 2009, and by no one in 2013. A somewhat higher percentage named other informal ways, and a considerably higher percentage opted for negotiating with the other party. But a majority stated that their dispute was not settled at all. (Figure 3.7.a3)

**Figure 3.7.a3: 2009 and 2013 models chosen to settle dispute which was decided not to be taken to the court - members of general public and business sector who reported to have had such dispute**



Note: Question: How did you settle the dispute? Base: Members of general public and business sector who reported to had a dispute they thought should be settled in the court but decided against such action (General public 12% 2009, 9% 2013; Business sector 30% 2009, 24% 2013)

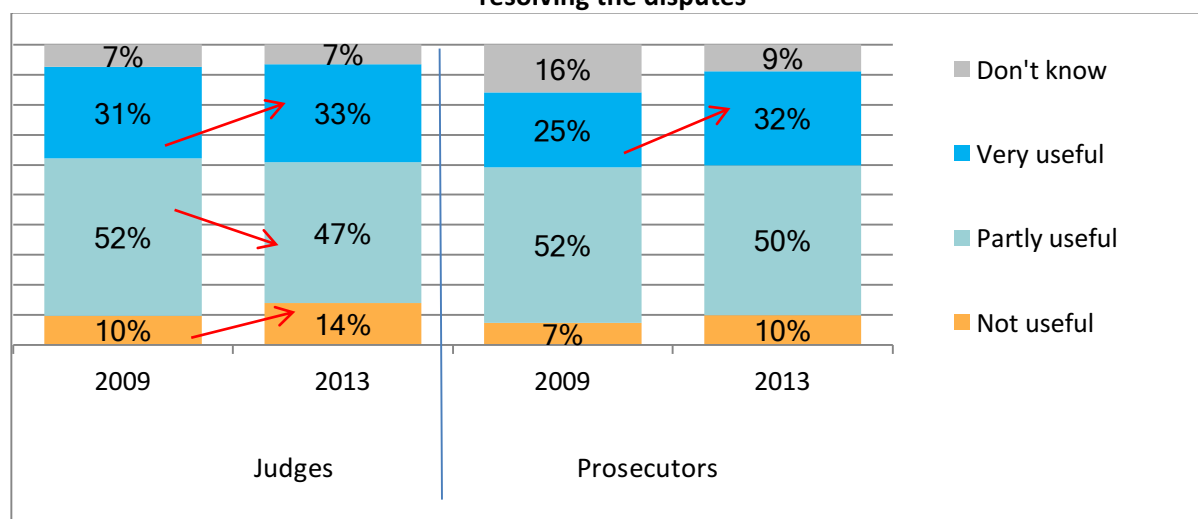
**3.7.b Perception of mediation procedure by court service providers****Summary**

268. Judges and prosecutors are mainly ambivalent about the mediation process:

- About a half of judges and prosecutors consider mediation partly useful, and only about a third considers it very useful
- A substantial number of judges and prosecutors claimed that they are not well informed about the mediation process
- One in five judges and only one in twelve prosecutors have undergone mediation training
- Judges and prosecutors who had no training are much more likely to report that training would be just partly useful for them rather than very useful
- Only about one third of judges and prosecutors expect the new mediation system to increase efficiency of the judiciary, and even 43% of judges and 59% of prosecutors believe they do not have sufficient information to rate the influence of this new mediation system on efficiency of the judiciary

269. **Attitudes of judges and prosecutors regarding usefulness of the mediation process are similar to citizens' attitudes:** a great majority considers mediation useful, but those who share this opinion are much more likely to think that it is just partly useful (47% judges and 50% prosecutors), than very useful (33% judges and 32% prosecutors). On the other hand, however, unlike the citizens, the percentage of prosecutors who consider mediation very useful is increased somewhat compared with the year 2009 (from 25% to 32%); this percentage has slightly increase in case of judges as well (from 31% to 33%), but the proportion of judges who consider mediation not useful has slightly increase too (from 10% to 14%). (Figure 3.7.b1)

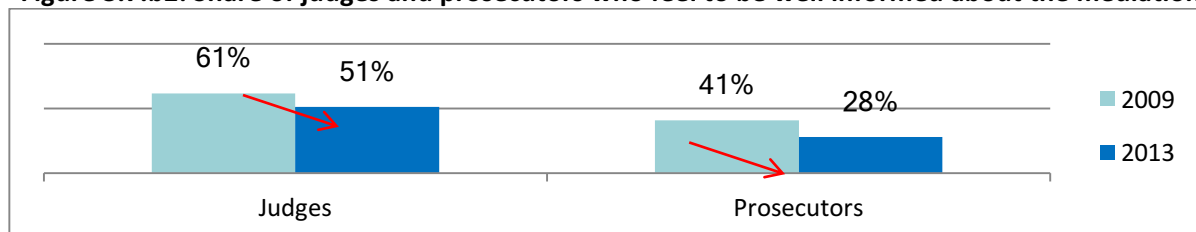
**Figure 3.7.b1: Perceptions of judges and prosecutors about the usefulness of the mediation in resolving the disputes**



Note: Question: How useful is the mediation process to parties in a case, i.e. can it help settle a dispute? Scale: 1. Not useful, 2. Partly useful 3. Very useful Base: total target population

270. It is interesting, however, that only about a half of judges (53%) and less than a third of prosecutors (28%) claimed to be well informed about mediation, and that this percentage has even decreased in 2013, comparing to 2009 (for 10% in case of judges and for 13% in case of prosecutors). (Figure 3.7.b2)

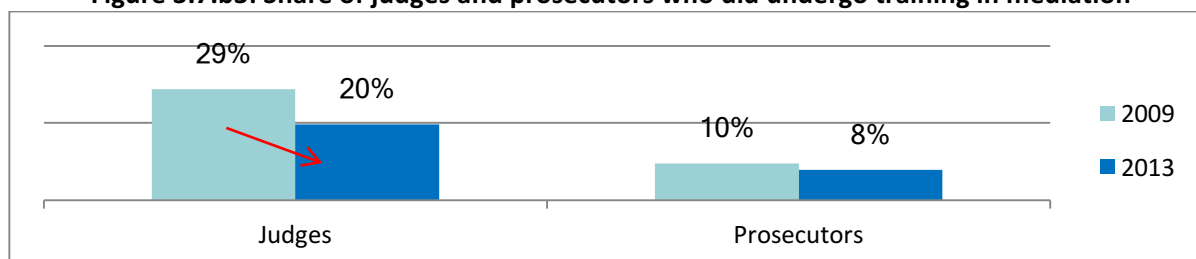
**Figure 3.7.b2: Share of judges and prosecutors who feel to be well informed about the mediation**



Note: Question: Would you say that you are well informed about mediation? Scale: 1. Yes 2. No. Base: total target population

271. One in five judges and only 8% of prosecutors reported in 2013 to have undergone mediation training. Compared to 2009, the percentage of judges who did undergo training is reduced for 9%. (Figure 3.7.b3)

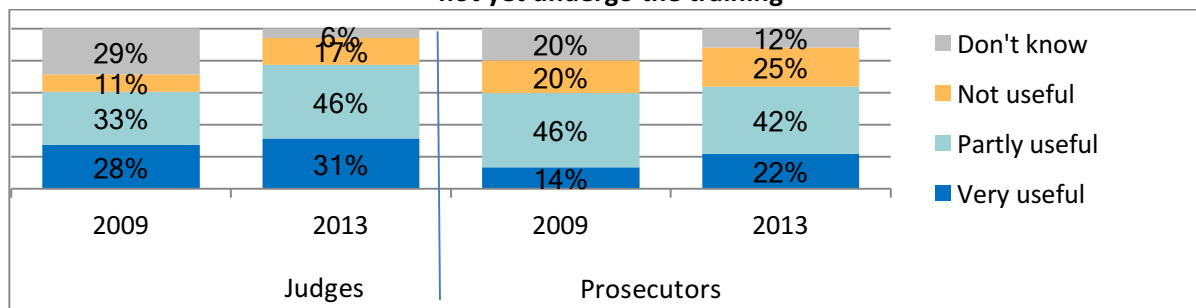
**Figure 3.7.b3: Share of judges and prosecutors who did undergo training in mediation**



Note: Question: Did you undergo training in mediation? Scale: 1. Yes 2. No. Base: total target population

272. Both judges who underwent training and those who didn't, consider training useful (or sufficient in the case of judges and prosecutors who underwent training). Somewhat more than a half of judges (58%) and prosecutors (55%) who have undergone training say that this training was sufficient, while others thought that they need better training. Most judges and prosecutors who did not undergo the training also stated that training would have been useful to them, but they were more likely to say that it would have been only partly useful (46% and 42% respectively), rather than very useful (31% and 22% respectively). (Figure 3.7.b4)

**Figure 3.7.b4: Attitudes towards the training in mediation of the judges and prosecutors who did not yet undergo the training**

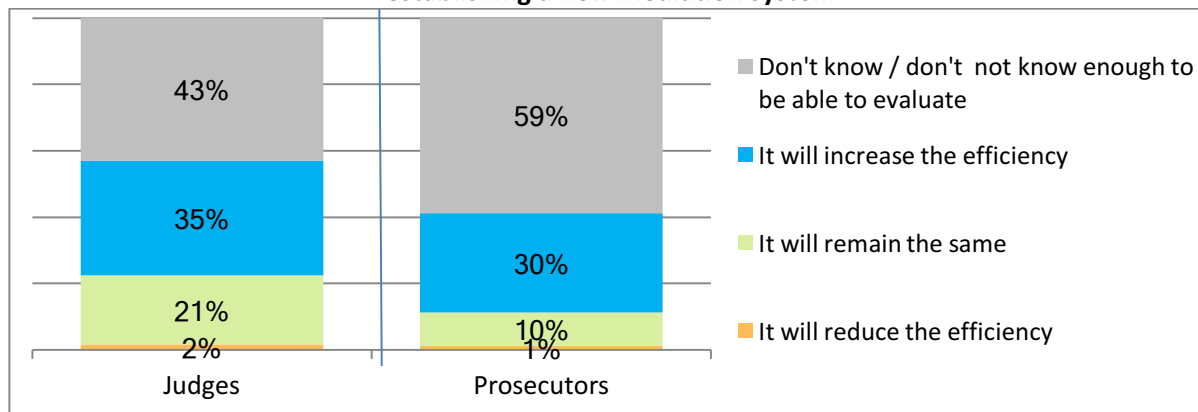


Note: Question: Would training in mediation be of use to you? Scale: 1. Very useful, 2. Partly useful, 3. Not useful. Base: Judges and prosecutors who have not undergone the training in mediation, Judges 71% 2009 and 80% 2013; Prosecutors 90% in 2009 and 82% in 2013

273. Finally, judges and prosecutors are divided in their opinions about the new law that stipulates the establishment of a completely new system of mediation. Only about one third of

judges (35%) and prosecutors (30%) expect the new system to increase efficiency of the judiciary, one in five judges and one in ten prosecutors think that efficiency will be decreased, and even 43% of judges and 59% of prosecutors stated that they still do not have enough information to be able to estimate influence of this new system on efficiency of the judiciary (Figure 3.7.b5)

**Figure 3.7.b5: 2014 Judges' and prosecutors' attitudes towards the new law stipulating establishing a new mediation system**



Note: Question: Prepared is a draft of the new Law that stipulates establishing of a completely new mediation system, which includes license for mediators, founding of a chamber and standardization and accreditation of mediator training programs. In your opinion, how will enactment of the new Law on Mediation affect the efficiency of the judicial system? Scale: .1 It will reduce the efficiency, 2. It will remain the same, 3. It will increase the efficiency, 3. I do not know enough to be able to evaluate. Base: total target population



## 4. COURT ADMINISTRATIVE SERVICES

### Summary

#### 4.1. Overall perceptions of court administrative services

274. A great majority of users of the court administrative services are satisfied with the efficiency and accessibility of court administrative service, and with regards to these two aspects the perceptions of users and providers of the services are quite in agreement. With regards to quality and integrity (absence of corruption) differences in perceptions between users and providers of administrative services are large: substantially higher percentage of providers than users perceive the quality of the services as high, and believe that corruption is not present in court administrative services. Perceptions of users with regards to all four aspects have improved in comparison with 2009 (with exception of perceptions of integrity among general public), while among providers of the services positive perceptions of efficiency and accessibility have somewhat decreased, and positive perceptions of quality and integrity have somewhat increased.

275. **More than 70% of users of court administrative services were satisfied with the efficiency of the service delivered and over 80% evaluated the accessibility of the service as high<sup>29</sup>.** The agreements between users and providers in perceptions of these two dimensions are quite high, and just somewhat higher percentage of providers was satisfied with efficiency provided by their sector (82%). (Figure 4.1.1)

276. **On the other hand, users are less satisfied with the quality<sup>30</sup> of services** - approximately four in ten evaluate the quality of the service delivered as high. Differences in perceptions of the quality between users and providers are huge, and almost 80% of providers of the services evaluated the quality of the services as high. (Figure 4.1.1)

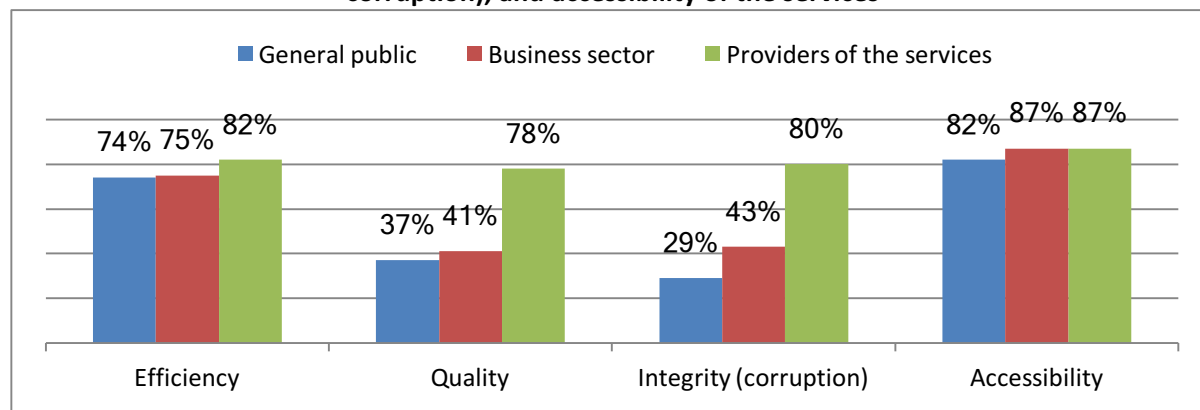
277. **Huge incompatibility between users and providers of administrative services was found with regards to perceptions of the presence of corruption as well.** While a great majority of providers, 80%, stated that there is no corruption in administrative services, this opinion is shared by less than one third of the general public, and 43% of members of the business sector. (Figure 4.1.1)

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<sup>29</sup>All evaluations of the users of administrative services refer to the last administrative task which they performed. Somewhat more than one half of users of administrative services from general population of the citizens stated that their last administrative task referred to verification of documents and contracts. Since the number of users of other administrative services (access to archive, registry desk, receptions and expedition of documents, giving evidence...) from the general population was small, all of them were classified in the category "other". All representatives of the business sector are shown in one category since 80% of them stated that their last administrative task was verification of documents and contracts.

<sup>30</sup> However, evaluations of efficiency and accessibility on one side and quality and integrity on the other are not completely comparable since the efficiency and accessibility were evaluated on 4 point scale, quality on 5 point scale, and presence of corruption on 3 points scale. Substantial percentage of users evaluated quality as average. More in detail is presented below in related sections

**Figure 4.1.1: 2013 Share of users (general public and business sector) and providers of court administrative services who positively evaluated efficiency, quality, integrity (absence of corruption), and accessibility of the services**

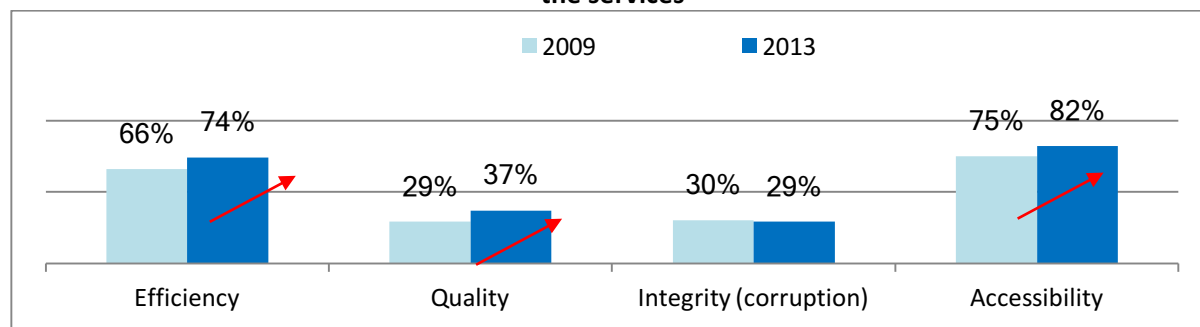


Note: Base: Total target population

278. In comparison to 2009, users' views of court administrative services are somewhat improved with regards to all four dimensions. The only exception is perception of users among the general public of the presence of corruption which did not change. (Figures 4.1.2 and 4.1.3).

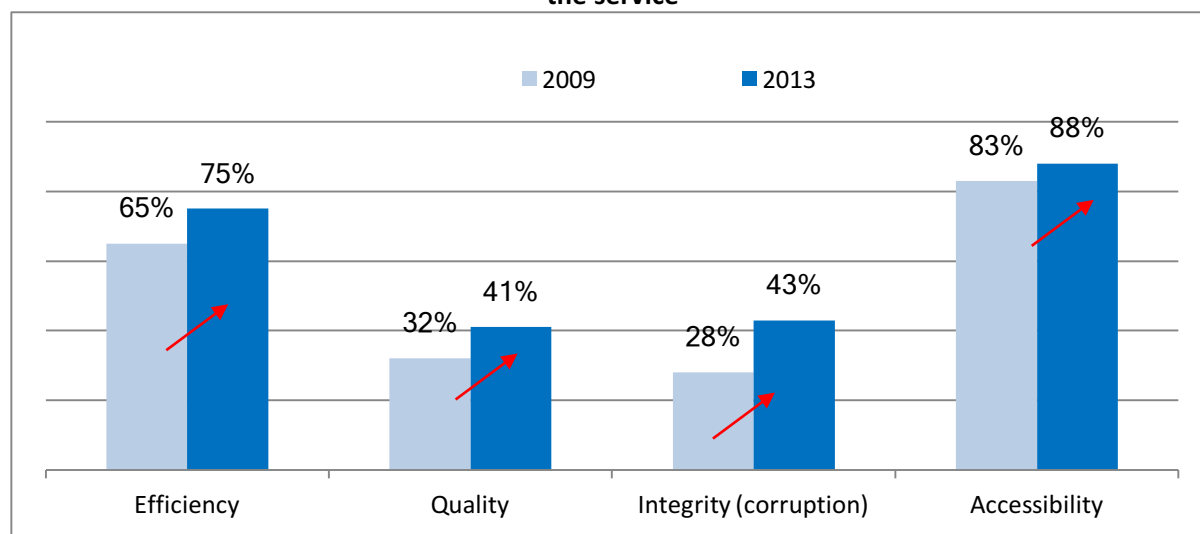
279. On the other hand, among members of business sector, the positive change in perceptions of corruption was the biggest improvement of all: the percentage of the users among the members of the business sector who believe that there is no corruption in administrative services has increased by 15 points (from 28% to 43%). (Figure 4.1.3)

**Figure 4.1.2: 2009 and 2013 share of users of court administrative services among general public who positively evaluated efficiency, quality, integrity (absence of corruption), and accessibility of the services**



Note: Base: Users of court administrative services among general public, total target population

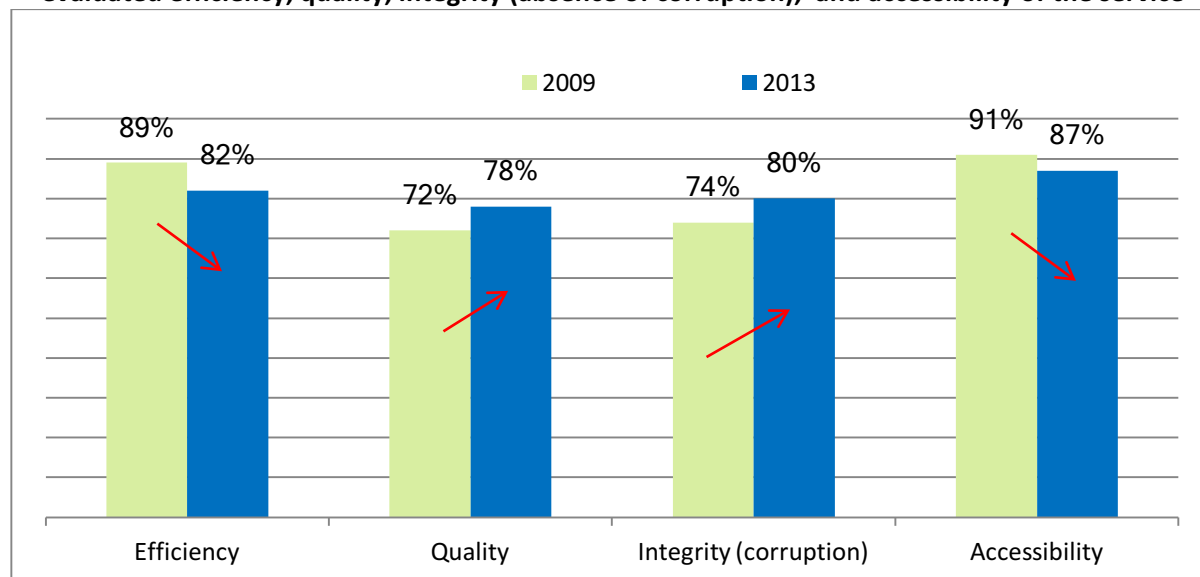
**Figure 4.1.3: 2009 and 2013 share of users of court administrative services among business sector who positively evaluated efficiency, quality, integrity (absence of corruption), and accessibility of the service**



Note: Base: Users of court administrative services among business sector, total target population

280. **Changes in perceptions among service providers are less consistent:** while satisfaction with efficiency and accessibility of services has somewhat decreased and so become quite close to perceptions of the users, positive perceptions of quality and integrity have increased and huge discrepancy with perceptions of users has not changed in spite the improved views of users. (Figure 4.1.4)

**Figure 4.1.4: 2009 and 2013 share of providers of court administrative services who positively evaluated efficiency, quality, integrity (absence of corruption), and accessibility of the service**



Note: Base: Providers of court administrative services, total target population

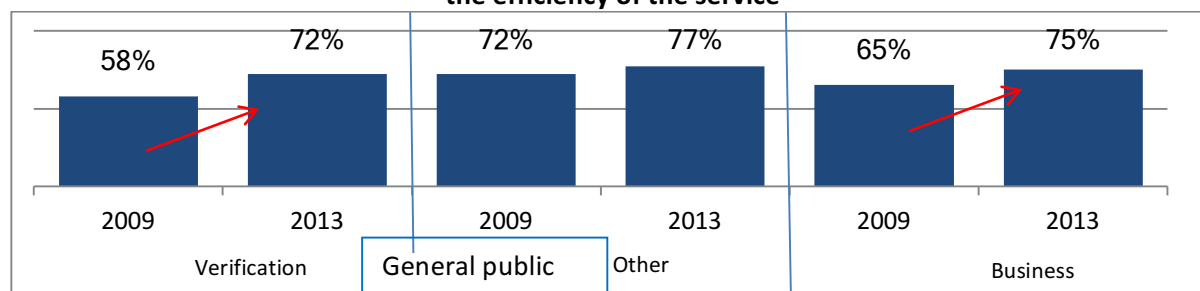
## 4.2. Efficiency of court administrative services

### Summary

281. A majority of users of court administrative services were satisfied with the efficiency of the service in their administrative task, and the percentage of satisfied users has increased in comparison with 2009. With an increase in the percentage of satisfied court users, opinions of service users and service providers have become closer, but the percentage of service providers who are satisfied with the efficiency of their work is still higher than the percentage of the court users who are satisfied with the efficiency of the service. According to court users the situation has also improved in terms of the possibility to finish the administrative task in one place, instead of going from door to door, and in terms of the time needed for completion of an administrative task. Although the assessment of the efficiency of services has become more positive, a considerable percentage of the users of administrative services still think that their administrative task could have been finished in shorter time, while just one out of five providers of administrative services agrees with this opinion. According to providers of administrative services, better efficiency in their work could be primarily achieved by stimulating the staff by higher salaries and increasing the number of staff, to a somewhat lesser extent by simplification of procedure and better equipment, to an even lesser extent through better allocation of work and informing the clients better, and the least of all through greater staff commitment and better training of the staff.

282. **A majority of users of court administrative services (more than 70%), who performed some administrative task during 2013 were satisfied with the efficiency with the service provided.** In comparison with 2009, the percentage of satisfied users has considerably increased among members of the general population who had some task connected with verifications (of documents, contracts), as well as among the members of business sector. (Figure 4.2.1)

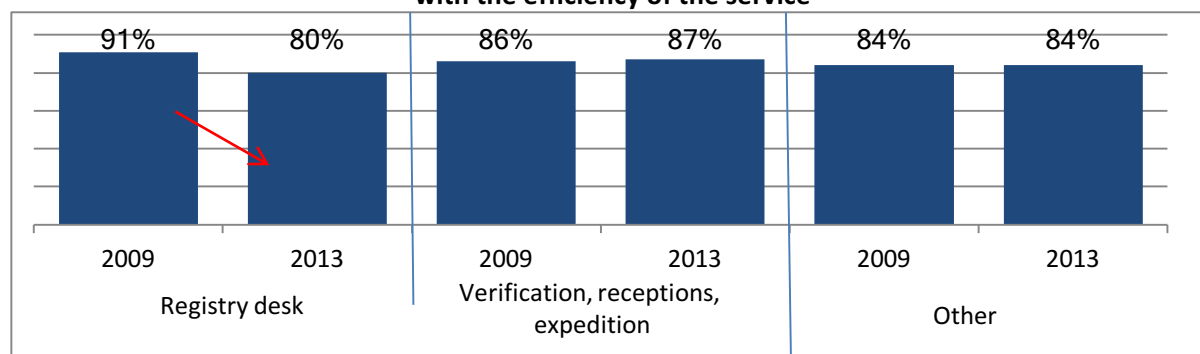
**Figure 4.2.1: 2009 and 2013 share of the users of administrative services who were satisfied with the efficiency of the service**



Note: Question: How satisfied are you with the efficiency of the administrative court service? Efficiency entails no waste of time and the fast and quality completion of the task. Scale 1.Very dissatisfied, 2.Dissatisfied 3.Satisfied. 4. Very satisfied.  
Base: Members of general public and business sector with experience with court administrative services total target population

283. **In comparison with users of administrative services, a somewhat higher percentage of providers of administrative services (more than 80%) expressed satisfaction with the efficiency of the sector in which they worked.** In comparison with 2009, the only change was recorded in the work of registry office, where the percentage of the employees who are satisfied with the efficiency of work in this sector has somewhat decreased (Figure 4.2.2).

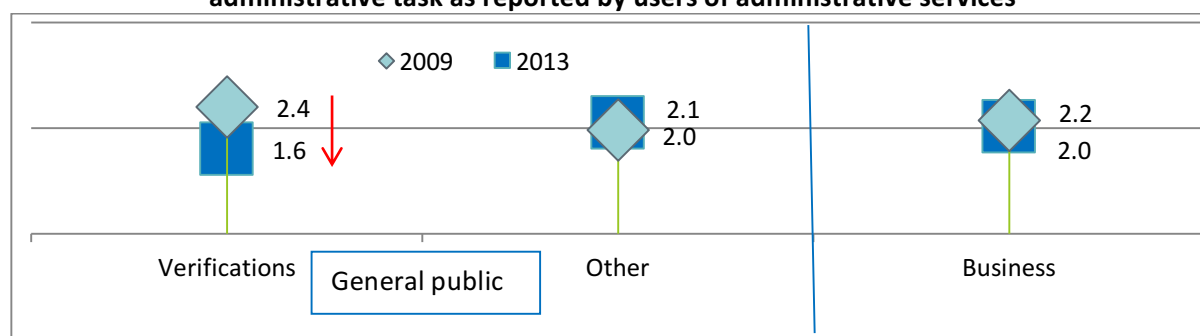
**Figure 4.2.2: 2009 and 2013 share of the providers of administrative services who were satisfied with the efficiency of the service**



Note: Question: How satisfied are you with the efficiency of your sector in institution in which you worked in the last 12 months? Efficiency entails no waste of time and the fast and quality completion of work? Base: Providers of court administrative services total target population

284. In order to finish their administrative task in court, the users had to visit the court 2 times on average. The number of visits to the court for the purpose of verifying documents has decreased in comparison with 2009, so it ranged between 1 and 2 visits to the court in 2013. (Figure 4.2.3)

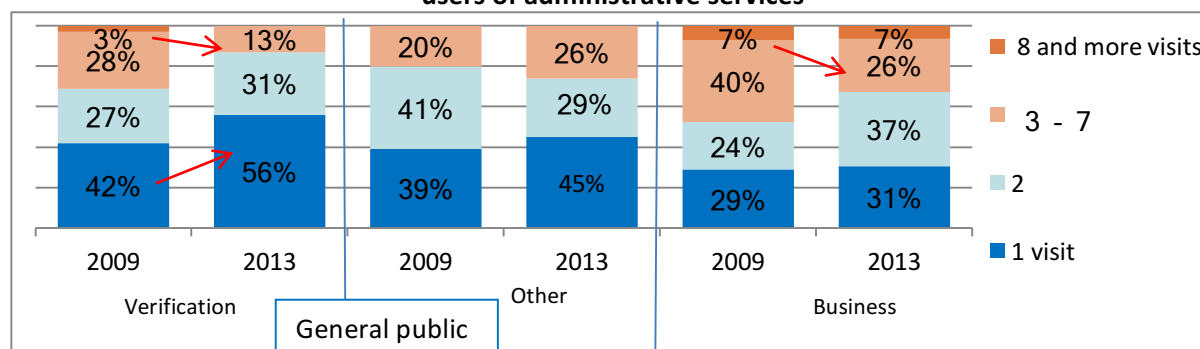
**Figure 4.2.3: 2009 and 2013 average number of courthouse visits required to complete administrative task as reported by users of administrative services**



Note: Question: How many times did you have to go to the courthouse to complete the task? Base: Members of general public and business sector with experience with court administrative services total target population

285. The number of courthouse visits varies considerably depending on the type of administrative service, but more than one half of members of the general population of citizens, 56%, reported to have finished their verification job in the court during one visit in 2013 (14% more than in 2009), while the percentage of the citizens who stated that they had to come to the court between 3 and 7 times has decreased by 15%. Within other administrative tasks, and administrative tasks of the business sector more than three fourths of the users had to visit the courthouse between 3 and 7 times. In the business sector 7% of users of administrative services claimed to have visited the courthouse more than 8 times (some representatives mentioned to have visited the court even 20 times). Nevertheless, in comparison with 2009, the percentage of business sector members who stated to have gone to the courthouse more than 2 times has decreased. (Figure 4.2.4)

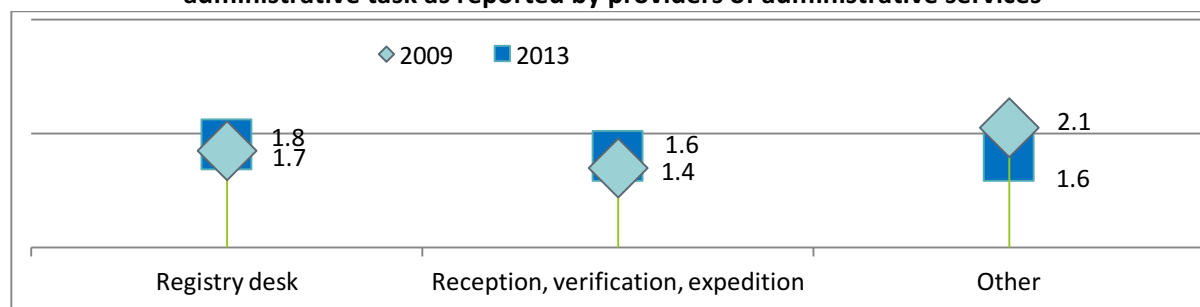
**Figure 4.2.4: Number of courthouse visits required to complete administrative task as reported by users of administrative services**



Note: Question: How many times did you have to go to the courthouse to complete the task? Base: Members of general public and business sector with experience with court administrative services total target population

286. **Assessment of providers of administrative services regarding the number of visits to the courthouse required to complete an administrative task mainly coincide with the assessment of users of administrative services. (Figure 4.2.5)**

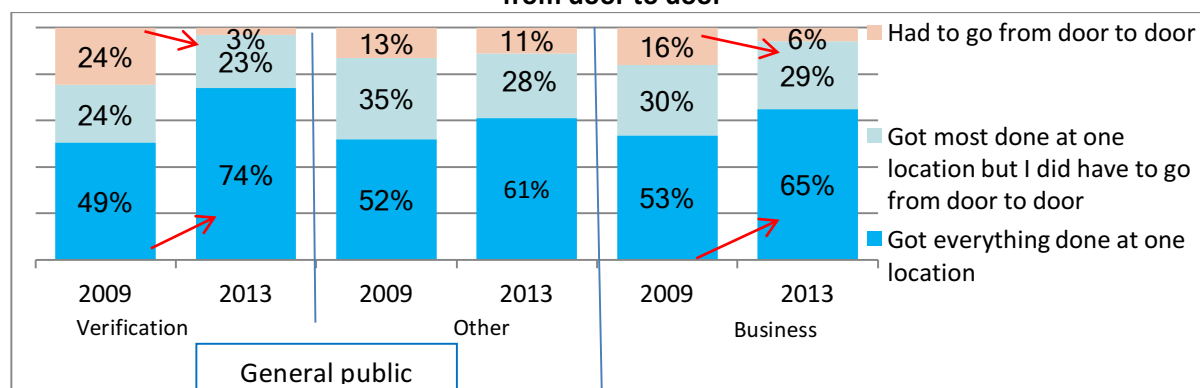
**Figure 4.2.5: 2009 and 2013 average number of courthouse visits required to complete administrative task as reported by providers of administrative services**



Note: Question: How many times on average did a client need to come to your service counter/department to complete one administrative task? Base: Providers of court administrative services who interacted with clients and reported data (Registry desk 2009 70%, 2013 87%; Reception, verification and expedition 2009 82%, 2013 70%, Other 2009 78%, 2013 74%)

287. **The situation has also improved in terms of the possibility to finish the administrative task at one location instead of going from door to door. In comparison with 2009, the percentage of users of administrative services who reported to have completed their verification task at one location has increased by 25% (from 49% to 74%), and among representatives of business sector by 12% (from 53% to 65%). (Figure 4.2.6)**

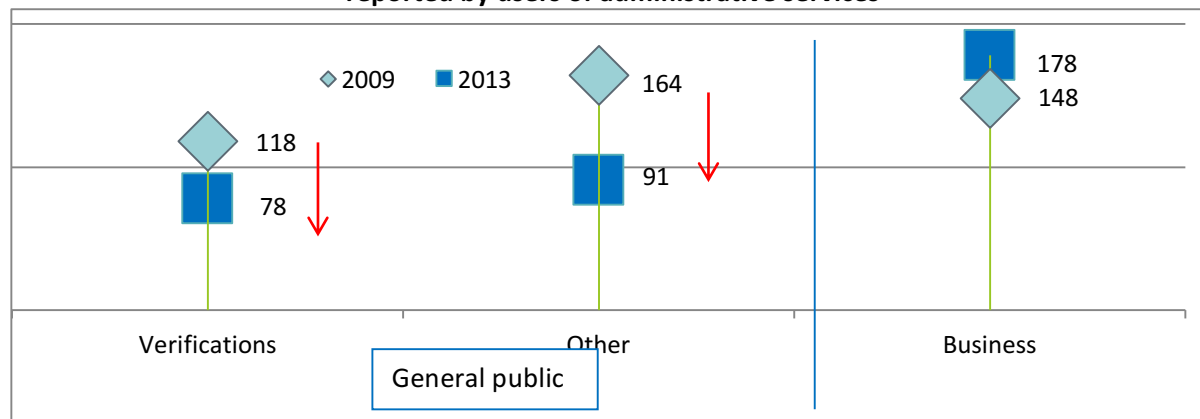
**Figure 4.2.6: 2009 and 2013 share of users of administrative services who got or did not get to go from door to door**



Note: Question: While you were completing your administrative task, did you have to go from door to door or were you able to complete the task at one location? Base: Members of general public and business sector with experience with court administrative services total target population

288. According to representatives of the general population, time needed to complete one administrative task has decreased as well. Time needed to perform verification of documents has been reduced from 118 minutes in 2009 to 78 minutes in 2013; as regards other administrative tasks the time has been reduced on average from 164 minutes to 91 minutes (Figure 4.2.7)

Figure 4.2.7: 2009 and 2013 average time spent (in minutes) to complete the task based on data reported by users of administrative services

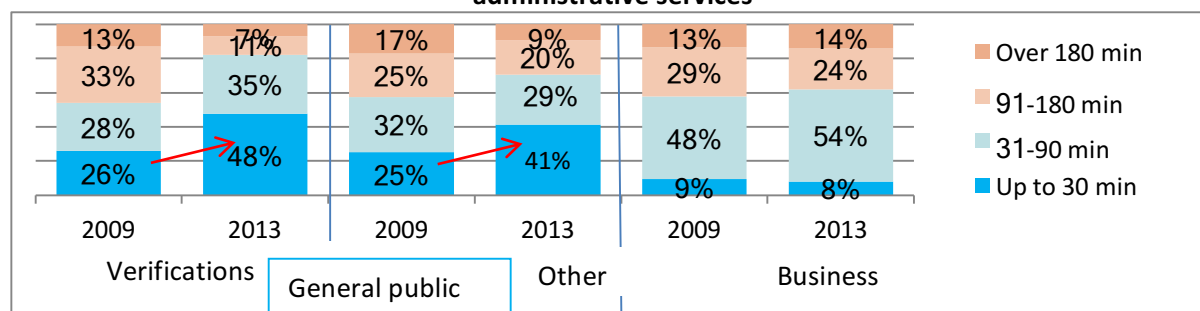


Note: Question: General public: How much total time did you spend completing this task?(including paying tax in bank or post office related to this task) Business sector: Roughly estimate, how many total working hours your employees spent in the courthouse in completing this administrative task? Base: Members of general public and business sector with experience with court administrative services total target population

289. In comparison with 2009, a considerably higher percentage of the users of administrative services from the general population reported to have completed the task in maximum 30 minutes. Almost one half of the users of verification services (48%) and more than 40% of users of other administrative services finished their administrative task in maximum 30 minutes in 2013, while in 2009 only one out of four users of administrative services did the same (Figure 4.2.8)

290. However, the range of reported time is wide, and a considerable percentage of the users of administrative services reported to have spent between 90 and 180 minutes, even more than 3 hours to complete their administrative task, while some of them reported even more than 10 hours. In regards to the business sector, more than one half of representatives reported to have spent between 30 and 90 minutes to complete their administrative task, one out of four reported to have spent between 90 and 180 minutes, while 14% reported to have spent more than 3 hours in the courthouse to complete their administrative task. Some representatives of the business sector reported to have spent a number of working days on completion of one administrative task. (Figure 4.2.8)

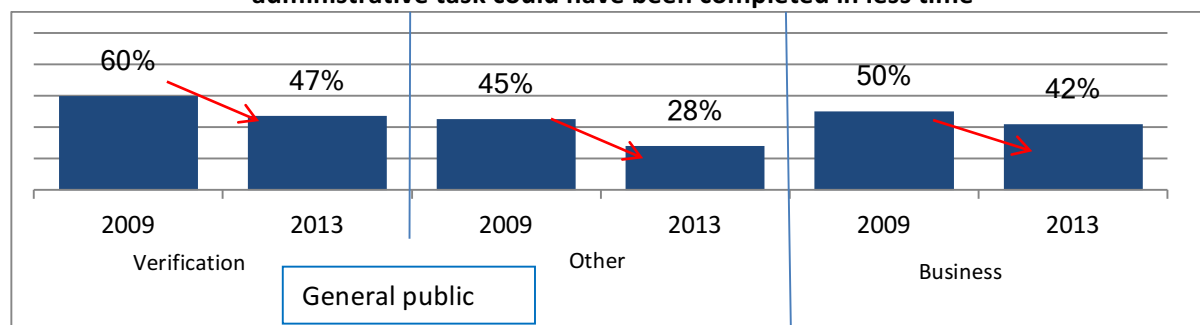
**Figure 4.2.8: 2009 and 2013 time spent (in minutes) to complete the task reported by users of administrative services**



Note: Question: General public: How much total time did you spend completing this task?(including paying tax in bank or post office related to this task) Business sector: Roughly estimate, how many total working hours your employees spent in the courthouse in completing this administrative task? Base: Members of general public and business sector with experience with court administrative services total target population

291. In compliance with the finding about reduction of time needed to finish an administrative task, the number of users of administrative services who think that their administrative task could have been completed in lesser time has considerably decreased as well. Nevertheless, a substantial percentage of the users still think that their task could be finished in shorter time, particularly among members of the general population who performed the task of verification (47%) and members of the business sector (41%). (Figure 4.2.9)

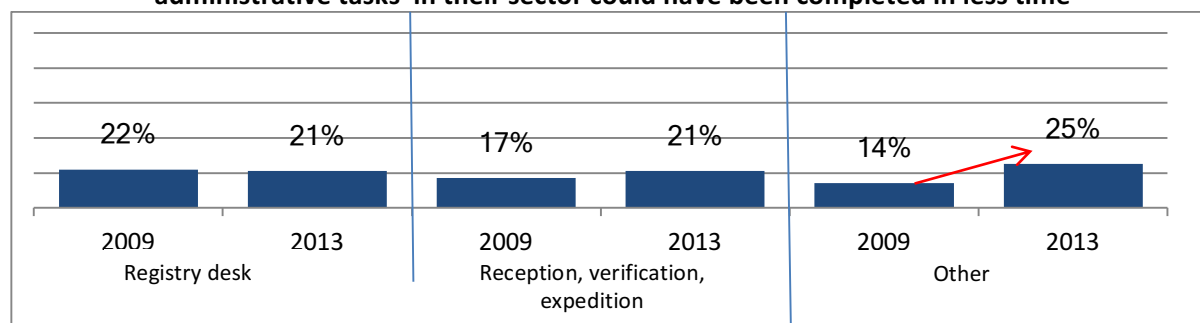
**Figure 4.2.9: 2009 and 2013 share of users of administrative services who think that their administrative task could have been completed in less time**



Note: Question: Could the administrative task have been completed in less time given its complexity? Scale: 1. Yes 2. No. Base: Members of general public and business sector with experience with court administrative services total target population

292. However, a considerably lower percentage of providers of administrative services in the court thought that administrative tasks in their sector could have been performed in shorter time. Approximately one out of five providers of administrative services thought that it could have been done in shorter time (Figure 4.2.10)

**Figure 4.2.10: 2009 and 2013 share of providers of administrative services who think that administrative tasks in their sector could have been completed in less time**

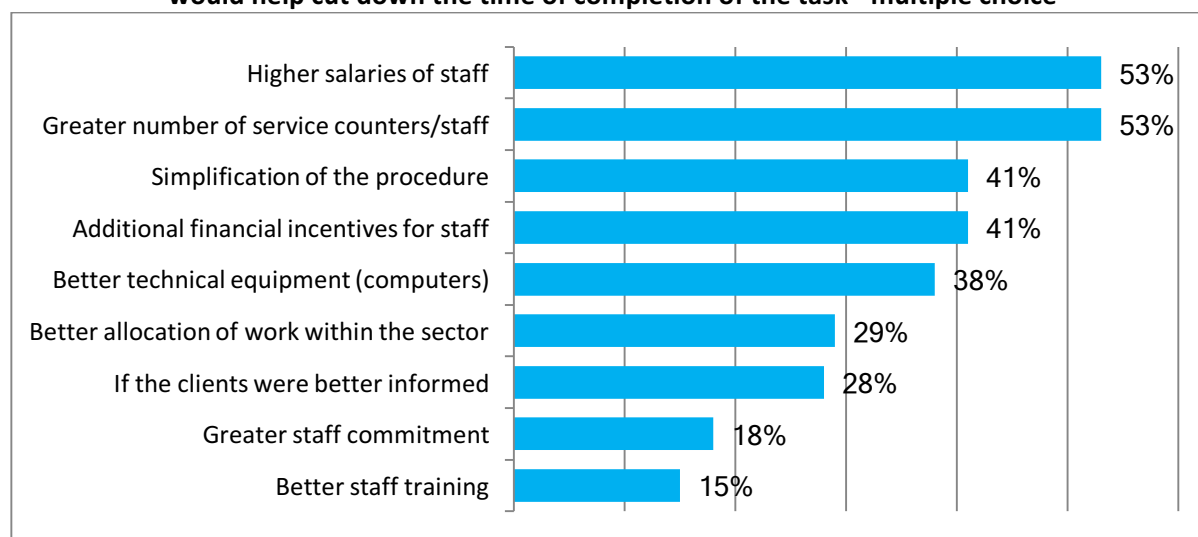




Note: Question: Could these administrative tasks have been completed in less time? Scale: 1.Yes 2. No. Base: Providers of court administrative services total target population

293. According to staff in the administrative sector of the court, better efficiency in performing the tasks could primarily be achieved by stimulating the employees through higher income and increased staffing, to a somewhat lesser extent through simplification of procedures and better equipment, to an even lesser extent through better informing of the clients, and finally through greater staff commitment and better training. According to a majority of the employees (53%) the main factors which could contribute to better efficiency in administrative services provisions would be increased salaries and increased staffing. Besides bigger salary, 41% mention additional financial incentives. All in all, 60% of providers of administrative services mentioned one or both of these financial moments. A considerably lower percentage, 41%, stated that simplification of procedures would reduce the time of completing the administrative tasks, while 38% stated that better technical equipment would contribute to that outcome; 29% mentioned better allocation of work and better informing of the clients, and the smallest percentage mentioned better staff commitment 18%, and better staff training, 15%. (Figure 4.2.11)

**Figure 4.2.11: 2013 share of provider of administrative services who named that listed factor would help cut down the time of completion of the task - multiple choice**



Note: Question: What would help cut down the time of completion of the task? Base: Providers of court administrative services (Registry desk 99%, Reception, verification, expedition 98%, Other 99%)

### 4.3. Perceptions of court administrative services providers about caseload and comfort with working conditions

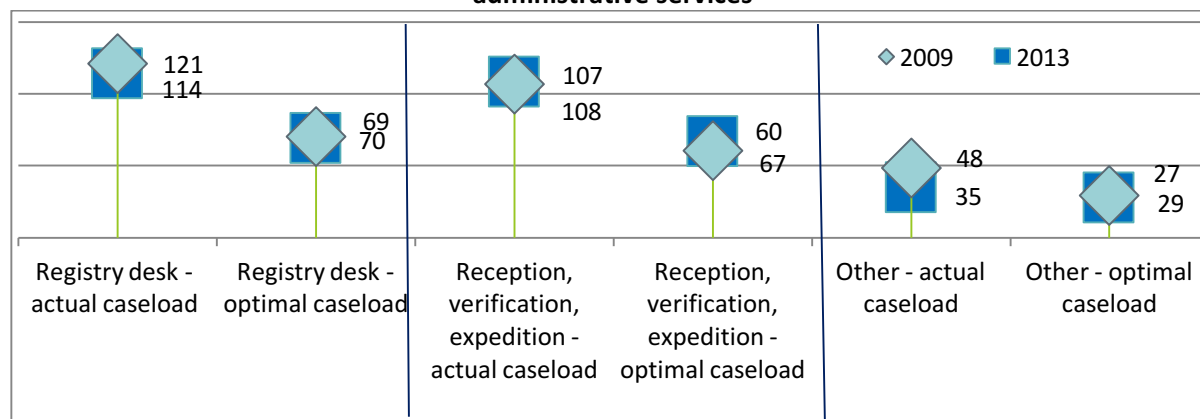
#### Summary

294. Providers of administrative services in the court feel overburdened with work, while at the same time not being paid enough for their effort. According to providers of administrative services, the number of daily cases they work on and the number of clients that they serve on a daily basis considerably exceeds the optimal number, both in terms of caseload and number of clients. A majority of the providers of administrative services are satisfied with cooperation with other sectors and superiors, and to a somewhat lesser extent with working climate and organization of work, but they are very dissatisfied with premises and equipment, and most of all they are dissatisfied with their salaries.

295. Judging by the reported number of cases on which they worked and their assessment of the optimal caseload under the conditions in which they worked, the providers of administrative

**services in the court feel overburdened.** (Figure 4.3.1) According to the data they reported, the daily caseload in 2013 in the case of registry desk and reception, verification and expedition of letters was somewhat above 100 cases on average, while in case of other administrative services it was somewhat below 50. This caseload exceeds the caseload that the staff in registry desk and office for reception, verification and expedition evaluated as optimal by 38%. In case of other administrative services the actual caseload is considered to exceed the optimal one by 17%. In comparison 2009, the caseload of providers of administrative services has not changed. (Figure 4.3.1)

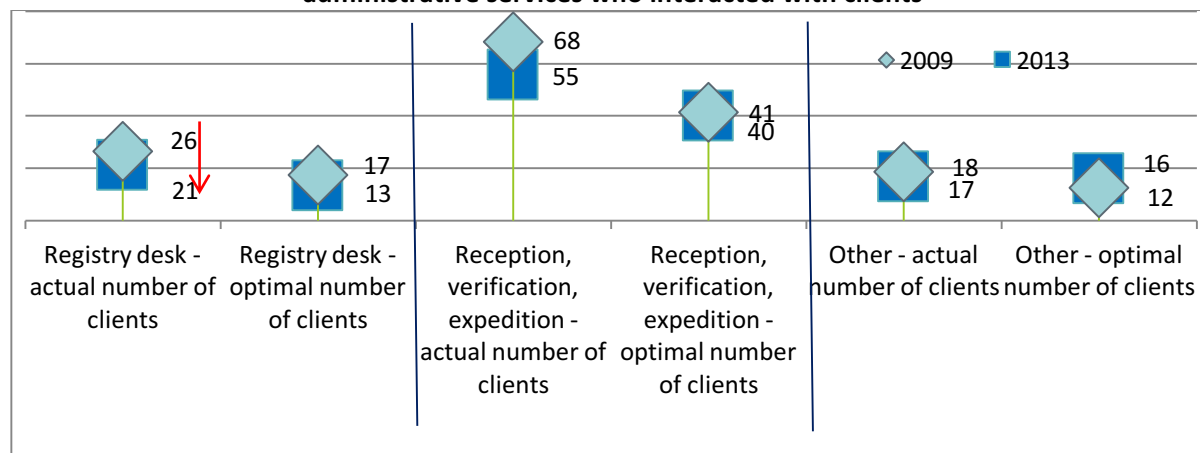
**Figure 4.3.1: 2009 and 2013 average number of daily cases based on data reported by providers of administrative services**



Note: Question: How many cases did you handle on average on a daily basis in the last 12 months?/What would have been the optimal daily caseload, in your opinion, given the conditions you worked in. Base: Providers of court administrative services who reported data (Registry desk 2009 75%, 2013 81%; Reception, verification and expedition 2009 83%, 2013 68%, Other 2009 82%, 2013 92%)

296. According to information reported by providers of administrative services whose job involves contacts with the clients, the number of clients with whom they daily interacted was 20 on average in case of registry desk, 55 in case of reception, verification and expedition, and 16 clients in case of other administrative services. The estimated number of clients with whom they interacted exceeded on average the optimal one by 38% in the case of the registry office, by 27% in reception, verification and expedition, while in the case of other administrative services there was no difference on average between actual and optimal number of clients.

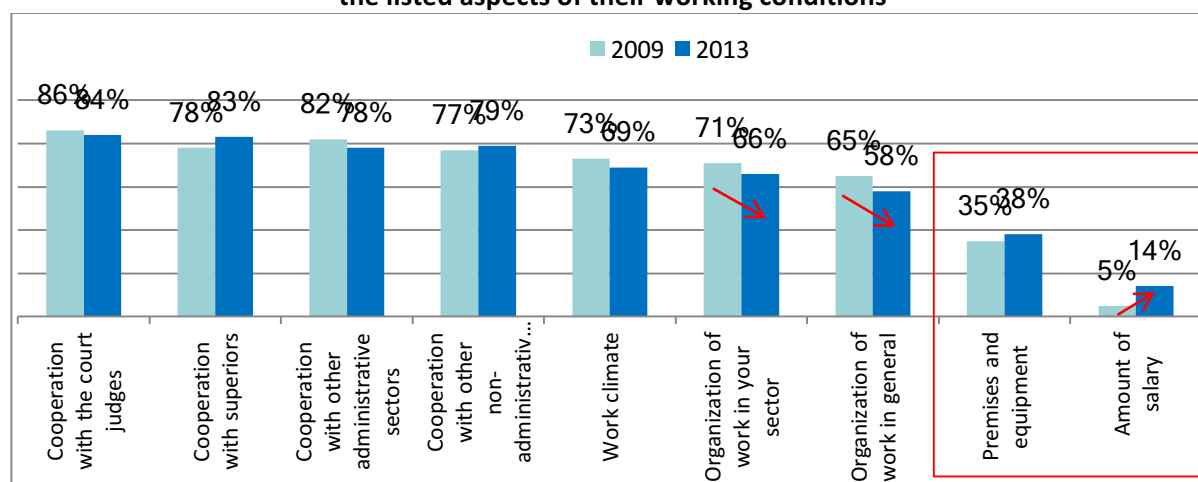
**Figure 4.3.2: 2009 and 2013 average number of clients based on data reported by providers of administrative services who interacted with clients**



Note: Question: On average how many clients did you have contact with on a daily basis in the last 12 months?/What would have been the optimal daily number of clients, in your opinion, given the conditions you worked in. Base: Providers of court administrative services who interacted with clients and reported data (Registry desk 2009 71%, 2013 79%; Reception, verification and expedition 2009 73%, 2013 53%; Other 2009 89%, 2013 86%)

297. **The majority of providers of administrative services are satisfied with the cooperation of the judges, superiors and other sectors (circa 80%), and to a somewhat lesser extent with the general working climate (nearly 70%).** Satisfaction with organization of work is somewhat lesser, nevertheless, considerably more than a half of providers of administrative services are satisfied: 66% are satisfied with organization of work in their sector, while 58% are satisfied with organization of work in general. However, the employees are dissatisfied with premises and equipment, and most dissatisfied with their salary. Only 38% of providers of administrative services are satisfied with premises and equipment, and only 14% are satisfied with their salary (Figure 4.3.3). In comparison with 2009, satisfaction with organization of work, both in their own sector and in general, has somewhat decreased, while the percentage of those who are satisfied with their salary has even increased to some extent (from 5% to 14%). (Figure 4.3.3)

**Figure 4.3.3 2009 and 2013 share of providers of administrative services who are satisfied with the listed aspects of their working conditions**



Note: Question: Rate your satisfaction with the following aspects of your job in the institution in which you worked in last 12 months. Scale: 1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very Satisfied. Base: Providers of court administrative services total target population

#### 4.4. Quality of court administrative services

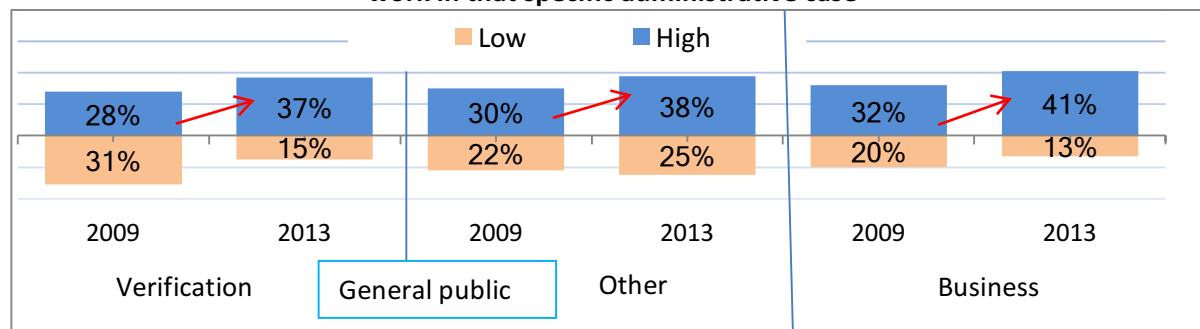
##### Summary

298. *The general situation regarding the quality of administrative court services is improved, in users' opinion. Users are likely to have a more positive opinion about the quality of services, so opinions of users and providers of services are now closer to each other, but service providers are still a lot more likely than users to assess services as of very high quality. The reasons that prevent higher quality of services mainly named by service providers are those already assessed as the main barriers for greater efficiency of the performance: poor working conditions, including low salaries, and insufficient staff. The great majority of users of administrative services are satisfied with different aspects of court performance regarding administrative services (working hours, accessibility of information and staff, conduct of staff and time spent waiting for one's turn), and the percentage of those satisfied has increased on most aspects as compared to 2009. The image of conduct and competence of service providers has also become more positive comparing to 2009. Most users evaluate service providers positively regarding efficiency, pleasantness and knowledge, and a significantly lower percentage considers them prone to corruption, indolent and negligent.*

299. **Users of administrative court services usually assess quality as average, but still a higher percentage evaluates quality as high than as low.** Somewhat less than 40% of users from the general population of citizens, and somewhat more than 40% of the business sector representatives, evaluate the quality of administrative services in 2013 as high, and between 15% and 25% of members of the

general population and 13% of the business sector representatives evaluate quality as low. Satisfaction with quality is somewhat increased compared with the 2009 survey. (Figure 4.4.1)

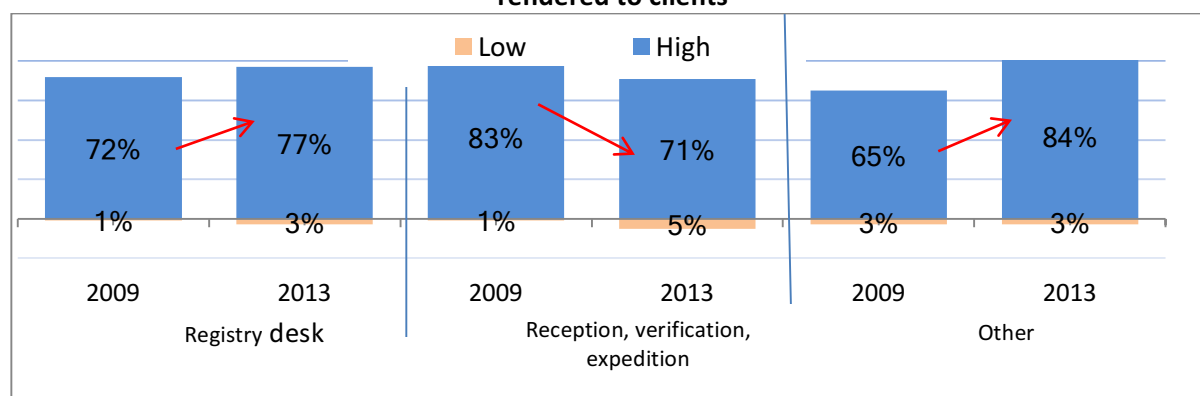
**Figure 4.4.1: 2009 and 2013 perceptions of users of court administrative service of the quality of work in that specific administrative case**



Note: Question: What is your general impression of the quality of work of the judiciary in that specific administrative case? Scale: 1. Very low quality 2. Low quality 3. Average quality 4. High quality 5. Very high quality. Base: Members of general public and business sector with experience with court administrative services total target population

300. **Providers of administrative services, however, are a lot more likely than the citizens to evaluate the quality of services they provide as high:** 77% at registry desk, 71% in reception, verification, expedition department and 84% in other departments. While the quality of services has increased, compared to 2009, in the opinion of those employed at the registry desk and in other services, those employed in reception, verification and expedition service think that quality has decreased. (Figure 4.4.2)

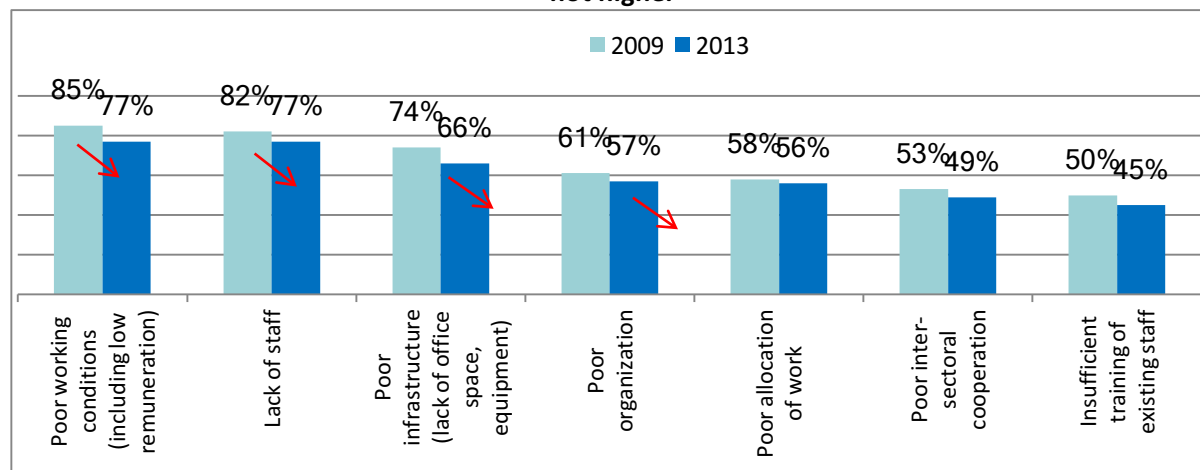
**Figure 4.4.2: perceptions of providers of court administrative service of the quality of services rendered to clients**



Note: Question: What quality of services was rendered to clients by the sector in which you worked in the last 12 months? Scale: 1. Very low quality 2. Low quality 3. Average quality 4. High quality 5. Very high quality. Base: Providers of court administrative services total target population

301. **In the opinion of providers of administrative services, the obstacles to higher quality of services derive from a series of circumstances.** The highest percentage, however, indicates the same circumstances assessed as main barriers to greater efficiency of their performance: poor working conditions, including salaries, and insufficient staff. These reasons are named by 77% of the employed. Most employees also mention the problem of work space and equipment (66%), poor organization (57%) and the problem of work allocation (56%), and somewhat less than a half singles out poor inter-sectorial cooperation (49%) and insufficient staff training (45%). Compared to 2009, four reasons listed as the first are named to a somewhat lower percent. (Figure 4.4.3)

**Figure 4.4.3: share of providers of court administrative services who evaluated the listed circumstances as partly or very significant reasons why the quality of the work in their sector was not higher**

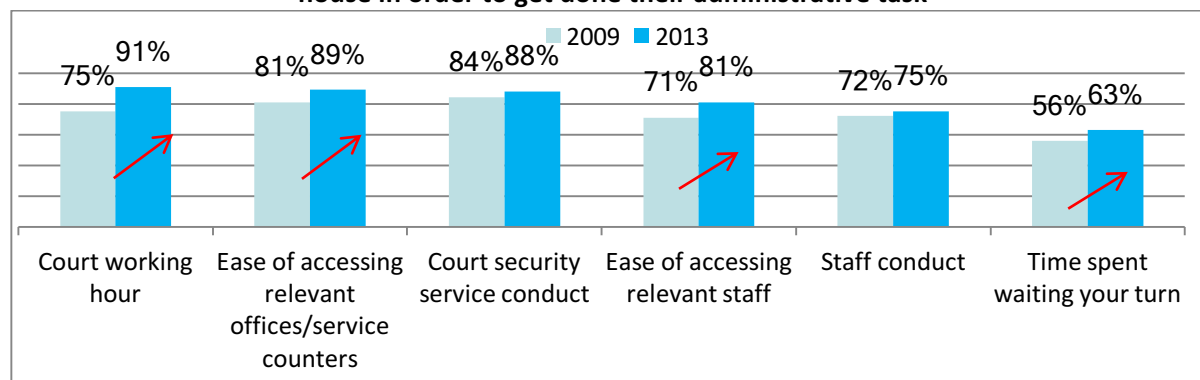


Note: Question: To what extent were the following circumstances important as the reasons why quality of work of the sector you worked in was not higher? Scale: 1. Insignificant 2. Partly significant 3. Very significant. Base: Providers of court administrative services total target population

302. A great majority of users of administrative services were satisfied with different aspects of court performance regarding administrative services (court working hours, accessibility of information and staff, conduct of staff and time spent waiting for one’s turn), and the percentage of those satisfied has increased on most aspects compared with the 2009 survey. (Figures 4.4.4 and 4.4.5)

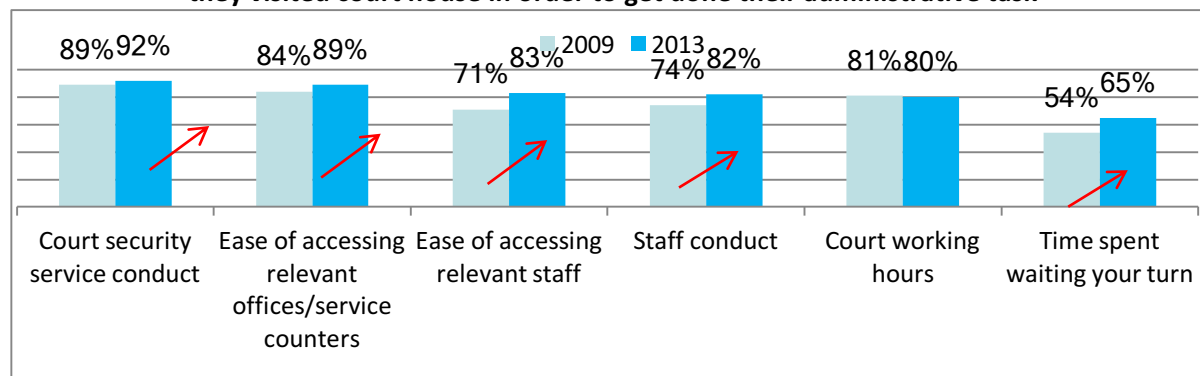
303. Compared to the other aspects, members of the general population and business sector representatives are least satisfied with time spent waiting for their turn (63% of members of general population are satisfied with this aspect and 65% of business sector members). In this aspect also, the situation is somewhat better than 2009. (Figures 4.4.4 and 4.4.5)

**Figure 4.4.4: 2009 and 2013 share of users of court administrative services among general public who were satisfied with listed aspects of court administrative services last time they visited court house in order to get done their administrative task**



Note: Question: Please recall the last time you went to the courthouse to get something done with respect to this concrete administrative task. Please rate your satisfaction on a scale of 1 to 4, where 1 represents ‘very dissatisfied’, 2 ‘dissatisfied’ 3 ‘satisfied’ and 4 ‘very satisfied’. How satisfied were you with...? Base: Members of general public with experience with court administrative services total target population

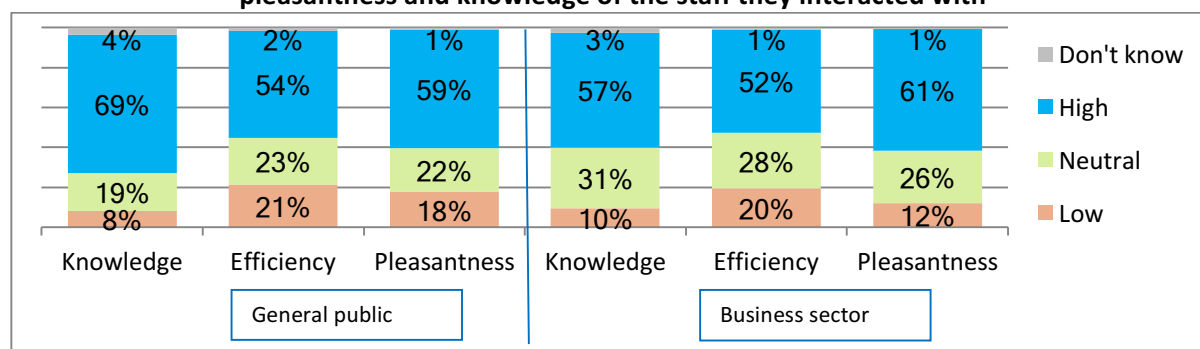
**Figure 4.4.5 2009 and 2013 share of users of court administrative services among members of business sector who were satisfied with listed aspects of court administrative services last time they visited court house in order to get done their administrative task**



Note: Question: Please recall the last time you went to the courthouse to get something done with respect to this concrete administrative task. Please rate your satisfaction on a scale of 1 to 4, where 1 represents 'very dissatisfied', 2 'dissatisfied', 3 'satisfied' and 4 'very satisfied'. How satisfied were you with...? Base: Members of business sector with experience with court administrative services total target population

304. Most users of administrative services are satisfied with efficiency, pleasantness and knowledge of service providers, and a significantly higher percentage of them assess these characteristics as being at high or very high level than as being at low level<sup>31</sup>. (Figure 4.4.6) Compared to 2009, according to users, service providers have upgraded their knowledge, and they have become more efficient and more pleasant when communicating with users.

**Figure 4.4.6: 2013 perceptions of users of court administrative service of the level of efficiency, pleasantness and knowledge of the staff they interacted with**



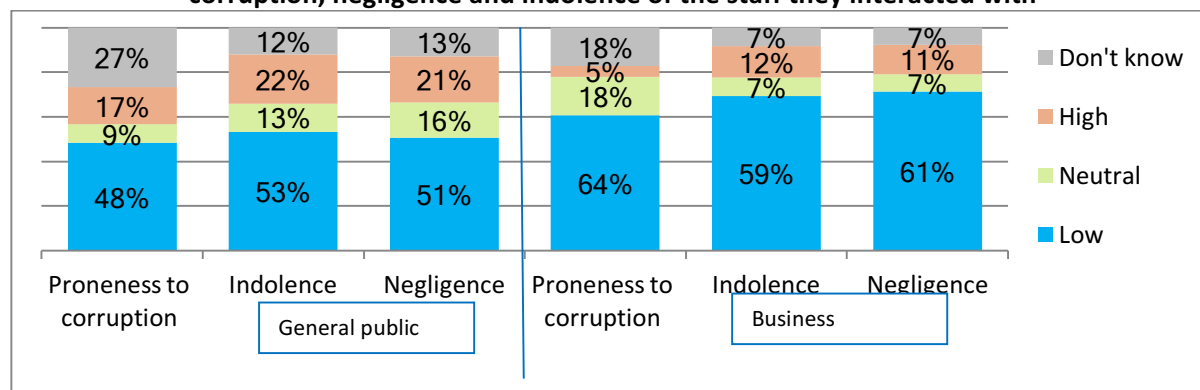
Note: Question: Please rate the staff in the court administrative services with respect to the following features. Please rate the level of ..... of the staff you interacted with on a scale of 1 to 5, where 1 represents 'very low level' and 5 'very high level'. Base: Members of general public and business sector with experience with court administrative services total target population

305. A considerably lower percentage believes that service providers were prone to corruption, sloppy and negligent. As for the presence of negative characteristics among providers of administrative services users had contact with, approximately one in six members of the general population believes that proneness to corruption was present to a great extent, and approximately one in five that indolence and negligence were present to a great extent. An even lower percentage of business sector representatives share the opinion that these negative characteristics were present to a great extent: 5% believe that corruption is present to a great extent, 12% indolence was present to a great extent, and 11% that negligence was present to a great extent. On the other hand, it should be underlined that almost a half of general population of citizens, 48%, believe that there was no proneness to corruption among providers of administrative services, or that it was just slightly present,

<sup>31</sup> There were no significant differences between verification and other services regarding assessment of general population users, so results were presented for all services on average

and this opinion is shared by 64% of business sector representatives. (Figure 4.4.7) Compared to 2009, perceptions regarding presence of negative characteristics of staff in administrative services are improved. The percentage of general population members who believe that proneness to corruption was present to a great extent in administrative services reduced from 33% to 17%, and among business sector representatives from 17% to 5%. The percentage of users who believe that verification services, as a part of administrative services, were accompanied by indolence and negligence is also reduced significantly.

**Figure 4.4.7: 2013 Perceptions of users of court administrative service of the level of proneness to corruption, negligence and indolence of the staff they interacted with**



Note: Question: Now please rate the staff in the court administrative services with respect to the following negative features, on a scale of 1 to 5, where 1 represents 'very low level' and 5 represents 'very high level'. Base: Members of general public and business sector with experience with court administrative services total target population

## 4.5. Integrity of court administrative services

### Summary

306. Compared with widespread citizens' belief that corruption is present in the judiciary in general, a significantly lower percentage of users of administrative court services believe that corruption is present in this sector. About a third of members of the general population of users of administrative services, and a somewhat smaller number of business sector representatives, believe that corruption was present in this sector, and this percentage is reduced significantly compared to 2009. On the other hand, however, a great majority of providers of administrative services believe that there was no corruption in their sector at all, and this difference in perceptions of the presence of corruption between service users and providers remained big in spite of increase of users' positive evaluation. Compared with the percentage of users who believe that corruption was present in administrative court services, substantially lower percentage reports resorting to informal means in order to speed up an administrative court task. Those employed in administrative court services do not agree on whether there was any form of internal control present in their sector. More than half believe that there was internal control, but a significant percentage believes there was no control

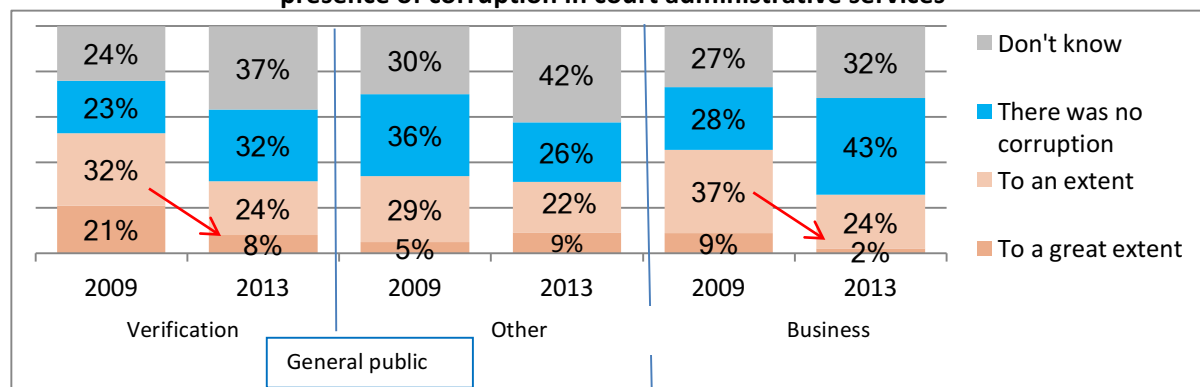
307. **Compared with the perception of presence of corruption in the judiciary system in general, a significantly lower percentage of citizens believes that corruption is present in court administrative services.** While more than half of the general population members<sup>32</sup> believe that corruption is present in the judiciary, about a third of general population users believe that corruption was present in administrative court services in 2013, and approximately the same percentage that it was not. As for business sector representatives, a somewhat lower percentage considers corruption present, 26%, and somewhat higher - not present, 43%. A substantial percentage of users, however, could not estimate the potential presence of corruption. Compared to 2009, the percentage of the

<sup>32</sup> As already shown in section 2.3.d



general population users of verification service, as well as the percentage of business sector representatives who consider corruption present in administrative services is reduced substantially (from 53% to 32% in general population and from 46% to 26% among business sector members). (Figure 4.5.1)

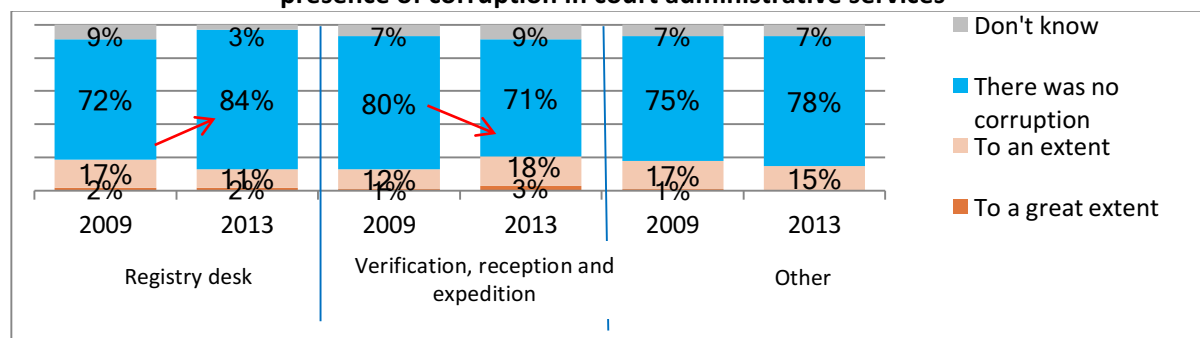
**Figure 4.5.1: 2009 and 2013 perceptions of users of court administrative service about the presence of corruption in court administrative services**



Note: Question: Was there corruption in court administrative services? Base: Members of general public and business sector with experience with court administrative services total target population

308. Unlike users of administrative services, the great majority of providers of these services believe that corruption is not present in administrative services. However, 14% of the employed at registry desk, 21% in verification, reception and expedition department, and 15% of the employed in other administrative departments believe that corruption is present. Compared to 2009, the percentage of those employed at the registry desk who believe that corruption is not present is increased, while the opinion of those employed in verification, reception and expedition department is more negative now, so the percentage of those who think that corruption is present is at least somewhat closer to citizens' opinion. (Figure 4.5.2)

**Figure 4.5.2: 2009 and 2013 perceptions of providers of court administrative service about the presence of corruption in court administrative services**



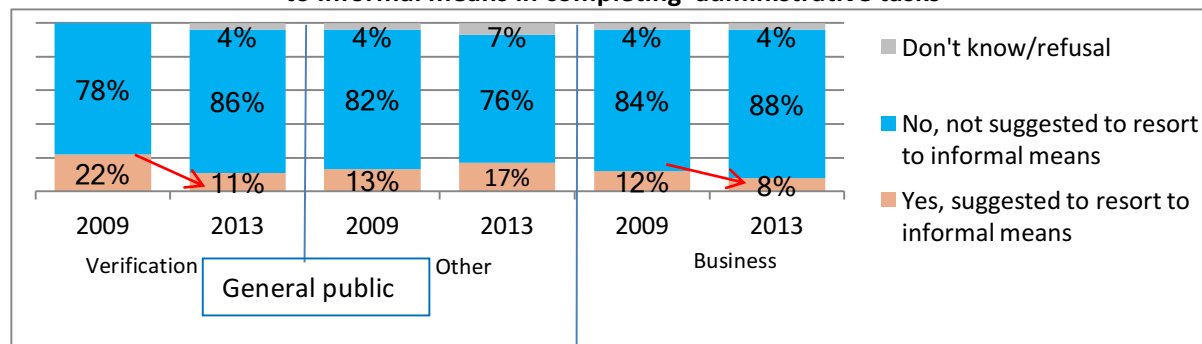
Note: Question: To what extent was corruption present in the court administrative services in the last 12 months? Base: Providers of court administrative services total target population

309. A considerably lower percentage of citizens, though, report personally resorting to informal means. As it was mentioned already, this difference is not surprising since it is well known that citizens are not prone to revealing information about their own corruptive behavior<sup>33</sup>. However, almost 10% of users of administrative services, members of general population, and 6% of business sector representatives, report resorting to informal means. Compared to 2009, this percentage is reduced. (Figure 4.5.3)

<sup>33</sup> Refer to Section 2.3.d2



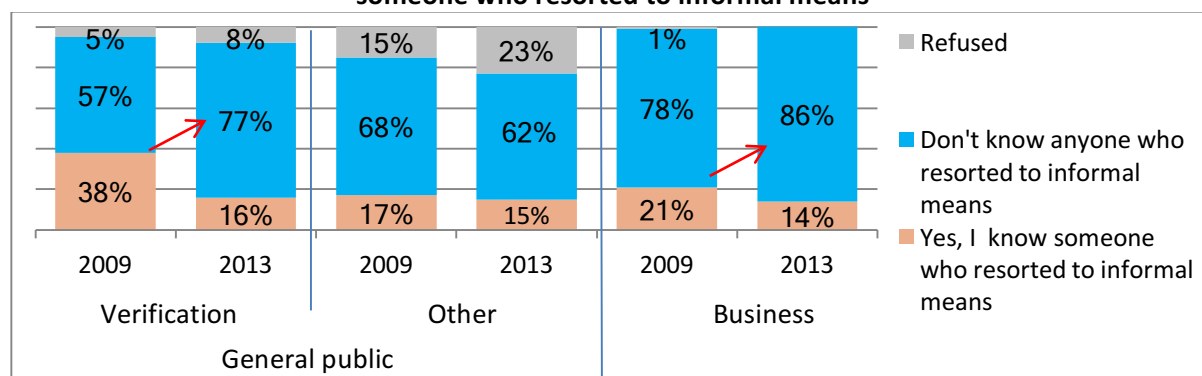
**Figure 4.5.3: 2009 and 2013 statements of users of court administrative services about resorting to informal means in completing administrative tasks**



Note: Question: Did you ever find yourself in circumstances in which you resorted to informal means (made an additional payment, offered a gift, pulled strings...) to complete your administrative task in court faster? Base: Members of general public and business sector with experience with court administrative services total target population

310. A somewhat higher percentage of users says that they know someone who resorted to informal means to speed up administrative task in court (on average about 15%). But this percentage is also reduced compared to 2009, especially among those who needed verification (from 38% to 16%). (Figure 4.5.4)

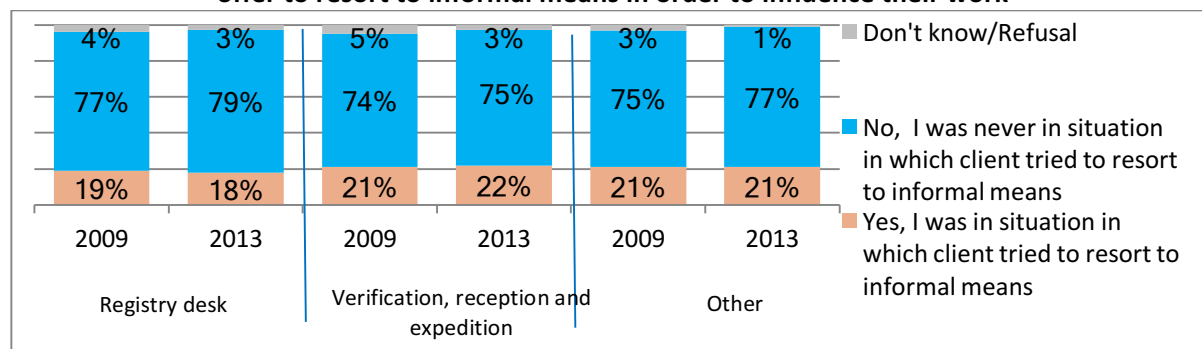
**Figure 4.5.4: 2009 and 2013 statements of users of court administrative services about knowing someone who resorted to informal means**



Note: Question: Do you know anyone who resorted to informal means -made an additional payment, gave a gift, pulled strings...- to speed up the completion of an administrative task in court? Base: Members of general public and business sector with experience with court administrative services total target population

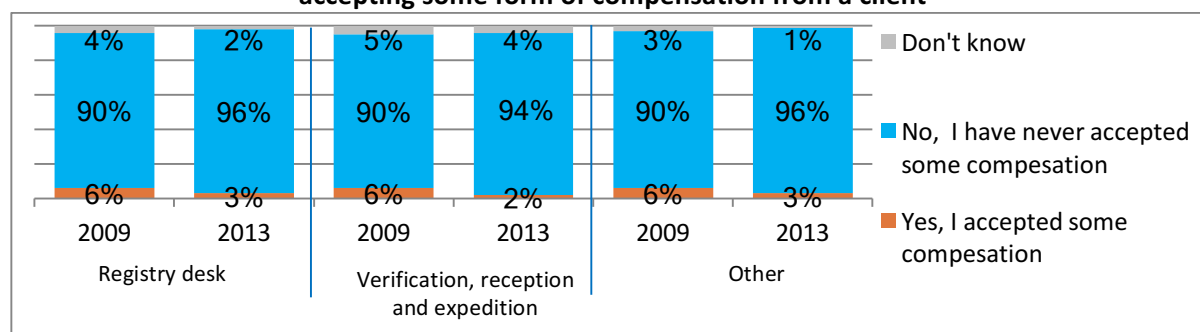
311. On the other hand, about 20% of providers of administrative services say that they were in a situation when client tried to influence their work by resorting to informal means, but only about 3% say that they accepted informal compensation for a performed task. (Figures 4.5.5 and 4.5.6)

**Figure 4.5.5: 2009 and 2013 statements of providers of court administrative services about clients' offer to resort to informal means in order to influence their work**



Note: Question: Did you ever find yourself in a situation in which a client tried to resort to informal means -make an additional payment, give you a gift, pull strings - to affect your work? Base: Providers of court administrative services total target population

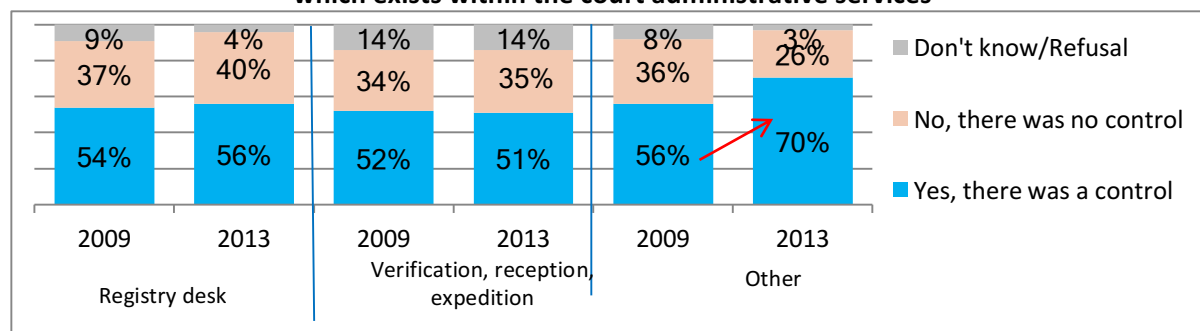
**Figure 4.5.6: 2009 and 2013 statements of providers of court administrative services about accepting some form of compensation from a client**



Note: Question: Did you ever find yourself in a situation in which you accepted some form of compensation for your work from a client? Base: Providers of court administrative services total target population

312. **Providers of administrative services do not agree on whether there was any form of internal control in their sector.** More than half said that there was internal control, but a significant percentage believed that there was no control, while some even stated to be completely unaware of it (in verification, reception, expedition department even 14%). (Figure 4.5.7)

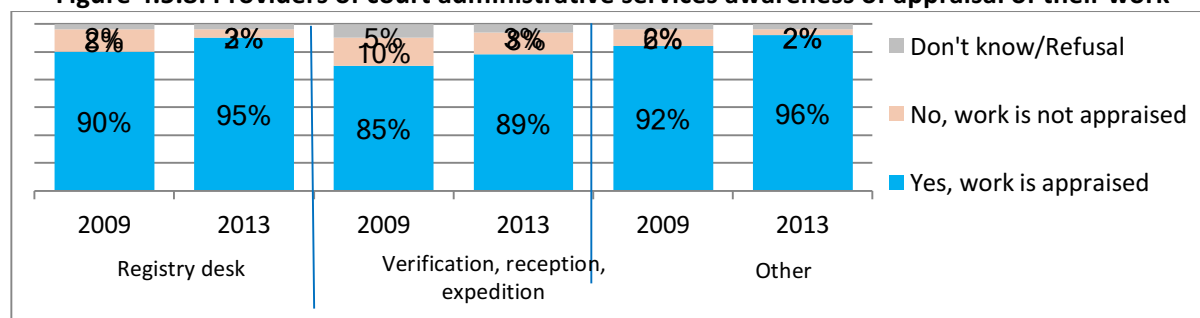
**Figure 4.5.7: Providers of court administrative services awareness of any form of internal control which exists within the court administrative services**



Note: Question: Was there any form of internal control within the court administrative service in the last 12 months? Base: Providers of court administrative services total target population

313. **The great majority, however, believes that their performance is assessed.** But there is no full agreement on this matter as well. (Figure 4.5.8)

**Figure 4.5.8: Providers of court administrative services awareness of appraisal of their work**



Note: Question: Do you know if your work is appraised? Base: Providers of court administrative services total target population

## **4.6. Accessibility of court administrative services**

### **Summary**

314. Most court services users and providers consider administrative court services easily accessible to citizens. The percentage of citizens who consider administrative services easily accessible has increased, and the percentage of service providers who share this opinion has reduced, so opinions of users and providers of the services are mainly matching. As for accessibility of information and court building layout, service users are even somewhat more likely than service providers to think that administrative services were easily accessible to citizens in those aspects. Perceptions of service users and service providers agree regarding financial accessibility as well: the percentage of service providers who consider administrative services hardly accessible financially to citizens is approximately equal to the percentage of the general population members who assess costs of administrative services as a great burden for their budget (about 25%). Most users assess the total costs of administrative services they used as reasonable, if not small (more than 70% of general population and more than 80% of business sector representatives). About a half of users among the members of the general population, and more than 70% of business sector members believe that the costs of administrative services they used was a small burden for their budget. The range of reported costs of administrative services is very extensive, starting from less than 5 Euros and all the way up to more than 1.000 Euros, but most members of the general population reported costs of up to 15 Euros, and most business sector representatives up to 50 Euros.

315. Users of administrative court services and providers of these services agree that administrative services were easily accessible to citizens. More than 80% of users among the general population, and almost 90% of business sector members and services providers share this opinion. Administrative court services are estimated as considerably more available to citizens as court services associated with court proceedings<sup>34</sup>. Compared with the 2009 survey results, the percentage of providers of administrative services who believe that these services are easily accessible to citizens is somewhat reduced, and percentage of users who share this opinion is somewhat increased, so their assessments became quite close to each other. (Figure 4.6.1)

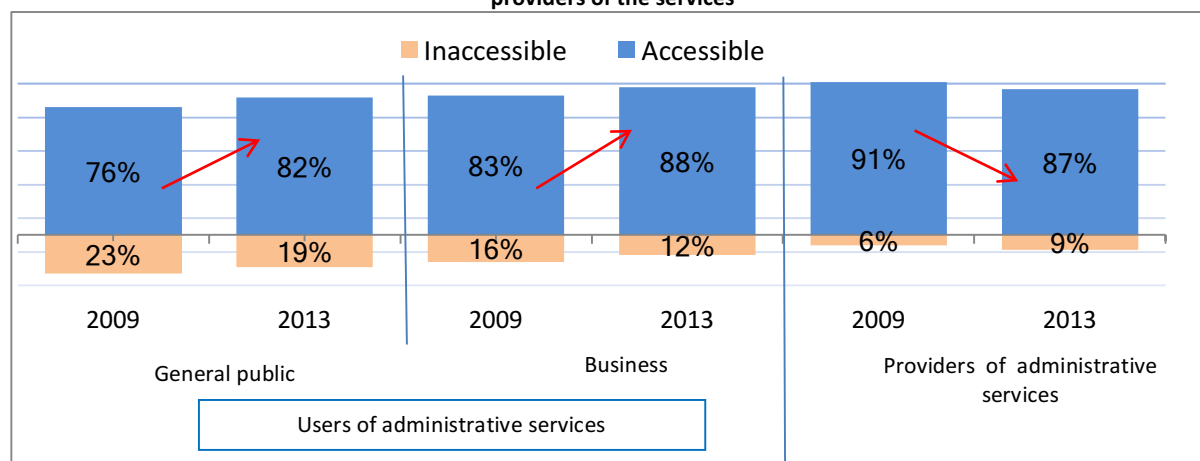
316. **Administrative court services are assessed as a lot more accessible to citizens than court services related to court proceedings.**<sup>35</sup> A great majority of users of administrative services conducted their administrative tasks on their own, without a lawyer. Only 10% of members of the general population, and 7% of members of the business sector engaged a lawyer in 2013 to help them with their administrative tasks.

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<sup>34</sup> Refer to Section 3.1

<sup>35</sup> Refer to Section 3.1

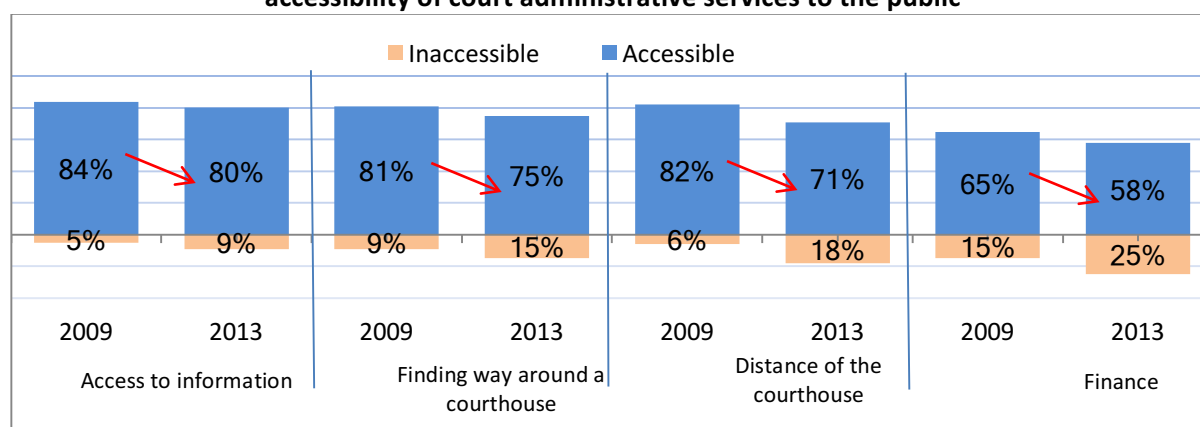
**Figure 4.6.1: 2009 and 2013 perceptions of accessibility of court administrative services by users and providers of the services**



Note: Question: How accessible were administrative services in courts to citizens / private companies in Serbia in the last 12 months? Base: Members of general public and business sector with experience with court administrative services, and providers of court administrative services

317. **Most service providers believe that administrative services are accessible in all aspects**, but the highest percentage shares this opinion regarding accessibility of information (80%), somewhat lower regarding finding one’s way in the court building (75%) and the distance of court building (71%), and the lowest regarding costs of services (58%). It is striking that the percentage of providers of court services who consider administrative services accessible to citizens is reduced on all aspects compared to 2009. (Figure 4.6.2)

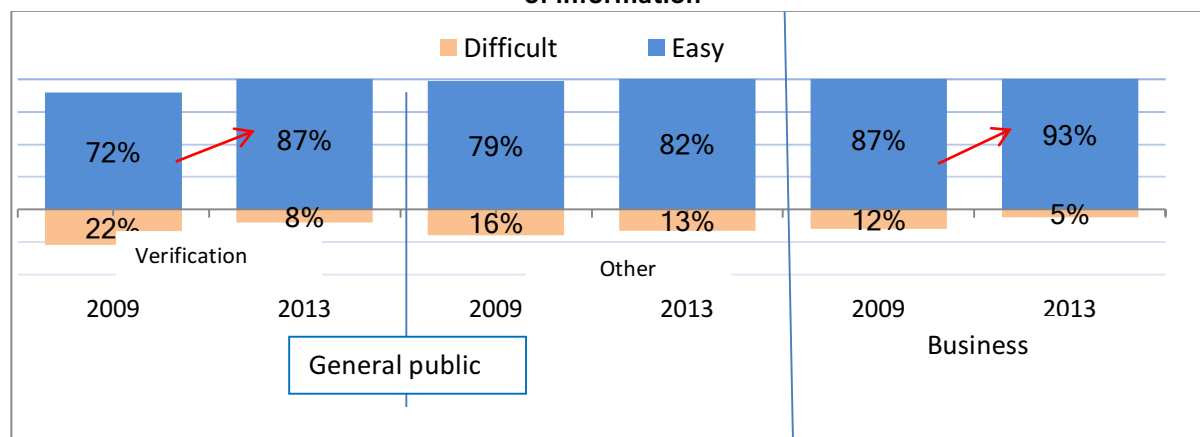
**Figure 4.6.2: 2009 and 2013 perceptions of providers of court administrative services about the accessibility of court administrative services to the public**



Note: Question: How accessible are currently the judicial administrative services to the public on a scale of 1 to 4, where 1 represents ‘very inaccessible’ 2 ‘inaccessible’ 3 ‘accessible’ and 4 ‘very accessible’. Base: Providers of court administrative services total target population

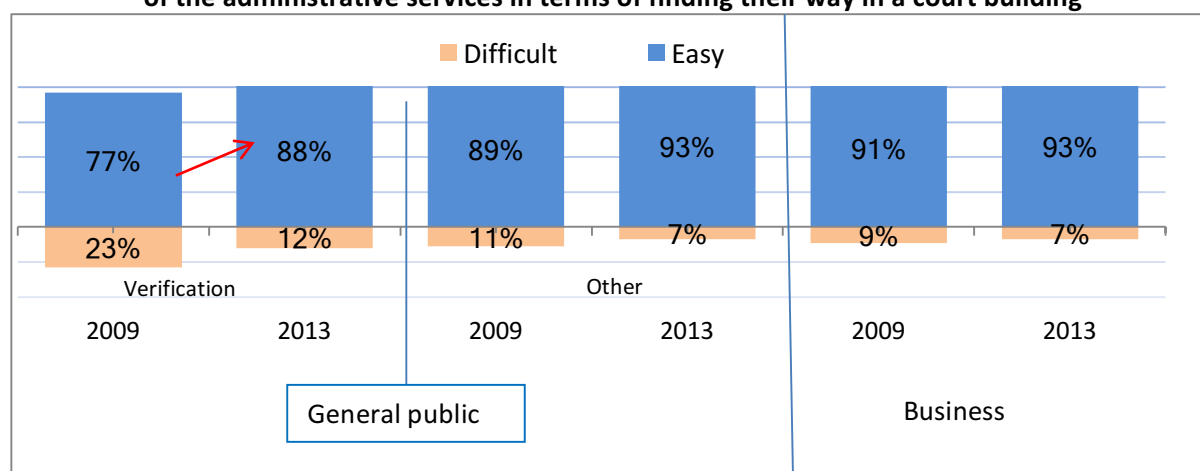
318. It is interesting that users of administrative services are even more likely than providers of court services to assess information as easily accessible and that it was not difficult for them to find their way in the court building. It is also noticeable that the percentage of users who share this opinion, unlike service providers, has increased compared to 2009. (Figures 4.6.3 and 4.6.4)

**Figure 4.6.3: 2009 and 2013 perceptions of users of administrative services about the accessibility of information**



Note: Question: How easy or hard was it for you or your attorney to access information regarding your administrative task: where you should go, what you should do, what document you need...? Scale:1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy. Base: Members of general public and business sector with experience with court administrative services total target population

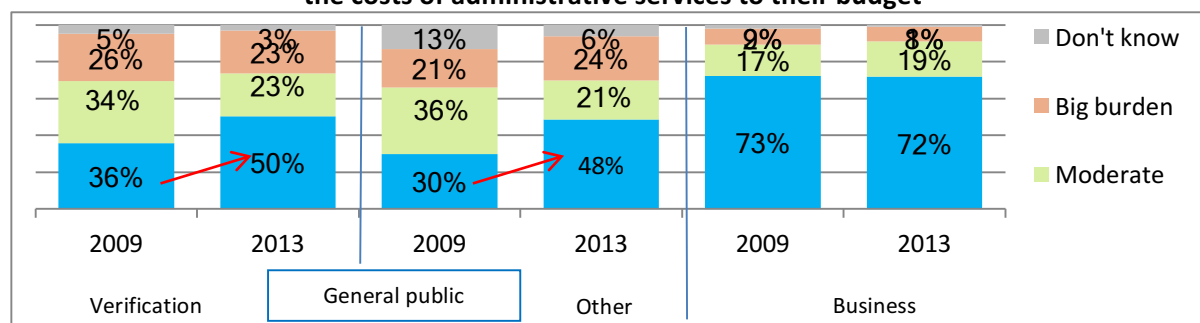
**Figure 4.6.4: 2009 and 2013 perceptions of users of administrative services about the accessibility of the administrative services in terms of finding their way in a court building**



Note: Question: How easy or difficult was it for you to find a way in a court building? Scale:1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy. Base: Members of general public and business sector with experience with court administrative services total target population

319. Obvious is also substantial agreement between users and providers of court services in terms of financial availability of administrative services; 25% of providers of administrative services perceive administrative services as financially difficult to access by the citizens, and approximately the same percentage of users from the general population say that costs of the administrative services they used were a great burden for their budget (23% verification and 24% of users of other administrative services). As for business sector members, however, only 8% say that these costs were a great burden for their company budget. Compared to the 2009 results, the percentage of general population members who say that the costs of administrative services they used was a small burden for their budget has even increased. (Figure 4.6.5)

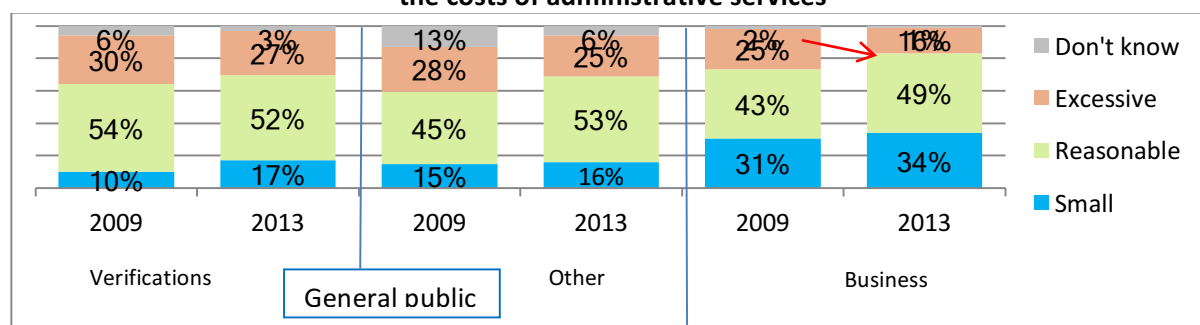
**Figure 4.6.5: 2009 and 2013 users of the court administrative services perceptions of the burden of the costs of administrative services to their budget**



Note: Question: How much of the burden for your budget were the costs? Base: Members of general public and business sector with experience with court administrative services total target population

320. Most users consider total costs of administrative services they used as reasonable, if not even small. Approximately one in four users, members of the general population of citizens, and 16% of business sector members, assess costs of administrative services as excessive. Compared to 2009, the evaluation of general population hasn't changed, and the percentage of business sector representatives who assess costs of administrative services as excessive has reduced by 9%. (Figure 4.6.6)

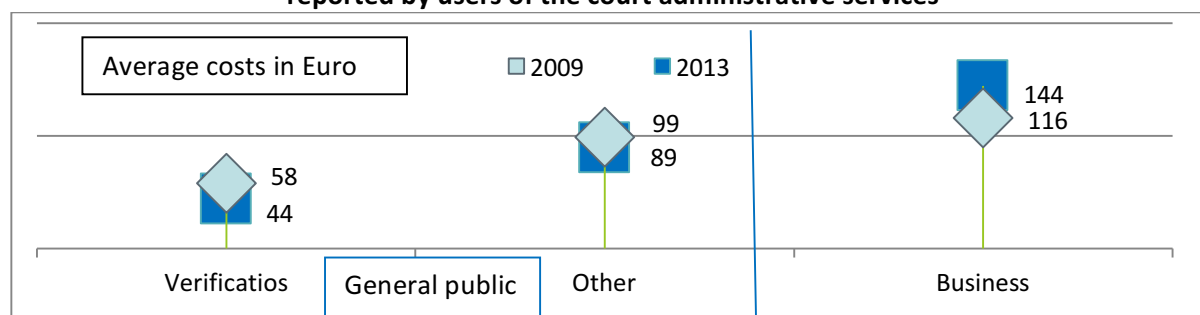
**Figure 4.6.6: 2009 and 2013 users of the court administrative services perceptions of the overall the costs of administrative services**



Note: Question: Do you think the overall costs were small, reasonable or excessive given the quality of the administrative services you were provided? Base: Members of general public and business sector with experience with court administrative services total target population

321. On average, the total costs of administrative service estimated by members of the general population with verification task was between 40 and 60 Euros and of other administrative tasks about 90 Euros. Costs were somewhat higher in the business sector, between 100 and 150 Euros (Figure 4.6.7)

**Figure 4.6.7: 2009 and 2013 average costs in euro of the last administrative task based on data reported by users of the court administrative services**

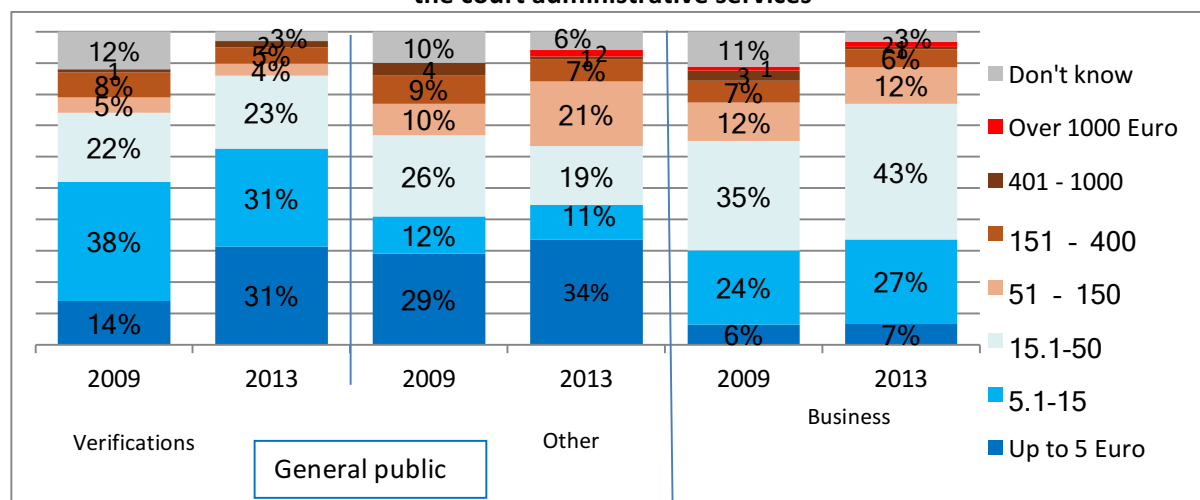


Note: Question: How much did the last administrative task cost you altogether? Total cost implies all court costs and taxes, lawyer fee and travel costs. Base: Members of general public and business sector with experience with court administrative

services who reported data on costs (Verification 2009 88%, 2013 97%; Other services 2009 90%, 2013 94%; Business 2009 89%, 2013 97%)

322. The range of reported costs of administrative services is very extensive, starting from less than 5 Euros and all the way up to more than 1.000 Euros. Some business sector representatives report even more than 10.000 Euros. However, most members of general population with a verification task report costs of up to 15 Euros (more than 60%), and half of them spent 5 Euros most. Also regarding other general population tasks, about a third spent up to 5 Euros, but significantly higher percentage reported extensive costs. As for the business sector, costs were usually (in 43% of cases) between 15 and 50 Euros, 36% indicated smaller costs, and 19% higher costs. (Figure 4.6.8)

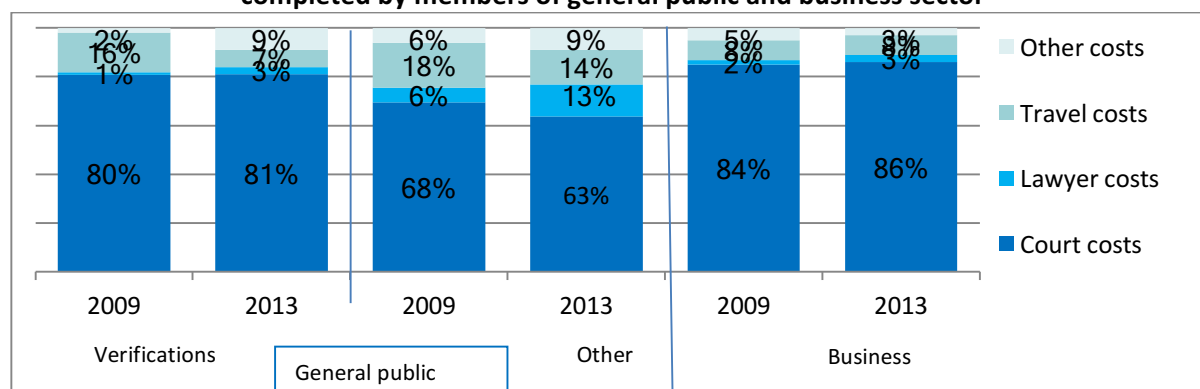
Figure 4.6.8: 2009 and 2013 estimated costs of the last administrative task as reported by users of the court administrative services



Note: Question: How much did the last administrative task cost you altogether? Total cost implies all court costs and taxes, lawyer fee and travel costs Base: Members of general public and business sector with experience with court administrative services total target population

323. The largest share of costs, for the entire population of users on average<sup>36</sup>, are court costs: more than 80% in the tasks of verification of documents, and more than 60% in other administrative tasks. (Figure 4.6.9)

Figure 4.6.9: 2009 and 2013 estimated cost breakdown -mean percentages of the court costs, lawyer costs, traveling costs, and other costs in total costs in the last administrative task completed by members of general public and business sector



Note: Question: Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any? Base: Members of general public and business sector with experience with court administrative services who did not engaged the lawyer and who reported data on costs (Verification 2009 76%, 2013 87%; Other services 2009 73%, 2013 82%; Business 2009 76%, 2013 90%)

<sup>36</sup> It should be taken into account that, as shown above, small percentage of users hired a lawyer to help them to complete the administrative task

## 5. PERCEPTIONS OF THE REFORM LAUNCHED IN JANUARY 2010 AND NEW NATIONAL JUDICIAL REFORM STRATEGY FOR THE PERIOD 2014-2018

### 5.1. Perceptions of reform launched in 2010 - awareness, expectations and perceived effects

#### *Summary*

324. *General support to reform of the judicial system launched in 2010 has considerably decreased, both among court users, providers of court services and lawyers. Nevertheless, somewhat more than half of the judges and public prosecutors still support this reform. Knowledge about the reform has also decreased considerably among the citizens, while those who have heard about the reform mainly associate it with reassignment of judges and prosecutors, the same as in 2010. Decrease of support of the reform among judges and prosecutors is certainly the result of disappointment in the effects of the reform. Expectations that the reform will improve the situation exceeded considerably the appraisal of the actual positive effects of the reforms. In contrast to judges and prosecutors, the lawyers had much lower expectations, so the percentage of disappointed lawyers is considerably lower. While the differences in expectations from reform effects between lawyers on one side and judges and prosecutors on the other were considerable, the evaluations of actual effects of the reform become much closer. Similar to lawyers, the providers of court administrative services had considerably smaller expectations, so their disappointment was also smaller, and the assessments of effects are considerably closer to assessments of judges and prosecutors than were their expectations.*

325. *Judges and prosecutors also had substantially higher expectations that mandatory seminars and new organization of courts will improve the quality and efficiency of court services, and that attendance of Court Academy would help the judges and prosecutors to be more prepared what really happened. Nevertheless, mandatory seminars are the most positively evaluated aspects of the reforms. Although the expectations of effects were considerably higher, a majority of judges and prosecutors still think that these seminars had a positive effect.*

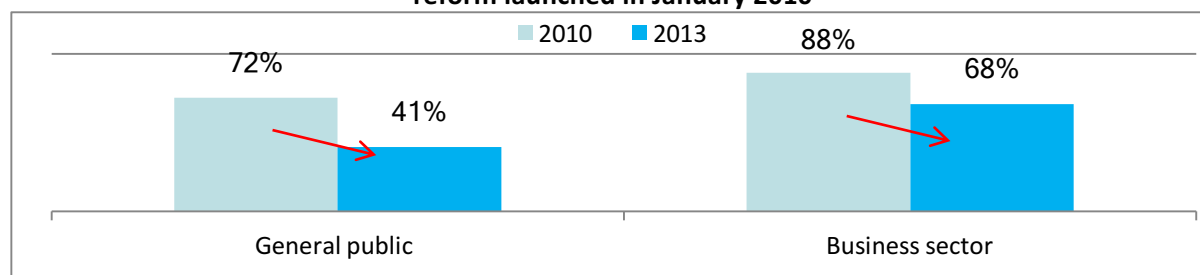
326. *The majority of the judges also expected that the reform from 2010 would result in a more adequate penal policy and that it would equip the judges with more legal mechanisms to keep order in court, but less than a half of them think that this has actually been achieved.*

#### **5.1.a Users of judicial system services awareness of and support to the reform launched in January 2010**

327. **The percentage of court users who have heard about the reform of the judiciary in 2010 has considerably decreased both in the general population and among representatives of the business sector.** While in 2010 more than 70% of the general population and nearly 90% of members of the business sector were aware of these reforms, three years later less than one half of the general population and somewhat less than 70% of representatives of the business sector claimed to have heard about these reforms. (Figure 5.1.a1)



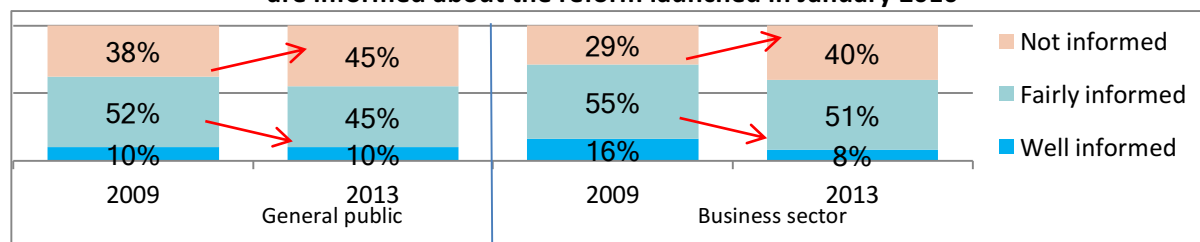
**Figure 5.1.a1: 2010 and 2013 share of users of judicial system services who are aware of the reform launched in January 2010**



Note: Question: Have you heard about the judicial system reform launched in January 2010? Base: general public and business sector total target population

328. Among the citizens who have heard about the reforms, the percentage of those who think that they are at least somewhat, if not well, informed about these reforms has decreased. (Figure 5.1.a2)<sup>37</sup>

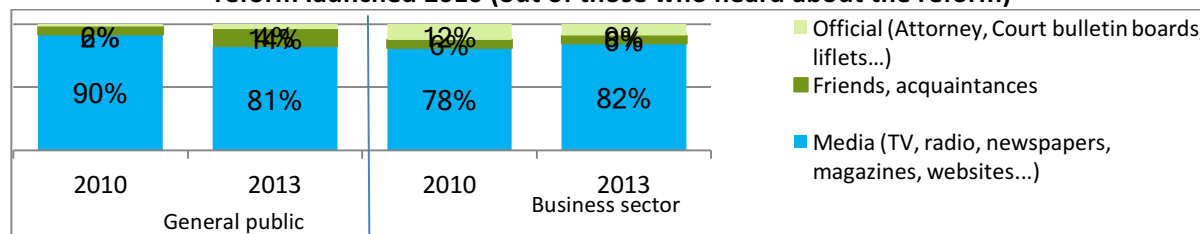
**Figure 5.1.a2: 2009 and 2013 perceptions of users of judicial system services about how well they are informed about the reform launched in January 2010**



Note: Question: How well informed are you about the judicial system reform launched on 1 January 2010? Scale: 1. Not at all 2. Mainly not, 3. Fairly, 4. Mainly informed, 5. Very well informed. Base: Members of general public and business sector who heard about reform (General public: 2009, 72%, 2013, 41%; Business sector: 2009, 88%, 2013, 68%)

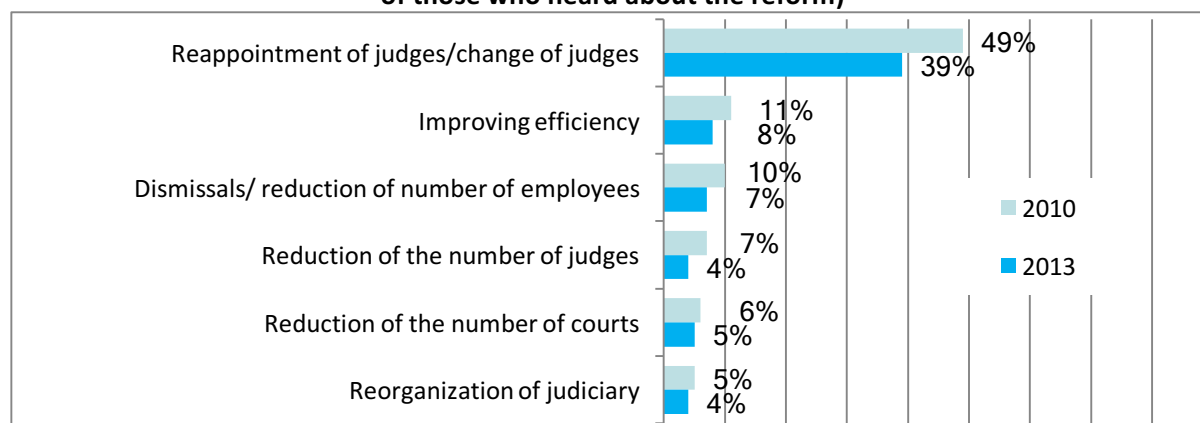
329. Since the citizens' main source of information about judicial reforms was the media, decrease of information about the reforms among the citizens is most probably the result of reduced media coverage of the reforms from 2010. (Figure 5.1.a3) The citizens primarily associate the reforms of the judicial system from 2010 with reelection of judges and prosecutors, which is also most probably related to the way in which the media reported about the reforms. Reassignment of the judges and prosecutors has remained the best-known aspect of these reforms for the citizens in 2013 as well. (Figure 5.1a4)

**Figure 5.1.a3: 2010 and 2013 users of judicial system services main source of information about reform launched 2010 (out of those who heard about the reform)**



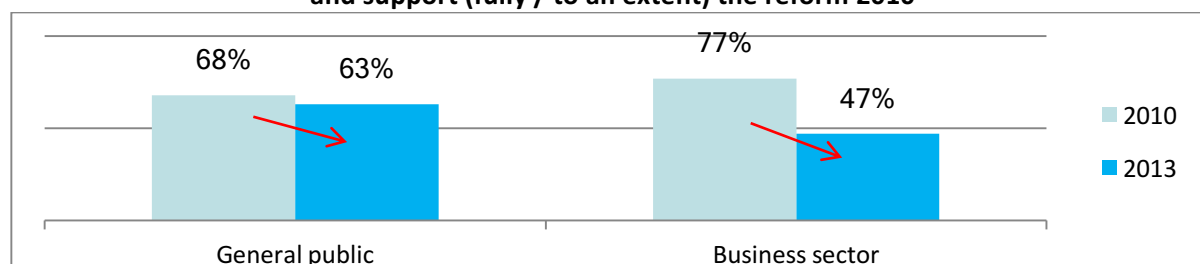
Note: Question: What is your main source of information about this judicial system reform? Base: Members of general public and business sector who heard about reform (General public: 2009, 72%, 2013, 41%; Business sector: 2009, 88%, 2013, 68%)

<sup>37</sup> Since the percentage of the citizens who have heard about the reforms has decreased considerably, the percentage of the informed citizens in total population has actually decreased by 22% (from 45% of members of the general population who perceived themselves informed in 2010 to 23% in 2013), and among representatives of the business sector by 22% (from 62% in 2009 to 40% in 2013)

**Figure 5.1.a4: 2010 and 2013 aspects of the 2010 reform that general public recollect the best (out of those who heard about the reform)**

Note: Question: Can you specify anything that has been done within the framework of this judicial reform? Base: Members of general public who heard about reform (2009 72%, 2013, 41%)

330. **Support to reforms has also decreased since 2010.** Among members of the general population who have heard about the reforms, the support to reforms has decreased by only 5% (from 68% to 63%), but, since the percentage of the citizens who have heard about the reforms has decreased by 29%, the decrease of support within the general population is substantially larger.<sup>38</sup> Support among representatives of the business sector has decreased even more. Among representatives of the business sector who have heard about the reforms the support to reforms has decreased from 77% to 47%, but, once again, due to a considerable decrease of awareness of reforms, within the total population of members of business sector, the decrease is actually considerably larger.<sup>39</sup> (Figure 5.1.a5)

**Figure 5.1.a5 2010 and 2013 share of users of judicial system services who heard about the reform and support (fully / to an extent) the reform 2010**

Note: Question: Do you support the judicial system reform launched in January 2010 in general? Scale: 1. Fully support, 2. Support to an extent, 3. Do not support. Base: Members of general public who heard about the reform (2009 72%, 2013, 41%) and business sector who heard about the reform (2009, 88%, 2013, 68%)

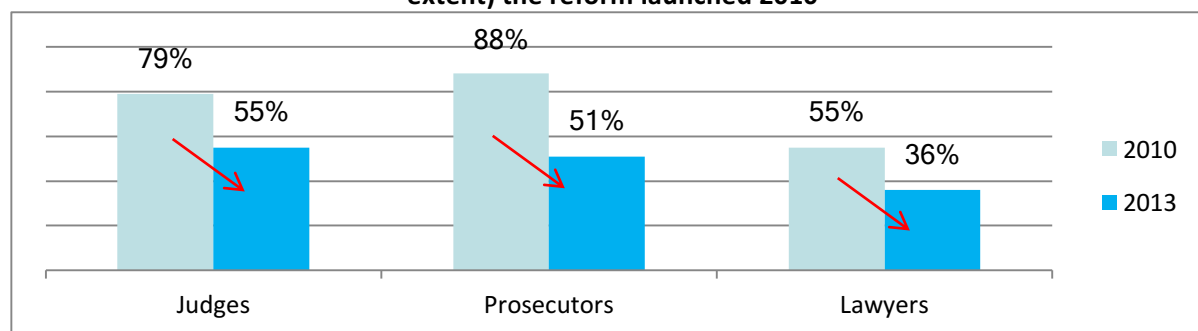
### **5.1.b Judges, prosecutors and lawyers' expectations and perceived effects of the reform launched in January 2010**

331. **Support of the judicial reforms from 2010 has decreased considerably among providers of judicial services as well.** Among the judges the support of these reforms has decreased by 24%, and among public prosecutors by 37%. However, since in 2010 great majority of judges and prosecutors supported the reforms (79% of judges and 88% of prosecutors), despite the decrease, more than a half of judges and prosecutors still support the reforms. (Figure 5.1.b)

<sup>38</sup> From the aspect of total population support to judicial reforms has decreased in the general population by 23% (from 49% in 2010 to 26% in 2013).

<sup>39</sup> Within the total population of business sector representatives support to judicial reforms actually decreased from 68% in 2010 to 32% in 2013.

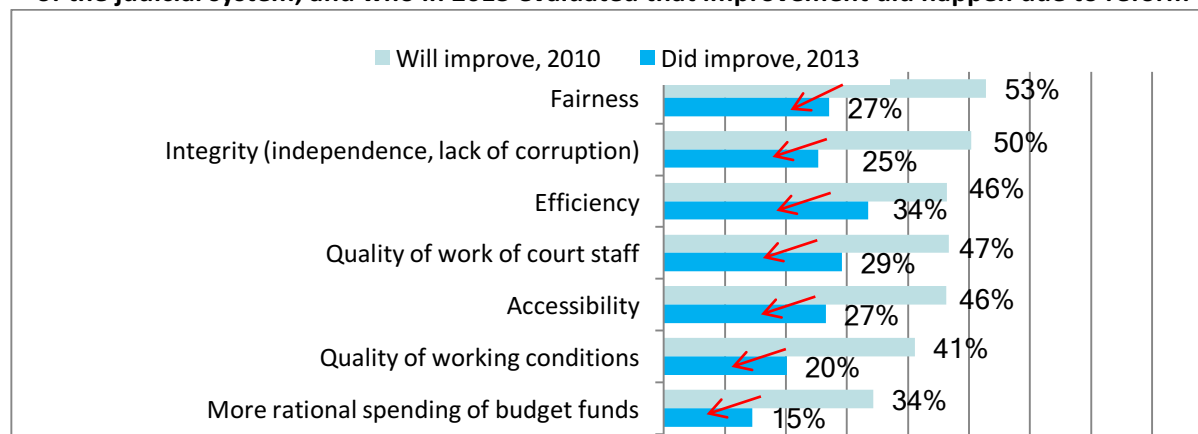
**Figure 5.1.b2 2010 and 2013 share of judges, prosecutors and lawyers who support (fully / to an extent) the reform launched 2010**



Note: Question: Do you support the judicial system reform launched in January 2010 in general? Scale: 1. Fully support, 2. Support to an extent, 3. Do not support. Base: Judges, prosecutors and lawyers total target population

332. **Decrease of support to judicial reforms is definitely the result of disappointment in the effects of these reforms.**<sup>40</sup> Judges and public prosecutors had, by far, bigger expectations of the reforms than what assessed were the actual realized positive effects. (Figures 5.1.b3 and 5.1.b4) It is noticeable, however, that a considerably higher percentage of the judges and prosecutors supported the reforms in general, than they expected concrete positive changes in various aspect of functioning of the judicial system. Both judges and public prosecutors had the biggest expectations regarding fairness and integrity, while the prosecutors had the biggest expectations regarding efficiency, but these expectations were also shared by no more than about one half of the judges and prosecutors (with just somewhat higher expectations of prosecutors with regards to fairness). However, less than 30%, think that the reforms really had positive effects on these dimensions of the functioning of the judicial system (Figures 5.1.b3 and 5.1.b4). More rational sending of the budget was the least expected to be improved among judges. Only one third of the judges had positive expectations, and only 7% estimated that the reform had positive effect. (Figures 5.1.b3)

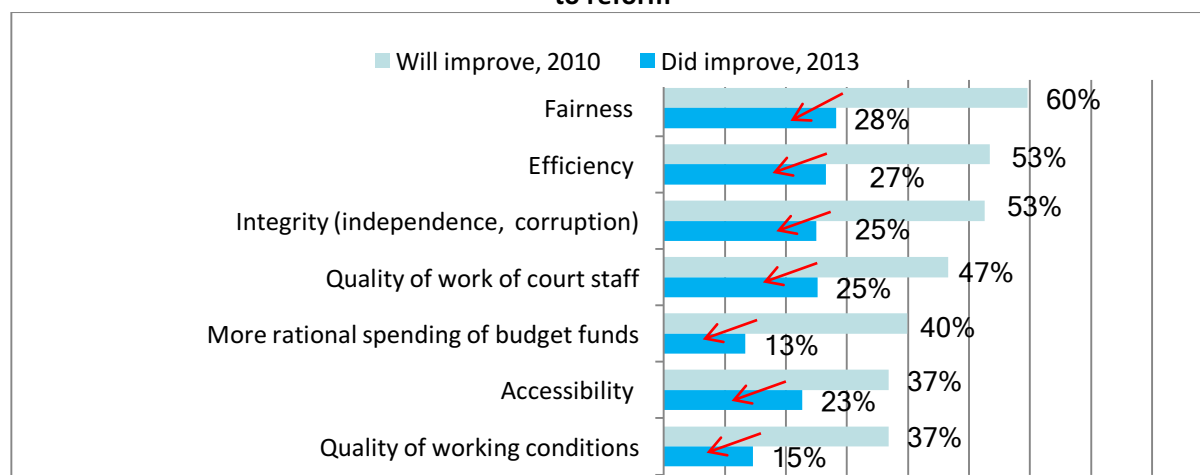
**Figure 5.1.b3 Share of judges who in 2010 believed that reform will improve the listed dimensions of the judicial system, and who in 2013 evaluated that improvement did happen due to reform**



Note: Question: To what extent will/did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system? Scale: 1. Will / Did worsen to a great extent 2. Will / Did worsen to an extent 3. Will/Did not bring any change 4. Will /Did improve to an extent 5. Will / Did improve to a great extent. Base: Judges total target population

<sup>40</sup> Decrease of support to reforms can partially be explained by the fact that in 2010 wave judges and prosecutors who were not reappointed were not covered by the survey, but they were returned to work and included in 2013 wave. The reform support somewhat higher percentage of the reappointed judges and prosecutors than those who were not reappointed in 2009, but the differences were not big, while the decrease of support among reappointed judges is still considerable (58% of reappointed judges support the reforms, which is by 21% below the result recorded in 2010). Regarding the evaluation of reform effects on various aspects of judicial system, judges and prosecutors who were not reappointed were somewhat more negative, but the differences are small and they do not change the overall picture of perception of effects of reforms by judges and prosecutors.

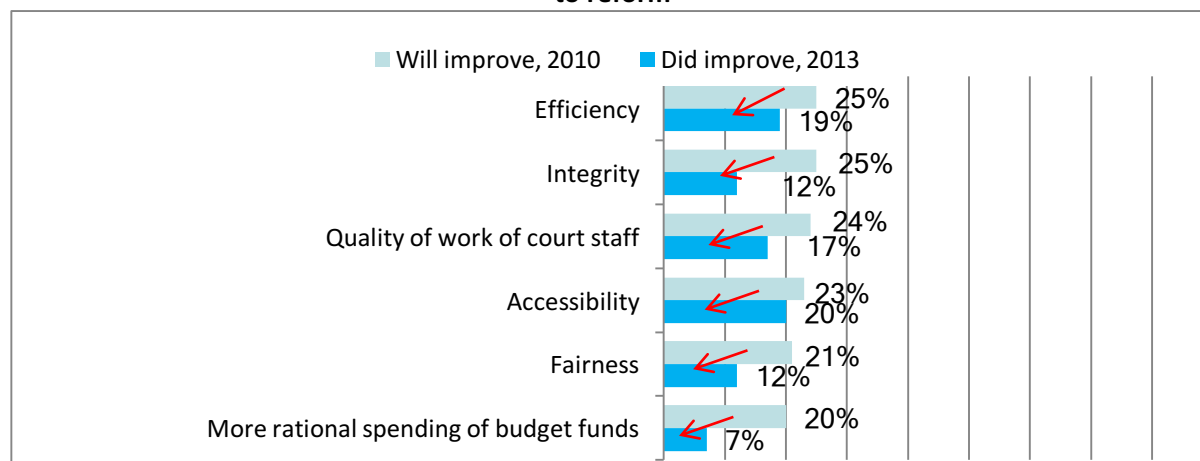
**Figure 5.1.b4: Share of prosecutors who in 2010 believed that reform will improve the listed dimensions of the judicial system, and who in 2013 evaluated that improvement did happen due to reform**



Note: Question: To what extent will/did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system? Scale: 1. Will / Did worsen to a great extent 2. Will / Did worsen to an extent 3. Will/Did not bring any change 4. Will /Did improve to an extent 5. Will / Did improve to a great extent. Base: Prosecutors total target population

333. In contrast to judges and prosecutors, lawyers had much smaller expectations, so the percentage of those disappointed among the lawyers is considerably smaller. While the differences in expectations from the reforms between lawyers on one side and judges and prosecutors on the other were considerable, the evaluations have become considerably closer when it comes to effects of the reforms. (Figure 5.1.b5)

**Figure 5.1.b5: Share of lawyers who in 2010 believed that reform will improve the listed dimensions of the judicial system, and who in 2013 evaluated that improvement did happen due to reform**

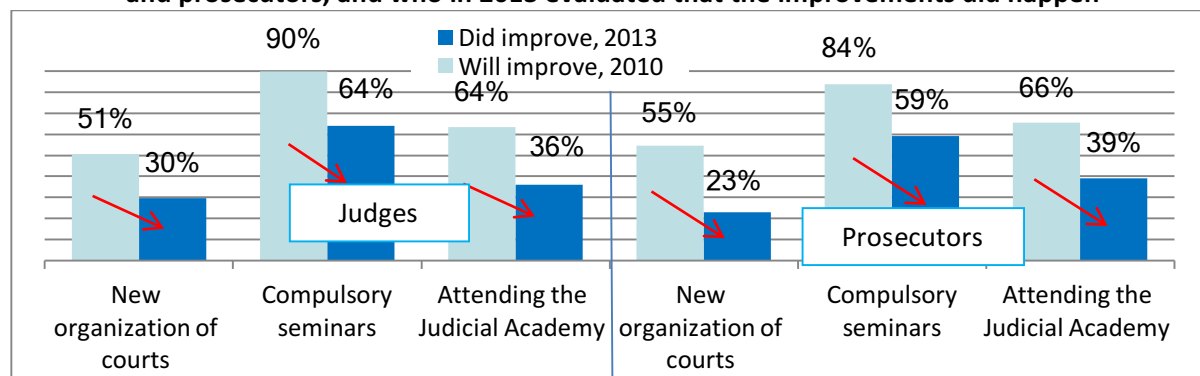


Note: Question: To what extent will/did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system? Scale: 1. Will / Did worsen to a great extent 2. Will / Did worsen to an extent 3. Will/Did not bring any change 4. Will /Did improve to an extent 5. Will / Did improve to a great extent. Base: Lawyers total target population

334. Judges and prosecutors had rather great expectations from mandatory seminars introduced with the 2010 reforms. Even 90% of judges and 84% of prosecutors expected these seminars to contribute to increased efficiency and quality of court services. Although a significantly lower percentage estimated that these seminars really did have this effect, still more than 60% of judges and 59% of prosecutors think that these seminars contributed to increased efficiency and quality. (Figure 5.1.b6) A considerably lower percentage of judges and prosecutors (51% and 55%) expected

the new organization of courts to contribute to an increase of efficiency and quality of court services, and less than a third of judges and 23% of prosecutors believed that this effect really was achieved. (Figure 5.1.b6) Finally, most judges and prosecutors (more than 60%) expected that attending the Judicial Academy would contribute to better preparedness of future judges and prosecutors for their job, but expectations were failed here as well. Only 36% of judges and 39% of prosecutors agreed that attending of the Judicial Academy really upgraded preparedness of future judges and prosecutors (Figure 5.1.b6)

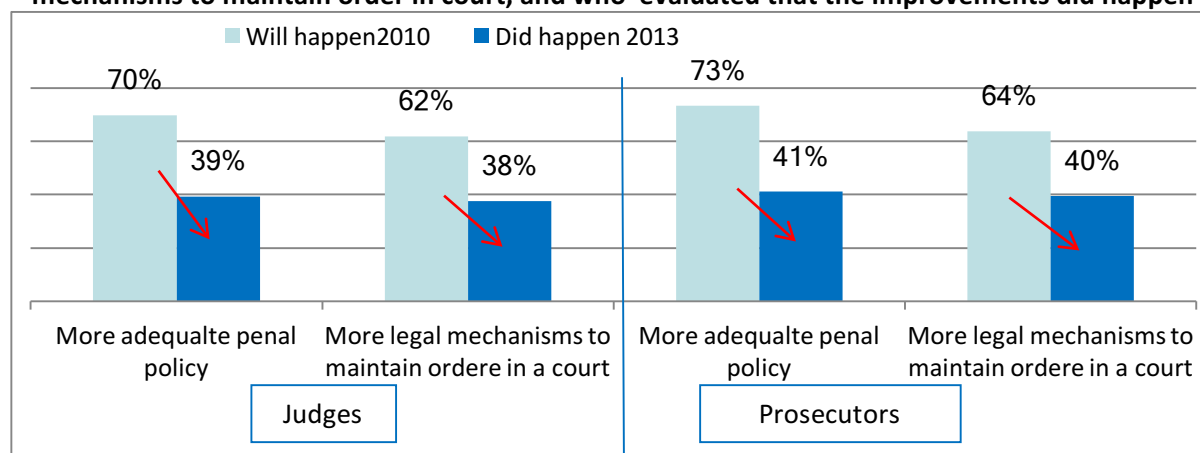
**Figure 5.1.b6: Share of judges and prosecutors who in 2010 believed that new organization of courts and compulsory seminars introduced with the reforms will improve the efficiency and quality of judicial services, and attending judicial academy increase the preparedness of judges and prosecutors, and who in 2013 evaluated that the improvements did happen**



Note: Question: Will /Did the new organization of courts introduced in January 2010 help boost the efficiency of work and quality of services in the judicial system? Will the compulsory seminars introduced within the reforms help boost the efficiency of work and quality of services in the judicial system? Will / Did attending the Judicial Academy increase the preparedness of future judges and prosecutors to the extent that it made the investment really cost effective? Scale: 1. Yes to great extent, 2. Yes to an extent, 3. No) Base: Judges and prosecutors total target population

335. Lastly, most of the judges and prosecutors believed that the 2010 reforms would result in more adequate penal policy (more than 70%), as well as that they would enable judges to have more of legal mechanisms to maintain order in court (more than 60%). However, significantly lower percentage of judges and prosecutors estimated that it was achieved (about 40%). (Figure 5.1.b7)

**Figure 5.1.b7: Share of judges and prosecutors who in 2010 believed that implementation of the reform will result in a more adequate penal policy, and that judges will have more adequate mechanisms to maintain order in court, and who evaluated that the improvements did happen**



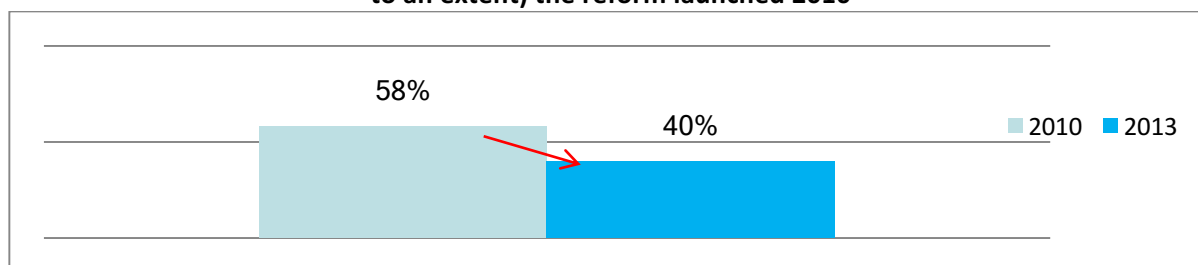
Note: Question: Will/Did the implementation of the reforms result in a more adequate penal policy? Will/Did judges have more legal mechanisms to maintain order in the court? Base: Judges and prosecutors total target population

**5.1.c Providers' of court administrative services expectations and perceived effects of the reform launched in January 2010 in their sector**

336. Those employed in court administrative services, compared with judges and prosecutors, support the reforms from 2010 to a much lesser extent. While, as already mentioned above, almost 80% of judges and almost 90% of prosecutors supported the reforms in 2010, somewhat less than 60% of the employed in administrative sector supported the reforms at the time, and support decreased to 40% in 2013. (Figure 5.1.c1)

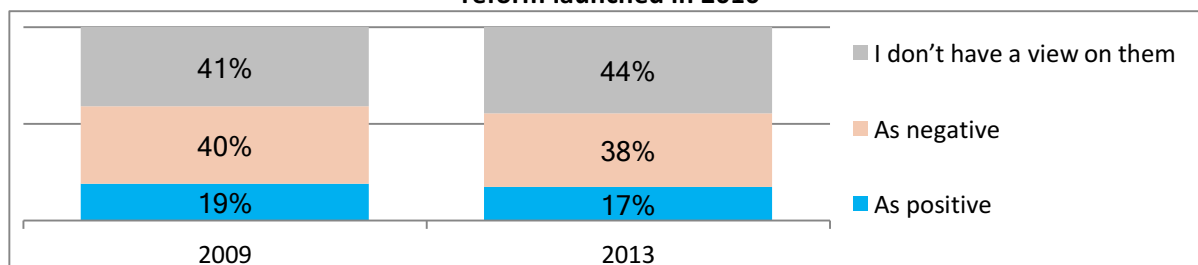
337. This decreased support is not surprising, given that about 40% of those employed in administrative services expected negative consequences for their sector at the very beginning of the implementation of the reforms, primarily in terms of increased workload, or reduced number of employees. Just 19% expected positive consequences, and it did not change in 2013. It is noticeable though that a substantial percentage of those employed in administrative services said to have no opinion on the reforms (or at least didn't want to express it). (Figure 5.1.c2)

**Figure 5.1.c1 2010 and 2013 share of court administrative services providers who support (fully / to an extent) the reform launched 2010**



Note: Question: Do you support the judicial system reform launched in January 2010 in general? Scale: 1. Fully support, 2. Support to an extent, 3. Do not support Base: Court administrative services providers total target population

**Figure 5.1.c2: Court administrative services providers' evaluations of changes in their sector due to reform launched in 2010**



Note: Question: How do you assess these changes of the work of your sector? Base: Court administrative services providers total target population

338. Those employed in court administrative services did not expect much from the reforms on any aspect in their sector. Expectations were the greatest regarding the accessibility of services to citizens, but even on this aspect less than one third of employees expected improvement. Expectations were the smallest in terms of quality of working conditions - only 23% of the employed expected improvement. The percentage of the employed who assessed, in 2013, that the situation really was improved didn't change much compared with the percentage of those who expected improvement. This percentage decreased only with regards to working conditions, and for only 5%. (Figure 5.1.c3)

**Figure 5.1.c3: 2010 and 2013 share of court administrative services providers who believed in 2010 that reform will improve the listed dimensions of the court administrative services, and who in 2013 evaluated that improvement did happen due to reform**



Note: Question: To what extent will/did the judicial system reforms launched on 1 January 2010 improve the following dimensions of the court administrative services? Scale: 1. Will / Did worsen to a great extent 2. Will / Did worsen to an extent 3. Will/Did not bring any change 4. Will /Did improve to an extent 5. Will / Did improve to a great extent. Base: Court administrative services providers total target population

## 5.2. Perceptions of the new National Judicial Reform Strategy for the period 2014-2018

### Summary

339. Not many citizens were informed about the new National Judicial Reform Strategy at the end of 2013, but a large majority of those who were informed, supported the reform. Neither providers of court services nor lawyers were well informed about the new strategy of reform. Just somewhat more than a third of judges and prosecutors claimed to be well informed, while more than a half of lawyers and court administrative service providers stated that they knew nothing or almost nothing about it. The role of the media in informing about the new national strategy was shown to be important not only in the case of the citizens, but also in the case of court services providers and lawyers: the media was the main source of information for the majority of court administrative services providers and lawyers, while judges and prosecutors used the media as a source of information almost equally as they used official sources of information.

340. In spite of limited information, a large majority of judges and prosecutors support the new strategy of reform, just as they supported the reform in 2010, while court administrative services providers and lawyers are a lot more likely to support the new strategy of reform than they supported the reform in 2010. Expectations that the new strategy of reform will improve specific aspects of functioning of the judicial system are considerably higher than were the expectations with regards to reform in 2010, and these higher expectations are especially visible in case of court administrative services providers and lawyers.

341. Providers of court services and lawyers are even less informed about the new National strategy for fight against corruption than about the new reform strategy, and most of those who are at least somewhat informed expect it to have a positive effect, but not to a sufficient extent.

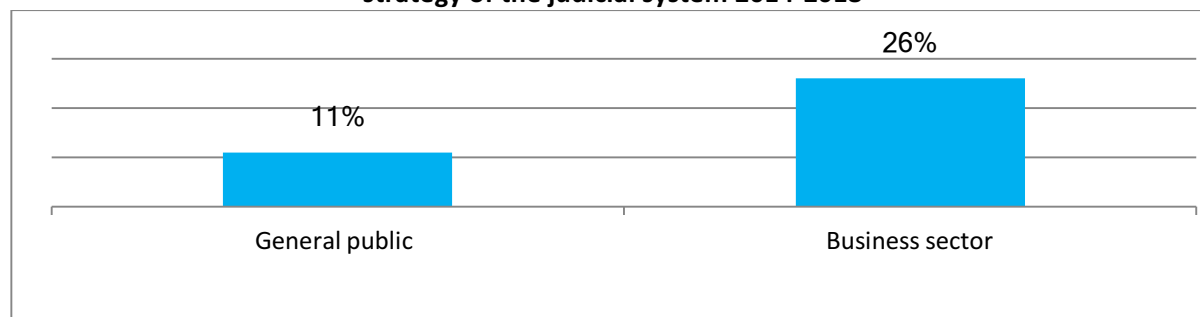


**5.2.a Users' of the judicial system services awareness of the new National Judicial Reform Strategy**

342. One in ten members of the general population and one in four members of the business sector did hear about the new National Judicial Reform strategy at the end of 2013 (in time of the research). (Figure 5.2.a1)

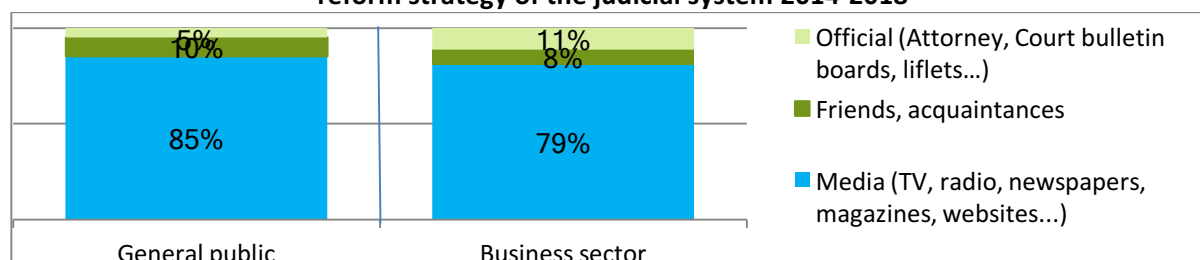
343. The media was the main source of information about the new strategy for the citizens. However, almost half of those who have heard of the new strategy knew nothing or almost nothing more about it. (Figures 5.2.a2 and 5.2.a3)

**Figure 5.2.a1: 2013 share of users of judicial system services who are aware of the new reform strategy of the judicial system 2014-2018**



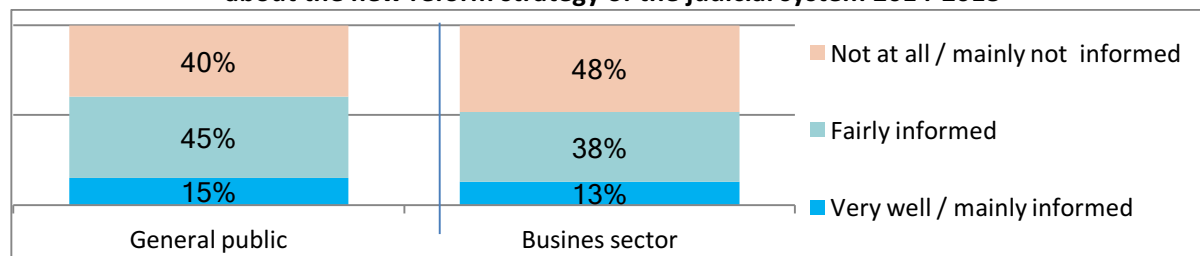
Note: Question: Have you heard about the new National Judicial Reform strategy for the period 2014 - 2018 which was adopted in Parliament in July 2013? Base: general public and business sector total target population

**Figure 5.2.a2: 2013 users of judicial system services main source of information about the new reform strategy of the judicial system 2014-2018**



Note: Question: What is your main source of information about this reform strategy? Base: Members of general public and business sector who heard about the new strategy of reform (General public 11%; Business sector 26%)

**Figure 5.2.a3: 2013 users of judicial system services evaluations about how well they are informed about the new reform strategy of the judicial system 2014-2018**



Note: Question: How well informed are you about new National Judicial Reform strategy for the period 2014 - 2018? Scale: 1. Not at all 2. Mainly not, 3. Fairly, 4. Mainly informed, 5. Very well informed. Base: Members of general public and business sector who heard about the new strategy of reform (General public 11%; Business sector 26%)

344. In spite of low awareness, most of those who have heard of the new reform strategy support the reform (77% of the general population and 66% of business sector representatives), while just a scarce percentage opposes them (2% of the general population and 5% of business sector representatives).

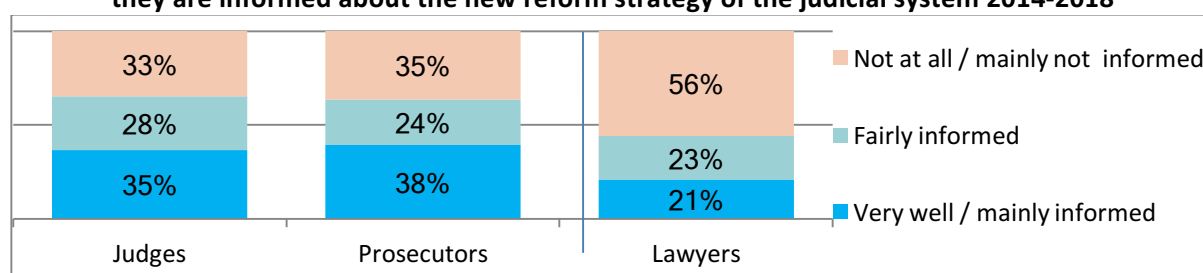


### 5.2.b Judges', prosecutors' and lawyers' perceptions of the new National Judicial Reform Strategy

345. **Judges, prosecutors and lawyers were not well informed on the new reform strategy at the end of 2013 (during the survey).** Just somewhat more than one third of judges and prosecutors claimed to be well informed, while the same share claimed not to know anything or almost anything about it. Lawyers were even less informed: more than a half said that they knew nothing or almost nothing about the reform strategy. (Figure 5.2.b1)

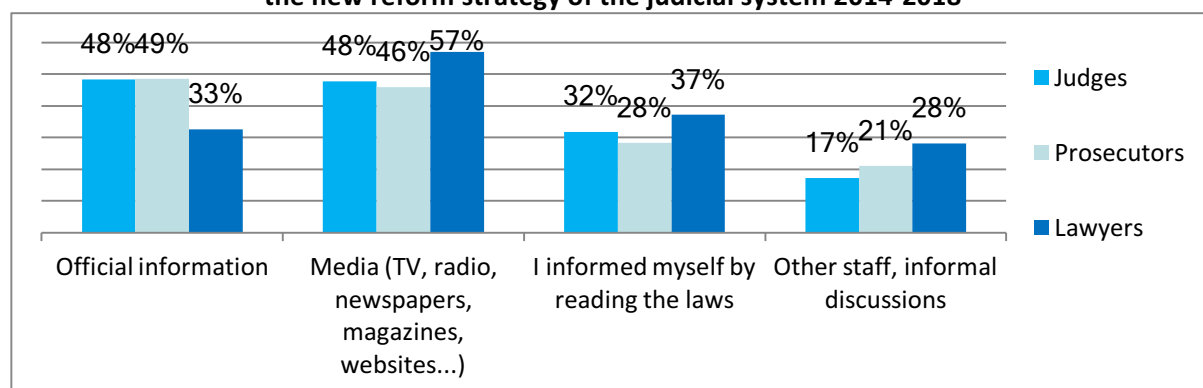
346. **Noticeable is the role of media as a source of information about the new reform strategy.** Judges and prosecutors indicated media as the source of information in about the same percent as the official sources of information. The media were the main sources of information for lawyers (57%), while just a third used official sources of information. (Figure 5.2.b2)

**Figure 5.2.b1: 2013 providers of judicial system services and lawyers evaluations about how well they are informed about the new reform strategy of the judicial system 2014-2018**



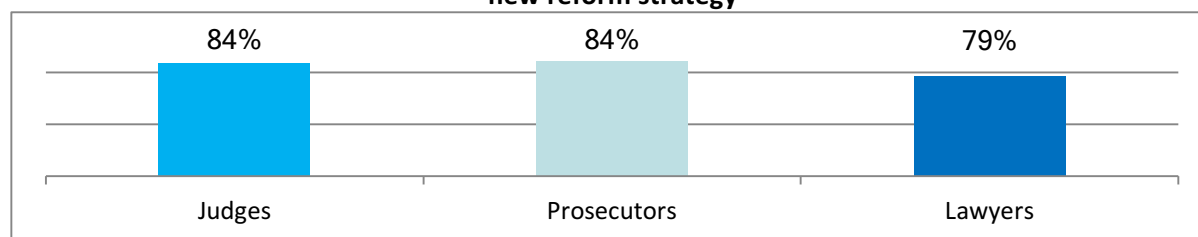
Note: Question: How well informed are you about new National Judicial Reform strategy for the period 2014 - 2018? Scale: 1. Not at all 2. Mainly not, 3. Fairly, 4. Mainly informed, 5. Very well informed. Base: Judges, Prosecutors and lawyers total target population

**Figure 5.2.b2: 2013 providers of judicial system services and lawyers sources of information about the new reform strategy of the judicial system 2014-2018**



Note: Question: What are your main sources of information about new National strategy of judicial system reform? Base: Judges, prosecutors and lawyers who are informed (more than 'not at all') about new National strategy of judicial system reform (Judges 84%, Prosecutors, 84%, Lawyers 63%)- multiple answers

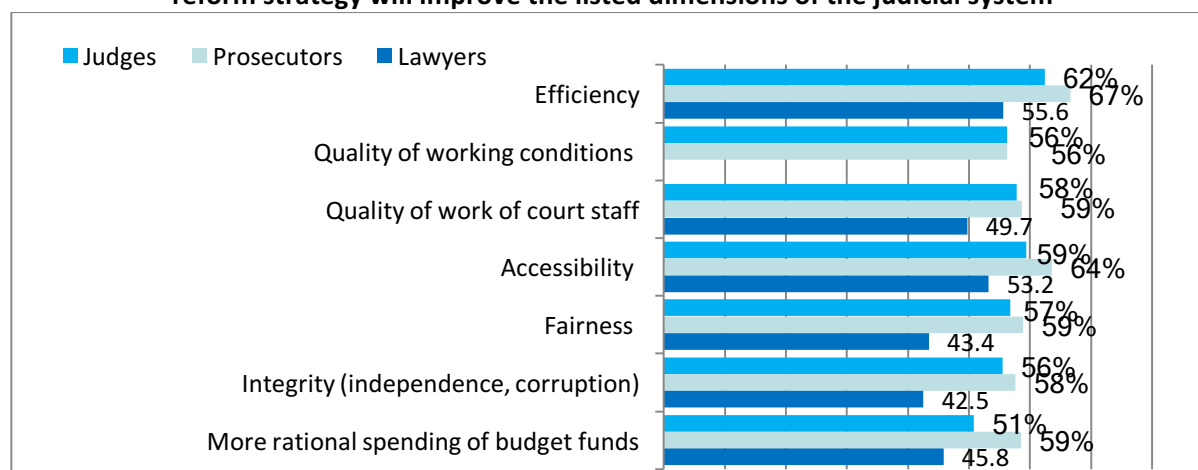
347. **An extensive majority of judges, prosecutors and lawyers, however, support the new National strategy of the judicial system reform.** Support is, in the case of judges and prosecutors, similar to the initial support for the 2010 reforms. A somewhat higher percentage of judges support the new reform strategy (5% more), and a somewhat lower percentage of prosecutors (4% less). In the case of lawyers, however, support is considerably higher than support for the 2010 reform. (Figure 5.2.b3)

**Figure 5.2.b3: 2013 share of judges, prosecutors and lawyers who support (fully / to an extent) the new reform strategy**

Note: Question: Do you support the new National Judicial Reform Strategy adopted in July 2013 in general? Scale: 1. Fully support, 2. Support to an extent, 3. Do not support. Base: Judges, prosecutors and lawyers who are informed (more than 'not at all') about new National strategy of judicial system reform (Judges 84%, Prosecutors, 84%, Lawyers 63%)

348. Although general support for the new reform strategy among judges and prosecutors is similar to support at the beginning of the 2010 reform, expectations of the new reform strategy to improve the situation in the judicial system are greater than expectations of the reform implemented in 2010. A substantially higher percentage of both judges and prosecutors expect the new strategy to improve the situation on all dimensions of functioning of the judicial system, with the exception of fairness and integrity, where expectations are similar to those in 2010. (Figure 5.2.b4 and Table 5.2.b1)

349. Lawyers' expectations that the new strategy will improve the situation in the judiciary are considerably greater than expectations from the 2010 reform, and this growth of expectations is considerably bigger than in the case of judges and prosecutors. While in the 2010 reforms, at best, 25% of lawyers expected the reforms to improve the situation on some dimensions, in the case of the new strategy more than half of lawyers expect a better situation on most dimensions. Expectations are the lowest on fairness and integrity, but even with regards to these aspects more than 40% of lawyers have positive expectations (which is 24% and 27%, respectively, more than in case of the 2010 reforms). (Figure 5.2.b4 and Table 5.2.b1)

**Figure 5.2.b4: Share of judges, prosecutors and lawyers<sup>41</sup> who believe that new national judicial reform strategy will improve the listed dimensions of the judicial system**

Note: Question: To what extent will the new National strategy of judicial system reform improve the following dimensions of the judicial system? Scale: 1. Will worsen to a great extent 2. Will worsen to an extent 3. Will not bring any change 4. Will improve to an extent 5. Will improve to a great extent. Base: Judges, prosecutors and lawyers who are informed (more than 'not at all') about new National strategy of judicial system reform (Judges 84%, Prosecutors, 84%, Lawyers 63%)

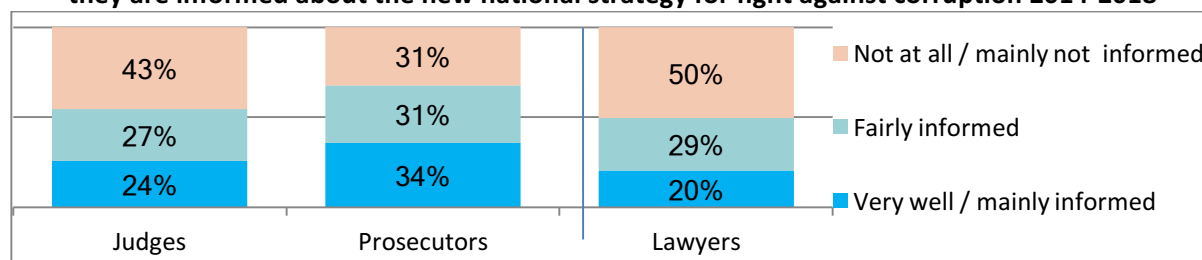
<sup>41</sup> Lawyers were not asked to evaluate quality of working conditions

Table 5.2.b1: INCREASE OF EXPECTATIONS AMONG LEGAL PROFESSIONALS THAT NEW NATIONAL JUDICIAL REFORM STRATEGY WILL IMPROVE THE JUDICIAL SYSTEM IN COMPARISON TO EXPECTATIONS EXPRESSED IN 2010 WITH REGARDS TO REFORM LAUNCHED IN JANUARY 2010 Base: 2010 Judges, prosecutors and lawyers total target population; 2013: Judges, prosecutors and lawyers who are informed (more than 'not at all') about new National strategy of judicial system reform (Judges 84%, Prosecutors, 84%, Lawyers 63%)

	Judges	Prosecutors	Lawyers
Efficiency	+16%	+13%	+31%
Quality of working conditions	+15%	+19%	/
Quality of work of court staff	+11%	+12%	+30%
Accessibility	+13%	+17%	+30%
Fairness	+4%	=	+27%
Integrity (independence, corruption)	+5%	=	+24%
More rational spending of budget funds	+17%	+19%	+32%

350. As for the new National strategy for fight against corruption, knowledge is even somewhat lower than knowledge on the new National Judicial Reform strategy. Somewhat more than 40% of judges stated that they do not know anything or almost anything about it, while one in four claims to be well informed. Prosecutors are somewhat better informed than judges: about a third say that they do not know anything or almost anything about it, while similar share stated to be well informed. Lawyers are least informed and even half claimed not to know anything or almost anything about it. (Figure 5.2.b5)

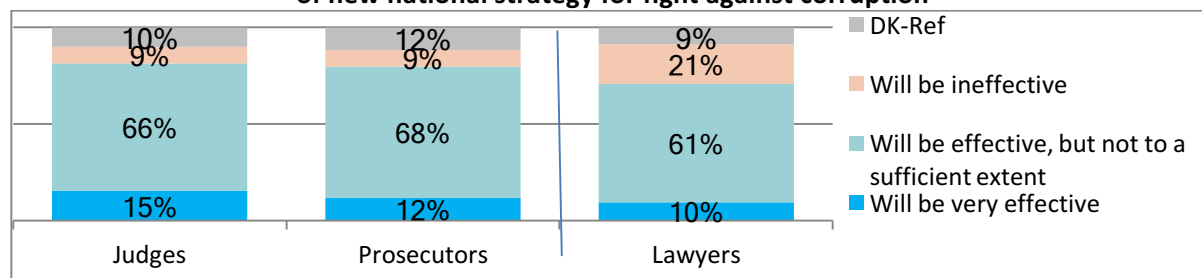
Figure 5.2.b5: 2013 providers of judicial system services and lawyers evaluations about how well they are informed about the new national strategy for fight against corruption 2014-2018



Note: Question: How well informed are you about new National strategy for fight against corruption for the period 2014 - 2018 which was adopted in Parliament in July 2013? Scale: 1. Not at all 2. Mainly not, 3.Fairly, 4.Mainly informed, 5. Very well informed) Base: Judges, Prosecutors and lawyers total target population

351. As for the effects of the new strategy for fight against corruption, the majority expects it to be efficient, but not to a sufficient extent (66% of judges, 68% of prosecutors and 61% of lawyers). A significantly lower percentage believes that this strategy will be very efficient (15% of judges, 12% of prosecutors and 10% of lawyers). (Figure 5.2.b6)

Figure 5.2.b6: 2013 providers of judicial system services and lawyers expectations of the efficiency of new national strategy for fight against corruption



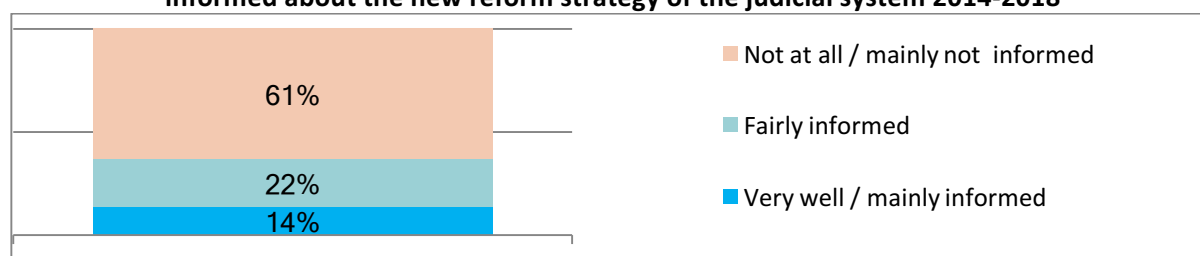
Note: Question: How efficient will be this strategy in fighting corruption in judiciary? Base: Judges, prosecutors and lawyers who are informed (more than 'not at all') about new National strategy for fight against corruption (Judges 75%, Prosecutors, 85%, Lawyers 65%)

**5.2.c Providers' of court administrative services perceptions of the new National Judicial Reform Strategy**

352. **The majority of those employed in court administrative services are not informed about the new reform strategy.** Even 61% claimed that they do not know anything or almost anything about the new National Judicial Reform strategy, and only 14% claimed to be well informed. (Figure 5.2.c1)

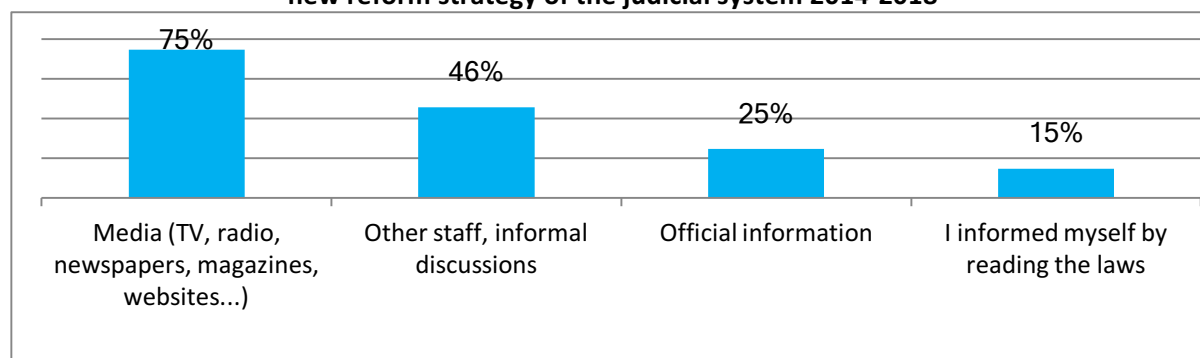
353. **Those employed in court administrative services used the media (75%) and informal conversations with their colleagues (45%) considerably more than they used official sources (25%) to gather information about the new strategy.** (Figure 5.2.c2)

**Figure 5.2.c1: 2013 providers of court administrative services evaluations about how well they are informed about the new reform strategy of the judicial system 2014-2018**



Note: Question: How well informed are you about new National Judicial Reform strategy for the period 2014 - 2018? Scale: 1. Not at all 2. Mainly not, 3. Fairly, 4. Mainly informed, 5. Very well informed. Base: Providers of court administrative services total target population

**Figure 5.2.c2: 2013 providers of court administrative services sources of information about the new reform strategy of the judicial system 2014-2018**



Note: Question: What are your main sources of information about new National strategy of judicial system reform? Base: Court administrative services providers who are informed (more than 'not at all') about new National strategy for fight against corruption (54%) - multiple answers

354. **In spite of low awareness, a substantially higher percentage of those employed in the administrative services support the new reform strategy than reform in 2010:** 78% support the new reform strategy, while 58% supported the reform in 2010. In accordance with higher support for the new strategy of reform, expectations that it will bring improvements in a variety of aspects of administrative services' operations are considerably greater than the 2010 reform. It is interesting that expectations are the lowest in regards to the effect of the new strategy on integrity (corruption and independence of court administrative services), but anyway, the expectations are still greater than in 2010. (Figure 5.2.c3)

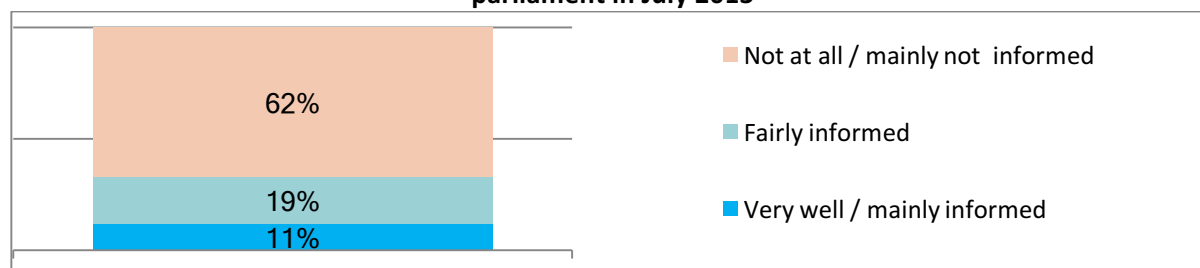
**Figure 5.2.c3: Share of providers of court administrative services <sup>42</sup> who believed that reform introduced in 2010 will improve listed dimensions of court administrative services and who believe that new reform strategy will improve the listed dimensions**



Note: Question: To what extent will the new National strategy for judiciary reforms, launched in July 2013 improve the following dimensions of the court administrative services. Base: Court administrative services providers who are informed (more than 'not at all') about new National strategy for fight against corruption (54% of total target population)

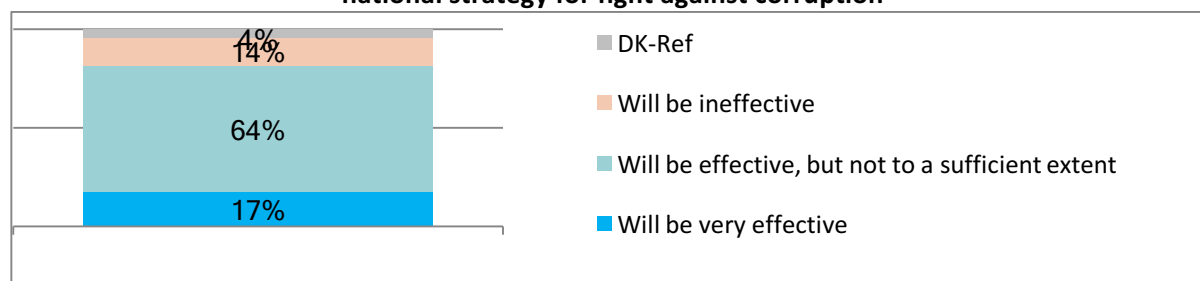
355. **Most of those employed in the sector of court administrative services (62%) are not informed on the new strategy for fight against corruption.** As for those who have heard of this strategy, similar as in case of judges, prosecutors and lawyers, majority (64%) believe that it will have effect, but not to a sufficient extent. (Figure 5.2.c4)

**Figure 5.2.c4: 2013 providers of court administrative services evaluations about how well they are informed about the new national strategy for fight against corruption which was adopted in parliament in July 2013**



Note: Question: How well informed are you about new national strategy for fight against corruption which was adopted in Parliament in July 2013? Scale: 1. Not at all 2. Mainly not, 3. Fairly, 4. Mainly informed, 5. Very well informed. Base: Providers of court administrative services total target population

**Figure 5.2.c5: 2013 providers of court administrative services expectations of the efficiency of new national strategy for fight against corruption**



Note: Question: How efficient will be this strategy in fighting corruption in judiciary? Base: Providers of court administrative services who are informed (more than 'not at all') about new National strategy for fight against corruption (44%)

<sup>42</sup> The accuracy of norms was not among the dimensions evaluated with regards to reform 2010

## 6. PERCEPTIONS OF THE INFLUENCE OF MEDIA IN SHAPING PUBLIC OPINION OF THE JUDICIARY SYSTEM

### Summary

356. Opinions of court users and providers of court services about the judiciary image that the media generates differ considerably, the same as the perceptions of judiciary differ. Court users have a predominantly negative perception of the judiciary, and a majority of them think that the image of the judiciary that media creates is either objective or even more positive than reality; providers of court services have a considerably more positive perception about judiciary, and majority of them think that the image of judiciary that media create is more negative than reality.

357. As shown before<sup>43</sup> providers of court services and lawyers think that the media are highly responsible, if not even the most responsible for the negative image of the judiciary in the public, particularly when it comes to the integrity and independence of judiciary. A great majority of providers of court services think that the image of the judiciary generated by the media is more negative than in reality, and that sensationalist media reports are the main source of threat to the integrity and independence of the judiciary.

358. On the other hand, however, at least some of the findings of the survey with the general population oppose the opinion of court services providers about predominant responsibility of the media for a negative public image of the judiciary:

- General impressions about the judicial system expressed by the citizens who had experience with a court case comparing to impressions of the citizens without such experience are rather more negative, so indicating that personal experiences have enforced rather than corrected the general negative image of the judiciary existing in public.<sup>44</sup>
- Opinions of the citizens who had experience with a court case about the way in which the media reported on the judiciary do not differ substantially from opinions of the citizens without such experience: in both cases the highly prevalent opinion is that images generated by media are either objective or better than reality, while the minority opinion is that this image is more negative than reality.
- Finally, although the citizens agree that sensationalist media reports downgraded the trust of the citizens in judiciary, they still consider other factors as more important to creating distrust those factors associated with the work of the courts (inefficient functioning, political pressures, corruption...)<sup>45</sup>.

359. **About one third of the citizens who have experience with a court case, as well as the citizens without such experience think that the image of the judiciary generated by media is better than reality**, while 29% of the citizens with court experience and 36% of the citizens without such experience think that this image is objective. On the other hand, only 29% of the citizens with experience with a court case and 26% of the citizens without such experience think that this image is worse than reality. (Figure 6.1)

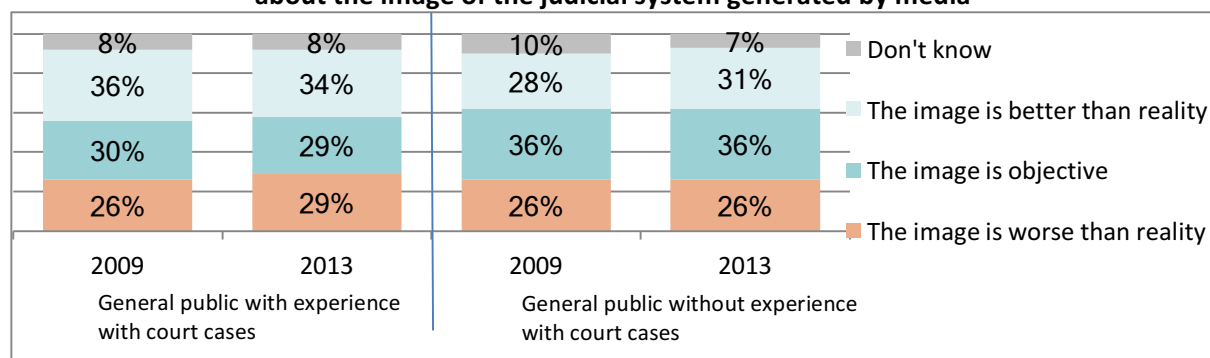
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<sup>43</sup>Sections 2.3f, 2.4 and 2.7

<sup>44</sup>Sections i.1.1 and i.1.2

<sup>45</sup>Section 2.6

**Figure 6.1: 2009 and 2013 perceptions of citizens with and without experience with court cases about the image of the judicial system generated by media**



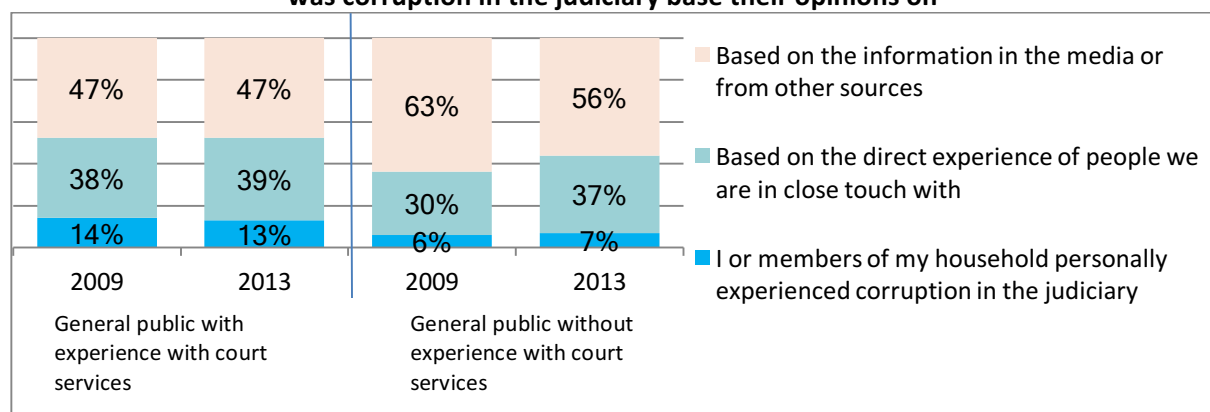
Note: Question: What image of the judicial system do media in Serbia generate in general? Base: General public total target population

360. As for corruption in the judiciary, citizens who believe that corruption is present almost equally mention the media and personal experience, either their own or someone else's, as the main source of information. Citizens without experience with court cases are somewhat more likely to single out the media as the main source of information (56%), while the citizens with experience with court cases are somewhat more likely to specify personal experience, either their own or someone else's (52%). And as it was mentioned already<sup>46</sup>, an almost equal percentage of both groups of citizens (51%) believe that corruption is present in judiciary. (Figure 6.2)

361. Similarly, business sector representatives without experience with court cases are more likely than representatives with experience to specify the media as the main source of information about corruption in the judiciary (78% without experience and 61% with experience), but less likely than those with experience with court cases to believe that corruption is present in the judiciary (38% without experience and 43% with experience with court cases<sup>47</sup>). (Figure 6.3)

362. The conclusion is the same when comparing business sector representatives and the general public: business sector representatives are a lot more likely than representatives of the general public to indicate the media as a source of information about corruption in the judiciary, but less likely to believe that corruption is present in the judiciary.

**Figure 6.2: 2009 and 2013 one main source of information on which citizens who think that there was corruption in the judiciary base their opinions on**

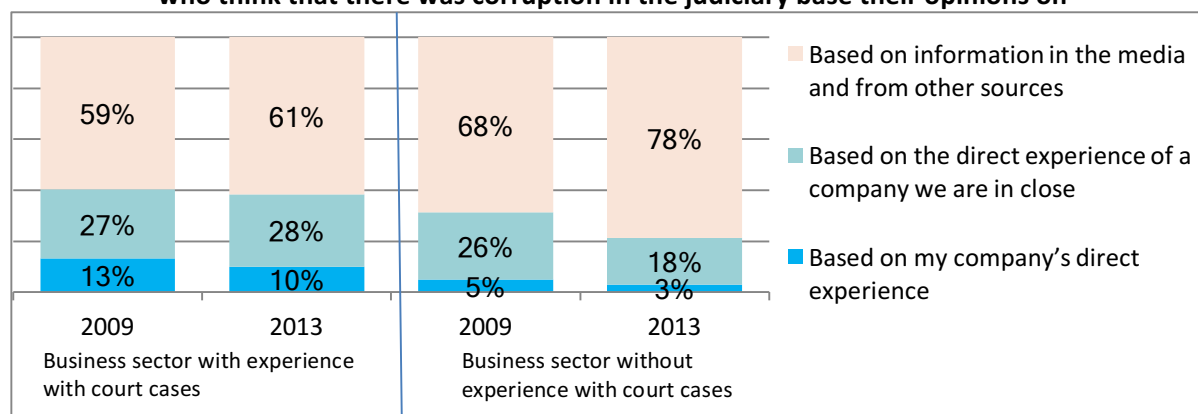


Note: Question: Why do you think that corruption is present in judiciary? Base: Members of general public who think that corruption is present in judiciary (Citizens with court experience 2009 57%, 2013 51%; citizens without court experience 2009 58%, 2013 51%)

<sup>46</sup>Section 2.3.d

<sup>47</sup>Section 2.3.d

**Figure 6.3: 2009 and 2013 one main source of information on which members of business sector who think that there was corruption in the judiciary base their opinions on**



Note: Question: Why do you think that corruption is present in judiciary? Base: Members of business sector who think that corruption is present in judiciary (Business sector with court experience 2009 51%, 2013 43%; Business sector without court experience 2009 49%, 2013 38%)

363. **The media are also specified as the main source of information about the judiciary reforms implemented since January 2010, as well as about the National Judicial Reform Strategy for the Period 2013-2018.**

364. **A great majority of citizens specify the media as the main source of information about the judiciary reforms implemented since January 2010, as well as about the National Judicial Reform Strategy for the Period 2013-2018.** As for the reforms implemented in 2010, citizens mainly associate them with the reappointment of judges and prosecutors, the topic that the media probably covered the most at the time. In the survey conducted in 2010, when asked to specify what was accomplished within the judicial reform, almost half of citizens singled out reappointment of judges and prosecutors and another 15% mentioned reduction of the number of judges, prosecutors and other employees. Not nearly as many citizens mentioned any other aspect of the reform (for example, 11% mentioned shortening of court proceedings), which was most probably a consequence of the way the media covered the reforms. Reappointment of judges and prosecutors is the predominantly memorized element of the 2010 reforms, but the percentage of citizens mentioning it is reduced, since it was not talked about that much (in 2013, 39% of citizens mention reappointment).

365. **It is striking that the media was one of the sources of information about the reforms for judges, prosecutors and lawyers as well:** 46% of prosecutors, 48% of judges and 57% of lawyers mentioned the media as a source of information about the new strategy.

366. **Finally, as it was mentioned already<sup>48</sup>, citizens with experience with court cases found the media useful also as the source of information relevant for their case** (about 10% mention using information from TV, about 3% from the press, and 2% the radio).

367. **All these results merely confirm the undisputable importance of the media in shaping the public opinion.** In addition to studies of perception, systemic analysis of the media reporting about the judicial system would enable better understanding of the perception of the judiciary by the public and facilitate the creation of a more efficient strategy for communication between the citizens and the judiciary through the media.

<sup>48</sup>Section 3.3



## **ANNEX 1 METHODOLOGY**

In order to assure methodological consistency, i.e. to secure valid comparability of the results, sample designs and methods of data collection for all target groups in the follow-up study were based on the designs and methods used in the baseline surveys

### **A.1 Target groups**

#### **a. General public**

a.1. The general public without experience with court proceedings. Definition: Members of the general public who were not involved in the court proceedings in the period between the beginning of 2007 till the end of 2009 (Baseline survey), and from the beginning of 2011 till the participation in the survey in November 2013 (Follow up survey).

a.2 The general public with experience with court administrative services. Definition: Members of the general public who completed an administrative task in court in the last 12 months in front of the survey (members of this target group did not have experience with court proceedings, so the administrative task completed was not related to court case).

a.3 The general public with experience with court proceedings. Definition: Members of the general public who were party in court proceedings in which the first-instance judgment was rendered in the period of the beginning of 2007 till the end of 2009 (Baseline survey), and from the beginning of 2011<sup>49</sup> till the participation in the survey in November 2013 (Follow up survey).

#### **b. Enterprise managers from private sector**

b.1 Enterprises without experience with court services. Definition: Enterprises who were not involved in the court proceedings in the period between the beginning of 2007 till the end of 2009 (Baseline survey), and from the beginning of 2011 till the participation in the survey in November 2013 (Follow up survey). Respondent: The highest available manager (Owner, Director, General Director, Executive Director, or any other person who is involved in core decisions).

b.2 Enterprises with experience with court administrative service. Definition: Enterprises who completed an administrative task in court in the last 12 months in front of the survey (enterprises in this target group were not involved in court proceedings, so the administrative task completed was not related to court case). Respondent: The person most knowledgeable about the last completed administrative task.

b.3 Enterprises with experience with court proceedings. Definition: Private enterprises which were a party in a court proceedings in which the first-instance judgment was rendered in the period from the beginning of 2007 till the end of 2009 (Baseline survey) and from the beginning of 2011 till the time of the survey in November 2013 (Follow-up survey). Respondent: The person most knowledgeable about the court case.

**c. Members of the legal profession working in private practice.** Definition: Members of the legal profession listed in the register of Serbian Bar Chamber.

**d. Public officials and civil servants working in the justice sector.** Definition: Judges, prosecutors / prosecutors' deputies, and court administrative staff who were at this position at the time of the survey.

### **A.2. Sample design and method of data collection**

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<sup>49</sup> January 2011 (one year after the beginning of the implementation of the reforms) was taken as the earliest date of the first instance case closure in order to allow for all respondents in the sample to have had experience with the functioning of judiciary system after the implementation of the reforms. The beginning of the case was not limited, and data about the beginning of the case were recorded in the questionnaire.

**a. General public**

*Sample universe:* Citizens of Serbia 18+ based on 2011 Census figures

*Type of sample:* Three-stage random representative stratified sample; boosted sample of the citizens with experience with court cases – a combined sample based on criteria of geographical spread, and quota based on case type.

*Stages:* Primary sampling units (PSU) - polling station territories; Secondary sampling units (SHU) - household; Tertiary sampling unit (TUS) - member of the household (respondent)

*Type and method of sample selection:* PSU - probability proportional to size (Lechery method); SHU - simple random sampling without replacement (Systematic sample with random choice of the starting point and equal steps of choice); TUS - Simple random sampling without replacement (Kish scheme); Boosted sample -Quasi- random techniques which include snowball selection through the main survey, and selection through the survey with legal professionals. The boosted sample was selected so that the distribution by region, age, education and type of settlement respect the distribution in the universe

*Strata:* First level strata geographical regions - Belgrade, Vojvodina, East Serbia, West Serbia, Central Serbia, South Serbia, and second level strata urban and rural settlements.

*Method of data collection:* Face to face in respondent's household. The interview was conducted by a trained interviewer with a structured questionnaire.

*Time of data collection:* May 14 to June 23, 2010 (Baseline survey); November 02 to November 29, 2013 (Follow up survey)

*Sample size:* In the period from 2010 to 2013 in total 3288 users of court services from general population were surveyed; 1349 with experience with court cases and 1939 without experience with court cases

	Planned sample size	Realized sample size - Baseline	Realized sample size - Follow-up
Basic (random representative) sample of general public	1000	1035	1048
Over sample of general public with experience with court proceedings	600	555	650
TOTAL	1600	1590	1698
a.1. General public without experience with court proceedings	1000	954	985
a.2 General public with experience with court administrative services	/	181	207
a.3 General public with experience with court proceedings	600	636	713
a3.1 Criminal cases	Baseline 200 Follow-up 100	146	121
a3.2 Misdemeanor	100	127	125
a3.3 Civil cases	Baseline 300 Follow up 400	363	467

**b. Enterprise managers from private sector**

*Sample universe:* Private enterprises listed in the register of the Business register agency in Serbia, which submitted their annual balance sheet for the fiscal year 2012 (follow up survey) and for fiscal year 2009 (baseline survey)

*Type of sample:* One stage random representative stratified sample, extended with enterprises with experience with court cases

*Strata:* Geographical strata (Belgrade, Vojvodina, Central Serbia); Economic activity (production, trade, and services); Size of the enterprise defined by the number of employees: 1-19, 20-49, 50-249 and 250+

*Strata allocation:* Proportional to the size of the turnover presented in annual balance sheet

*Method of selection:* Random choice from the register of the Business register agency in Serbia in defined strata

*Method of data collection:* The screener interview was conducted by telephone. The main interview with pre-screened respondents was conducted face-to-face. The location of the interview was chosen by the respondent in order to guarantee the highest level of privacy and confidentiality. The extended sample was selected with the same method

*Time of data collection:* May 14 to June 30, 2010 (Baseline survey) and November 04 to December 26, 2013 (Follow - up survey)

*Sample size:* In the period from 2010 to 2013 in total 2085 users of court services from business sector were surveyed; 863 with experience with court cases and 1222 without experience with court cases

	Planned sample size	Realized sample size - Baseline	Realized sample size - Follow-up
Basic (random representative) sample of enterprises	800	853	810
Over sample of enterprises with experience with court proceedings	200	212	210
TOTAL	1000	1065	1020
a.1. Enterprises without experience with court proceedings	600	615	607
a.2 Enterprises with experience with court administrative services	/	583	572
a.3 Enterprises with experience with court proceedings	400	450	413
a.3.1 Litigations	/	305	227
a.3.2 Economic offenses	/	145	171

**c. Members of the legal profession working in private practice**

*Sample universe:* Members of the legal profession working in private practice listed in the register of Serbian Bar Chamber

*Type of sample:* One stage random representative stratified sample

*Strata:* Geographical strata (Belgrade, Vojvodina, Central Serbia)

*Strata allocation:* Proportional to number of members of the legal profession in the strata

*Method of selection of respondent:* random choice from the list of the register of Serbian Bar Chamber in defined strata

*Method of data collection:* The interview was conducted face-to-face by trained ISM interviewers. The time and place of the interview was chosen by the respondent in order to guarantee the privacy and confidentiality

*Time of data collection:* May 14 to June 23, 2010 (Baseline survey) and November 02 to November 29, 2013 (Follow - up survey)

*Sample size:* Baseline survey n=800; Follow-up survey n=809

d. Public officials and civil servants working in the justice sector

d.1 Judges and prosecutors

*Universe:* Surveys with judges and prosecutors were conducted with entire populations of these two target groups. So no sampling procedure was applied. All courts and prosecution offices, as well as all judges and prosecutors employed at the time of the survey were targeted. Since by definition the population included judges and prosecutors who were at this position in the time of the survey, the population of the baseline survey included only the reappointed judges and prosecutors, while the population of the follow-up survey included also the judges and prosecutors who were not reappointed at the time of the baseline study but were returned to work, as well as new employed.

*Method of data collection:* The self-administration method was used in order to guarantee the privacy and confidentiality. The respondents were provided with questionnaire and envelope with stamp and ISM address. After filling out the questionnaire the respondent put the questionnaire in the envelope and seals the envelope. The respondents had two options to return the questionnaires: to send it by post, or to give it to the ISM representative who visited the court in agreed days and collect the questionnaires.

*Size of total and surveyed population, and response rate:*

	Baseline survey			Follow up survey		
	Targeted population	Surveyed population	Response rate	Targeted population	Surveyed population	Response rate
Judges	2036	1075	52.8%	2824	1533	54.3%
Prosecutors	417	201	48.2%	663	391	59%

*Judges: Response rate by type of court and region:*

Baseline survey		Follow - up survey	
<b>Type of court</b>			
Court of general jurisdiction	49.5%	Court of general jurisdiction	48.6%
Commercial court	62.4%	Court of special jurisdiction - economic and administrative	63.7%
Misdemeanor authority	58.5%	Court of special jurisdiction - misdemeanor	70.5%
<b>Region</b>			
Belgrade	37.1%	Belgrade	28.9%
Vojvodina	55.4%	Vojvodina	60.5%
Central Serbia	59.8%	Central Serbia	65.1%

*Prosecutors: Response rate by type of office and region:*

Baseline		Follow-up	
<b>Type of prosecution office</b>			
		Appellate	50.8%
District	41.8%	Higher	72.7%
Municipal	50.2%	Principal	54.7%
<b>Region</b>			
Belgrade	30.6%	Belgrade	43.8%
Vojvodina	59.6%	Vojvodina	69.9%
Central Serbia	50.9%	Central Serbia	61.8%

**d.2 Court administrative staff**

*Sample universe:* Employees in administrative services in Serbian courts at the time of the survey

*Type of sample:* 43 courts were selected from the sampling frame of courts of General Jurisdiction, Misdemeanor and Commercial courts. The sampling frame was stratified by regions (Vojvodina, Belgrade, and Central Serbia) and type of court. The number of administrative staff in each stratum was allocated according to the size of court (where size was defined as the number of judges employed) and the need to achieve enough number of respondents in each sampling strata cell (at least 30 questionnaires in each strata cell, and at least 150 in Commercial Courts). Within each stratum, courts were selected according to the court size, so that the courts of bigger size were selected. This approach was used, because no reliable data on number of administrative staff in each court were available. The number of administrative staff per court is allocated proportional to the courts' sizes within each stratum.

*Method of data collection:* The self-administration method was used in order to guarantee the privacy and confidentiality. The respondents were provided with the questionnaire and envelope with a stamp and ISM address. After filling out the questionnaire the respondent put the questionnaire in the envelope and seals the envelope. The respondents had two options to return the questionnaires: to send it by post, or to give it to the ISM representative who visited the court in agreed days and collect the questionnaires.

*Time of data collection:* December 21, 2010 to January 25, 2011 (Baseline survey) and November 02 to December 21, 2013 (Follow - up survey)

*Sample size and response rate:* 900 questionnaires were allocated in 2010 and 2013; 571 were fulfilled in baseline survey (response rate 63%), and 579 in follow-up (response rate 64%)

**A.3 Weighting procedure**

Weights were used in order for the sample to reflect structure of the universe, which might be disturbed due to non-response.

**Weighting procedures for general public**

Two weights were used. Rim-weighting (ranking ratio) procedure was applied to representative samples of the general public, using age, gender, education, region, and type of settlement as weighting classes. The incidence of court case experience recorded in the weighted sample was then used as a margin for weighting of the total sample for the general public (including the representative sample and the booster sample of those with court case experience), together with the already listed variables.

**Weighting procedures for business sector**

Rim-weighting (ranking ratio) procedure was applied, using geographical strata, main activity, and number of employees as weighting classes

#### Weighting procedures for lawyers

The sample of lawyers was weighted by the number of lawyers in each of the strata and in lawyers' chambers

#### Weighting procedures for judges and prosecutors / prosecutors' deputies

Since the surveys with judges and prosecutors were conducted with entire populations, the correction of the bias of the structure of these two populations due to incomplete response was corrected by post-stratification, in both baseline and follow-up surveys. The variables used for post-stratification were: geographical region, authority / prosecution offices the judges and prosecutors and prosecutors' deputies worked in 2009 (for baseline survey) and 2013 (for follow-up survey), and gender figures.

#### Weighting procedures for court administrative staff

Post-stratification was applied in the follow-up survey based on allocation of surveyed population in the baseline survey.

### **A.4 Questionnaire**

Data were collected with structured questionnaires. Questions for each of the measured values (efficiency, quality, fairness, integrity and accessibility) and services were selected based on experience with similar surveys in other countries, and adapted to reflect the needs of the Serbian judiciary.

Questionnaires were constructed in a way to allow as much as it is possible the comparability of perceptions of users of court services, providers of court services, and lawyers.

Questionnaires for users of court services consisted three modules: 1. General perception of the judiciary system and reforms (applied with all users of judiciary services); 2. Perceptions based on personal experience with court case (applied with users with experience with court proceedings); 3. Perceptions based on experience with court administrative services (applied with users with experience with court administrative services).

The follow-up questionnaires were based on the baseline survey questionnaires, and further developed in a way to allow comparable tracking of the changes in perceptions of the justice sector performance, and gather additional relevant information.

Note: The questions in the baseline questionnaire were all related to perceptions of the judicial system up to the end of year 2009. So, no matter that surveys were conducted in year 2010, the questions was formulated in a way to focus the respondents to the period before the implementation of the reform in January 2010.

## **A.5 Assessment of dimensions**

### *Court services*

#### *Efficiency*

- Overall perception of efficiency (court services users, court services providers, and lawyers)
- The average duration of proceedings before the first-instance judgment (court service users with experience with court case) / the percentage of cases that lasted longer than they should have for any reason (court services providers and lawyers)
- The total (average) number of hearings (court services users with experience with court case) / average number of hearings per week in (court services providers and lawyers)
- The percentage of canceled hearings and hearings that did not contribute to progress, and perceived reasons (court services users with experience with court case, court services providers and lawyers)
- The percentage of judgments enforcement within the legal deadline (court users with experience with court case) / satisfaction with the procedure for enforcing court judgments (court services providers and lawyers)
- Overall satisfaction with efficiency (court services users, court services providers and lawyers)

#### *Quality of services*

- Overall perception of quality (general public, business sector, judges, prosecutors, lawyers)
- Perceived overall quality of judicial work in the reported cases (court services users with experience with court case) / perceived overall quality of the judiciary institution the employed worked for in 2009 (baseline) and 2013 (follow-up) (court services providers)
- Legal quality of court decisions: Percentage of cases appealed and percentage of retrials in the cases reported by court users with experience with court case/ percentage of appeals overturned for retrial (court services providers and lawyers)
- Quality of laws and their applications: Perceived quality of legislation (ambiguity of laws, objectivity, enforcement) (court services users, court services providers, lawyers)

#### *Accessibility*

- Perceived accessibility of the judiciary to the general public (independent of age, economic status, education, disability, and ethnicity) from the point of view of costs, geographical distance, building layout, and access to information (court services users, court services providers, and lawyers)
- Experiences with accessibility in the cases reported by court users with experience with court case (difficulties with court building layout, accessibility of information, and associated costs)

#### *Fairness*

- Overall perception of fairness of the judiciary (court services users, court services providers, and lawyers)
- Perceived fairness in cases reported by court users with experience with court case (taking the judgment into account)
- Perceived fairness of the judiciary in general (court services users, court services providers, lawyers)
- Perceived equality of treatment of all citizens (court services users, court services providers, lawyers)

#### *Integrity*

- Trust in institutions (position of the judiciary within the main state institutions, media and NGO) and factors perceived to undermine trust in the judiciary (court services users)
- Overall perception of independence of the justice system (all target groups) / institutions perceived to jeopardize independence of the judiciary in 2009 and 2013 (court services providers and lawyers)

- Factors that jeopardized the independence of the judiciary in 2009 and 2013 (court services providers and lawyers)
- Overall perception of corruption in the judiciary (court services users, court services providers, and lawyers)
- Experience with corruption in the judiciary and perceived presence of corruption in the judiciary in 2009 and 2013 (court services users with experience with court cases, court services providers and lawyers)

*Court administrative services (the general public and business sector representatives with experience with court administrative services and court administrative services providers)*

*Efficiency*

- Complexity of actions needed to complete the service (“windows” and locations to go)
- Total time spent to complete the service
- Overall satisfaction with efficiency

*Quality of services*

- Perceived overall quality of court administrative services
- Evaluation of staff performance: knowledge, efficiency, pleasantness, proneness to corruption, indolence, and negligence

*Accessibility*

- How easy / difficult is it to navigate in the court building
- Accessibility of information regarding administrative services
- Accessibility of staff (accessing relevant offices, time spent waiting)

*Integrity*

- Personal experience with informal payments (asked and/or offered)
- Perceived general presence of corruption in court administrative services

**A.6 Data analyses**

Data from the follow-up survey and baseline survey were analyzed and compared by using the appropriate statistical tests depending on the type of data. Means were compared by using appropriate models of analyses of variance (One Way analyses of variance was used for comparisons of means between two waves, and factorial models when means were compared by wave and type of cases). Parameters of relative proportions were estimated by 95% confidence intervals. For reader's convenience, statistically significant differences on graphs are marked with an arrow.

**Note:** An additional survey with a random representative sample of 1003 citizens 18+ (Omnibus survey) was conducted in January 2014. The objective of this survey was to collect more data on citizens' perceptions of accessibility of judicial services to the general public. Results from this survey are presented in section “3. Access to judicial services”, and source of data is noted in the footnote.



## ANNEX 2 QUESTIONNAIRES

### Questionnaire for General public

Selection Questions			
S1	Did you PERSONALLY take part in a court proceeding in the past three years, from the beginning of 2011 till now?	1. Yes I did	S2
		2. Not personally	S6
S2	Was a first-instance judgment rendered in that case in the period from the beginning 2011 up to now?	1. Yes	S4
		2. No	S6
S4	Did you take part in the proceedings in the capacity of an authorized representative of a legal person or in the capacity of a physical person?	1. Physical person	S5
		2. Authorized representative of a legal person	S6
S5	You participated in the court proceedings in the capacity of:	1. A party to the proceedings	Module P1a
		2. A witness 3. An injured party 4. An observer (journalist, researcher, NGO, friend/relative...) 5. Other: _____	S6
S6	Did you go to a courthouse in the in the period from the beginning of 2011 up to now to complete any administrative tasks?	1. Yes	S7
		2. No	Module P2
S7	Did you go to a courthouse in in the last 12 months to complete any administrative tasks?	1. Yes	Module P1b
		2. No	Module P2

QUESTIONS IN MODULE P1A– EXPERIENCE WITH COURT CASES AND MODULE P2 – GENERAL PERCEPTION ARE TO BE ANSWERED BY RESPONDENTS WHO WERE INVOLVED IN A COURT DISPUTE WHICH WAS COMPLETED (IN WHICH AT LEAST A FIRST-INSTANCE JUDGMENT WAS RENDERED) IN THE IN THE PERIOD FROM THE BEGINNING OF 2011 UP TO TIME OF SURVEY

QUESTIONS IN MODULE E1B– EXPERIENCE WITH ADMINISTRATIVE SERVICES AND MODULE P2 – GENERAL PERCEPTION ARE TO BE ANSWERED BY RESPONDENTS WHO WERE NOT INVOLVED IN A COURT DISPUTE WHICH WAS COMPLETED IN PERIOD FROM THE BEGINNING OF 2011 UP TO NOW, BUT WHO HAD CONTACT WITH COURT ADMINISTRATIVE SERVICES IN THE LAST 12 MONTHS

QUESTIONS IN MODULE P2 – GENERAL PERCEPTION ARE TO BE ANSWERED BY RESPONDENTS WHO WERE NOT INVOLVED IN A COURT DISPUTE WHICH WAS COMPLETED IN THE PERIOD FROM THE BEGINNING OF 2011 UP TO NOW AND DID NOT HAVE CONTACT WITH COURT ADMINISTRATIVE SERVICES IN THE LAST 12 MONTHS

### MODULE P1 a – Experience with Court Cases

*[Interviewer]* All of the following questions regard ONE LAST CLOSED case, which ended in the past three years (IN THE PERIOD FROM THE BEGINNING OF JANUARY 2011) in which the respondent participated in the capacity of a PHYSICAL PERSON, that is, in the capacity of a DEFENDANT, PLAINTIFF/PROSECUTOR OR A PARTY IN LITIGATION (NOT as a witness, observer, damaged party...). A closed case entails the rendering of at least a first-instance judgment. This part of interview will regard first-instance proceedings.

P Experience with the Judicial System			
P1	Before which court were the first-instance proceedings conducted (IF STARTED BEFORE 2010, ASK: in which court the first-instance proceedings ended)? <i>[Interviewer] One response. Show card.</i>	<ol style="list-style-type: none"> <li>1. Principal</li> <li>2. Higher</li> <li>3. Commercial Court</li> <li>4. Higher Commercial Court</li> <li>5. Misdemeanor</li> <li>6. Higher misdemeanor</li> <li>7. Administrative court</li> </ol>	P2
P2	What type of case was it?	<ol style="list-style-type: none"> <li>1. Criminal</li> <li>2. Misdemeanor</li> <li>3. Civil</li> </ol>	P3
P3	What was your status in the proceedings?	<ol style="list-style-type: none"> <li>1. Plaintiff/ accuser</li> <li>2. Defendant</li> <li>3. Party in the proceedings</li> </ol>	P4
P4	Please take a look at the list and specify what the case concerned. <i>[Interviewer] Show card P5a. One response.</i>		
	<b>Criminal Cases:</b>	<b>Misdemeanor Cases:</b>	<b>Civil (litigious) disputes regarding:</b>
	<ol style="list-style-type: none"> <li>1. minor physical injury</li> <li>2. grave physical injury</li> <li>3. homicide</li> <li>4. rape</li> <li>5. robbery</li> <li>6. theft</li> <li>7. neglect and abuse of a minor</li> <li>8. non-payment of maintenance</li> <li>9. domestic violence</li> <li>10. human trafficking</li> <li>11. possession of narcotics</li> </ol>	<ol style="list-style-type: none"> <li>1. public law and order</li> <li>2. movement of aliens</li> <li>3. traffic</li> <li>4. residence</li> <li>5. other.</li> </ol>	<ol style="list-style-type: none"> <li>1. personal disputes</li> <li>2. family disputes</li> <li>3. labor disputes</li> <li>4. commercial disputes</li> <li>5. property-related disputes</li> <li>6. other civil law disputes</li> </ol>
95. Other, please specify _____			P5
P5	Who was the other party to the proceedings?	<ol style="list-style-type: none"> <li>1. Physical person</li> <li>2. Private company</li> <li>3. State company</li> <li>4. Other state institutions</li> <li>5. Other: _____</li> </ol>	P6
P6	Did a lawyer represent you in the proceedings?	1. Yes, I hired a private lawyer	P7
		<ol style="list-style-type: none"> <li>2. Yes, the state assigned me a lawyer</li> <li>3. No, I did not hire a lawyer, I represented myself in the proceedings</li> </ol>	PA1
P7	Why did you decide to hire a lawyer?	<ol style="list-style-type: none"> <li>1. I was unable to resolve the legal dispute myself</li> <li>2. I was able to resolve the legal dispute myself but one gets everything done faster and more easily if one has a lawyer</li> </ol>	P8
P8	Did you ever go to the courthouse because of the case alone, without your lawyer?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	PA1
Efficiency of the Judicial System			
PA1	When was the case filed?	_____ month _____ year	PA2

PA2	When did one of the parties appear before a judge for the first time?	_____ month _____ year	PA3	
PA3	When was the first-instance judgment rendered?	_____ month _____ year	PA4	
PA4	How long do you think the first-instance proceedings should have lasted?	_____ months	PA5	
PA5	How many total hearings were scheduled in the first-instance court, including those that were scheduled but not held?	_____ number of hearings	PA6	
PA6	How many of the scheduled hearings were not held i.e. cancelled?	_____ number of hearings	PA7	
PA7	<p>What was most frequently the reason why the scheduled hearings were not held? Can you approximate how many of the scheduled hearings were not held for the following reasons?</p> <p><i>[Interviewer] The total sum must equal the number of scheduled hearings that were not held and specified in PA6</i></p>	Reasons why hearings were not held	Number	PA8
		Reasons caused by the court		
		Reasons caused by a party to the proceedings		
		Reasons caused by other parties in the proceedings (witnesses, court experts...)		
		Other reasons		
		Total (number of hearings not held listed in PA6)		
PA8	How many hearings would you assess as NOT HAVING SIGNIFICANTLY contributed to progress in the resolution of the case?	_____ number of hearings	PA9	
PA9	<p>What were the main reasons why these hearings were not as efficient?</p> <p><i>[Interviewer] OPEN-ENDED QUESTION</i></p>	_____ _____ _____	PA10	
PA10	Did you or the other party appeal to a higher court?	1. Yes	PA11	
		2. No	PA13	
PA11	What was the decision of the higher court after your first appeal which you submitted following the first instance court judgment?	1. The judgment was overturned and a retrial ordered	PA12	
		2. The judgment was upheld		
		3. The higher court passed a more lenient judgment	PA13	
		4. The higher court passed a stricter judgment	PA17	
PA12	How many times was a retrial of your case ordered?	_____ times	PA13	
PA13	Was a final judgment rendered in the case?	1. Yes, when _____ (month) _____ (year)	PA14	
		2. No	PA17	
PA14	When was the judgment enforced?	1. _____ (months) _____ (years)	PA15	
		2. The judgment has not been enforced yet	PA16	
PA15	<p>Within which deadline was the judgment in your case enforced?</p> <p><i>[Interviewer] To be answered only by respondents in whose case the judgment was enforced</i></p>	<p>1. Within the legal deadline</p> <p>2. After the legal deadline</p> <p>Don't know</p>	PA17	

<b>PA1 6</b>	<b>Has the legal deadline for the enforcement of the judgment expired?</b> <i>[Interviewer] To be answered only by respondents in whose case the judgment was not enforced</i>	1. Yes, it has expired 2. No, it has not expired yet <i>Don't know</i>			PA17
<b>PA1 7</b>	(ONLY FOR RESPONDENTS WHOSE CASES WERE FILED BEFORE JANUARY 2010) <b>When you think about the efficiency with which your case was handled by the court up to the end of 2009, and after the beginning of 2010, did you notice any difference? Was the court in handling your case after the beginning of 2010 more efficient, less efficient, or you did not notice any difference with regards to efficiency</b>	1. More efficient after the beginning of 2010 2. Less efficient after the beginning of 2010 3. No difference			PB1
<b>Quality of Services</b>					
<b>PB1</b>	<b>In Your opinion what was the quality of judicial work in that specific case?</b>	1. Very low quality 2. Low quality 3. Average quality ----- 4. High quality 5. Very high quality			PB2
<b>PB2</b>	<i>[Interviewer] To be answered by respondents who replied 2 or 3, to Question PB1,</i> <b>Which of the following would you identify as the main reason explaining why you did not rate the quality of judicial work more highly? Which was the second most important reason?</b>  <i>[Interviewer] One response. Show card.</i>	<b>Reason why you did not rate the quality of judicial work more highly</b>	<b>Chief reason</b>	<b>Seco nd most impo rtant reas on</b>	
		1. The judge did not do his/her job well	1	1	
		2. The prosecutor did not do his/her job well	2	2	
		3. Lack of staff	3	3	
		4. Poor organization	4	4	
		5. Poor working conditions (including low remuneration)	5	5	
		6. Poor infrastructure (lack of office space, equipment)	6	6	
		7. Bad laws	7	7	
		8. Contempt of court, improper conduct and non-fulfillment of obligations to the court by the parties in the proceedings	8	8	
		9. Other: _____	9	9	
		10 Other: _____	10	10	PB3
<b>PB3</b>	<b>How satisfied were you with the work of the judge in the first-instance court?</b>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied			PB4

<b>PB4</b>	<b>To what extent do you agree with the following assertions on a scale of 1 to 4, where 1 represents 'fully disagree' and 4 represents 'fully agree'?</b>						
		<b>Fully disagree</b>			<b>Fully agree</b>	<b>Don't know</b>	
	1. The judge was efficient	1	2	3	4	9	
	2. The judge was polite and pleasant	1	2	3	4	9	
	3. The judge was impartial, fair and objective	1	2	3	4	9	
	4. The judge generated trust and respect	1	2	3	4	9	
	5. The judge was not corrupt	1	2	3	4	9	PB5
<b>PB5</b>	<b>How satisfied were you with the work of the other court staff?</b>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied				PB6	
<b>PB6</b>	<b>How satisfied were you with the facilities, technical equipment (computers, cameras...) and other infrastructure elements in the judiciary?</b>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied				PB7	
<b>PB7</b>	(ONLY FOR RESPONDENTS WHOSE CASES WERE FILED BEFORE JANUARY 2010) <b>When you think about the quality of judiciary work in your case up to the end of 2009 and after the beginning of 2010, did you notice any difference? Was the judiciary work in your case after the beginning of 2010 of higher quality, lower quality, or you did not notice any difference with regards to quality of judiciary work?</b>	1. Higher quality after the beginning of 2010 2. Lower quality after the beginning of 2010 3. No difference				PC1	
<b>Accessibility</b>							
<b>PC1</b>	<b>From your experience in this case, how easy or difficult was it for you to find your way around the court buildings?</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy				PC1a	
<b>PC1 a</b>	(ONLY FOR RESPONDENTS WHOSE CASES WERE FILED BEFORE JANUARY 2010) <b>When you think about finding your way around court building, did you notice any changes after the beginning of 2010?</b>	1. Finding the way around court building became easier 2. Finding the way around court building became more difficult 3. I did not noticed any changes				PC2	
<b>PC2</b>	<b>How easy or difficult was it for you or your attorney to access information regarding the case?</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy 5. I do not know because the attorney gathered the information				PC2a	
<b>PC2 a</b>	(ONLY FOR RESPONDENTS WHOSE CASES WERE FILED BEFORE JANUARY 2010) <b>When you think about access to information, did you notice any changes after the beginning of 2010?</b>	1. Access to information became easier 2. Access to information became more difficult 3. I did not noticed any changes				PC4	

<b>PC4</b>	<b>Which source of information did you use to find out what you needed to do in this specific case?</b> <i>[Interviewer] Accept multiple responses.</i> <b>How satisfied are you with those sources of information? Please rate your satisfaction on a scale of 1 to 4, where 1 represents very dissatisfied' and 5 represents 'very satisfied'.</b> <b>INTERVIEWER] Respondents are to rate their satisfaction only with respect to the sources they used</b>							
		<b>Source of information used</b>	<b>Very dissatisfied</b>	<b>Dissatisfied</b>	<b>Very satisfied</b>	<b>Satisfied</b>		
	1.	Internet	-1- 1	1	2	3		4
	2.	Television	-2- 2	1	2	3		4
	3.	Radio	-3- 3	1	2	3		4
	4.	Dailies and magazines	-4- 4	1	2	3		4
	5.	Court bulletin boards	-5- 5	1	2	3		4
	6.	Brochures, leaflets	-6- 6	1	2	3		4
	7.	Information service (via the telephone)	-7- 7	1	2	3		4
	8.	Information counter	-8- 8	1	2	3		4
	9.	Registry desk	-9- 9	1	2	3		4
	10.	Archive	-10- 10	1	2	3		4
	11.	Court staff	-11- 11	1	2	3		4
	12.	Lawyers	-12- 12	1	2	3		4
	13.	Friends, relatives, colleagues	-13- 13	1	2	3		4
14.	Other: _____	-14- 14						
<b>Fairness</b>							PD1	
<b><i>If the respondent was a DEFENDANT in a court proceeding (check response P3), start with question PD1. If the respondent was a PLAINTIFF/PROSECUTOR, start with question PD4, and if s/he was a PARTY IN LITIGATION, start with question PD6.</i></b>								
<b>PD1</b>	<b><i>In the event the respondent was the defendant, Were you acquitted or found guilty by a first-instance court?</i></b>		1. Acquitted				PD7	
			2. Found guilty				PD2	
<b>PD2</b>	<b>What kind of penalty was held against you?</b>		1. Prison sentence of ..... years/..... months/.....days				PD3	
			2. Suspended prison sentence					
			3. Fine					
			4. Other: _____					
<b>PD3</b>	<b>Was the penalty held against you fair, much too harsh or did you fare better than expected?</b>		1. The penalty was milder than I had expected				PD7	
			2. The penalty was fair					
			3. The penalty was much too harsh					
<b>PD4</b>	<b><i>In the event the respondent was the plaintiff/prosecutor or injured party: Was the defendant acquitted or found guilty by a first-instance court?</i></b>		1. Acquitted				PD7	
			2. Found guilty				PD5	
<b>PD5</b>	<b>Was the penalty milder than it should have been, adequate or harsher than it should have been?</b>		1. Milder than it should have been				PD7	
			2. Adequate					
			3. Harsher than it should have been					
<b>PD6</b>	<b><i>In the event the respondent was involved in a civil suit, Was the first-instance judgment in your favor?</i></b>		1. Yes, fully				PD7	
			2. Yes, partly					
			3. No					

PD7	<b>ANSWER ALL RESPONDENT: Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial?</b>	1. Yes, fully 2. Yes, mostly 3. No	PD8
PD8	<b>Did you file an appeal?</b>	1. Yes 2. No	PD9
PD9	<b>Do you trust appellate system?</b>	1. Yes 2. No	PE1
<b>Integrity</b>			
PE1	<b>During the proceedings, did anyone (attorney, court employee) suggest that your case would be adjudicated more efficiently if you resorted to informal means (made an additional payment, offered a gift, pulled strings...)?</b>	1. Yes 2. No <i>Refuse to answer</i>	PE2
PE2	<b>(A) Did you ever find yourself in circumstances in which you resorted to informal means (made an additional payment, offered a gift, pulled strings...) to have your case adjudicated more efficiently?</b>	1. Yes ----- 2. No <i>Refuse to answer</i>	PE3 PF1
PE3	<b>What did you do?</b>	1. I pulled strings (with an employee, exerted political influence...) 2. I made an additional payment 3. I gave a gift 4. I rendered a "service in return" 5. Other: _____ _____ <i>Refuse to answer</i>	PF1
<b>Cost Effectiveness</b>			
PF1	<b>How much did the case cost you altogether? Total costs imply all court costs and taxes, the lawyer's fee and travel costs (but does not include fines).</b>	_____ Euros	PF2
PF2	<b>Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any?</b>	1. Court costs _____ Euros 2. Lawyer's fee _____ Euros 3. Travel costs _____ Euros 4. Other costs _____ Euros	PF3
PF3	<b>Do you think the costs were small, "reasonable" or excessive given the quality of court services you were provided?</b>	1. Small 2. Reasonable 3. Excessive 4. Don't know	PF4
PF4	<b>How much of a burden for your budget were these costs?</b>	1. Hugely 2. Greatly 3. Moderately 4. A little 5. Negligibly	PF5
PF5	<b>Do you know what a mediation process in resolving the disputes is?</b>	1. Yes, _____ [Interviewer] Open-ended question ----- 2. No	PF6 PG1
PF6	<b>How useful is a mediation process in resolving the disputes to parties to court proceedings, i.e. can it help settle a dispute?</b>	1. Not useful 2. Partly useful 3. Very useful 4. Don't know	PG1

Administrative Affairs			
PG1	Did you have to complete some administrative tasks relevant to your case in the court?	1. Yes 2. No	PG1a  Module P2
PG1 a	(ONLY FOR RESPONDENTS WHOSE CASES WERE FILED BEFORE JANUARY 2010) When did you complete the administrative tasks?	1. All before January 2010 2. Some before January 2010, some after January 2010 3. All after January 2010	PG2
PG2	What did the administrative tasks involve? <i>Multiple answers</i>	1. Authentication (of documents and contracts) 2. Receipt and expedition of documents 3. Administrative task related to land registries 4. Administrative task related to archives 5. Administrative task at registry desk 6. Render a statement 7. Other	PG3
PG3	Did you complete the administrative tasks yourself or did your lawyer complete them on your behalf?	1. I completed them myself 2. I completed them myself, but my lawyer accompanied me 3. The lawyer completed them himself	PG4  Module P2
PG4	How many times did you have to come to the courthouse to complete the task(s) related to the case?	_____ times	PG5
PG5	How much time did you spend in the courthouse on average every time you came to complete the task(s) related to the case?	_____ minutes	PG6
PG6	How satisfied were you with the efficiency of the court administrative service? Efficiency entails no waste of time and the fast and quality completion of the task(s).	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied	Module P2

## MODULE P1 b – Experience with Administrative Services

A Experience with Judicial Administrative Services			
A1	Which specific ADMINISTRATIVE TASKS led you to visit the court in the last 12 months? <i>[Interviewer] List the three chief ones.</i>	1. Authentication (of documents and contracts) 2. Receipt and expedition of documents 3. Administrative task related to land registries 4. Administrative task related to archives 5. Administrative task at registry desk 6. Making a statement 7. Other:	A2



NOW PLEASE FOCUS ON THE LAST ADMINISTRATIVE TASK YOU COMPLETED IN THE COURTHOUSE			
A2	What administrative task was at issue?	<ol style="list-style-type: none"> <li>1. Authentication (of documents and contracts)</li> <li>2. Receipt and expedition of documents</li> <li>3. Administrative task related to land registries</li> <li>4. Administrative task related to archives</li> <li>5. Administrative task at registry desk</li> <li>6. Render a statement</li> <li>7. Other</li> </ol>	A3
A3	Which courts did you go to in order to complete the task? <i>[Interviewer] One response. If the respondent went to more than one court, s/he should list the one s/he went to most often.</i>	<ol style="list-style-type: none"> <li>1. Principal</li> <li>2. Superior</li> <li>3. Appellate</li> <li>4. Supreme court of cassation</li> <li>5. Economic court</li> <li>6. Economic Appellate court</li> <li>7. Administrative court</li> <li>8. Misdemeanor court</li> <li>9. Superior Misdemeanor court</li> </ol>	A4
A4	Did you on those occasions interact with service counter or office staff?	<ol style="list-style-type: none"> <li>1. Service counter staff</li> <li>2. Office staff</li> <li>3. Both</li> </ol>	A5
A5	Did your lawyer assist you in the completion of this administrative task?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	A6 AA1
A6	Did you ever go alone, without your lawyer, to the courthouse because of this administrative task?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	AA1
<b>Efficiency</b>			
AA1	While you were completing your administrative task, did you have to "go from door to door" or were you able to complete the task at one location?	<ol style="list-style-type: none"> <li>1. I had to 'go from door to door'</li> <li>2. I got most done at one location but I did have to 'go from door to door'</li> <li>3. I got everything done at one location</li> </ol>	AA2
AA2	How many times did you have to go to the courthouse to complete the task? <i>[Interviewer] One visit to the courthouse includes also any trips to the bank or post office to pay a tax but all the time spent during that one visit (including any trips to the bank or post office) is to be reckoned</i>	_____ times	AA3
AA3	How much total time did you spend completing this task?	_____ hours _____ minutes	AA4
AA4	How much of that time did you spend IN THE COURTHOUSE to complete this administrative task?	_____ hours _____ minutes	AA5
AA5	Could the administrative task have been completed in less time given its complexity?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	AA6 AA7
AA6	What were the reasons why this task took longer time?	<ol style="list-style-type: none"> <li>1. Insufficient number of service counters/staff,</li> <li>2. Staff is slow because it is not trained well</li> <li>3. Staff is slow because it is indolent</li> <li>4. Lack of equipment (computers),</li> <li>5. The procedure is complicated</li> <li>6. Lack of information</li> <li>7. Other: _____</li> </ol>	AA7
AA7	How satisfied are you with the efficiency of the administrative court service? Efficiency entails no waste of time and the fast and quality completion of the task.	<ol style="list-style-type: none"> <li>1. Very dissatisfied</li> <li>2. Dissatisfied</li> <li>3. Satisfied</li> <li>4. Very satisfied</li> </ol>	AB1

Quality of Services																																																																															
AB1	<p>What is your general impression of the quality of work of the judiciary in that specific administrative case?</p> <p>[ANK] Single response. Read out the answers!</p>	<ol style="list-style-type: none"> <li>1. Very low quality</li> <li>2. Low quality</li> <li>3. Average quality</li> <li>4. High quality</li> <li>5. Very high quality</li> </ol>					AB2																																																																								
AB2	<p>Please rate the staff in the court administrative services with respect to the following features. Please rate the level of ..... of the staff you interacted with on a scale of 1 to 5, where 1 represents 'very low level' and 5 'very high level'.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%;">Very low level</th> <th style="width: 10%;">1</th> <th style="width: 10%;">2</th> <th style="width: 10%;">3</th> <th style="width: 10%;">4</th> <th style="width: 10%;">5</th> <th style="width: 10%;">Very high level</th> <th style="width: 10%;">Can't say</th> </tr> </thead> <tbody> <tr> <td>1. Knowledge</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> <tr> <td>2. Efficiency</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> <tr> <td>3. Pleasantness</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> </tbody> </table> <p>These were positive features. Now please rate the staff in the court administrative services with respect to the following negative features, on a scale of 1 to 5, where 1 represents 'very low level' and 5 represents 'very high level':</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%;">Very low level</th> <th style="width: 10%;">1</th> <th style="width: 10%;">2</th> <th style="width: 10%;">3</th> <th style="width: 10%;">4</th> <th style="width: 10%;">5</th> <th style="width: 10%;">Very high level</th> <th style="width: 10%;">Can't say</th> </tr> </thead> <tbody> <tr> <td>4. Proneness to corruption</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> <tr> <td>5. Indolence</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> <tr> <td>6. Negligence</td> <td></td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td></td> <td>99</td> </tr> </tbody> </table>							Very low level	1	2	3	4	5	Very high level	Can't say	1. Knowledge		1	2	3	4	5		99	2. Efficiency		1	2	3	4	5		99	3. Pleasantness		1	2	3	4	5		99		Very low level	1	2	3	4	5	Very high level	Can't say	4. Proneness to corruption		1	2	3	4	5		99	5. Indolence		1	2	3	4	5		99	6. Negligence		1	2	3	4	5		99	AC1
	Very low level	1	2	3	4	5	Very high level	Can't say																																																																							
1. Knowledge		1	2	3	4	5		99																																																																							
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6. Negligence		1	2	3	4	5		99																																																																							
Accessibility																																																																															
AC1	<p>How easy or difficult was it for you to find your way in the court buildings? To recall, we are talking about the period of the last 12 months.</p>	<ol style="list-style-type: none"> <li>1. Very difficult</li> <li>2. Mostly difficult</li> <li>3. Mostly easy</li> <li>4. Very easy</li> </ol>					AC2																																																																								
AC2	<p>How easy or hard was it for you or your attorney to access information regarding your administrative task: where you should go, what you should do, what document you need...?</p>	<ol style="list-style-type: none"> <li>1. Very difficult</li> <li>2. Mostly difficult</li> </ol>					AC3																																																																								
		<ol style="list-style-type: none"> <li>3. Mostly easy</li> <li>4. Very easy</li> </ol>					AC4																																																																								
AC3	<p>[Interviewer] To be answered by respondents who said it was not easy to access such information, answer 1 or 2 to AC2</p> <p>Please give an example of information that was difficult (or impossible) to access.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>					AC4																																																																								

AC4	<p><b>AC4a. Which source of information did you use to find out what you needed to do in this specific case?</b>  <i>[Interviewer] Accept multiple responses.</i></p> <p><b>AC4b. How satisfied are you with those sources of information? Please rate your satisfaction on a scale of 1 to 4, where 1 represents very dissatisfied' and 5 represents 'very satisfied'.</b></p> <p><b>INTERVIEWER]</b> <i>Respondents are to rate their satisfaction only with respect to the sources they used</i></p>					
		Source of information used	Very dissatisfied	Dissatisfied	Satisfied	Very satisfied
	1. Internet	1	1	2	3	4
	2. Television	2	1	2	3	4
	3. Radio	3	1	2	3	4
	4. Dailies magazines	4	1	2	3	4
	5. Court bulletin boards	5	1	2	3	4
	6. Brochures, leaflets	6	1	2	3	4
	7. Information service (via the telephone)	7	1	2	3	4
	8. Information counter	8	1	2	3	4
	9. Registry desk	9	1	2	3	4
	10. Archive	10	1	2	3	4
	11. Court staff	11	1	2	3	4
	12. Attorney	12	1	2	3	4
	13. Friends, relatives, colleagues	13	1	2	3	4
	14. Other: _____ _____	14	1	2	3	4
	AC5					
AC5	<p>Please recall the last time you went to the courthouse to get something done with respect to this concrete administrative task. Please rate your satisfaction on a scale of 1 to 4, where 1 represents very dissatisfied' and 5 represents 'very satisfied'. How satisfied were you with:</p>					
		Very dissatisfied	Dissatisfied	Satisfied	Very satisfied	Don't know/ Can't estimate
	1. Court working hours	1	2	3	4	99
	2. Ease of accessing relevant offices/service counters	1	2	3	4	99
	3. Ease of accessing relevant staff	1	2	3	4	99
	4. Staff conduct	1	2	3	4	99
	5. Time spent waiting your turn	1	2	3	4	99
	6. Court security service conduct	1	2	3	4	99
	AC6					
AC6	<p>How accessible were administrative services in courts to citizens in Serbia in the last 12 months?</p>	<p>1. Very inaccessible  2. Mostly inaccessible  3. Mostly accessible  4. Very accessible</p>				AE1

Integrity			
AE1	Was there corruption in court administrative services?	1. To a great extent 2. To an extent 3. There was no corruption <i>Don't know</i> <i>Refuse to answer</i>	AE2
AE2	Did ever anyone (attorney, court employee) suggest that you would complete your administrative task in court faster if you resorted to informal means (made an additional payment, offered a gift, pulled strings...)?	1. Yes	AE2a
		2. No <i>Refuse to answer</i>	AAE 3
AE2 a	Did anyone suggest it in the last 12 months?	1. Yes 2. No <i>Refuse to answer</i>	AE3 A
AE3	Did you ever find yourself in circumstances in which you resorted to informal means (made an additional payment, offered a gift, pulled strings...) to complete your administrative task in court faster?	1. Yes	AE4
		2. No <i>Refuse to answer</i>	AE5
AE4	What did you do? <i>MULTIPLE CHOICE</i>	1. I pulled strings (with an employee, exerted political influence...) 2. I made an additional payment 3. I gave a gift 4. I rendered a "service in return" 5. Other: _____ _____	AE5
AE5	Do you know anyone who resorted to informal means (made an additional payment, gave a gift, pulled strings...) to speed up the completion of an administrative task in court?	1. Yes	AE6
		2. No <i>Don't know</i>	AF1
AE6	What did the informal means entail?	1. Pulling strings (with an employee, exerting political influence...) 2. Additional payment 3. Gift 4. Rendering "a service in return" 5. Other: _____ _____	AF1
Cost Effectiveness			
AF1	How much did the last administrative task in the court cost you altogether? Total costs imply all court costs and taxes, the lawyer's fee and travel costs (but do not include fines).	_____ Euros	AF2
AF2	Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any?	1. Court costs _____ Euros 2. Lawyer's fee _____ Euros 3. Travel costs _____ Euros 4. Other costs _____ euros	AF3
AF3	Do you think the OVERALL costs were small, "reasonable" or excessive given the quality of the administrative services you were provided?	1. Small 2. Reasonable 3. Excessive	AF4
AF4	How much of a burden for your budget were these costs?	1. Huge 2. Great 3. Moderate 4. A little 5. Negligible	MA1

## MODULE P2 – general perception

TILL NOW WE SPOKE ABOUT YOUR SPECIFIC EXPERIENCE. NOW I WOULD LIKE TO ASK YOU SOME QUESTIONS ABOUT YOUR VIEWS OF THE WORK OF COURTS IN SERBIA IN GENERAL

MA Efficiency of the Judicial System							
MA1	What is your general opinion of how the judicial system in Serbia functioned over the past few years?	1. Very negative 2. Negative					MA2
		3. Satisfactory					MA1 a
		4. Positive 5. Very positive					MA2
MA1 a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON MA1) But if in expressing your opinion about functioning of judiciary system you should opt only between negative and positive, which side your opinion would be closer to?	1. Negative 2. Positive					MA2
MA2	I will now read out a number of statements on the judicial system and how it may affect the life of citizens. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree':						
		Fully disagree	Mostly disagree	Mostly agree	Fully agree	Don't Know	
	1. The judicial system is fair, impartial and not corrupt	1	2	3	4	-9	
	2. The judicial system is fast	1	2	3	4	-9	
	3. The judicial system is capable of enforcing court decisions	1	2	3	4	-9	
						MA3	
MA3	To what extent is the judicial system is a problem in the life of citizens in Serbia? Please answer on a scale of 1 to 5, where 1 represents 'not an obstacle' and 5 represents 'huge obstacle'.	Not an obstacle	Small obstacle	Moderate obstacle	Big obstacle	Huge obstacle	DK
		1	2	3	4	5	9
						MA4	
MA4	Did you have a dispute in the period 2011-2013 which you thought should be settled in court but you decided against such action for some reason?	1. Yes					MA5
		2. No					MB1
MA5	Why didn't you take the case to court? What was the main reason why you didn't take the case to court? <i>[Interviewer] One response. Show card.</i>	1. I distrust the court system in general					
		2. I did not expect a fair judgment					
		3. I knew I would be unable to cover the costs of the proceedings					
		4. The court proceedings would have lasted too long					
		5. I thought the case was not significant enough to take it to court					
		6. We found a solution/settled the dispute in another way					
		7. The court decision would not have been enforced anyway					
		8. Other: _____					
		_____					MA6

MA6	How did you settle the dispute?	<ol style="list-style-type: none"> <li>1. By negotiating with the other party</li> <li>2. By opting for the mediation process in resolving the disputes (formal)</li> <li>3. By opting for another, informal way of settling the dispute (via a third party, decision by an informal authority...)</li> <li>4. I have not settled the dispute</li> <li>5. Other: _____</li> </ol>	MB1
-----	---------------------------------	---	-----

MB Quality of Work			
MB1	What is your general impression of the quality of work of the judiciary in the past few years?	<ol style="list-style-type: none"> <li>1. Very low</li> <li>2. Low</li> <li>3. Moderate</li> <li>4. High</li> <li>5. Very high</li> </ol>	MC1 ----- MB1 a ----- MC1
MB1a	(ASK ONLY THE RESPONDENTS WHO ANSWERED SATISFACTORY ON MB1) But if in expressing your opinion about quality of judiciary work you should opt only between low and high, which side your opinion would be closer to?	<ol style="list-style-type: none"> <li>1. Low</li> <li>2. High</li> </ol>	MC1

MC Accessibility			
MC1	Did you ever seek information on your legal rights?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	MC1a ----- MC3
MC1a	And did you seek information on your legal rights in last 3 years?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	MC2 ----- MC3
MC2	How easy or difficult was it for you to access such information?	<ol style="list-style-type: none"> <li>1. Very difficult</li> <li>2. Mostly difficult</li> <li>3. Mostly easy</li> <li>4. Very easy</li> </ol>	MC3
MC3	What sources of information on legal rights and the work of the judiciary are available to citizens?  [Interviewer] Accept multiple responses. Show card.	<ol style="list-style-type: none"> <li>1. Internet</li> <li>2. Television</li> <li>3. Radio</li> <li>4. Dailies and magazines</li> <li>5. Court bulletin boards</li> <li>6. Brochures, leaflets</li> <li>7. Information service (via the telephone)</li> <li>8. Information counter</li> <li>9. Registry desk</li> <li>10. Archive</li> <li>11. Court staff</li> <li>12. Lawyers</li> <li>13. Friends, relatives, colleagues</li> <li>14. Other _____ _____</li> </ol>	MC4

MC4	How accessible is the judicial system to you personally:					MC5
		Very inaccessible	Mostly inaccessible	Mostly accessible	Very accessible	Don't know
	1. In terms of finances – given the <b>court-related costs</b> (court taxes, trial costs, travel costs)?	1	2	3	4	9
	2. In terms of finances – given the <b>attorney-related expenses</b> ?	1	2	3	4	9
	3. In terms of geography – given the distance of the courthouse?	1	2	3	4	9
	4. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4	9
	5. In terms of access to information	1	2	3	4	9
MC 5	When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all citizens notwithstanding their age, education level, financial status, nationality, handicap, the language they use... Please rate it on a scale of 1 to 4, where 1 represents 'Not in the least' and 4 represents 'Fully'.	Not in the least	Hardly	Mostly	Fully	
		1	2	3	4	MD1
MD Fairness						
MD 1	In your opinion, how fair was the judicial system in the last 12 months? Please evaluate on the scale from 1 to 4, where 1 means that it was very unfair, and 4 means that it was very fair.	1. Very unfair 2. Mainly unfair 3. Mainly fair 4. Very fair				MD2
MD 2	I will now read out a number of statements on the judicial system. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree':					MD3
		Fully disagree			Fully agree	DK
	1. The laws are not good enough	1	2	3	4	9
	2. The laws are not enforced in practice	1	2	3	4	9
	3. The laws do not apply equally to everyone	1	2	3	4	9
MD 3	In your view, do the judicial system in Serbia equally treat all citizens notwithstanding their:					
			Yes		No	
	1. Gender		1		2	
	2. Age		1		2	
	3. Nationality		1		2	
	4. Socio-economic status		1		2	
	5. Place of residence		1		2	
	6. Education		1		2	
	7. Disability		1		2	
	8. Other_____		1		2	
						ME1

ME Integrity								
ME1	<p>Please rate the degree in which you trust the following sectors and institutions on a scale of 1 to 5, where 1 represents 'do not trust at all' and 5 represents 'trust fully'.  <i>[Interviewer]</i> Show card A1 with the scale. Ask about trust in each individual institution listed in the table. Rotate the order of institutions for each respondent.</p>							ME2
		Do not trust at all	Mostly do not trust	Both trust and distrust	Mostly trust	Trust fully	DK/R efuses	
	1. Government	1	2	3	4	5	9	
	2. National Assembly	1	2	3	4	5	9	
	3. President	1	2	3	4	5	9	
	4. Judicial System	1	2	3	4	5	9	
	5. Police	1	2	3	4	5	9	
	6. Church	1	2	3	4	5	9	
	7. Education System	1	2	3	4	5	9	
	8. Health System	1	2	3	4	5	9	
	9. Army	1	2	3	4	5	9	
	10. Media	1	2	3	4	5	9	
11. NGOs in Serbia	1	2	3	4	5	9		
ME2	<p>To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities (politics)? Please rate its independence on a scale of 1 to 4, where 1 is "hardly independent" and 4 is "greatly independent".</p>	Not independent	Mostly not independent	Mostly independent	Fully independent	Don't know	ME3	
		1	2	3	4	9		
ME3	<p>ME3a. To what extent did the following factors undermine the trust of citizens in the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "To a great extent".</p>							ME3a
	<p>ME3b. Which of these factors undermined trust in the judicial system in the last 12 months the most?</p>							
		Not at all	Mostly not	To an extent	To a great extent	Chief factor		
	1. Corruption in the judicial system	1	2	3	4	1		
	2. Political/politicians' influence on the court	1	2	3	4	2		
	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	1	2	3	4	3		
	4. Inadequate penalties for corruption	1	2	3	4	4		
	5. Length of proceedings	1	2	3	4	5		
	6. Content of court decisions	1	2	3	4	6		
	7. Sensationalist/exaggerated media reports	1	2	3	4	7		
	8. Lack of fairness	1	2	3	4	8		
9. Selective initiation of cases by the prosecution	1	2	3	4	9			
Other: _____					9			



ME3 a	To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months?	1. Not at all 2. Mostly not 3. To an extent 4. To a great extent	ME4																																																																																				
ME4	How would you rate the reputation judges in Serbia enjoy in public?	1. Very poor 2. Mostly poor 3. Neither poor nor good 4. Mostly good 5. Very good	ME5																																																																																				
ME5	How would you assess the reputation prosecutors enjoy in the Serbian public?	1. Very poor 2. Mostly poor 3. Neither poor nor good 4. Mostly good 5. Very good	ME6																																																																																				
ME6	How would you assess the reputation other judicial staff enjoy in the Serbian public?	1. Very poor 2. Mostly poor 3. Neither poor nor good 4. Mostly good 5. Very good	ME7																																																																																				
ME7	How would you assess the reputation lawyers enjoy in the Serbian public?	1. Very poor 2. Mostly poor 3. Neither poor nor good 4. Mostly good 5. Very good	ME8																																																																																				
ME8	What image of the judicial system do media in Serbia generate in general? <i>[Interviewer] Show card. One response.</i>	1. 1. The image is worse than reality 2. 2. The image is objective 3. 3. The image is better than reality Don't know	ME9																																																																																				
ME9	How present is corruption in the following sectors and institutions on a scale of 1 to 5, where 1 represents 'not at all' and 5 'to a great degree'? <i>[Interviewer] Show card A1 with the scale. Ask about corruption in each individual institution listed in the table. Rotate the order of institutions for each respondent.</i>	<table border="1"> <thead> <tr> <th></th> <th>Not at all</th> <th></th> <th></th> <th></th> <th>To a great degree</th> <th>DK/Ref use s</th> </tr> </thead> <tbody> <tr> <td>1. Government</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>2. National Assembly</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>3. President</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>4. Judicial System</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>5. Police</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>6. Church</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>7. Education System</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>8. Health System</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>9. Army</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>10. Media</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> <tr> <td>11. NGOs in Serbia</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>9</td> </tr> </tbody> </table>		Not at all				To a great degree	DK/Ref use s	1. Government	1	2	3	4	5	9	2. National Assembly	1	2	3	4	5	9	3. President	1	2	3	4	5	9	4. Judicial System	1	2	3	4	5	9	5. Police	1	2	3	4	5	9	6. Church	1	2	3	4	5	9	7. Education System	1	2	3	4	5	9	8. Health System	1	2	3	4	5	9	9. Army	1	2	3	4	5	9	10. Media	1	2	3	4	5	9	11. NGOs in Serbia	1	2	3	4	5	9	ME10
	Not at all				To a great degree	DK/Ref use s																																																																																	
1. Government	1	2	3	4	5	9																																																																																	
2. National Assembly	1	2	3	4	5	9																																																																																	
3. President	1	2	3	4	5	9																																																																																	
4. Judicial System	1	2	3	4	5	9																																																																																	
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6. Church	1	2	3	4	5	9																																																																																	
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8. Health System	1	2	3	4	5	9																																																																																	
9. Army	1	2	3	4	5	9																																																																																	
10. Media	1	2	3	4	5	9																																																																																	
11. NGOs in Serbia	1	2	3	4	5	9																																																																																	
ME10	If the respondent replied 3, 4 or 5 with respect to corruption in the judiciary, Why do you think so?	1. I or members of my household personally experienced corruption in the judiciary	ME11																																																																																				

		2. Based on the direct experience of people we are in close touch with 3. Based on the information in the media or from other sources	
ME11	If the respondent replied 3, 4 or 5 with respect to corruption in the judiciary: According to information you have, were any efforts made to suppress corruption in the judiciary in the period 2011 and 2013?	1. No, no efforts were invested ----- 2. Yes, minor efforts were invested 3. Yes, major efforts were invested DK (Don't know – do not read out)	ME13 ----- ME12
ME12	How efficient were those efforts?	1. They were inefficient 2. They were efficient, but not to a sufficient extent 3. They were very efficient DK (Don't know – do not read out)	ME13
ME13	Have you heard about new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION for the period 2013 to 2018 which was adopted in Parliament in July 2013?	1. 1. Yes ----- 2. 2. No	ME14 ----- MMG1
ME14	What are your expectation about how effective this strategy will be in fighting corruption?	1. It will be ineffective 2. It will be effective, but not to a sufficient extent 3. It will be very effective DK ----- (Don't know – do not read out)	MG1
<b>MG Judicial Reform launched in 2010</b>			
MG1	Have you heard about the judicial system reform launched in January 2010?	1. Yes ----- 2. No	MG2 ----- MH1
MG2	Can you specify anything that has been done within the framework of this judicial reform?		MG3
MG3	How well informed are you about the judicial system reform launched in January 2010? Please reply on a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not informed at all 2. Mainly not informed 3. Fairly informed 4. Mainly informed 5. Very well informed	MG4
MG4	What is your main source of information about this judicial system reform?	1. Media (TV, radio, newspapers, magazines, websites...) 2. Court bulletin boards, brochures, leaflets for the general public 3. Official Gazette 4. Attorney, legal representative, legal department 5. Friends, acquaintances 6. Other: _____ 7. None	MG5
MG5	Do you support the judicial system reform launched in January 2010 in general?	1. Fully ----- 2. To an extent ----- 3. No ----- Don't know, don't have information (do not read)	MG6 ----- MG6 and MG7 ----- MMG7 ----- MG8
MG6	Why do you support the reform?	_____ ----- _____	MG7 or MG8

MG7	Why not?		MG8

MG8	To what extent did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system?						MG9	
	Dimensions	Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent		Don't know
	1. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2		9
	2. Quality of working conditions (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2		
	3. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality....)	-2	-1	0	1	2		9
	4. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2		9
	5. Trust (e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2		9
6. More rational spending of budget funds	-2	-1	0	1	2	9		
MG9	About 1/3 of the judges were not reelected during the reform in 2010. All of them have been recently returned to their position by decision of Constitutional court. Have you heard about this?	1. Yes					MG10	
		2. No					MG11	
MG10	What is your opinion of it?	1. Very bad 2. Mostly bad 3. Neither bad nor good 4. Mostly good 5. Very good					MG11	
MG11	Have you heard that a new law on the seizure of proceeds of crime has been adopted in April 2013, and of any cases in which it has been applied?	1. Yes, I heard that the law was adopted and of cases in which it was applied 2. Yes, I heard that the law was adopted, but I haven't heard of any cases in which it was applied					MG12	
		3. No					MH1	
MG12	What is your opinion of it?	1. I don't support it at all 2. Mostly bad 3. Neither bad nor good 4. Mostly good 5. I fully support it					MH1	
<b>MH National Judicial Reform Strategy for the period from 2013 to 2018</b>								
MH1	Have you heard about the new National Judicial Reform Strategy for the period from 2013 to 2018 which was adopted in Parliament in July 2013?	1. Yes					MH2	
		2. No					Dem1	
MH2	Can you specify anything that you have heard to have been stipulated in this Strategy?						MH3	

		_____	
MH3	And how well informed are you about new National Judicial Reform Strategy adopted in July 2013? Please use again a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Note informed at all 2. Mainly not informed 3. Fairly informed 4. Mainly informed 5. Very well informed	MH4
MH4	What is your main source of information about this Strategy?	1. Media (TV, radio, newspapers, magazines, websites...) 2. Court bulletin boards, brochures, leaflets for the general public 3. Official Gazette 4. Attorney, legal representative, legal department 5. Friends, acquaintances 6. Other: _____	MH5
MH5	Do you support this new National Judicial Reform Strategy adopted in July 2013 in general?	1. Fully	MH6
		2. To an extent	MH6 and MH7
		3. No	MH7
		<i>Don't know, don't have information (do not read)</i>	
MH6	Why do you support?	_____ _____ _____	MH7 or Dem1
MH7	Why not?	_____ _____	Dem1

Demography			
Dem 1	Gender:	1. Male      2. Female	
Dem 2	Age:	_____ years old	
Dem 4	Marital status:	1. 1. Single, not living with a partner 2. 2. Married, living with a partner 3. 3. Divorced and other (used to be married)	
Dem 5	Education – last FINISHED education:  [INT] Show card Dem5	1. Unfinished elementary school 2. Finished elementary school 3. Unfinished secondary school 4. Unfinished secondary school, but with a trade	5. Finished secondary school 6. Unfinished faculty 7. Finished college 8. Finished faculty
Dem 6a	Current occupation:	Employed in a company: 11. Unskilled manual worker 12. Semiskilled and skilled manual worker 13. White-collar (administration etc) 14. Highly qualified intellectual (lawyer, doctor, teacher...) 15. Mid-level executive manager 16. Top-level executive manager	Self-employed: 21. Highly qualified intellectual who is self-employed (lawyer, doctor, teacher...) 22. Owns a small company, workshop etc 23. Owns a big company, stockholder 24. Farmer, fisherman/fisherwoman 25. Earns in some other way
		Unemployed: 31. Pupil 32. Student 33. Homemaker 34. Maternity leave 35. Pensioner 36. Unemployed (currently) 40. Other: _____	
Dem 7a	Type of household:	1. Lives alone	4. Married couple with grown-up children (over 27 years of age)      6. Single parent

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		2. Married couple without children 3. Married couple with children	5. Multigenerational family	7. Married couple, children live separately 95. <i>Other</i>
Dem 7b	<b>Total number of household members</b>		_____ no. of household members	
Dem 7c	<b>Total number of children under 18 in the household:</b>			
Dem 8b	<b>Total number of family members with regular monthly income:</b>			
Dem 8c	<b>Total HOUSEHOLD income in the previous month:</b>  <i>[INT] Show card Dem8c</i>	1. No income in the previous month 2. Less than 8000 dinars 3. 8001 to 10000 dinars 4. 10001 to 13000 dinars 5. 13001 to 16000 dinars 6. 16001 to 20000 dinars	7. 20001 to 24000 dinars 8. 24001 to 30000 dinars 9. 30001 to 36000 dinars 10. 36001 to 42000 dinars 11. 42001 to 48000 dinars 12. 48001 to 56000 dinars	13. 56001 to 64000 dinars 14. 64001 to 74000 dinars 15. 74001 to 86000 dinars 16. 86001 to 100000 dinars 17. More than 100000 dinars <i>RF (Refuse to answer)</i>

**Questionnaire for Enterprise managers from private sector**

Selection Question		
S1	What position do you hold in the company?	1. Owner, co-owner 2. Director 3. Deputy Director 4. Manager involved in company decision making ----- 95. Other
		S2 End

**MODULE E2 – General Perception****I WOULD LIKE TO ASK YOU SOME QUESTIONS ABOUT YOUR VIEWS OF THE WORK OF COURTS IN SERBIA IN GENERAL**

MA Efficiency of the Judicial System							
MA1	What is your general opinion of how the judicial system in Serbia functioned over the past few years?	1. Very negative 2. Negative					MA2
		3. Satisfactory					MA1a
		4. Positive 5. Very positive					MA2
MA1a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON MA1) But if in expressing your opinion about functioning of judiciary system you should opt only between negative and positive, which side your opinion would be closer to?	1. Negative 2. Positive					MA2
MA2	I will now read out a number of statements on the judicial system and how they may affect the business sector. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree'						MA3
		Fully disagree	Mostly disagree	Mostly agree	Fully agree	Don't Know	
	1. The judicial system is fair, impartial and not corrupt	1	2	3	4	-9	
	2. The judicial system is fast	1	2	3	4	-9	
	3. The judicial system is capable of enforcing court decisions	1	2	3	4	-9	
MA3	To what extent is the judicial system an obstacle to the work of your company now? Please answer on a scale of 1 to 5, where 1 represents 'not an obstacle' and 5 represents 'huge obstacle'.	Not an obstacle	Small obstacle	Moderate obstacle	Big obstacle	Huge obstacle	Don't Know
		1	2	3	4	5	9
MA4	To what extent were your company's operations burdened by the costs it sustained in interacting with judicial authorities in the period 2011-2013?	1. To a great extent 2. A lot 3. Average 4. A little 5. Negligibly					MA5

MA5	Did your company have a dispute in the period 2011-2013 which you thought should be settled in court but you decided against such an action for some reason?	1. Yes ----- 2. No	MA6  MB1
MA6	Why didn't you take the case to court? What was the main reason your company didn't take the case to court?  [Interviewer] One response. Show card.	1. We distrust the court system in general 2. We did not expect a fair judgment 3. We knew we would be unable to cover the costs of the proceedings 4. The court proceedings would have lasted too long 5. We thought the case was not significant enough to take it to court 6. We found a solution/settled the dispute in another way 7. The court decision would not have been enforced anyway 8. Other: _____	MA7
MA7	How did you settle the dispute?	1. By negotiating with the other party 2. By arbitration 3. By opting for the mediation process in resolving the disputes (formal) 4. By opting for another, informal way of settling the dispute (via a third party, decision by an informal authority...) 5. I have not settled the dispute 6. Other: _____	MB1
<b>MB Quality of Work</b>			
MB1	What is your general impression of the quality of work the judiciary offered companies like yours in the past few years?	1. Very low quality 2. Low quality	MC1
		3. Average quality	MB1a
		4. High quality 5. Very high quality	MC1
MB1a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON MB1) But if in expressing your opinion about quality of judiciary work you should opt only between negative and positive, which side your opinion would be closer to?	1. Low 2. High	MC1

<b>MC Accessibility</b>						
MC1	How accessible is the judicial system to your company:					
		Very inaccessible	Mainly inaccessible	Mainly accessible	Very accessible	Don't know
	1. In terms of finances – given the court-related costs (court taxes, trial costs, travel costs)?	1	2	3	4	9
	2. In terms of finances – given the attorney-related expenses?	1	2	3	4	9
	3. In terms of geography – given the distance of the courthouse?	1	2	3	4	9
	4. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4	9
5. In terms of access to information	1	2	3	4	9	MC2

MC 2	When you think about the last few years, to what extent was the judicial system in Serbia equally accessible to all legal persons, notwithstanding their size, origin of capital, political "connections", headquarters... Please rate it on a scale of 1 to 4, where 1 represents 'Not in the least' and 4 represents 'Fully'.	Not in the least	Hardly	Mostly	Fully	MD1	
		1	2	3	4		
<b>MD Fairness</b>							
MD 1	In your opinion, how fair was the judicial system in the last 12 months? Please evaluate on the scale from 1 to 4, where 1 means that it was very unfair, and 4 means that it was very fair.	1. Very unfair 2. Mainly unfair 3. Mainly fair 4. Very fair				MD2	
MD 2	I will now read out a number of statements on the judicial system. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree': <b>FOR LEGAL ENTITIES:</b>					MD3	
		Fully disagree			Fully agree		DK
	1. The laws are not good enough	1	2	3	4		9
	2. The laws are not enforced in practice	1	2	3	4		9
	3. The laws do not apply equally to everyone	1	2	3	4		9
MD 3	In your view, do the judicial system in Serbia equally treat all legal entities notwithstanding their:					ME1	
		Yes	No				
	1. Geographic location of the company	1	2				
	2. Company size	1	2				
	3. Ownership structure of the company (state, private foreign, private domestic, combined)	1	2				
	4. Company activity	1	2				
5. Other _____							
<b>ME Integrity</b>							
ME1	To what extent was the judicial system in Serbia in the last 12 months truly independent from the executive authorities (politics)? Please rate its independence on a scale of 1 to 4, where 1 is "hardly independent" and 4 is "greatly independent".	Not independent	Mostly not independent	Mostly independent	Fully independent	Don't know	
		1	2	3	4	9	
ME2	ME2a. To what extent did the following factors undermine the trust of the business sector in the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "To a great extent". ME2b. Which of these factors undermines trust of the business sector in the judicial system the most in the last 12 months?					ME2a	
		Not at all	Mostly not	To an extent	To a great extent		Chief factor
	1. Corruption in the judicial system	1	2	3	4		1
	2. Political/politicians' influence on the court and prosecutors	1	2	3	4		2



	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	1	2	3	4	3		
	4. Inadequate penalties for corruption	1	2	3	4	4		
	5. Length of proceedings	1	2	3	4	5		
	6. Court decisions	1	2	3	4	6		
	7. Sensationalist/exaggerated media reports	1	2	3	4	7		
	8. Lack of fairness	1	2	3	4	8		
	9. Selective initiation of cases by the prosecution	1	2	3	4	9		
	Other: _____	1	2	3	4	10		
<b>ME2 a</b>	<b>To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months ?</b>	1. Not at all 2. Mostly not 3. To an extent 4. To a great extent						ME3
<b>ME3</b>	<b>How present is corruption in the following sectors and institutions on a scale of 1 to 5, where 1 represents 'not at all' and 5 'to a great degree'?</b> <i>[Interviewer] Show card A1 with the scale. Ask about trust in each individual institution listed in the table. Rotate the order of institutions for each respondent.</i>							
		<b>Not at all</b>				<b>To a great degree</b>	<i>DK/Ref use s</i>	
	1. Government	1	2	3	4	5	9	
	2. National Assembly	1	2	3	4	5	9	
	3. President	1	2	3	4	5	9	
	4. Judicial System	1	2	3	4	5	9	
	5. Police	1	2	3	4	5	9	
	6. Church	1	2	3	4	5	9	
	7. Education System	1	2	3	4	5	9	
	8. Health System	1	2	3	4	5	9	
	9. Army	1	2	3	4	5	9	
	10. Media	1	2	3	4	5	9	
	11. NGOs in Serbia	1	2	3	4	5	9	
<b>ME4</b>	<i>If the respondent replied 3, 4 or 5 with respect to corruption in the judiciary, Why do you think so?</i>	1. Based on my company's direct experience 2. Based on the direct experience of a company we are in close contact with 3. Based on information in the media and from other sources						ME5
<b>ME5</b>	<i>If the respondent replied 3, 4 or 5 with respect to corruption in the judiciary, According to the information you have, were any efforts invested to suppress corruption in the judiciary in the period 2011-2013?</i>	1. No, no efforts were invested 2. Yes, minor efforts were invested 3. Yes, major efforts were invested DK (Don't know – do not read out)						ME7 ME6 ME/

ME6	How efficient were those efforts?	1. They were inefficient 2. They were efficient, but not to a sufficient extent 3. They were very efficient DK (Don't know – do not read out)	ME7
ME7	Have you heard about new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION which was adopted in Parliament in July 2013?	1. Yes	ME8
		2. No	MG1
ME8	What are your expectation about how effective this strategy will be in fighting corruption?	1. It will be ineffective 2. It will be effective, but not to a sufficient extent 3. It will be very effective DK	MG1

MG Judicial Reform launched in 2010			
MG1	Have you heard about the judicial system reform launched in January 2010?	1. Yes	MG2
		2. No	Dem1
MG2	Can you specify anything that has been done within the framework of this judicial reform?		
MG3	How well informed are you about the judicial system reform launched in January 2010? Please reply on a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not informed at all 2. Mainly not informed 3. Fairly informed 4. Mainly informed 5. Very well informed	MG4
MG4	What is your main source of information about this judicial system reform?	1. Media (TV, radio, newspapers, magazines, websites...) 2. Court bulletin boards, brochures, leaflets for the general public 3. Official Gazette 4. Attorney, legal representative, legal department 5. Friends, acquaintances 6. Other: _____ 7. None	MG5
MG5	Do you support the judicial system reform launched in January 2010 in general?	1. Fully	MG6
		2. To an extent	MG6 and MG7
		3. No	MG7
		6. Don't know, don't have information (do not read)	MG8
MG6	Why do you support the reform?	_____ _____ _____ _____	MG7
MG7	Why not?	_____ _____ _____ _____	MG8
MG8	To what extent did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system?		MG9

	Dimensions	Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent	Don't know	
	1. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2	9	
	2. Quality of working conditions (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2		
	3. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality....)	-2	-1	0	1	2	9	
	4. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2	9	
	5. Trust (e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2	9	
	6. More rational spending of budget funds	-2	-1	0	1	2	9	
MG9	About 1/3 of the judges were not reelected during the reform in 2010. All of them have been recently returned to their position by decision of Constitutional court. Have you heard about this?	1. Yes					MG10	
		2. No					MG11	
MG10	What is your opinion of it?	1. Very bad 2. Mostly bad 3. Neither bad nor good 4. Mostly good 5. Very good					MG11	
MG11	Have you heard that a new law on the seizure of proceeds of crime has been adopted in April 2013, and of any cases in which it has been applied?	1. Yes, I heard that the law was adopted and of cases in which it was applied					MG12	
		2. Yes, I heard that the law was adopted, but I haven't heard of any cases in which it was applied						
		3. No					MH1	
MG12	What is your opinion of it?	1. I don't support it at all 2. Mostly bad 3. Neither bad nor good 4. Mostly good 5. I fully support it					MH1	

MH National Judicial Reform Strategy for the period from 2013 to 2018				
MH1	Have you heard about the new National Judicial Reform Strategy for the period from 2013 to 2018 which was adopted in Parliament in July 2013?	1. Yes		MH2
		2. No		Dem1
MH2	Can you specify anything that you have heard to have been stipulated in this Strategy?	_____ _____ _____		MH3
MH3	And how well informed are you about new National Judicial Reform Strategy adopted in July 2013? Please use again a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not informed at all 2. Mainly not informed 3. Fairly informed 4. Mainly informed 5. Very well informed		MH4
MH4	What is your main source of information about this Strategy?	1. Media (TV, radio, newspapers, magazines, websites...)		MH5

		2. Court bulletin boards, brochures, leaflets for the general public 3. Official Gazette 4. Attorney, legal representative, legal department 5. Friends, acquaintances 6. Other: _____ _____ 7. None	
MH5	Do you support this new National Judicial Reform Strategy adopted in July 2013 in general?	1. Fully	MH6
		2. To an extent	MH6 and MH7
		3. No	MH7
		Don't know, don't have information (do not read)	Dem1
MH6	Why do you support?	_____ _____ _____ _____	MH7
MH7	Why not?	_____ _____ _____ _____	Dem1

Demography			
Dem 1	Sex:	1. Male	2. Female
Dem 2	Age:		
Dem 5	Education Level – Highest degree OBTAINED: [Interviewer] Show card Dem5.	1. Unfinished elementary school 2. Finished elementary school 3. Unfinished secondary school 4. Unfinished secondary school, but with a trade	5. Finished secondary school 6. Unfinished faculty 7. Finished college 8. Finished faculty
Dem 6	Company headquarters:	Enter:	
Dem 7	Main company activity – according to the activity classification system (enter the name of activity)?	Enter::	
Dem 8	Year of establishment?	Enter::	
Dem 9	Total number of employees in the company?	Enter::	
Dem 10	Company ownership status	1. Private 2. Mixed	
Dem 11	Origin of capital	1. Foreign 2. Domestic 3. Mixed 4. Other, what? _____	
Dem 13	Annual turnover (in 2012)	1. Under 50,000€ 2. From 50,000 to 100,000€ 3. From 100,000 to 200,000€ 4. From 200,000 to 400,000€ 5. From 400,000 to 600,000€	6. From 600,000€ to 800,000€ 7. From 800,000€ to 1,000,000€ 8. Over 1,000,000€ BO (Refuses– do not read out)

THIS WOULD BE THE END OF THIS PART OF OUR CONVERSATION. THANK YOU FOR YOUR COOPERATION AND YOUR TIME. COULD YOU ANSWER A FEW OTHER QUESTIONS TO HELP US FIND OUT WHOM ELSE TO ASK FOR ASSISTANCE?

X1	Was your company involved in a court proceeding over the past three years, from the beginning of 2011 up till now?	1. Yes	X2
		2. No	X11
X2	Was a first-instance judgment in any of the cases rendered in the period from the beginning of 2011 up to now?	1. Yes	X4
		2. No	X11
X4	Please look at the list and specify what the last adjudicated case concerned. <i>[Interviewer] Show card P4a. One response.</i>		X5
	<p><b>Commercial Disputes:</b></p> <ol style="list-style-type: none"> <li>1. disputes between domestic and foreign companies, firms, cooperatives and entrepreneurs and their associations (commercial entities);</li> <li>2. disputes between commercial entities and other legal persons in operating the business of commercial entities;</li> <li>3. disputes on copyright and related rights and the use and protection of inventions, models, samples, brands and geographic designations;</li> <li>4. Disputes relating to enforcement and security within the jurisdiction of commercial courts;</li> <li>5. Disputes arising from the application of the Company Law or the application of other rules of organization and status of business entities, as well as disputes about the application of regulations on privatization;</li> <li>6. Disputes on foreign investments, ships and aircrafts, sailing in maritime and internal waters; disputes under maritime and air traffic law, except disputes on passenger transportation;</li> <li>7. Disputes on the protection of company names;</li> <li>8. Disputes on entry into the court register;</li> <li>9. Disputes on bankruptcy, compulsory settlement and liquidation;</li> <li>10. Disputes on the entry of companies, other legal persons and entities in the court register;</li> </ol> <p><b>Litigious disputes regarding:</b></p> <ol style="list-style-type: none"> <li>1. labor disputes</li> <li>2. property-related disputes</li> <li>3. other litigious disputes</li> <li>95. Other, please specify _____</li> </ol>		

X5	How much did the case cost your company altogether? Total costs imply all court costs and taxes, the lawyer's fee and travel costs (but do not include fines).	_____ euros	X6
X6	Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any?	<ol style="list-style-type: none"> <li>1. Court costs(including taxes)_____euros</li> <li>2. Lawyer's fee _____euros</li> <li>3. Travel costs_____euros</li> <li>4. Other costs_____euros</li> </ol>	X7
X7	Roughly estimate, the total work days of all employees spent on activities related to this case?	_____work days	X8
X8	Do you think the TOTAL costs your company sustained in this case were small, "reasonable" or excessive given the quality of court services you were provided? <i>[Interviewer] One response. (Read out the answers!)</i>	<ol style="list-style-type: none"> <li>1. Small</li> <li>2. Reasonable</li> <li>3. Excessive</li> </ol> <i>Don't Know (do not read out!)</i>	X9
X9	How much did the TOTAL costs burden company business? <i>[Interviewer] One response. (Read out the answers!)</i>	<ol style="list-style-type: none"> <li>1. Hugely</li> <li>2. Greatly</li> <li>3. Moderately</li> <li>4. A little</li> <li>5. Negligibly</li> </ol>	X10
X10	Who represents your company's interests in interaction with judicial authorities (in court proceedings)?	<ol style="list-style-type: none"> <li>1. Full-time company employee(s) (legal department)</li> <li>2. An attorney we hire occasionally</li> <li>3. Flat fee attorney</li> </ol>	X11
X11	Who in the company is charged with administrative affairs? Please state his/her position.	_____	X12

IN THE EVENT THE COMPANY WAS INVOLVED IN A COURT DISPUTE WHICH WAS COMPLETED (IN WHICH AT LEAST A FIRST-INSTANCE JUDGMENT WAS RENDERED) IN THE PERIOD FROM THE BEGINNING OF 2011 UP TO TIME OF SURVEY MODULE E1A– EXPERIENCE WITH COURT CASES IS TO BE FILLED BY THE PERSON MOST VERSED IN THE DISPUTE.

IN THE EVENT THE COMPANY WAS NOT INVOLVED IN A COURT DISPUTE WHICH WAS COMPLETED (AT LEAST A FIRST-INSTANCE JUDGMENT WAS RENDERED) IN THE PERIOD FROM THE BEGINNING OF 2011 UP TO THE MOMENT OF THE SURVEY-MODULE E1B– EXPERIENCE WITH ADMINISTRATIVE SERVICES IS TO BE FILLED BY THE COMPANY EMPLOYEE CHARGED WITH ADMINISTRATIVE AFFAIRS (QUESTION X9).

X12	Who represented the company in the court on the last case in which first instance judgment was rendered after January 2011?	<ol style="list-style-type: none"> <li>1. Lawyer employed in the company (legal department of the company)</li> <li>2. Lawyer on a retainer</li> <li>3. Lawyer hired just for this case</li> <li>4. Owner / Manager of the company</li> <li>5. Other: _____</li> </ol>	X13
X12 a	Does the person who represented the company in the court on the last case is the one who is answering Module E1a	1. Yes	P1
		2. No	X13
X13	Position of the respondent who answer on the Module 1a:	<ol style="list-style-type: none"> <li>3. Main respondent</li> <li>4. Other employee of the company</li> <li>5. Outside lawyer</li> <li>6. Other: _____</li> </ol>	P1

## MODULE E1 a – Experience with Court Cases

**Respondent- person most versed in the dispute**

*[Interviewer] All of the following questions regard ONE LAST CLOSED case, which ended in the past three years that is from the beginning of 2011 up to the time of survey. Closed case entails the rendering of at least a first-instance judgment. This part of interview will regard first-instance proceedings.*

P Experience with the Judicial System			
P1	Before which court were the first-instance proceedings conducted? <i>[Interviewer] One response. Show card.</i>	<ol style="list-style-type: none"> <li>1. Principal</li> <li>2. Higher</li> <li>3. Commercial Court</li> <li>4. Higher Commercial Court</li> <li>5. Misdemeanor</li> <li>6. Higher misdemeanor</li> <li>7. Administrative court</li> </ol>	P2
P2	What type of case was it?	<ol style="list-style-type: none"> <li>1. Litigious</li> <li>2. Economic offence</li> </ol>	P3
P3	What was your company's status in the proceedings?	<ol style="list-style-type: none"> <li>1. Plaintiff/accuser</li> <li>2. Defendant</li> <li>3. Party to the proceedings</li> </ol>	P4

**INFORM RESPONDENT WHO ANSWERS THESE QUESTIONS ABOUT THE CASE. SHOW RESPONDENT THE ANSWERS OF THE MANAGER TO THE QUESTIONS X2, X2A AND X3 IN ORDER TO BE SURE THAT IT IS THE SAME CASE**

P4	Who was the other party to the proceedings?	<ol style="list-style-type: none"> <li>1. Physical person</li> <li>2. Private company</li> <li>3. State company</li> <li>4. Other state institutions</li> <li>5. Other: _____</li> </ol>	PA1
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Efficiency of the Judicial System			
PA1	When was the case filed?	_____ month _____ year	PA2
PA2	When did one of the parties appear before a judge for the first time?	_____ month _____ year	PA3
PA3	When was the first-instance judgment rendered?	_____ month _____ year	PA4
PA4	How long do you think the first-instance proceedings should have reasonably lasted?	_____ months	PA5
PA5	How many hearings were scheduled altogether in the first-instance court, including those that were scheduled but not held?	_____ number of hearings	PA6
PA6	How many of the scheduled hearings were not held i.e. cancelled?	_____ number of hearings	PA7
PA7	What was the most frequent reason the scheduled hearings were not held? Approximately how many of the scheduled hearings were not held for the following reasons?  <i>[Interviewer] The total sum must equal the number of scheduled hearings that were not held and specified in PA6</i>	<b>Reasons why hearings were not held</b>	Number
		1. Reasons caused by the court	
		2. Reasons caused by a party to the proceedings	
		3. Reasons caused by other parties in the proceedings (witnesses, court experts...)	
		4. Other reasons	
Total (number of hearings not held listed in PA6)			PA8
PA8	How many hearings would you assess as NOT HAVING SIGNIFICANTLY contributed to progress in the resolution of the case?	_____ number of hearings	PA9
PA9	What were the main reasons why these hearings were not as efficient? <i>[Interviewer] OPEN-ENDED QUESTION</i>	_____ _____ _____	PA10
PA10	Did your company or the other party appeal to a higher court?	1. Yes	PA11
		2. No	PA13
PA11	How did the higher court rule on the first appeal against the first instance court judgment? <i>[Interviewer] Show card PA12. One response.</i>	1. Quashed the ruling and ordered a retrial	PA12
		2. Upheld the ruling	PA13
		3. Imposed a milder penalty	PA17
		4. Rendered a stricter penalty	
		5. The proceedings are under way	PA17
PA12	How many times was a retrial of your case ordered?	_____ times	PA14
PA13	Was a final judgment rendered in the case?	1. Yes, when _____ (month) _____ (year)	PA14
		2. No	PA17
PA14	When was the judgment enforced?	1. _____ (months) _____ (years)	PA15
		2. The judgment has not been enforced yet	PA16
PA15	Within which deadline was the judgment in your case enforced? <i>[Interviewer] To be answered only by respondents in whose case the judgment was enforced</i>	1. Within the legal deadline 2. After the legal deadline 3. Don't know (don't read)	PA17
PA16	Has the legal deadline for the enforcement of the judgment expired?	1. Yes, it has expired 2. No, it has not expired yet	PA17

	<i>[Interviewer]</i> To be answered only by respondents in whose case the judgment was not enforced	3. Don't know (don't read)				
<b>PA1 7</b>	(ONLY FOR THE COMPANIES WHOSE CASES WERE FILED BEFORE JANUARY 2010) <b>When you think about the efficiency with which your case was handled by the court up to the end of 2009, and after the beginning of 2010, did you notice any difference? Was the court in handling your case after the beginning of 2010 more efficient, less efficient, or you did not notice any difference with regards to efficiency</b>	1. More efficient after the beginning of 2010 2. Less efficient after the beginning of 2010 3. No difference	PB1			
<b>Quality of Work</b>						
<b>PB1</b>	<b>In Your opinion what was the quality of judicial work in that specific case?</b>	1. Very low quality 2. Low quality 3. Average quality ----- 4. High quality 5. Very high quality	PB2  PB3			
<b>PB2</b>	<i>[Interviewer]</i> To be answered by respondents who replied 1, 2 or 3 to Question PB1, <b>Which of the following reasons would you identify as the main reason you did not rate the quality of judicial work more highly? Which was the second most important reason?</b>  <i>[Interviewer]</i> One response. Show card.	<b>Reason why you did not rate the quality of judicial work more highly</b>	<b>Chief reason</b>	<b>2<sup>nd</sup> most important reason</b>		
		1. The judge did not do his/her job well	1	1		
		2. The prosecutor did not do his/her job well	2	2		
		3 Lack of staff in institutions of the judicial system	3	3		
		4. Poor organization in institutions of the judicial system	4	4		
		5. Poor working conditions (including low remuneration) in institutions of the judicial system	5	5		
		6. Poor infrastructure (lack of office space, equipment) in institutions of the judicial system	6	6		
		7. Bad laws	7	7		
		8. Contempt of court, improper conduct and non-fulfillment of obligations to the court by the parties in the proceedings	8	8		
		9. Other: _____	9	9		
		10. Other: _____	10	10	PB3	
<b>PB3</b>	<b>How satisfied were you with the work of the judge in the first-instance court?</b>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied			PB4	
<b>PB4</b>	<b>To what extent do you agree with the following assertions on a scale of 1 to 4, where 1 represents 'fully disagree' and 4 represents 'full agree'?</b>					
	1. The judge was efficient	1	2	3	4	DK
	2. The judge was polite and pleasant	1	2	3	4	DK
	3. The judge was impartial, fair and objective	1	2	3	4	DK
	4. The judge generated trust and respect	1	2	3	4	DK
	5. The judge was not corrupt	1	2	3	4	DK
<b>PB5</b>	<b>How satisfied were you with the work of the other court staff?</b>	1. Very dissatisfied 2. Dissatisfied				PB6



		3. Satisfied 4. Very satisfied	
<b>PB6</b>	<b>How satisfied were you with the facilities, technical equipment (computers, cameras...) and other infrastructure elements in the judiciary?</b>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied	PB7
<b>PB7</b>	<i>(ONLY FOR COMPANIES WHOSE CASES WERE FILED BEFORE JANUARY 2010)</i> <b>When you think about the quality of judiciary work in your case up to the end of 2009 and after the beginning of 2010, did you notice any difference? Was the judiciary work in your case after the beginning of 2010 of higher quality, lower quality, or you did not notice any difference with regards to quality of judiciary work?</b>	1. Higher quality after the beginning of 2010 2. Lower quality after the beginning of 2010 3. No difference	PC1
<b>Accessibility</b>			
<b>PC1</b>	<b>From your experience in this case, how easy or difficult was it for you to find your way around the court buildings?</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy	PC1a
<b>PC1 a</b>	<i>(ONLY FOR THE COMPANIES WHOSE CASES WERE FILED BEFORE JANUARY 2010)</i> <b>When you think about finding your way around court building, did you notice any changes after the beginning of 2010?</b>	1. Finding the way around court building became easier 2. Finding the way around court building became more difficult 3. I did not noticed any changes	PC2
<b>PC2</b>	<b>How easy or difficult was it for you or your attorney to access information regarding the case?</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy	PC2a
<b>PC2 a</b>	<i>(ONLY FOR COMPANIES WHOSE CASES WERE FILED BEFORE JANUARY 2010)</i> <b>When you think about access to information, did you notice any changes after the beginning of 2010?</b>	1. Access to information became easier 2. Access to information became more difficult 3. I did not noticed any changes	PC3

PC4	<p><b>PC4a. Which source of information did you use to find out what you needed to do in this specific case?</b>  <i>[Interviewer] Accept multiple responses.</i></p> <p><b>PC4b. How satisfied are you with those sources of information? Please rate your satisfaction on a scale of 1 to 4, where 1 represents 'very dissatisfied' and 5 represents 'very satisfied'.</b>  <b>[INTERVIEWER] Respondents are to rate their satisfaction only with respect to the sources they used</b></p>					PD1	
		Source of information used	Very dissatisfied	Dissatisfied	Very satisfied		Satisfied
	1. Internet	1	1	2	3		4
	2. Television	2	1	2	3		4
	3. Radio	3	1	2	3		4
	4. Dailies and magazines	4	1	2	3		4
	5. Court bulletin boards	5	1	2	3		4
	6. Brochures, leaflets	6	1	2	3		4
	7. Information service (via the telephone)	7	1	2	3		4
	8. Information counter	8	1	2	3		4
	9. Registry desk	9	1	2	3		4
	10. Archive	10	1	2	3		4
	11. Court staff	11	1	2	3		4
	12. Lawyers	12	1	2	3		4
	13. Friends, relatives, colleagues	13	1	2	3		4
14. Other: _____	14						
<b>Fairness</b>							
PD1	Was the first-instance judgment in your favor?		1. Yes, fully 2. Yes, partly 3. No			PD2	
PD2	Notwithstanding the outcome of the court proceedings, what do you think of the first-instance proceedings themselves? Did you have a fair trial?		1. Yes, fully 2. Yes, mostly 3. No			PD3	
PD3	Did you file an appeal?		1. Yes 2. No			PD4	
PD4	Do you trust the appellate system?		1. Yes 2. No			PE1	
<b>Integrity</b>							
PE1	During the proceedings, did anyone (attorney, court employee) suggest that your case would be adjudicated more efficiently if you resorted to informal means (made an additional payment, offered a gift, pulled strings...)?		1. Yes 2. No <i>Refuse to answer</i>			PE2	
PE2	Did you ever find yourself in circumstances in which you resorted to informal means (made an additional payment, offered a gift, pulled strings...) to have your case adjudicated more efficiently?		1. Yes 2. No <i>Refuse to answer</i>			PE3 PF1	
PE3	What did you do?		1. We pulled strings (with an employee, exerted political influence...)			PF1	

		2. We made an additional payment 3. We gave a gift 4. We rendered a "service in return" 5. Other: _____ <i>Refuse to answer</i>	
<b>Cost Effectiveness</b>			
PF1	Do you know what the mediation process in resolving the disputes is?	1. Yes (what?) _____ ----- 2. No	PF2 PG1
PF2	How useful is the mediation process in resolving the disputes to parties to the proceedings in cases involving legal persons, i.e. can it help settle a dispute?	1. Not useful 2. Partly useful 3. Very useful 4. Don't know	PG1
<b>Administrative Affairs</b>			
PG1	Did you have to complete some administrative tasks relevant to your case in the court?	1. Yes ----- 2. No	PG1a SA1a
PG1 a	<i>(ONLY FOR COOMPANIES WHOSE CASES WERE FILED BEFORE JANUARY 2010)</i> When did you complete the administrative tasks?	1. All before January 2010 2. Some before January 2010, some after January 2010 3. All after January 2010	PG2
PG2	What did the administrative tasks involve?	1. Authentication (of documents and contracts) 2. Receipt and expedition of documents 3. Administrative task related to land registries 4. Administrative task related to archives 5. Administrative task at registry desk 6. Render a statement 7. Other	PG3
PG3	How many times did you have to come to the courthouse to complete the task?	_____ times	PG4
PG4	How much time did you spend in the courthouse on average every time you came to complete the task?	_____ minutes	PG5
PG5	How satisfied were you with the efficiency of the court administrative service? Efficiency entails no waste of time and the fast and quality completion of the task.	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied	SA1a

SA1 a	Person answering the Module E1a	<b>Lawyer</b> <b>Company employee position</b> _____	SA1
SA1	Sex:	1. Male                      2. Female	SA2
SA2	Age:		SA3
SA3	If you are of legal profession, what is your level of education:	1. No legal degree ----- 2. High school law education 3. College degree (pravnik) 4. Law degree (diplomirani pravnik) 5. Admitted to the Bar (advokat)	SA4
SA4	No. of years practicing law:	_____ years	End

## MODULE E1 b – Experience with Administrative Services

**[Interviewer]** The interview is conducted with the person most versed in the administrative tasks the company completed in court in the last 12 months.

<b>A Experience with Judicial Administrative Services</b>			
<b>A1</b>	Which specific ADMINISTRATIVE TASKS led you to visit the court as a legal person in the last 12 months? <i>[Interviewer]</i> List the three chief ones.	<ol style="list-style-type: none"> <li>1. Authentication (of documents and contracts)</li> <li>2. Receipt and expedition of documents</li> <li>3. Administrative task related to land registries</li> <li>4. Administrative task related to archives</li> <li>5. Administrative task at registry desk</li> <li>6. Render a statement</li> <li>7. Other:</li> </ol>	A2
<b>NOW PLEASE FOCUS ON THE LAST ADMINISTRATIVE TASK YOU COMPLETED FOR YOUR COMPANY IN THE COURTHOUSE</b>			
<b>A2</b>	What administrative task was at issue?	<ol style="list-style-type: none"> <li>1. Authentication (of documents and contracts)</li> <li>2. Receipt and expedition of documents</li> <li>3. Administrative task related to land registries</li> <li>4. Administrative task related to archives</li> <li>5. Administrative task at registry desk</li> <li>6. Render a statement</li> <li>7. Other:</li> </ol>	A3
<b>A3</b>	Which courts did you go to in order to complete the task? <i>[Interviewer]</i> One response. If the respondent went to more than one court, s/he should list the one s/he went to most often.	<ol style="list-style-type: none"> <li>1. Principal</li> <li>2. Superior</li> <li>3. Appellate</li> <li>4. Supreme court of cassation</li> <li>5. Economic court</li> <li>6. Economic Appellate court</li> <li>7. Administrative court</li> <li>8. Misdemeanor court</li> <li>9. Superior Misdemeanor court</li> </ol>	A4
<b>A4</b>	Did you on those occasions interact with service counter or office staff?	<ol style="list-style-type: none"> <li>1. Service counter staff</li> <li>2. Office staff</li> <li>3. Both</li> </ol>	A5
<b>A5</b>	Did a lawyer assist you with this administrative task?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	A6 AA1
<b>A6</b>	Has anyone employed in your company visited the court house alone, not accompanied by a lawyer, because of this administrative task?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>	AA1
<b>Efficiency</b>			
<b>AA1</b>	While you were completing your administrative task as a legal person, did you have to “go from door to door” or were you able to complete the task at one location?	<ol style="list-style-type: none"> <li>1. I had to ‘go from door to door’ / from „desk to desk“</li> <li>2. I got most done at one location but I did have to ‘go from door to door’</li> <li>3. I got everything done at one location</li> </ol>	AA2
<b>AA2</b>	How many times did you have to go to the courthouse to complete the administrative task?	_____ times	AA3

AA3	Roughly estimate, how many total working hours your employees spent in completing this last administrative task?	_____working hours	AA4				
AA4	Roughly estimate, how many total working hours your employees spent in the courthouse in completing this administrative task?	_____working hours	AA5				
AA5	Could the administrative task have been completed in less time given the complexity of the task?	1. Yes	AA6				
		2. No	AA7				
AA6	What were the reasons why this task took longer?	<ol style="list-style-type: none"> <li>1. Insufficient number of service counters/staff,</li> <li>2. Staff is slow because it is not trained well</li> <li>3. Staff is slow because it is indolent</li> <li>4. Lack of equipment (computers),</li> <li>5. The procedure is complicated</li> <li>6. Lack of information</li> <li>7. Other: _____</li> </ol>	AA7				
AA7	How satisfied are you with the efficiency of the administrative court service? Efficiency entails no waste of time and the fast and quality completion of the task.	<ol style="list-style-type: none"> <li>1. Very dissatisfied</li> <li>2. Dissatisfied</li> <li>3. Satisfied</li> <li>4. Very satisfied</li> </ol>	AB1				
<b>Quality of Services</b>							
AB1	What is your general impression about the quality of work of the judiciary in that specific case?	<ol style="list-style-type: none"> <li>1. Very low quality</li> <li>2. Low quality</li> <li>3. Average quality</li> <li>4. High quality</li> <li>5. Very high quality</li> </ol>	AB2				
AB2	Please rate the staff in the court administrative services with respect to the following features. Please rate the level of ..... of the staff you interacted with on a scale of 1 to 5, where 1 represents 'very low level' and 5 'very high level'.						
		Very low level	Very high level	DK			
	1. Knowledge	1	2	3	4	5	99
	2. Efficiency	1	2	3	4	5	99
	3. Pleasantness	1	2	3	4	5	99
	These were positive features. Now please rate the staff in the court administrative services with respect to the following negative features, on a scale of 1 to 5, where 11 represents 'very low level' and 5 'very high level':						
		Very low level	Very high level	Dk			
	4. Proneness to corruption	1	2	3	4	5	99
5. Indolence	1	2	3	4	5	99	
6. Negligence	1	2	3	4	5	99	
<b>Accessibility</b>							
AC1	How easy or difficult was it for you to find your way in the court buildings? To recall, we are talking about the period of the last 12 months.	<ol style="list-style-type: none"> <li>1. Very difficult</li> <li>2. Mostly difficult</li> <li>3. Mostly easy</li> <li>4. Very easy</li> </ol>	AC2				

AC2	How easy or hard was it for you or your attorney to access information regarding your administrative task: where you should go, what you should do, what document you need...?	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy	AC3		
AC3	<i>[Interviewer]</i> To be answered by respondents who said it was difficult to access such information Please give an example of information that was difficult (or impossible) to access.	_____ _____ _____ _____	AC4		
AC4	Which source of information did you use to find out what you needed to do in this specific case? <i>[Interviewer]</i> Accept multiple responses. How satisfied are you with those sources of information? Please rate your satisfaction on a scale of 1 to 4, where 1 represents 'very dissatisfied' and 5 represents 'very satisfied'. <b>INTERVIEWER:</b> Respondents are to rate their satisfaction only with respect to the sources they used			AC5	
	Source of information used	Very dissatisfied	Dissatisfied	Very satisfied	Satisfied
1. Internet	-1- 1	1	2	3	4
2. Television	2	1	2	3	4
3. Radio	3	1	2	3	4
4. Dailies and magazines	4	1	2	3	4
5. Court bulletin boards	5	1	2	3	4
6. Brochures, leaflets	6	1	2	3	4
7. Information service (via the telephone)	7	1	2	3	4
8. Information counter	8	1	2	3	4
9. Registry desk	9	1	2	3	4
10. Archive	10	1	2	3	4
11. Court staff	11	1	2	3	4
12. Lawyers	12	1	2	3	4
13. Friends, relatives, colleagues	13	1	2	3	4
14. Other: _____	14				
AC5	Please recall the last time you went to the courthouse to get something done for your company with respect to your case. Please rate your satisfaction on a scale of 1 to 4, where 1 represents 'very dissatisfied' and 5 represents 'very satisfied'. How satisfied were you with:			AC6	
	Very dissatisfied	Dissatisfied	Satisfied	Very satisfied	Don't know/Can't estimate
1. Court working hours	1	2	3	4	99
2. Ease of accessing relevant offices/service counters	1	2	3	4	99
3. Ease of accessing relevant staff	1	2	3	4	99
4. Staff conduct	1	2	3	4	99
5. Time spent waiting your turn	1	2	3	4	99
6. Court security service conduct	1	2	3	4	99

AC6	How accessible were administrative services in courts to legal persons i.e. private companies in Serbia in the last 12 months?	<ol style="list-style-type: none"> <li>1. Very inaccessible</li> <li>2. Mostly inaccessible</li> <li>3. Mostly accessible</li> <li>4. Very accessible</li> </ol>	AE1
<b>Integrity</b>			
AE1	Is there corruption in court administrative services in the last 12 months?	<ol style="list-style-type: none"> <li>1. To a great extent</li> <li>2. To an extent</li> <li>3. There is no corruption</li> </ol> <i>Refuse to answer</i>	AE2
AE2	During the proceedings, did anyone (attorney, court employee) suggest that you would complete your administrative task in court faster if you resorted to informal means (made an additional payment, offered a gift, pulled strings...)?	1. Yes	AE2a
		2. No	AE3
		<i>Refuse to answer</i>	
AE2a	Did anyone suggest it in the last 12 months?	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol> <i>Refuse to answer</i>	AE3
AE3	Did you ever find yourself in circumstances in which you resorted to informal means (made an additional payment, offered a gift, pulled strings...) to complete your administrative task in court faster?	1. Yes	AE4
		<ol style="list-style-type: none"> <li>2. No</li> </ol> <i>Refuse to answer</i>	AE5
AE4	What did you do?	<ol style="list-style-type: none"> <li>1. We pulled strings (with an employee, exerted political influence...)</li> <li>2. We made an additional payment</li> <li>3. We gave a gift</li> <li>4. We rendered a "service in return"</li> <li>5. Other: _____</li> </ol>	AE5
AE5	Do you know anyone who resorted to informal means (made an additional payment, gave a gift, pulled strings...) to speed up the completion of an administrative task in court on behalf of a legal person?	1. Yes	AE6
		<ol style="list-style-type: none"> <li>2. No</li> </ol>	AF1
AE6	What did the informal means entail?	<ol style="list-style-type: none"> <li>1. Pulling strings (with an employee, exerting political influence...)</li> <li>2. Additional payment</li> <li>3. Gift</li> <li>4. Rendering "a service in return"</li> <li>5. Other: _____</li> </ol>	AF1

<b>Cost Effectiveness</b>			
AF1	How much did the last administrative task in the court cost your company altogether? Total costs imply all court costs and taxes, the lawyer's fee and travel costs (but do not entail fines).	_____ euros	AF2
AF2	Can you specify the individual costs, i.e. break the total costs down to court costs, lawyer's fee, travel costs and other costs if any?	<ol style="list-style-type: none"> <li>1. Court costs _____ euros</li> <li>2. Lawyer's fee _____ euros</li> <li>3. Travel costs _____ euros</li> <li>4. Other costs _____ euros</li> </ol>	AF3
AF3	Do you think the OVERALL costs were small, "reasonable" or excessive given the quality of the administrative services you were provided?	<ol style="list-style-type: none"> <li>1. Small</li> <li>2. Reasonable</li> <li>3. Excessive</li> </ol>	AF4
AF4	How much did these costs burden company business?	<ol style="list-style-type: none"> <li>1. Hugely</li> <li>2. Greatly</li> <li>3. Moderately</li> <li>4. A little</li> <li>5. Negligibly</li> </ol>	End

SA1 a	Person answering the Module E1b	Lawyer Company employee position _____	SA1
SA1	Sex:	1. Male                      2. Female	SA2
SA2	Age:		SA3
SA3	If you are of legal profession, what is your level of education:	1. No legal degree ----- 2. High school law education 3. College degree (pravnik) 4. Law degree (diplomirani pravnik) 5. Admitted to the Bar (advokat)	SA4
SA4	No. of years practicing law:	_____ years	End

**Questionnaire for Members of legal profession working in private practice**

**QUESTIONNAIRE FOR MEMBERS OF LEGAL PROFESSION WORKING IN PRIVATE PRACTICE**

<b>B Section</b>																											
A0a	World Bank and agency Ipsos Strategic Marketing in the mid of 2010 conducted survey similar to this one about judiciary system in Serbia. Did you participate in the survey?	1. Yes 2. No	A0 b																								
A0b	For how long have you been a lawyer?	_____ year	A1																								
A1	How many cases did you work on in the last 12 months? Please include all cases opened, worked on and completed in the last 12 months.	Caseload _____	A2																								
A2	Please classify in % the type of cases you worked on in the last 12 months [INT]Show card A2	<table border="1"> <thead> <tr> <th>Type of cases</th> <th>%</th> </tr> </thead> <tbody> <tr><td>1. Criminal</td><td></td></tr> <tr><td>2. Misdemeanour</td><td></td></tr> <tr><td>3. Civil - Family</td><td></td></tr> <tr><td>4. Civil - Labour</td><td></td></tr> <tr><td>5. Civil - Property</td><td></td></tr> <tr><td>6. Civil - Other</td><td></td></tr> <tr><td>7. Commercial</td><td></td></tr> <tr><td>8. Executive</td><td></td></tr> <tr><td>9. Contentious</td><td></td></tr> <tr><td>10. Other</td><td></td></tr> <tr><td></td><td><math>\Sigma=100\%</math></td></tr> </tbody> </table>	Type of cases	%	1. Criminal		2. Misdemeanour		3. Civil - Family		4. Civil - Labour		5. Civil - Property		6. Civil - Other		7. Commercial		8. Executive		9. Contentious		10. Other			$\Sigma=100\%$	A3
Type of cases	%																										
1. Criminal																											
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9. Contentious																											
10. Other																											
	$\Sigma=100\%$																										
A3	Was your caseload greater, smaller or average compared to the previous years? [INT]Show card A3! One answer.	1. Much greater 2. Somewhat greater 3. Average 4. Somewhat smaller 5. Much smaller 6. That was my first year as a lawyer so I can not estimate	A3 a																								



A3a	Gender?	1. Male 2. Female	A3 b																								
A3b	Age?	1. Up to 35 2. 36 - 50 3. 51 and above	A4																								
<p><b>YOU SIAD THAT IN THE LAST 12 MONTHS YOU WORKED MOSTLY ON (CIRCLE THE TYPE OF CASES FROM A2 TIP WITH THE HIGHEST PERCENTE):</b></p> <ol style="list-style-type: none"> <li>1. Criminal cases</li> <li>2. Misdemeanour cases</li> <li>3. Civil cases</li> <li>4. Commercial cases</li> </ol> <p><b>THE FOLLOWING SECTION REFERS ONLY TO THE TYPE OF CASES YOU WORKED THE MOST ON _____ (READ THE CIRCLED ANSWER) WHICH CLOSED IN A FIRST INSTANCE COURT IN THE LAST 12 MONTHS NOTWITHSTANDING WHEN THEY WERE OPENED</b></p>																											
A4	Please give an estimate of the percent of your _____ cases (the most common type of case from A2) in the last 12 months that lasted longer than they should have for any reason?	_____ % of cases	A5																								
A5	<p><b>Why was the duration of the cases longer than optimal? Please look at the reasons listed here and specify how often, if at all, each of them was the cause of the longer duration of the cases.</b></p> <p><i>[interviewer] Show card A5</i></p>	<p><b>Reasons why the duration of the case was longer than optimal</b></p> <ol style="list-style-type: none"> <li>1. Objective lack of capacity of the court (for instance: insufficient staffing, lack of courtroom equipment, IT equipment, cameras... )</li> <li>2. Court or court staff errors (for instance: poor investigation, lack of regulations on delivery of case-related documents, lack or disrespect of instructive deadlines)</li> <li>3. Obstruction by the parties to the proceedings (non-appearance of witnesses, intentional protraction by lawyers...)</li> <li>4. Unintentional mistakes by the parties to the proceedings (unpreparedness, lack of knowledge, incompetence e.g. when the party represents itself...)</li> <li>5. Gaps in legislation (inefficient rules on delivery, imprecise terms, unregulated areas, different interpretations of law..)</li> <li>5. Other reason _____</li> </ol>	<table border="1"> <thead> <tr> <th data-bbox="1015 757 1091 853">Never</th> <th data-bbox="1091 757 1168 853">Rarely</th> <th data-bbox="1168 757 1244 853">Occasionally</th> <th data-bbox="1244 757 1331 853">Often</th> </tr> </thead> <tbody> <tr> <td data-bbox="1015 853 1091 1010">1</td> <td data-bbox="1091 853 1168 1010">2</td> <td data-bbox="1168 853 1244 1010">3</td> <td data-bbox="1244 853 1331 1010">4</td> </tr> <tr> <td data-bbox="1015 1010 1091 1200">1</td> <td data-bbox="1091 1010 1168 1200">2</td> <td data-bbox="1168 1010 1244 1200">3</td> <td data-bbox="1244 1010 1331 1200">4</td> </tr> <tr> <td data-bbox="1015 1200 1091 1357">1</td> <td data-bbox="1091 1200 1168 1357">2</td> <td data-bbox="1168 1200 1244 1357">3</td> <td data-bbox="1244 1200 1331 1357">4</td> </tr> <tr> <td data-bbox="1015 1357 1091 1547">1</td> <td data-bbox="1091 1357 1168 1547">2</td> <td data-bbox="1168 1357 1244 1547">3</td> <td data-bbox="1244 1357 1331 1547">4</td> </tr> <tr> <td data-bbox="1015 1547 1091 1704">1</td> <td data-bbox="1091 1547 1168 1704">2</td> <td data-bbox="1168 1547 1244 1704">3</td> <td data-bbox="1244 1547 1331 1704">4</td> </tr> </tbody> </table>	Never	Rarely	Occasionally	Often	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
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A6	<p><b>Did the system of case assignment to judges affect the efficiency of judicial work and how – did it boost or reduce efficiency?</b></p> <p><i>[INT]Read answers! One answer.</i></p>	<ol style="list-style-type: none"> <li>1. Yes, it boosted efficiency</li> <li>2. Yes, it reduced efficiency</li> <li>3. No, it did not affect efficiency</li> <li>4. Don't know</li> </ol>	A7																								

A7	Please give an estimate of the percent of hearings in _____ cases (the most common type of case from A2) you worked on in the last 12 months that were not held?	_____ % of hearings	A8			
A8	Thinking about the hearings which have not been held, what, in your opinion, were the reasons why they were not held? Please look at the following reasons and indicate how frequently, if at all, the particular circumstance was the reason why the hearings were not held .		A9			
	Reasons why the hearings were not held	Never		Rarely	Occasionally	Often
	1. Reasons caused by the court	1		2	3	4
	2. Reasons caused by a party to the proceedings	1		2	3	4
	3. Reasons caused by other participants in the proceedings (witnesses, court experts...)	1		2	3	4
	4. Reasons caused by inefficient procedural provisions	1		2	3	4
	5. Other reasons	1	2	3	4	
A9	In your estimation, what percentage of all hearings in _____ cases (the most common type of case) in which you participated in the last 12 months DID NOT SIGNIFICANTLY contribute to progress in the resolution of court cases?	_____ % of hearings	A10			
A10	What were the main reasons why these hearings were not as efficient? [INT]OPEN-ENDED QUESTION	_____ _____ _____	A11			
A11	What percentage of judgments in _____ cases (the most common type of case from A2) you worked on in the last 12 months did you or the other party engaged in the case appealed?	% of judgements _____	A12			
A12	What percentage of the cases you appealed were appealed because you as a solicitor thought that you should fight further for your client (or your client asked for this), in spite of your satisfaction with the judgment - i.e. you felt that the judgment was correct and in accordance with the law.	% of appealed judgements in spite that they were felt to be correct _____	A13			
A13	What percent of the judgments you appealed on in the last 12 months did a higher instance court refer back and order a retrial?	% of the appealed judgements _____	A14			
A14	How satisfied were you with the procedure for enforcing the court judgments in _____ cases (the most common type of case) you worked on OVER THE PAST THREE YEARS? [INT]Show card A14. One answer.	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied 5. Did not have enough information on the enforcement procedure	A14a			
A14a	In your opinion, what is the main reason why the majority of unenforced court decisions are not enforced?	_____ _____ _____ _____	A15			
A15	In your opinion, how will has enactment of the law on Enforcement and Security launched in September 2011 affected the efficiency of the judicial system? One answer.	1. It's reduced the efficiency 2. It remained the same 3. It's increased the efficiency	A16			
A16	In general, what do you think of the work of the judicial system in Serbia over the past few years?	1. Very negative 2. Negative	A17			

	One answer	3. Satisfactory	A1 6a
		4. Positive	A17
		5. Very positive	
A1 6a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON A16) But if in expressing your opinion about functioning of judiciary system you should opt only between negative and positive, which side your opinion would be closer to?	1. Negative 2. Positive	A1 7
A17	I will now read out a number of statements on the judicial system. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree':		
		<b>Fully disagree    Mostly disagree    Mostly agree    Fully agree    Don't Know</b>	
	The judicial system is fair, impartial and not corrupt	1            2            3            4            -9	
	The judicial system is fast	1            2            3            4            -9	
	The judicial system is capable of enforcing court decisions	1            2            3            4            -9	A18
A1 8	In your view, to what extent is the judicial system now a problem for life in Serbia? [INT] Single response. Read out the answers!	2. Not a problem 4. Small problem 5. Moderate problem 6. Big problem 7. Huge problem	B1

B Quality of Work					
B1	How do you rate the quality of work the judicial system provided to the public in the last 12 months? <i>Show card B1. One answer.</i>	1. Very low quality 2. Low quality	B2		
		3. Average quality	B1a		
		4. High quality	B2		
		5. Very high quality	B3		
B1a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'Average quality' ON B1) But if in expressing your opinion about quality of judiciary work in the last 12 months you should opt only between negative and positive, which side your opinion would be closer to?	1. Low 2. High	B2		
B2	(ANSWERS TO BE PROVIDED BY RESPONDENTS WHO REPLIED 1, 2, 3 OR 4 TO QUESTION B1)				
	<b>B2a. Which of the following reasons would you identify as to why the quality of the work of the judicial system in the last 12 months was not higher?</b> [INT] Show card B2a with scale				
	<b>B2b. Which of the reasons would you rank first, as the most significant one?</b> [INT] Show card B2b with reasons				
		<b>B2a</b>			<b>B2b</b>
	<b>Reason why the quality of work was not higher</b>	<b>Insignificant</b>	<b>Partly significant</b>	<b>Very significant</b>	<b>The most significant reason</b>
	1. Lack of staff in judicial system institutions	1	2	3	1
	2. Poor organization in judicial system institutions	1	2	3	2
	3. Poor working conditions (including low remuneration) in judicial system institutions	1	2	3	3
	4. Poor infrastructure (lack of office space, equipment) in judicial system institutions	1	2	3	4
					B3

	5. Unclear laws allowing for inconsistent interpretations	1	2	3	5	
	6. Other problems related to legal regulations (everything else apart from the reason listed under 5)	1	2	3	6	
	7. Contempt of court, improper conduct and non-fulfilment of obligations to the court	1	2	3	7	
	8. Lack of opportunity for additional education (training, education) for existing staff	1	2	3	8	
	9. Poor coordination of judicial bodies	1	2	3	9	
	10. Poor professionalism and preparedness of legal representatives	1	2	3	10	
	11. Other: _____					
<b>B3</b>	<b>How satisfied were you with the work of the judge (in the first instance court)?</b> <i>[INT]Read answers! One answer.</i>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied				B4
<b>B4</b>	<b>How satisfied were you with the work of the other court staff?</b> <i>[INT]Read answers! One answer.</i>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied				B5
<b>B5</b>	<b>How satisfied were you with the facilities, technical equipment (computers, cameras...) and other infrastructure elements in the judiciary?</b> <i>[INT]Read answers! One answer.</i>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied				C1

**C Accessibility**

<b>C1</b>	<b>How accessible is now the judicial system to citizens:</b>						
		Very inaccessible	Mostly inaccessible	Mostly accessible	Very accessible	Can't estimate	
	3. In terms of finances – given <b>court-related costs</b> (court taxes, trial costs, travel costs)?	1	2	3	4	9	
	1. In terms of finances – given <b>attorney-related expenses</b> ?	1	2	3	4	9	
	2. In terms of geography – given the distance of courthouse?	1	2	3	4	9	
	3. In terms of layout – how easy was it to find your way to and move around the courthouse?	1	2	3	4	9	
	4. In terms of access to information	1	2	3	4	9	C2

<b>C2</b>	<b>To what extent were the FOLLOWING judicial institutions accessible to all citizens, notwithstanding their age, education, financial status, nationality, disability... in the last 12 months [INT]Show card C2.</b>						
		Very inaccessible	Mostly inaccessible	Mostly accessible	Very accessible	Don't know	
	<b>1. Courts</b>	1	2	3	4	9	
	<b>2. Prosecution Offices</b>	1	2	3	4	9	
	<b>3. Court Administrative Services</b>	1	2	3	4	9	

<b>C3</b>	<b>In your opinion, how easy or difficult was it for ALL citizens, notwithstanding their age, education level, financial status, nationality, or disability to find their way around the court buildings? [INT]Read answers! One answer.</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy	C4
<b>C4</b>	<b>In the last 12 months, how easy or difficult was it for ALL citizens, notwithstanding their age, education level, financial status, nationality, or disability to access the information they needed about the functioning of the judicial system (eg, how to file a case, etc.)?</b>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy	C6
<b>C6</b>	<b>Which sources of information were accessible to citizens in acquiring the information they needed about the functioning of the judicial system?</b>  <i>Multiple responses</i>	2. Internet 3. Television 4. Radio 5. Dailies and magazines 6. Court bulletin boards 7. Brochures, leaflets 8. Information service (via the telephone) 9. Information counter 10. Registry desk 11. Court archive 12. Court staff 13. Lawyers 14. Friends, relatives, colleagues 15. Other:	C7
<b>C7</b>	<b>What are the three most efficient ways for providing information to citizens?</b>	1. _____ 2. _____ 3. _____	D1

<b>D Fairness</b>				
<b>D1</b>	<b>How fair was the judicial system in the last 12 months? Please rate it on a scale of 1 to 4, where 1 represents 'Largely unfair' and 4 represents 'Largely fair'.</b>	1. Largely unfair 2. Mostly unfair 3. Mostly fair 4. Largely fair	D2	D3
<b>D2</b>	<i>(TO BE ANSWERED ONLY BY RESPONDENTS WHO REPLIED 1, 2, 3 TO QUESTION D1)</i>  <b>What is the chief reason why you did not grade fairness of the judicial system as totally fair? What is the second most important reason?</b>	<b>Reason why you did not give a higher grade</b>	<b>Chief reason</b>	<b>Second reason</b>
		1. Insufficient accessibility to all citizens (insufficient access to information, the system is not suitable for persons with lower education levels...)	1	1
		2. Poor legal provisions	2	2
		3. The judicial system is politicized	3	3
		4. Corruption in the judicial system	4	4
		5. Overload/poor organization of the judicial system	5	5
		6. Poor professionalism of lawyers	6	6
		7. Other: _____	7	7
				D3

<b>D3</b>	<b>In your view, do the judicial system in Serbia now treat all citizens equally notwithstanding their:</b>				D4		
		<b>Yes</b>	<b>No</b>				
	<b>1. Gender</b>	1	2				
	<b>2. Age</b>	1	2				
	<b>3. Nationality</b>	1	2				
	<b>4. Socio-economic status</b>	1	2				
	<b>5. Place of residence</b>	1	2				
	<b>6. Education</b>	1	2				
	<b>7. Disability</b>	1	2				
<b>8. Other _____</b>	1	2					
<b>D3a</b>	<b>In the last 12 months, did judicial system treat citizens notwithstanding age, education, nationality, economic status, disability...? Please rate on a scale from 1 to 4, where 1 means not at all, and 4 means it was totally the case.</b>	<b>Not the case at all</b>	<b>Mostly not the case</b>	<b>Mostly the case</b>	<b>Totally the case</b>	D4a	
	1	2	3	4			
<b>D4</b>	<b>In your opinion, to what extent were Serbian laws in the last 12 months precise, clear and unambiguous?</b> <i>[INT]Show card D4. One answer</i>	<ol style="list-style-type: none"> <li>1. The Laws were imprecise, unclear and ambiguous to a high extent</li> <li>2. Some laws were imprecise, unclear and ambiguous to some extent</li> <li>3. Some laws were precise, clear and unambiguous to some extent</li> <li>4. The Laws were precise, clear and unambiguous to a high extent</li> </ol>				D5	
<b>D5</b>	<b>In your opinion, to what extent were Serbian laws in the last 12 months fair and objective?</b> <i>[INT]Show card D5. One answer</i>	<ol style="list-style-type: none"> <li>1. The Laws were unfair and un objective to high extent</li> <li>2. Some laws were unfair and un objective to some extent</li> <li>3. Some laws were fair and objective to some extent</li> <li>4. The Laws were fair and objective to a high extent</li> </ol>				D6	
<b>D6</b>	<b>What is your view of the enforcement of laws in Serbia in the last 12 months? How often did the following problems occur in the enforcement of laws?</b> <i>[INT]Show card D6. One answer</i>					E1	
		<b>Never</b>	<b>Rarely</b>	<b>Occasionally</b>	<b>Frequently</b>		<b>DK</b>
	<b>1. Selective enforcement of laws</b>	1	2	3	4		9
	<b>2. Non-enforcement of laws</b>	1	2	3	4		9
	<b>3. Inconsistent interpretation of laws</b>	1	2	3	4		9
<b>4. Inconsistent jurisprudence</b>	1	2	3	4	9		

<b>E Integrity</b>							
<b>E1</b>	<b>How independent was the judicial system in Serbia in the last 12 months?</b> <i>[INT]Show card E1. One answer</i>	1. Not independent 2. Mostly not independent 3. Mostly independent 4. Fully independent				E2	
<b>E2</b>	<b>Could you specify how much the following institutions jeopardized the independence of the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "A lot".</b> <i>[INT]Show card E2.</i>					E3	
		<b>Not at all</b>	<b>A little</b>	<b>Quite</b>	<b>A lot</b>		
	1. Government	1	2	3	4		
	2. Specific ministries	1	2	3	4		
	3. Political parties	1	2	3	4		
	4. Politicians	1	2	3	4		
	5. Big business	1	2	3	4		
	6. International organizations	1	2	3	4		
	7. NGOs in Serbia	1	2	3	4		
	8. Media	1	2	3	4		
	9. Judges	1	2	3	4		
	10. Prosecutors	1	2	3	4		
	11. Lawyers	1	2	3	4		
	12. Other _____						
<b>E3</b>	<b>To what extent did the following factors undermine the integrity of the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "To great extent".</b> <b>Which of these factors undermined the integrity of the judicial system in the last 12 months the most?</b> <i>[INT]Show card E3a with scale</i>					E3a	
		<b>Not at all</b>	<b>Mostly not</b>	<b>To an extent</b>	<b>To great extent</b>		<b>Chief factor</b>
	1. Corruption in the judicial system	1	2	3	4		1
	2. Political/politicians' influence on the court and prosecutors	1	2	3	4		2
	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	1	2	3	4		3
	4. Inadequate penalties for corruption	1	2	3	4		4
	5. Length of proceedings	1	2	3	4		5
	6. Court decisions	1	2	3	4		6
	7. Sensationalist/exaggerated media reports	1	2	3	4		7
	8. Lack of fairness	1	2	3	4		8
	9. Selective initiation of cases by the prosecution	1	2	3	4		9
	10. Other: _____						
<b>E3a</b>	<b>To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months?</b>	1. Not at all 2. Mostly not 3. To an extent 4. To a great extent				E4	

<b>E4</b>	<b>Was there corruption in the judicial system in the last 12 months?</b> <i>[INT] Show card E4. One answer</i>	1. There was no corruption	E6
		2. To an extent	E5
		3. To a great extent	E6
<b>E5</b>	(TO BE ANSWERED BY RESPONDENTS WHO ANSWERED 2 or 3 IN RESPONSE TO QUESTION E4) <b>Was corruption systemic or individual?</b>	1. Systemic 2. Individual 3. Both	E6
<b>E6</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>Did you find yourself in a situation in which your client asked you to use some informal means (make an additional payment, give you a gift, pull strings) to influence the work of judges?</b>	1. Yes 2. No <i>Refuse to answer</i>	E7
<b>E7</b>	<b>Did you find yourself in a situation in which a judge offered you an agreement which implied some pecuniary advantage to make a judgment in favour of your client?</b>	1. Yes 2. No <i>Refuse to answer</i>	E8
<b>E8</b>	<b>Did you find yourself in a situation in which a prosecutor offered you an agreement which implied some pecuniary advantage to do his/her work in favour of your client?</b>	1. Yes 2. No <i>Refuse to answer</i>	E8a
<b>E8a</b>	<b>How frequently in the period the last 12 months did you experience suggestion from the any side from the legal system to use unformal means to influence on the result of the case?</b>	1. Never 2. Rarely 3. Sometimes 4. Often	E9
<b>E9</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>Was there any form of internal control within the judicial system in the last 12 months?</b>	1. Yes 2. No Don't know	E10
<b>E10</b>	(IF THE ANSWER IS YES) <b>How was the internal control conducted?</b>	_____	E11
<b>E11</b>	(IF THE ANSWER IS YES) <b>To what degree did the internal control that existed contribute to the integrity of the judiciary?</b> <i>[INT] Read answers! One answer.</i>	1. Not at all 2. A little 3. Fairly 4. Greatly	E12
<b>E12</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>In principle, how important is internal control for strengthening the integrity of the judicial system?</b> <i>[INT] Read answers! One answer.</i>	1. Very important 2. Somewhat important 3. Unimportant	E13



<b>E13</b>	<b>To what extent did professional associations (Bar Association, Association of Judges, Association of Prosecutors) help strengthen the integrity of the profession they represent?</b> [INT] Show card E13		
	<b>1. Bar Association</b>	1. Not at all 2. A little 3. Fairly 4. Greatly	
	<b>2. Association of Judges</b>	1. Not at all 2. A little 3. Fairly 4. Greatly	
	<b>3. Association of Prosecutors</b>	1. Not at all 2. A little 3. Fairly 4. Greatly	E14
<b>E14</b>	<b>What influence had the media on the integrity of the judicial system as a mechanism of external control?</b>	1. Negative 2. Neutral 3. Positive	E15
<b>E15</b>	<b>What influence had the NGOs on the integrity of the judicial system as a mechanism of external control?</b>	1. Negative 2. Neutral 3. Positive	E20
<b>E20</b>	<b>What image of the judicial system do media in Serbia generate in general?</b> [Interviewer] Show card E20. One answer.	1. The image is worse than reality 2. The image is objective 3. The image is better than reality	F1
<b>F Cost Effectiveness</b>			
<b>F1</b>	<b>Where could costs in the judiciary have been cut in the last 12 months?</b>  [Interviewer] Accept multiple responses.	_____ _____ _____ _____	F2
<b>F2</b>	<b>In your opinion, was there a need for investing any additional funds, which would, in the long term, actually cut costs, since such investments would result in considerable improvement of judicial efficiency? In what should these additional funds be investing?</b>	1. There was no need 2. There was need, the additional funds should be invested in _____ _____ _____	F3
<b>F3</b>	<b>Has the mediation process in resolving the disputes (that is, mediation process) cut judicial system costs in Serbia in the 2013?</b> [INT] Read answers! One answer.	1. Not at all 2. A little 3. Fairly 4. Don't know	F4
<b>F4</b>	<b>How useful is the mediation process in resolving the disputes to parties to a case, i.e. can it help settle a dispute?</b> [INT] Read answers! One answer.	1. Not useful 2. To an extent 3. Very 4. Don't know	F5
<b>F5</b>	<b>Prepared is a draft of the new Law on mediation process in resolving the disputes that stipulates establishing of a completely new mediation system, which includes license for mediators, founding of a chamber and standardization and accreditation of mediator training programs. In your opinion, how will enactment of the new Law on mediation process in resolving the disputes affect the efficiency of the judicial system?</b> One answer.	1. It will reduce the efficiency 2. It will remain the same 3. It will increase the efficiency 4. I do not know enough	G3

G Judicial reforms launched in 2010		
G3	Do you support the judicial reform launched in January 2010 in general or not?	1. Yes, I fully support it 2. I support it to an extent 3. No, I don't support it G4
G4	Why do you support the reform launched in January 2010?	_____ _____ _____ _____ G5
G5	Why not?	_____ _____ _____ _____ G6

G6	To what extent did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system?						
	Dimensions	Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent	Do n't know
	1. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2	9
	2. Quality of work of court staff	-2	-1	0	1	2	9
	3. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality....)	-2	-1	0	1	2	9
	4. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2	9
	5. Integrity (trust, e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2	9
6. More rational spending of budget funds	-2	-1	0	1	2	9	G7
G7	How did attending the Judicial Academy increase the preparedness of future judges and prosecutors to the extent that it will make the investment really cost effective? <i>[INT] Read answers! One answer.</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No Don't know					G8
G8	How did the compulsory seminars introduced within the reforms launched in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>[INT] Read answers! One answer.</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No Don't know					G9
G9	How did the new organization of courts introduced in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>[INT] Read answers! One answer.</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No Don't know					G10
G10	The number of judges has been significantly cut by reformes launched in January 2010. Was the number of judges before reappointment of nonreelected judges too small, sufficient or could it have been even smaller in the context of the reforms as a whole?	1. Too small 2. Sufficient 3. Could have been smaller Don't know					G10 a

G10 a	How would you evaluate the current number of judges, as too small, just right/sufficient or it could be even smaller?	1. Too small 2. Sufficient 3. Could have been smaller Don't know	G11
G11	How did the implementation of the reforms result in a more adequate penal policy? <i>[INT] Read answers! One answer.</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No Don't know	G12
G12	How did judges have more legal mechanisms to maintain order in the court? <i>[INT] Read answers! One answer.</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No Don't know	G13
G13	And, how do you think the reforms affected the job of legal professionals in private practice? <i>[INT] Show card G13. One answer.</i>	1. Positively (made the job more efficient) 2. Negatively (made the job less efficient) 3. Did not affect the job in any important way	G14
G14	Why? Please tell us the main reasons for your opinion	_____ _____ _____	H1

**H National Judicial Reform Strategy for the period from 2013 to 2018**

H1	How well informed are you about the new National Judicial Reform Strategy for the period from 2013 to 2018 adopted in the Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'. <i>Please indicate only <u>one</u> answer</i>	1. Not at all 2. Mostly not informed 3. Medium 4. Mostly informed 5. Very well informed	H2
H2	What is your main source of information about this National Judicial Reform Strategy?  <i>MULTIPLE ANSWERS POSSIBLE</i>	6. Media (TV, radio, newspapers, magazines, websites...) 7. Official information 8. Other staff, informal discussions 9. I informed myself by reading the laws 10. Other: _____ 11. None	H3
H3	Do you support this new National Judicial Reform Strategy adopted in July 2013 in general or not?	1. Yes, I fully support it → skip to question G4, than G6, than continue 2. I support it to an extent → skip to question G4, than G6, than continue 3. No, I don't support it → skip to question G5 and continue	H4
H4	Why do you support it?	_____ _____ _____	H5
H5	Why not?	_____ _____ _____	H6

H6	<b>To what extent will the National Judicial Reform Strategy adopted in July 2013 improve the following dimensions of the judicial system? Please use a scale of -2 to 2, where -2 means Worsen to a great extent and 2 Improve to a great extent.</b>						Do n't know
	Dimensions	Worsen to a great extent	Worsen to an extent	It will not bring any changes	Improve to an extent	Improve to a great extent	
	7. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2	9
	8. Quality of work of court staff	-2	-1	0	1	2	9
	9. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality....)	-2	-1	0	1	2	9
	10. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2	9
	11. Integrity (trust, e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2	9
	12. More rational spending of budget funds	-2	-1	0	1	2	9
H7	How well informed are you about the new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION for the period 2013 to 2018 which was adopted in Parliament in July 2013?	1. Not at all 2. Mostly not informed 3. Medium 4. Mostly informed 5. Very well informed					H8
H8	How much will this strategy contribute to the efficiency of fighting corruption in judiciary?	1. They were ineffective 2. They were effective, but not to a sufficient extent 3. They were very effective DK					D4a

Please answer also some questions regarding gender-related differences in your profession		
D4a	Do you think that both men and women in your profession have equal chances for professional promotion?	1. Yes, they have equal chances 2. No, men have more chances than women 3. No, women have more chances than men 4. DK, I can't estimate
D4b	And, thinking about total income of people employed in your profession, which beside salary includes other forms of income (travel expenses, bonuses, and similar receipts), would you say that there are differences between men and women, or they are equal from that aspect?	1. Women have much higher income 2. Women have somewhat higher income 3. Women and men have equal income 4. Men have somewhat higher income 5. Men have much higher income
D4c	As far as you know, have there been any cases of sexual harassment against any employee in your institution?	1. No 2. Yes 3. Not sure

**Questionnaire for Judges**

**THANK YOU FOR YOUR TIME TO ANSWER THE QUESTIONS IN THIS QUESTIONNAIRE!**

**INSTRUCTIONS:**

Please read the questions in the left column carefully and then provide answer in the right column.

There is an instruction how to answer each question. As you can notice, there are 3 main types of questions:

1. Questions that you answer by circling the number in front of ONE of the suggested answers in the right column that best applies to you
2. Questions where you are expected to choose several answers
3. Questions where there are no suggested answers, but you write down your answer

Some questions are inserted in tables. Please pay close attention where you are supposed to, in order to evaluate all options (statements) in those tables.

**PLEASE ANSWER ALL THE QUESTIONS IN THIS QUESTIONNAIRE. YOUR OPINION AND EXPERIENCES ARE VERY VALUBALE FOR THIS STUDY.**

This interview is ANONYMOUS (we are not asking for your name) and all collected data will be displayed as group data.

**Questionnaire**

X0a	The World Bank and Ipsos agency conducted in early 2011 a survey similar to this one about judiciary system in Serbia. Did you participate in that survey?	1. Yes 2. No
X0b	When were you elected to the position of a judge for the first time?	1. _____ year
X2	In which court do you work? Please disregard possible changes which will occur within reorganization starting January 2014, but mark the court in which you have worked in current year, 2013.	
	<b>Courts of General Jurisdiction</b>	<b>Courts of Special Jurisdiction</b>
	1. Principal court 2. Higher court 3. Appellate court 4. Supreme court of cassation	1. Economic court 2. Economic Appellate court 3. Administrative court 4. Misdemeanor court 5. Higher Misdemeanor court
X3	If you work in the Economic Court, please indicate in which department do you work exactly?  Please go to question X7	_____ _____ _____
X4	If you work in the Court of General Jurisdiction, in which department do you work exactly?	1. Criminal Law Department → go to X7 2. Non-Contentious Matters Department → go to X7 ----- 3. Civil Law Department → go to X5
X5	If you work in the Civil Law Department of the Court of General Jurisdiction in which department within the Civil Law Department do you work exactly?	1. Family Law Department → go to X7 2. Labor Law Department → go to X7 3. Enforcement of Judgments → go to X7 ----- 4. General Department → go to X6
X6	Can you please estimate, in percentages, the share of different types of cases you had in the last 12 months?  Please write down all types of your cases and their share in percentages relative to total number of cases. Sum of all your cases has to be 100. If you do	1. _____ - ____% 2. _____ - ____% 3. _____ - ____%

	not have precise information currently please provide your best estimate	4. _____ - _____%
X7	In which region is the institution in which you work in?	1. Belgrade 2. Vojvodina 3. Central Serbia
X8	Gender?	1. Male 2. Female
X9	Age?	1. Up to 35 2. 36 - 50 3. 51 and above
<b>A Efficiency of the Judicial System</b>		
A1	Estimate the number of cases you worked on in the last 12 months? If you do not have precise information currently please provide your best estimate Please include all cases opened, worked on and completed in the last 12 months.	Caseload _____
A2	Was your caseload greater, smaller or the same compared to the previous years? <i>PLEASE CHOSE ONLY ONE ASNWER</i>	1. Much greater 2. Somewhat greater 3. Average 4. Somewhat smaller 5. Much smaller 6. That was my first year as a judge so I can not estimate
A3	What would have been the optimal annual caseload given THE CONDITIONS YOU WORKED IN in the last 12 months?	Optimal caseload _____
A4	What change in your working conditions in the last 12 months would have increased the caseload you specified as optimal?	_____ _____ _____ _____
A5	Estimate, the number of cases you worked on which started in the last 12 months? If you do not have precise information currently, I would again ask you to provide your best estimate	number of cases _____
A6	Estimate the number of cases you worked on that closed in the last 12 months? If you do not have precise information currently, I would again ask you to provide your best estimate	number of cases _____

THE FOLLOWING SECTION REFERS ONLY TO THE CASES YOU WORKED ON AND CLOSED IN THE LAST 12 MONTHS, NOTWITHSTANDING WHEN THEY WERE OPENED						
For all of the above, the case is closed when the first-instance judgment is rendered						
<b>A7</b>	Please estimate the percentage of your cases in the last 12 months that lasted longer than they should have for any reason? If you do not have precise information currently, I would again ask you to provide your best estimate	% of cases _____				
<b>A8</b>	Why was the duration of the cases longer than optimal? Please look at the reasons listed here and specify how often, if at all, each of them was the cause of the longer duration of the cases.	Reasons why the duration of the case was longer than optimal	Never	Rarely	Occasionally	Often
		6. Objective lack of capacity of the court (for instance: insufficient staffing, lack of courtroom equipment, IT equipment, cameras... )	1	2	3	4
		7. Court or court staff errors (for instance: poor investigation, lack of regulations on delivery of case-related documents, lack or disrespect of instructive deadlines)	1	2	3	4
		8. Obstruction by the parties to the proceedings (non-appearance of witnesses, intentional protraction by lawyers...)	1	2	3	4
		9. Unintentional mistakes by the parties to the proceedings (unpreparedness, lack of knowledge, incompetence e.g. when the party represents itself...)	1	2	3	4
		10. Gaps in legislation (inefficient rules on delivery, imprecise terms, unregulated areas, different interpretations of law..)	1	2	3	4
<b>A9</b>	Is there any other cause of longer duration of the cases that still hasn't been mentioned? <i>If yes, please write down</i>	6. Yes, what? _____ 7. No				
<b>A10</b>	In your view, did the system of assignment of the cases to judges affect the efficiency of judicial work? If yes, how did it affect – did it boost or reduce efficiency? <i>Please indicate only one answer</i>	1. Yes, it boosted efficiency 2. Yes, it reduced efficiency 3. No, it did not affect efficiency 4. I am not familiar with that				
<b>A11</b>	Please estimate the percentage of hearings scheduled for your cases in the last 12 months that were not held? If you do not have precise information currently, I would again ask you to provide your best estimate	_____ % of hearings				
<b>A12</b>	Thinking about the hearings which have not been held, what, in your opinion, were the reasons why they were not held? Please look at the following reasons and indicate how frequently, if at all, the particular circumstance was the reason why the hearings were not held. For each of the listed reasons indicate one answer from 1 to 4, where 1 means never, 2 rarely, 3 occasionally, 4 often.					

Reasons why the hearings were not held	Never	Rarely	Occasionally	Often
1. Reasons caused by the court	1	2	3	4
2. Reasons caused by a party to the proceedings	1	2	3	4
3. Reasons caused by other participants in the proceedings (witnesses, court experts...)	1	2	3	4
4. Reasons caused by inefficient procedural provisions	1	2	3	4

<b>A13</b>	Is there anything not yet mentioned that was the reason why the hearings were not held? <i>If yes, please write down the reason</i>	1. Yes, what? _____ _____ 2. No
<b>A14</b>	Estimate the percentage of all hearings held in the last 12 months that DID NOT SIGNIFICANTLY contribute to progress in the resolution of court cases?	Percentage of hearings _____%
<b>A15</b>	What were the main reasons why these hearings were not as efficient? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	_____ _____ _____ _____
<b>A16</b>	Estimate the number of hearings on average you scheduled PER WEEK in the last 12 months? If you do not have precise information currently, I would again ask you to provide your best estimate	Number of hearings per week: _____
<b>A17</b>	Was this number of hearings optimal, higher or lower than optimal given your working conditions at the time? <i>Please indicate only <u>one</u> answer</i>	1. Much higher than optimal 2. Somewhat higher than optimal 3. Optimal 4. Somewhat lower than optimal 5. Much lower than optimal 6. Does not apply to my work place
<b>A18</b>	Estimate the percentage of judgments in cases you worked on in the last 12 months that were appealed? If you do not have precise information currently, I would again ask you to provide your best estimate	_____% judgments Write down the percent of judgments that were appealed
<b>A19</b>	What percentage of appealed cases were referred back and ordered a retrial by a higher instance court in the last 12 months? If you do not have precise information currently, I would again ask you to provide your best estimate	_____% of cases appealed Write down the percent of judgments that were referred back and ordered a retrial by a higher instance court
<b>A20</b>	How satisfied were you with the procedure for enforcing the court judgments in cases you worked, in last three years? <i>Please indicate only <u>one</u> answer</i>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied 5. Did not have enough information on the enforcement procedure
<b>A20 a</b>	In your opinion, what is the main reason why the unenforced court decisions are not enforced?	_____ _____ _____
<b>A21</b>	In your opinion, how has enactment of the law on Enforcement and Security launched in September 2011 affected the efficiency of the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. It reduced the efficiency 2. It remained the same 3. It increased the efficiency



<b>A22</b>	<b>What do you think in general of the work of the judicial system in Serbia over the past few years?</b> <i>Please indicate only <u>one</u> answer</i>	<ol style="list-style-type: none"> <li>1. Very negative → go to A25</li> <li>2. Negative → go to A25</li> <li>3. Satisfactory → go to A22a</li> <li>4. Positive → go to A25</li> <li>5. Very positive → go to A25</li> </ol>
<b>A22 a</b>	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON A22) <b>But if in expressing your opinion about functioning of judiciary system over the past few years you should opt only between negative and positive, which side your opinion would be closer to? (IPSOS suggestion)</b>	<ol style="list-style-type: none"> <li>1. Negative</li> <li>2. Positive</li> </ol>

<b>A25</b>	<b>Please evaluate to which extent you agree with the following statements, using a scale of 1 to 4, where 1 means fully disagree and 4 means completely agree?</b>					
		<b>Fully disagree</b>	<b>Mostly disagree</b>	<b>Mostly agree</b>	<b>Fully agree</b>	<b>Don't Know</b>
	<b>The judicial system is fair, impartial and not corrupt</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>-9</b>
	<b>The judicial system is fast</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>-9</b>
	<b>The judicial system is capable of enforcing court decisions</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>-9</b>
<b>A26</b>	<b>In your view, to what extent the judicial system is currently a problem for life in Serbia?</b> <i>Please indicate only <u>one</u> answer</i>	<ol style="list-style-type: none"> <li>6. Not a problem</li> <li>7. Small problem</li> <li>8. Moderate problem</li> <li>9. Big problem</li> <li>10. Huge problem</li> </ol>				

<b>B</b> Quality of Work				
<b>B1</b>	<b>What was the quality of work of the institution in which you worked in in the last 12 months?</b> <i>Please indicate only <u>one</u> answer</i>	<ol style="list-style-type: none"> <li>1. Very low quality → go to B4</li> <li>2. Low quality → go to B4</li> <li>3. Average quality → go to B1a</li> <li>4. High quality → go to B4</li> <li>5. Very high quality → go to B4</li> </ol>		
<b>B1a</b>	(ASK ONLY THE RESPONDENTS WHO ANSWERED 3. AVERAGE QUALITY ON B1) <b>But if in expressing your opinion about quality of the work of the institution in which you worked in the last 12 months you should opt only between low and high, which side your opinion would be closer to? (IPSOS suggestion)</b>	<ol style="list-style-type: none"> <li>1. Low quality</li> <li>2. High quality</li> </ol>		
<b>B2</b>	<b>Which of the following reasons would you select to explain why the quality of work of the institution you worked at in the last 12 months was not higher?</b> <i>PLEASE INDICATE ONE ANSWER FORE EACH OF THE FOLLOWING REASONS.</i>			
	<b>Reason why the quality of work was not higher</b>	<b>Insignificant</b>	<b>Partly significant</b>	<b>Very significant</b>
	1. Lack of staff	1	2	3
	2. Poor organization	1	2	3
	3. Poor working conditions (including low remuneration)	1	2	3
	4. Poor infrastructure (lack of office space, equipment)	1	2	3
	5. Unclear laws allowing for inconsistent interpretations	1	2	3
	6. Other problems related to legal regulations (everything else apart from the reason listed under 5)	1	2	3
7. Contempt of court, improper conduct and non-fulfillment of obligations to the court	1	2	3	

	8. Lack of opportunity for additional education (training, education) of existing staff	1	2	3	
	9. Poor coordination of judicial bodies	1	2	3	
	10. Poor professionalism and preparedness of legal representatives	1	2	3	
<b>B5</b>	<b>Is there anything not yet mentioned that, in your opinion, was the reason why the quality of work of the institution you worked was not higher? If yes, please write down</b>	1. Yes, what? _____ 2. No _____			

<b>B6</b>	<b>Which of the following reasons that explain why the quality of work was not higher would you select as the most important one?</b> PLEASE SINGLE OUT ONLY ONE REASON WHICH YOU CONSIDER THE MOST IMPORTANT OUT OF THE 10 LISTED FROM TABLE B6.	<b>TABLE B6</b>	
		<b>Reason why the quality of work was not higher</b>	<b>The most significant reason</b>
		1. Lack of staff	1
		2. Poor organization	2
		3. Poor working conditions (including low remuneration)	3
		4. Poor infrastructure (lack of office space, equipment)	4
		5. Unclear laws allowing for inconsistent interpretations	5
		6. Other problems related to legal regulations (everything else apart from the reason listed under 5)	6
		7. Lack of regulations pre-empting contempt of court, improper conduct and non-fulfillment of obligations to the court	7
		8. Lack of opportunity for additional education (training, education) of existing staff	8
		9. Poor coordination of judicial bodies	9
		10. Poor professionalism and preparedness of legal representatives	10
11. Other (what was noted in B4b)	11		

<b>B7</b>	<b>How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months, on a scale of 1 to 4, where 1 represents "very dissatisfied" and 4 "very satisfied"?</b> PLEASE INDICATE ONE ANSWER FOR EACH ASPECT IN THE TABLE				
		<b>Very dissatisfied</b>	<b>Dissatisfied</b>	<b>Satisfied</b>	<b>Very satisfied</b>
	1. Premises and equipment	1	2	3	4
	2. Amount of salary	1	2	3	4
	3. Organization of work in general	1	2	3	4
	4. Organization of work in your sector	1	2	3	4
	5. Work climate	1	2	3	4
	6. Cooperation with administrative sectors	1	2	3	4
	7. Cooperation with the prosecution office	1	2	3	4

<b>C Accessibility</b>					
<b>C1</b>	<b>How accessible is the judicial system to citizens currently by following aspect. Please use a scale of 1 to 4, where 1 means Very inaccessible and 4 means Very accessible. PLEASE INDICATE ONE ANSWER FOR EACH ASPECT IN THE TABLE</b>				
		<b>Very inaccessible</b>	<b>Mostly inaccessible</b>	<b>Mostly accessible</b>	<b>Very accessible</b>
	1. In terms of finances – given <b>court-related costs</b> (court taxes, trial costs, travel costs)?	1	2	3	4
	2. In terms of finances – given <b>attorney-related expenses</b> ?	1	2	3	4
	3. In terms of geography – given the distance of the courthouse?	1	2	3	4
	4. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4
	5. In terms of access to information	1	2	3	4
<b>C2</b>	<b>To what extent were the FOLLOWING judicial institutions accessible to all citizens, notwithstanding their age, education level, financial status, nationality, invalidity .... in the last 12 months PLEASE INDICATE ONE ANSWER FOR EACH INSTITUTION IN THE TABLE</b>				
		<b>Very inaccessible</b>	<b>Mostly inaccessible</b>	<b>Mostly accessible</b>	<b>Very accessible</b>
	4. Courts in Serbia	1	2	3	4
	5. Prosecution Offices in Serbia	1	2	3	4
	6. Court Administrative Services in Serbia	1	2	3	4
	7. Services of institution where you worked in the last 12 months	1	2	3	4
<b>C3</b>	<b>In your opinion, in the last 12 months , how easy or difficult was it, for ALL citizens, notwithstanding their age, education level, financial status, nationality, invalidity to find their way around the court building in which you worked?</b> <i>Please indicate only <u>one</u> answer</i>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy			
<b>C4</b>	<b>In the last 12 months , how easy or difficult was it for ALL citizens, notwithstanding their age, education level, financial status, nationality, invalidity to access the information they needed about functioning of judicial system (how to file a case, etc.)?</b> <i>Please indicate only <u>one</u> answer</i>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy			
<b>C6</b>	<b>And which sources of information were accessible to citizens to acquire the information they needed about functioning of the judicial system?</b>  <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Internet 2. Television 3. Radio 4. Dailies and magazines 5. Court bulletin boards 6. Brochures, leaflets 7. Information service (via the telephone) 8. Information counter 9. Registry desk 10. Archive 11. Court staff 12. Lawyers 13. Friends, relatives, colleagues 14. Other: _____			
<b>C7</b>	<b>What are the three most efficient ways for providing information to citizens?</b> <i>MULTIPLE ANSWERS POSSIBLE</i>	1. _____ 2. _____ 3. _____			

D Fairness					
D1	How fair was the judicial system in the last 12 months? Please rate it on a scale of 1 to 4, where 1 represents 'Largely unfair' and 4 represents 'Largely fair'..	1. Largely unfair → go to D4 2. Mostly unfair → go to D4 3. Mostly fair → go to D4 ----- 4. U Largely fair → go to D5			
D4	(IF YOU ANSWERED D1 WITH MARK LOWER THAN 4 PLEASE ANSWER THIS QUESTION. IF YOU ANSWERED 4 ON D1 SKIP TO NEXT QUESTION)  What is the chief reason why you did not grade fairness of the judicial system as totally fair? What is the second most important reason?  <i>Please indicate only <u>one</u> answer as chief reason, please indicate <u>one</u> answer as second reason. If some important reason was not listed, please write it down as „other“</i>	Reason why you did not give a higher grade	Chief reason	Second reason	
		1. Insufficient accessibility to all citizens (insufficient access to information, the system is not suitable for persons with lower education levels...)	1	1	
		2. Poor legal provisions	2	2	
		3. The judicial system is politicized	3	3	
		4. Corruption in the judicial system	4	4	
		5. Overload/poor organization of the judicial system	5	5	
		6. Poor professionalism of the lawyers	6	6	
		7. Other: _____	7		
		8. Other: _____		8	
D5	In your view, does the judicial system in Serbia currently treat all citizens equally, notwithstanding following characteristics? PLEASE INDICATE ONE ANSWER FOR EACH OF 7 CHARACTERISTICS				
		Yes	No		
	1. Gender	Yes	No		
	2. Age	Yes	No		
	3. Nationality	Yes	No		
	4. Socio-economic status	Yes	No		
	5. Place of residence	Yes	No		
	6. Education	Yes	No		
	7. Disability	Yes	No		
D6	Is there any other social group which, in your opinion, was not treated equally in the judicial system?	1. Yes, what? _____ 2. No			
D6a	In the the last 12 months, how equally did judicial system treat citizens notwithstanding age, education, nationality, economic status, disability...? Please rate on a scale from 1 to 4, where 1 means not at all, and 4 means it was totally the case.	Not the case at all	Mostly not the case	Mostly the case	Totally the case
		1	2	3	4
D8	In your opinion, to what extent were the Serbian laws in the last 12 months fair and objective? <i>Please indicate only <u>one</u> answer</i>	1. The Laws were unfair and un objective to a large extent 2. Some laws were unfair and un objective to some extent 3. Some laws were fair and objective to some extent 4. The Laws were fair and objective to a large extent			
D7	In your opinion, to what extent were the Serbian laws in the last 12 months precise, clear and unambiguous? <i>Please indicate only <u>one</u> answer</i>	1. The Laws were imprecise, unclear and ambiguous to a large extent 2. Some laws were imprecise, unclear and ambiguous to some extent 3. Some laws were precise, clear and unambiguous to some extent 4. The Laws were precise, clear and unambiguous to a large extent			

<b>D9</b>	<b>What is your view of the enforcement of laws in Serbia in the last 12 months? How often did the following problems occur in the enforcement of laws?</b> <i>PLEASE INDICATE ONE ANSWER FOR EACH PROBLEM</i>				
		Never	Rarely	Occasionally	Frequently
	1. Selective enforcement of the laws	1	2	3	4
	2. Non-enforcement of the laws	1	2	3	4
	3. Inconsistent interpretation of the laws	1	2	3	4
	4. Inconsistent jurisprudence	1	2	3	4
<b>E Integrity</b>					
<b>E1</b>	<b>How independent was the judicial system in Serbia in the last 12 months?</b> <i>Please indicate only <u>one</u> answer</i>	1. Not independent 2. Mostly not independent 3. Mostly independent 4. Fully independent			
<b>E2</b>	<b>Could you please specify how much did the following institutions jeopardize the independence of the judicial system in the last 12 months? Please use a scale of 1 to 4, where 1 means not at all and 4 means to a great extent.</b> <b>PLEASE INDICATE ONE ANSWER FOR EACH INSTITUTIONS</b>				
		Not at all	Mostly not	To an extent	To a great extent
	1. Government	1	2	3	4
	2. Specific ministries	1	2	3	4
	3. Political parties	1	2	3	4
	4. Politicians	1	2	3	4
	5. Big business	1	2	3	4
	6. International organizations	1	2	3	4
	7. NGOs in Serbia	1	2	3	4
	8. Media	1	2	3	4
	9. Judges	1	2	3	4
	10. Prosecutors	1	2	3	4
11. Lawyers	1	2	3	4	
<b>E3</b>	<b>In your opinion, is there any other institution which hasn't been mentioned that jeopardized the independence of the judicial system in the last 12 months?</b>	1. Yes, what? _____ 2. No			
<b>E4</b>	<b>To what extent did the following factors undermine the integrity of the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "To a great extent".</b> <i>PLEASE INDICATE ONE ANSWER FOR EACH FACTOR</i>				
		Not at all	Mostly not	To an extent	To a great extent
	1. Corruption in the judicial system	1	2	3	4
	2. Political/politicians' influence on the court and prosecutors	1	2	3	4
	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	1	2	3	4
	4. Inadequate penalties for corruption	1	2	3	4
	5. Length of proceedings	1	2	3	4

	6. Court decisions	1	2	3	4
	7. Sensationalist/exaggerated media reports	1	2	3	4
	8. Lack of fairness	1	2	3	4
	9. Selective initiation of cases by the prosecution	1	2	3	4
<b>E5</b>	<b>In your opinion, are there any other reasons which jeopardized the integrity of judicial system in the last 12 months?</b>	1. Yes, what? _____ 2. No			
<b>E6</b>	<b>Which of these factors undermined the integrity of the judicial system in the last 12 months the most?</b> <i>PLEASE SELECT ONLY ONE FROM PREVIOUSLY MENTIONED FACTORS FROM TABLE E6 WHICH UNDERMINES THE INTEGRITY OF THE JUDICIAL SYSTEM THE MOST.</i>			<b>Chief factor</b>	
		1. Corruption in the judicial system		1	
		2. Political/politicians' influence on the court and prosecutors		2	
		3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts		3	
		4. Inadequate penalties for corruption		4	
		5. Length of proceedings		5	
		6. Court decisions		6	
		7. Sensationalist/exaggerated media reports		7	
		8. Lack of fairness		8	
		9. Selective initiation of cases by the prosecution		9	
		10. Other, what? _____		98	
<b>E6a</b>	<b>To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months?</b>	3. Not at all 4. Mostly not 5. To an extent 6. To a great extent			
<b>E7</b>	<b>In your opinion, was there corruption in the judicial system in the last 12 months?</b> <i>Please indicate only <u>one</u> answer</i>	1. There is no corruption → go to E9 2. To an extent → go to E8 3. To a great extent → go to E8			
<b>E8</b>	<b>Was corruption systemic or individual?</b>	4. Systemic 5. Individual 6. Both			
<b>E9</b>	<i>EVERYONE ANSWERS</i> <b>Did you find yourself in a situation in which someone tried to resort to informal means (make an additional payment, give you a gift, pull strings) to affect your work?</b>	1. Yes → go to E10 2. No → go to E12			
<b>E10</b>	<b>Who tried to resort to informal means to affect your work?</b> <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Lawyer 2. Other employee of the court 3. Politicians 4. Ministries 5. Big business 6. Other: _____			

<b>E11</b>	<b>What was the means?</b> <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Pecuniary compensation 2. A gift 3. Political influence 4. A threat 5. Other: _____
<b>E12</b>	<i>EVERYONE ANSWERS</i> <b>Was there any form of internal control within the judicial system in the last 12 months?</b>	1. Yes → go to E13 2. No → go to E15
<b>E13</b>	<i>IF YOU ANSWERED 'YES' TO PREVIOUS QUESTION, PLEASE ANSWER THIS QUESTION</i> <b>How was internal control conducted?</b>	_____ _____ _____
<b>E14</b>	(IF THE ANSWER IS YES ON E12) <b>To what degree did the internal control that existed contribute to the integrity of the judiciary?</b> <i>Please indicate only <u>one</u> answer</i>	1. Not at all 2. A little 3. Fairly 4. Greatly
<b>E15</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>In principle, how important is internal control for strengthening the integrity of the judicial system?</b> <i>Please indicate only <u>one</u> answer</i>	1. Very important 2. Somewhat important 3. Unimportant
<b>E16</b>	<b>To what extent did professional associations (Bar Association, Association of Judges, Association of Prosecutors) help strengthen the integrity of the profession they represent? PLEASE INDICATE ONE ANSWER FOR EACH ASSOCIATION</b>	
	1. Bar Association	1. Not at all 2. A little 3. Fairly 4. Greatly
	2. Association of Judges	1. Not at all 2. A little 3. Fairly 4. Greatly
	3. Association of Prosecutors	1. Not at all 2. A little 3. Fairly 4. Greatly
<b>E17</b>	<b>What influence had the media on the integrity of the judicial system as a mechanism of the external control?</b> <i>Please indicate only <u>one</u> answer</i>	1. Negative 2. Neutral 3. Positive
<b>E18</b>	<b>What influence did NGOs have on the integrity of the judicial system as a mechanism of external control? Please indicate only <u>one</u> answer</b>	1. Negative 2. Neutral 3. Positive
<b>E23</b>	<b>What image of the judicial system do the media in Serbia generate in general?</b> <i>Please indicate only <u>one</u> answer</i>	1. The image is worse than reality 2. The image is objective 3. The image is better than reality

## F Cost effectiveness

<b>F1</b>	<b>According to your opinion, where could judicial costs have been cut in the last 12 months?</b>  <i>MULTIPLE ANSWERS POSSIBLE</i>	_____ _____ _____ _____
<b>F2</b>	<b>In your opinion, was there a need for investing any additional funds, which would, in the long term, actually cut costs, since such investments would result in considerable improvement of judicial</b>	1. There was no need 2. There was need, the additional funds should be investigating in _____

	efficiency? In what should these additional funds be investigating?	_____
F3	Has the mediation process (translated in Serbian in accordance with official name of mediation process, as suggested by MOJPA) cut judicial system costs in Serbia in the last 12 months? <i>Please indicate only <u>one</u> answer</i>	1. Not at all 2. A little 3. Fairly
F4	How useful is the mediation process to parties in a case, i.e. can it help settle a dispute? <i>Please indicate only <u>one</u> answer</i>	1. Not useful 2. To an extent useful 3. Very useful
F5	Estimate the percentage of the cases you worked on in the last 12 months that were referred for mediation? If you do not have precise information currently, I would again ask you to provide your best estimate. <i>Please write down in percentage</i>	1. None 2. Less than 1% 3. _____% of the cases
F6	Are you well informed about mediation? <i>Please indicate only <u>one</u> answer</i>	1. Yes 2. No
F7	Did you undergo training in mediation? <i>Please indicate only <u>one</u> answer</i>	1. Yes → go to F8 2. No → go to F9
F8	IF YOU ANSWERED '1' TO QUESTION F7, PLEASE ANSWER THIS QUESTION  Was the training sufficient or are you in need of better training?	1. It was sufficient → go to F10 2. I need better training → go to F10
F9	IF YOU ANSWERED 'NO' TO QUESTION F7, PLEASE ANSWER THIS QUESTION Would training in mediation be of use to you?	1. Very useful 2. Partly useful 3. No
F10	Prepared is a draft of the new Law that stipulates establishing of a completely new mediation system, which includes license for mediators, founding of a chamber and standardization and accreditation of mediator training programs. In your opinion, how will enactment of the new Law on Mediation affect the efficiency of the judicial system? <i>One answer.</i>	1. It will reduce the efficiency 2. It will remain the same 3. It will increase the efficiency 4. I do not know enough to be able to evaluate

**G Reforms launched in 2010**

G3	Do you support the judicial reform launched in January 2010 in general or not? <i>Please indicate only <u>one</u> answer</i>	1. Yes, I fully support it (skip to question G4, than G6, then continue) 2. I support it to an extent ( skip to question G4, than G6, then continue) 3. No, I don't support it ( skip to question G5 and continue)
G4	PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3 Why do you support reform launched in January 2010? <i>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</i>	_____ _____ _____
G5	PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3 Why don't you support reform launched in January 2010? <i>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</i>	_____ _____ _____
G6	To what extent did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system? Please use a scale of -2 to 2, where -2 means Worsen to a great extent and 2 Improve to a great extent. <i>PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION</i>	



Dimensions	Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent
13. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2
14. Quality (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2
15. Quality of work of court staff	-2	-1	0	1	2
16. Accessibility (e.g. accessibility of judicial services notwithstanding age, education, financial status, nationality....)	-2	-1	0	1	2
17. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2
18. Integrity (e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2
19. More rational spending of budget funds	-2	-1	0	1	2
<b>G7</b> Did attending the Judicial Academy increase the preparedness of future judges and prosecutors to the extent that it made the investment really cost effective? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No				

<b>G8</b> Did the compulsory seminars introduced within the reforms launched in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
<b>G9</b> Did the new organization of courts introduced in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
<b>G10</b> The number of judges has been significantly cut by reforms launched in January 2010. Would you say that the number of judges, before the judges who were not reappointed were returned to work, was too small, sufficient or could it have been even smaller in the context of the reforms as a whole? <i>Please indicate only <u>one</u> answer</i>	1. Too small 2. Sufficient 3. Could have been smaller
<b>G10 a</b> How would you evaluate the current number of judges - as too small, just right/sufficient or it could be even smaller?	1. Too small 2. Sufficient 3. Could have been smaller
<b>G11</b> Did the implementation of the reforms from 2010. result in a more adequate penal policy? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
<b>G12</b> Did judges with the implementation of the reforms from 2010. have more legal mechanisms to maintain order in the court? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No

### H Reforms launched in 2013

<b>H1</b> How informed are you of the new National strategy of judicial system reform for the period 2014 - 2018, adopted in the Parliament in July 2013? Please use a	1. Not at all → go to H7 2. Mostly not informed → go to H2 3. Medium → go to H2 4. Mostly informed → go to H2
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	scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	5. Very well informed → go to H2
H2	What are your main sources of information about new National strategy of judicial system reform?  <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Media (TV, radio, newspapers, magazines, websites...) 2. Official information 3. Other staff, informal discussions 4. I informed myself by reading the laws 5. Other: _____ 6. None
H3	Do you support the new National strategy of judicial system reform, launched 2013 in general or not? Please indicate only one answer	1. Yes, I fully support it → skip to question H4, than H6, than continue 2. I support it to an extent → skip to question H4, than H6, than continue 3. No, I don't support it → skip to question H5 and continue
H4	Why do you support it? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	_____ _____ _____
H5	Why not? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	_____ _____ _____

H6	To what extent will the new National strategy of judicial system reform launched on July 2013 improve the following dimensions of the judicial system? Please use a scale of -2 to 2, where -2 means Worsen to a great extent and 2 Improve to a great extent. <i>PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION</i>					
	Dimensions	Worsen to a great extent	Worsen to an extent	It will not bring any changes	Improve to an extent	Improve to a great extent
	1. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2
	2. Quality of working conditions (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2
	3. Quality of work of court staff	-2	-1	0	1	2
	4. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality....)	-2	-1	0	1	2
	5. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2
	6. Integrity (e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2
	7. More rational spending of budget funds	-2	-1	0	1	2
H7	Have you heard about the new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION for period 2013 to 2018 which was adopted in Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not at all → go to R1 2. Mostly not informed → go to H8 3. Medium → go to H8 4. Mostly informed → go to H8 5. Very well informed → go to H8				
H8	How efficient will be this strategy in fighting corruption in judiciary?	1. Will be ineffective 2. Will be effective, but not to a sufficient extent 3. Will be very effective				

	<b>Please answer also to some questions regarding gender-related differences in your profession</b>	
<b>R1</b>	<b>Do you think that both men and women in your profession have equal chances for professional promotion?</b>	<ol style="list-style-type: none"> <li>1. Yes, they have equal chances</li> <li>2. No, men have more chances than women</li> <li>3. No, women have more chances than men</li> <li>4. DK, I can't estimate</li> </ol>
<b>R2</b>	<b>And, thinking about total income of people employed in your profession, which beside salary includes other forms of income (travel expenses, bonuses, and similar receipts), would you say that there are differences between men and women, or they are equal from that aspect?</b>	<ol style="list-style-type: none"> <li>1. Women have much higher income</li> <li>2. Women have somewhat higher income</li> <li>3. Women and men have equal income</li> <li>4. Men have somewhat higher income</li> <li>5. Men have much higher income</li> </ol>
<b>R3</b>	<b>As far as you know, have there been any cases of sexual harassment against any employee in your institution?</b>	<ol style="list-style-type: none"> <li>1. No</li> <li>2. Yes</li> <li>3. Not sure</li> </ol>

**STATISTICAL DATA**

**AT THE END, PLEASE ANSWER FEW MORE QUESTIONS WHICH WE NEED FOR THE STATISTICS OF THE SURVEY**

<b>A</b>	<b>What was your position within the judicial system in 2009?</b>	<ol style="list-style-type: none"> <li>1. Judge</li> <li>2. Magistrate</li> <li>3. Other: _____ (please specify)</li> <li>4. I wasn't working within the judicial system in 2009</li> </ol>
<b>B</b>	<b>In 2009, which region did you work in?</b>	<ol style="list-style-type: none"> <li>1. Vojvodina</li> <li>2. Belgrade</li> <li>3. Central Serbia</li> </ol>

<b>C</b>	<b>In 2009, which body did you work in?</b>							
	<table border="1"> <thead> <tr> <th>Court of General Jurisdiction</th> <th>Commercial Court</th> <th>Misdemeanor Authorities</th> </tr> </thead> <tbody> <tr> <td> <ol style="list-style-type: none"> <li>1. Supreme</li> <li>2. District</li> <li>3. Municipal</li> </ol> </td> <td> <ol style="list-style-type: none"> <li>4. Higher Commercial Court</li> <li>5. Commercial Court</li> </ol> </td> <td> <ol style="list-style-type: none"> <li>6. Misdemeanor Council</li> <li>7. Municipal Misdemeanor Authority</li> </ol> </td> </tr> </tbody> </table>	Court of General Jurisdiction	Commercial Court	Misdemeanor Authorities	<ol style="list-style-type: none"> <li>1. Supreme</li> <li>2. District</li> <li>3. Municipal</li> </ol>	<ol style="list-style-type: none"> <li>4. Higher Commercial Court</li> <li>5. Commercial Court</li> </ol>	<ol style="list-style-type: none"> <li>6. Misdemeanor Council</li> <li>7. Municipal Misdemeanor Authority</li> </ol>	
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<b>D</b>	<b>After the 2009 reform of the judiciary, did you continue working as a judge without interruptions?</b>	<ol style="list-style-type: none"> <li>1. Yes (END)</li> <li>2. No (GO TO QUESTION E)</li> </ol>						
<b>E</b>	<b>When did you start working as a judge again, or when were you returned to work by the decision of the Constitutional Court?</b>	Month _____ Year _____						

**Thank you very much!**

**Please put the questionnaire in the envelope that you received and hand the envelope over to interviewer or the person responsible for collecting questionnaires**

**Questionnaire for Prosecutors**

**INSTRUCTIONS:**  
 Please read the questions in the left column carefully and then provide answer in the right column.

There is an instruction how to answer each question. As you can notice, there are 3 main types of questions:

1. Questions that you answer by circling the number in front of ONE of the suggested answers in the right column that best applies to you
2. Questions where you are expected to choose several answers
3. Questions where there are no suggested answers, but you write down your answer

Some questions are inserted in tables. Please pay close attention where you are supposed to, in order to evaluate all options (statements) in those tables.

**PLEASE ANSWER ALL THE QUESTIONS IN THIS QUESTIONNAIRE. YOUR OPINION AND EXPERIENCES ARE VERY VALUBALE FOR THIS STUDY.**

This interview is **ANONYMOUS** (we are not asking for your name) and all collected data will be displayed as group data.

**Questionnaire for PROSECUTOS AND DEPUTY PROSECUTORS**

X0a	In year 2010, World Bank and agency Ipsos Strategic Marketing conducted survey similar to this one about judiciary system in Serbia. Did you participate in that survey?	1. Yes 2. No
X0b	When were you elected to the position of a prosecutor/deputy prosecutor for the first time?	1. _____ year
X1	Which post do you hold within the judicial system?	1. Prosecutor 2. Deputy prosecutor
X2	In which authority you work? Please <u>disregard</u> possible changes which will occur within reorganization starting January 2014, but mark the authority in which you have worked in current year, 2013. 1. Republic Prosecution 2. Appellate Prosecution 3. Higher Prosecution 4. Principal Prosecution	
X6	In which region is the institution in which you work?	1. Belgrade 2. Vojvodina 3. Central Serbia
X7	Gender?	1. Male 2. Female
X8	Age?	1. Up to 35 2. 36 - 50 3. 51 and above

A Efficiency of the Judicial System		
<b>A1</b>	<b>Estimate, the number of cases, you worked on in the last 12 months? If you do not have precise information currently please provide your best estimate</b> <b>Please include all cases opened, worked on and completed in the last 12 months</b>	Caseload _____
<b>A2</b>	<b>Was your caseload greater, smaller or the same compared to the previous years?</b> <b>PLEASE SELECT ONLY ONE ANSWER</b>	1. Much greater 2. Somewhat greater 3. Average 4. Somewhat smaller 5. Much smaller 6. That was my first year as a prosecutor/deputy prosecutor so I can not estimate
<b>A3</b>	<b>What would have been the optimal annual caseload given THE CONDITIONS YOU WORKED IN in the last 12 months</b>	Optimal caseload _____
<b>A4</b>	<b>What change in your working conditions in the last 12 months would have increased the caseload you specified as optimal?</b>	_____ _____ _____ _____
<b>A5</b>	<b>Estimate, the number of cases, you worked on that opened in in the last 12 months? If you do not have precise information currently please provide your best estimate</b>	number of cases _____
<b>A6</b>	<b>Estimate, the number of cases, you worked on that closed in in the last 12 months? If you do not have precise information currently please provide your best estimate</b>	number of cases _____

THE FOLLOWING SECTION REFERS ONLY TO THE CASES YOU WORKED ON AND CLOSED IN THE LAST 12 MONTHS NOTWITHSTANDING WHEN THEY WERE OPENED						
The opening of a case is defined as: receiving a criminal charge from citizens or the police						
The case is closed when the first-instance judgment is rendered						
<b>A7</b>	Please estimate the percentage of your cases in in the last 12 months that lasted longer than they should have for any reason? If you do not have precise information currently please provide your best estimate					% of cases
<b>A8</b>	Why was the duration of the cases longer than optimal? Please look at the reasons listed here and specify how often, if at all, each of them was the cause of the longer duration of the cases.	Reasons why the duration of the case was longer than optimal	Never	Rarely	Occasionally	Often
		11. Objective lack of capacity of the court (for instance: insufficient staffing, lack of courtroom equipment, IT equipment, cameras... )	1	2	3	4
		12. Court or court staff errors (for instance: poor investigation, lack of regulations on delivery of case-related documents, lack or disrespect of instructive deadlines)	1	2	3	4
		13. Obstruction by the parties to the proceedings (non-appearance of witnesses, intentional protraction by lawyers...)	1	2	3	4
		14. Unintentional mistakes by the parties to the proceedings (unpreparedness, lack of knowledge, incompetence e.g. when the party represents itself...)	1	2	3	4
		15. Gaps in legislation (inefficient rules on delivery, imprecise terms, unregulated areas, different interpretations of law..)	1	2	3	4
<b>A9</b>	Is there any other cause of longer duration of the cases that still hasn't been mentioned? <i>If yes, please write down</i>		8. Yes, what? _____ 9. No			
<b>A10</b>	In your view, did the system of assignment of the cases to judges affect the efficiency of judicial work and how – did it boost or reduce efficiency? <i>Please select only one answer.</i>			1. Yes, it boosted efficiency 2. Yes, it reduced efficiency 3. No, it did not affect efficiency 4. I am not familiar with that		
<b>A11</b>	Please estimate the percentage of hearings scheduled for your cases in in the last 12 months that were not held? If you do not have precise information currently please provide your best estimate		1. _____ % of hearings that were not held 2. Does not apply to my work place			
<b>A12</b>	Thinking about the hearings which have not been held, what, in your opinion, were the reasons why they were not held? Please look at the following reasons and indicate how frequently, if at all, the particular circumstance was the reason why the hearings were not held *. <i>Please rate each of the 3 already mentioned reasons with a scale from 1 to 4.</i>					

	Reasons why the hearings were not held	Never	Rarely	Occasionally	Often
	1. Reasons caused by the court	1	2	3	4
	2. Reasons caused by a party to the proceedings	1	2	3	4
	3. Reasons caused by other participants in the proceedings (witnesses, court experts...)	1	2	3	4
	4. Reasons caused by inefficient procedural provisions	1	2	3	4
A13	Is there anything not yet mentioned that was the reason why the hearings were not held? <i>If yes, please write down</i>	3. Yes, what? _____ 4. No			
A14	Estimate the percentage of all hearings held in the last 12 months that DID NOT SIGNIFICANTLY contribute to progress in the resolution of court cases?	1. Percentage of hearings _____ % 2. Does not apply to my work place			
A15	What were the main reasons why these hearings were not as efficient? <i>Please write your answer</i>	_____ _____ _____			
A16	Estimate the number of hearings on average you scheduled PER WEEK in the last 12 months?	1. Number of hearings per week: _____ 2. Does not apply to my work place			
A17	Was this number of hearings optimal, higher or lower than optimal given your working conditions at the time? <i>Please select only one answer.</i>	1. Much higher than optimal 2. Somewhat higher than optimal 3. Optimal 4. Somewhat lower than optimal 5. Much lower than optimal 6. Does not apply to my work place			
A18	Estimate the percentage of judgments in cases you worked on in the last 12 months that were appealed?	_____ % judgments			
A19	Estimate the percentage of cases appealed which did a higher instance court refer back and order a retrial in in the last 12 months?	_____ % of cases appealed			
A20	How satisfied were you with the procedure for enforcing the court judgments in cases you worked on, in the last three years? <i>Please select only one answer.</i>	1. Very dissatisfied 2. Dissatisfied 3. Satisfied 4. Very satisfied 5. Did not have enough information on the enforcement procedure			
A20 a	In your opinion, what is the main reason why the unenforced court decisions are not enforced?	_____ _____ _____			
A2 1	In your opinion, how has enactment of the law on Enforcement and Security launched in September 2011 affected the efficiency of the judicial system? <i>Please indicate only one answer</i>	1. It's reduced the efficiency 2. It remained the same 3. It's increased the efficiency			
A2 2	What do you think in general of the work of the judicial system in Serbia over the past few years? <i>Please select only one answer.</i>	1. Very negative → go to A25 2. Negative → go to A25 3. Satisfactory → go to A22a 4. Positive → go to A25 5. Very positive → go to A25			
A2 2a	(ASK ONLY THE RESPONDENTS WHO ANSWERED 'SATISFACTORY' ON MA1) But if in expressing your opinion about functioning of judiciary system you should opt only between negative and positive, which side your opinion would be closer to?	1. Negative 2. Positive			

<b>A25</b>	<b>I will now read out a number of statements on the judicial system. Please rate your agreement with each statement on a scale of 1 to 4 where 1 represents 'fully disagree' and 4 represents 'fully agree'. Please rate each of the 3 already mentioned reasons with a scale from 1 to 4.</b>					
		<b>Fully disagree</b>	<b>Mostly disagree</b>	<b>Mostly agree</b>	<b>Fully agree</b>	<b>Don't Know</b>
	<b>The judicial system is fair, impartial and not corrupt</b>	1	2	3	4	-9
	<b>The judicial system is fast</b>	1	2	3	4	-9
	<b>The judicial system is capable of enforcing court decisions</b>	1	2	3	4	-9
<b>A26</b>	<b>In your view, to what extent is the judicial system currently a problem for life in Serbia?</b> <i>[INT] Single response. Read out the answers!</i>	6. Not a problem 7. Small problem 8. Moderate problem 9. Big problem 10. Huge problem				
<b>B Quality of Work</b>						
<b>B1</b>	<b>What was the quality of work of the institution in which you have been working in the last 12 months?</b> <i>(This question refers to the specific institution the respondent worked in)</i> <i>Please select only one answer.</i>	1. Very low quality→ go to B4 2. Low quality→ go to B4 3. Average quality→ go to B1a 4. High quality→ go to B4 5. Very high quality→ go to B4				
<b>B1a</b>	<b>(ASK ONLY THE RESPONDENTS WHO ANSWERED SATISFACTORY ON B1) But if in expressing your opinion about quality of judiciary you should opt only between low and high, which side your opinion would be closer to?</b>	1. Low 2. High				
<b>B4</b>	<b>(ANSWERS TO BE PROVIDED BY THOSE WHO REPLIED 1, 2, 3 TO QUESTION B1)</b> <b>Please estimate how much each of the following circumstances was important reason for the quality of work of the institution you worked at in the last 12 months was not higher?</b>					
	<b>Reason why the quality of work was not higher</b>	<b>Insignificant</b>	<b>Partly significant</b>	<b>Very significant</b>		
	1. Lack of staff	1	2	3		
	2. Poor organization	1	2	3		
	3. Poor working conditions (including low remuneration)	1	2	3		
	4. Poor infrastructure (lack of office space, equipment)	1	2	3		
	5. Unclear laws allowing for inconsistent interpretations	1	2	3		
	6. Other problems related to legal regulations (everything else apart from the reason listed under 5)	1	2	3		
	7. Contempt of court, improper conduct and non-fulfillment of obligations to the court	1	2	3		
	8. Lack of opportunity for additional education (training, education) of existing staff	1	2	3		
	9. Poor coordination of judicial bodies	1	2	3		
	10. Poor professionalism and preparedness of legal representatives	1	2	3		
<b>B5</b>	<b>Is there anything not yet mentioned that, in your opinion, was the reason why the quality of work of the institution you worked at in the last 12 months was not higher? If yes, please write down</b>	1. Yes, what? _____ 2. No				
<b>B6</b>	<b>Which of the following reasons that explain why the quality of work was not higher would you select as the most important one?</b>	<b>TABLE B6</b>				
		<b>Reason why the quality of work was not higher</b>				<b>The most significant reason</b>



	<i>PLEASE SINGLE OUT ONLY ONE REASON WHICH YOU CONSIDER THE MOST IMPORTANT OUT OF THE 10 LISTED FROM TABLE B6.</i>	1. Lack of staff	1	
		2. Poor organization	2	
		3. Poor working conditions (including low remuneration)	3	
		4. Poor infrastructure (lack of office space, equipment)	4	
		5. Unclear laws allowing for inconsistent interpretations	5	
		6. Other problems related to legal regulations (everything else apart from the reason listed under 5)	6	
		7. Lack of regulations pre-empting contempt of court, improper conduct and non-fulfillment of obligations to the court	7	
		8. Lack of opportunity for additional education (training, education) of existing staff	8	
		9. Poor coordination of judicial bodies	9	
		10. Poor professionalism and preparedness of legal representatives	10	
		11. Other , what?	11	
<b>B7</b>				
<b>How satisfied were you with the following aspects of your job in the institution in which you worked in the last 12 months, on a scale of 1 to 4, where 1 represents "very dissatisfied" and 4 "very satisfied"? PLEASE RATE EACH OF THE FOLLOWING ASPECTS</b>				
	<b>Very dissatisfied</b>	<b>Dissatisfied</b>	<b>Satisfied</b>	<b>Very satisfied</b>
1. Premises and equipment	1	2	3	4
2. Amount of salary	1	2	3	4
3. Organization of work in general	1	2	3	4
4. Organization of work in your sector	1	2	3	4
5. Work climate	1	2	3	4
6. Cooperation with administrative sectors	1	2	3	4
7. Cooperation with superior prosecution	1	2	3	4
8. Cooperation with courts	1	2	3	4
<b>C Accessibility</b>				
<b>C1</b>				
<b>How accessible currently is the judicial system to citizens. Please use a scale of 1 to 4, where 1 means Very inaccessible and 4 means Very accessible. PLEASE INDICATE ONE ANSWER FOR EACH ASPECT IN THE TABLE</b>				
	<b>Very inaccessible</b>	<b>Mostly inaccessible</b>	<b>Mostly accessible</b>	<b>Very accessible</b>
1. In terms of finances – given <b>court-related costs</b> (court taxes, trial costs, travel costs)?	1	2	3	4
2. In terms of finances – given <b>attorney-related expenses</b> ?	1	2	3	4
3. In terms of geography – given the distance of the courthouse?	1	2	3	4
4. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4
5. In terms of access to information	1	2	3	4

<b>C2</b>	<b>To what extent were the FOLLOWING judicial institutions accessible to all citizens, notwithstanding their age, education level, ,nationality, .... in the last 12 months PLEASE RATE EACH INSTITUTION</b>				
		<b>Very inaccessible</b>	<b>Mostly inaccessible</b>	<b>Mostly accessible</b>	<b>Very accessible</b>
	<b>8. Courts in Serbia</b>	1	2	3	4
	<b>9. Prosecution Offices in Serbia</b>	1	2	3	4
	<b>10. Court Administrative Services in Serbia</b>	1	2	3	4
	<b>11. Services of institution where you worked in the last 12 months</b>	1	2	3	4
<b>C3</b>	<b>In your opinion, in the last 12 months, how easy or difficult was it for ALL citizens, notwithstanding their age, education level, nationality to find their way around the court buildings?</b> <i>Please select only one answer.</i>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy			
<b>C4</b>	<b>In the last 12 months, how easy or difficult was it for ALL citizens, notwithstanding their age, education level, financial status, nationality, invalidity to access the information they needed about functioning of judicial system (how to file a case, etc.)?</b> <i>Please select only one answer.</i>	1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy			

<b>C6</b>	<b>And which sources of information were accessible to citizens to acquire the information they needed about functioning of the judicial system?</b>  <i>You can select multiple answers.</i>	1. Internet 2. Television 3. Radio 4. Dailies and magazines 5. Court bulletin boards 6. Brochures, leaflets 7. Information service (via the telephone) 8. Information counter 9. Registry desk 10. Archive 11. Court staff 12. Lawyers 13. Friends, relatives, colleagues 14. Other: _____
<b>C7</b>	<b>What are the three most efficient ways for providing information to citizens?</b> <i>You can write multiple responses</i>	1. _____ 2. _____ 3. _____

<b>D Fairness</b>				
<b>D1</b>	<b>How fair was the judicial system in the last 12 months? Please rate it on a scale of 1 to 4, where 1 represents 'Largely unfair' and 4 represents 'Largely fair'..</b>	1. Largely unfair → go to D4 2. Mostly unfair → go to D4 3. Mostly fair → go to D4 ----- 4. U Largely fair → go to D5		
<b>D4</b>	<i>(TO BE ANSWERED ONLY BY RESPONDENTS WHO REPLIED 1, 2, 3 TO QUESTION D1)</i>  <b>What is the chief reason why you did not grade fairness of the judicial system as totally fair? What is the second most important reason?</b>  <i>YOU CAN SELECT ONLY ONE ANSWER AS CHIEF REASON, AND ONLY ONE ANSWER AS SECOND REASON</i>	<b>Reason why you did not give a higher grade</b>	<b>Chief reason</b>	<b>Second reason</b>
		1. Insufficient accessibility to all citizens (insufficient access to information, the system is not suitable for persons with lower education levels...)	1	1
		2. Poor legal provisions	2	2
		3. The judicial system is politicized	3	3
		4. Corruption in the judicial system	4	4
		5. Overload/poor organization of the judicial system	5	5

		6. Poor professionalism of the lawyers	6	6	
		7. Other: _____	7	7	
		8. Other: _____	8	8	
<b>D5</b>	<b>In your view, does the judicial system in Serbia currently treat all citizens equally, notwithstanding the characteristics listed below? Please give your answer for all 7 listed characteristics:</b>				
		<b>Yes</b>	<b>No</b>		
	<b>Gender</b>	Yes	No		
	<b>Age</b>	Yes	No		
	<b>Nationality</b>	Yes	No		
	<b>Socio-economic status</b>	Yes	No		
	<b>Place of residence</b>	Yes	No		
	<b>Education</b>	Yes	No		
	<b>Disability</b>	Yes	No		
<b>D6</b>	<b>Is there any other social group which, in your opinion, was not treated equally in the judicial system?</b>	1. Yes, what? _____ 2. No			
<b>D7</b>	<b>In the in the last 12 months, how equally did judicial system treat citizens notwithstanding age, education, nationality, economic status, disability...? Please rate on a scale from 1 to 4, where 1 means not at all, and 4 means it was totally the case.</b>	<b>Not the case at all</b>	<b>Mostly not the case</b>	<b>Mostly the case</b>	<b>Totally the case</b>
		1	2	3	4
<b>D9</b>	<b>In your opinion, to what extent were the Serbian laws in the last 12 months fair and objective?</b> <i>Please select only one answer.</i>	1. The Laws were unfair and un objective to a large extent 2. Some laws were unfair and un objective to some extent 3. Some laws were fair and objective to some extent 4. The Laws were fair and objective to a large extent			
<b>D8</b>	<b>In your opinion, to what extent were the Serbian laws in the last 12 months precise, clear and unambiguous?</b>	1. The Laws were imprecise, unclear and ambiguous to a large extent 2. Some laws were imprecise, unclear and ambiguous to some extent 3. Some laws were precise, clear and unambiguous to some extent 4. The Laws were precise, clear and unambiguous to a large extent			
<b>D10</b>	<b>What is your view of the enforcement of laws in Serbia in the last 12 months? How often did the following problems occur in the enforcement of laws?</b> <i>PLEASE INDICATE ONE ANSWER FOR EACH PROBLEM</i>				
		Never	Rarely	Occasionally	Frequently
	1. Selective enforcement of the laws	1	2	3	4
	2. Non-enforcement of the laws	1	2	3	4
	3. Inconsistent interpretation of the laws	1	2	3	4
	4. Inconsistent jurisprudence	1	2	3	4
<b>E Integrity</b>					
<b>E1</b>	<b>How independent was the judicial system in Serbia in the last 12 months?</b> <i>Please select only one answer.</i>	1. Not independent to great extent 2. Mostly not independent 3. Mostly independent 4. Independent to great extent			

<b>E2</b>	<b>Could you please specify how much did the following institutions jeopardize the independence of the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "A lot". PLEASE SELECT ONLY ONE ANSWER FOR EACH INSTITUTION</b>				
		<b>Not at all</b>	<b>A little</b>	<b>Quite</b>	<b>A lot</b>
	1. Government	1	2	3	4
	2. Specific ministries	1	2	3	4
	3. Political parties	1	2	3	4
	4. Politicians	1	2	3	4
	5. Big business	1	2	3	4
	6. International organizations	1	2	3	4
	7. NGOs in Serbia	1	2	3	4
	8. Media	1	2	3	4
	9. Judges	1	2	3	4
	10. Prosecutors	1	2	3	4
11. Lawyers	1	2	3	4	
<b>E3</b>	<b>In your opinion, is there any other institution which hasn't been mentioned that jeopardized the independence of the judicial system in the last 12 months?</b>	1. Yes, what? _____ — 2. No			
<b>E4</b>	<b>To what extent did the following factors undermine the integrity of the judicial system in the last 12 months? Please give your assessment on a scale of 1 to 4, where 1 represents "Not at all" and 4 represents "To a great extent". PLEASE INDICATE ONE ANSWER FOR EACH FACTOR</b>				
		<b>Not at all</b>	<b>Mostly not</b>	<b>To an extent</b>	<b>To a great extent</b>
	1. Corruption in the judicial system	1	2	3	4
	2. Political/politicians' influence on the court and prosecutors	1	2	3	4
	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	1	2	3	4
	4. Inadequate penalties for corruption	1	2	3	4
	5. Length of proceedings	1	2	3	4
	6. Court decisions	1	2	3	4
	7. Sensationalist/exaggerated media reports	1	2	3	4
	8. Lack of fairness	1	2	3	4
9. Selective initiation of cases by the prosecution	1	2	3	4	
<b>E5</b>	<b>In your opinion, are there any other reasons which jeopardized the integrity of judicial system in the last 12 months?</b>	1. Yes, what? _____ — 2. No			
<b>E6</b>	<b>Which of these factors undermined the integrity of the judicial system in the last 12 months the most?</b> <i>PLEASE SELECT ONLY ONE FROM PREVIOUSLY MENTIONED FACTORS FROM</i>			<b>Chief factor</b>	
		1. Corruption in the judicial system		1	
		2. Political/politicians' influence on the court and prosecutors		2	

	<b>TABLE E6 WHICH UNDERMINES THE INTEGRITY OF THE JUDICIAL SYSTEM THE MOST.</b>	3. Poor, non-transparent personnel policy – how staff is recruited and promoted, appointed to senior posts	3
		4. Inadequate penalties for corruption	4
		5. Length of proceedings	5
		6. Court decisions	6
		7. Sensationalist/exaggerated media reports	7
		8. Lack of fairness	8
		9. Selective initiation of cases by the prosecution	9
		98. Other, what? _____ _____	98
<b>E6a</b>	<b>To what extent did partiality of judges due to improper influence of other judges, lawyers and other persons participating in the proceedings undermine the integrity of the judicial system in the last 12 months?</b>	3. Not at all 4. Mostly not 5. To an extent 6. To a great extent	
<b>E7</b>	<b>In your opinion, was there corruption in the judicial system in the last 12 months?</b> <i>Please select only one answer.</i>	1. There is no corruption → go to E9 2. To an extent → go to E8 3. To a great extent → go to E8	
<b>E8</b>	(TO BE ANSWERED BY RESPONDENTS WHO ANSWERED 2 or 3 IN RESPONSE TO QUESTION E4) <b>Was corruption systemic or individual?</b>	1. Systemic 2. Individual 3. Both	
<b>E9</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>Did you find yourself in a situation in which someone tried to resort to informal means (make an additional payment, give you a gift, pull strings) to affect your work?</b>	1. Yes → go to E10 2. No → go to E12	
<b>E10</b>	(IF THE ANSWER IS YES ON E9) <b>Who tried to resort to informal means to affect your work?</b> <i>You can select multiple answers.</i>	1. Lawyer 2. Other employee of the court 3. Politicians 4. Ministries 5. Big business 6. Other: _____	
<b>E11</b>	(IF THE ANSWER IS YES ON E9) <b>What was the mean?</b> <i>You can select multiple answers.</i>	1. Pecuniary compensation 2. A gift 3. Political influence 4. A threat 5. Other: _____	
<b>E12</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>Was there any form of internal control within the judicial system in the last 12 months?</b>	1. Yes → go to E13 2. No → go to E15	
<b>E13</b>	(IF THE ANSWER IS YES ON E12) <b>How was internal control conducted?</b>	_____ _____	
<b>E14</b>	(IF THE ANSWER IS YES ON E12) <b>To what degree did the internal control that existed contribute to the integrity of the judiciary?</b> <i>Please select only one answer</i>	1. Not at all 2. A little 3. Fairly 4. Greatly	

<b>E15</b>	(TO BE ANSWERED BY ALL RESPONDENTS) <b>In principle, how important is internal control for strengthening the integrity of the judicial system?</b> <i>Please select only one answer</i>	1. Very important 2. Somewhat important 3. Unimportant
<b>E16</b>	<b>To what extent did professional associations (Bar Association, Association of Judges, Association of Prosecutors) help strengthen the integrity of the profession they represent? PLEASE RATE EACH OF THE 3 ALREADY MENTIONED ASSOCIATIONS WITH A SCALE FROM 1 TO 4</b>	
	<b>Bar Association</b>	1. Not at all 2. A little 3. Fairly 4. Greatly
	<b>Association of Judges</b>	1. Not at all 2. A little 3. Fairly 4. Greatly
	<b>Association of Prosecutors</b>	1. Not at all 2. A little 3. Fairly 4. Greatly
<b>E17</b>	<b>What influence had the media on the integrity of the judicial system as a mechanism of the external control?</b> <i>Please select only one answer</i>	1. Negative 2. Neutral 3. Positive
<b>E18</b>	<b>What influence did NGOs have on the integrity of the judicial system as a mechanism of external control?</b> <i>Please select only one answer</i>	1. Negative 2. Neutral 3. Positive
<b>E23</b>	<b>What image of the judicial system do the media in Serbia generate in general?</b> <i>Please select only one answer</i>	1. The image is worse than reality 2. The image is objective 3. The image is better than reality

<b>F Cost Effectiveness</b>		
<b>F1</b>	<b>Where could judicial costs have been cut in the last 12 months?</b> <i>Multiple responses.</i>	_____ _____ _____ _____
<b>F2</b>	<b>In your opinion, was there a need for investing any additional funds, which would, in the long term, actually cut costs, since such investments would result in considerable improvement of judicial efficiency? In what should these additional funds be investigating?</b> <i>Multiple responses.</i>	_____ _____ _____ _____
<b>F3</b>	<b>Has the mediation process (translated in Serbian in accordance with official name of mediation process, as suggested by MOJPA) cut judicial system costs in Serbia in 2013? Please select only one answer</b>	1. Not at all 2. A little 3. Fairly
<b>F4</b>	<b>How useful is the mediation process to parties to a case, i.e. can it help settle a dispute?</b> <i>Please select only one answer</i>	1. Not useful 2. To an extent useful 3. Very useful
<b>F5</b>	<b>Estimate the percentage of the cases you worked on in the last 12 months that were referred for mediation?</b> <i>To be answered only by judges adjudicating civil cases.</i>	0. Does not apply to my work place 1. None 2. Less than 1% 3. _____% of the cases
<b>F6</b>	<b>Are you well informed about mediation?</b> <i>Please select only one answer</i>	1. Yes 2. No
<b>F7</b>	<b>Did you undergo training in mediation?</b> <i>Please select only one answer</i>	1. Yes → go to F8 2. No → go to F9

<b>F8</b>	(IF THE ANSWER TO F7 IS YES) <b>Was the training sufficient or are you in need of better training?</b>	1. It was sufficient→ go to F10 2. I need better training→ go to F10
<b>F9</b>	(IF THE ANSWER TO F7 IS NO) <b>Would training in mediation be of use to you?</b>	1. Very useful 2. Partly useful 3. No
<b>F10</b>	<b>Prepared is a draft of the new Law that stipulates establishing of a completely new mediation system, which includes license for mediators, founding of a chamber and standardization and accreditation of mediator training programs. In your opinion, how will enactment of the new Law on Mediation affect the efficiency of the judicial system?</b> <i>One answer</i>	1. It will reduce the efficiency 2. Efficiency will remain the same 3. It will increase the efficiency 4. I do not know enough about it to be able to evaluate

**G Reforms**

<b>G3</b>	<b>Do you support the judicial reform launched in January 2010 in general or not?</b> <i>Please indicate only <u>one</u> answer</i>	1. Yes, I fully support it→ skip to question G4, than G6, than continue 2. I support it to an extent→ skip to question G4, than G6, than continue 3. No, I don't support it → skip to question G5 and continue				
<b>G4</b>	<i>PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3</i> <b>Why do you support launched in January 2010?</b> <b>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</b>	_____ _____ _____				
<b>G5</b>	<i>PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3</i> <b>Why don't you support reform launched in January 2010?</b> <i>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</i>	_____ _____ _____				
<b>G6</b>	<b>To what extent did the judicial system reform launched on 1 January 2010 improve the following dimensions of the judicial system? Please use a scale of -2 to 2, where -2 means Worsened to a great extent and 2 Improve to a great extent. PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION</b>					
	<b>Dimensions</b>	<b>Worsened to a great extent</b>	<b>Worsened to an extent</b>	<b>Did not bring any changes</b>	<b>Improved to an extent</b>	<b>Improved to a great extent</b>
	<b>20. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)</b>	-2	-1	0	1	2
	<b>21. Quality (e.g.: working conditions, organization of work, work climate...)</b>	-2	-1	0	1	2
	<b>22. Quality of work of court staff</b>	-2	-1	0	1	2
	<b>23. Accessibility (e.g. accessibility of judicial services notwithstanding age, education, financial status, nationality....)</b>	-2	-1	0	1	2
	<b>24. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)</b>	-2	-1	0	1	2
	<b>25. Integrity (e.g.: judicial independence, lack of corruption in the judiciary)</b>	-2	-1	0	1	2
	<b>26. More rational spending of budget funds</b>	-2	-1	0	1	2

G7	Did attending the Judicial Academy increase the preparedness of future judges and prosecutors to the extent that it made the investment really cost effective? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
G8	Did the compulsory seminars introduced within the reforms launched in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
G9	Did the new organization of courts introduced in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
G10	The number of judges has been significantly cut by reforms launched in January 2010. Would you say that the number of judges, before the judges who were not reappointed were returned to work, was too small, sufficient or could it have been even smaller in the context of the reforms as a whole? <i>Please indicate only <u>one</u> answer</i>	1. Too small 2. Sufficient 3. Could have been smaller
G10 a	How would you evaluate the current number of judges - as too small, just right/sufficient or it could be even smaller?	1. Too small 2. Sufficient 3. Could have been smaller
G10 b	When we talk about prosecution offices, did the new organization of prosecution offices introduced in January 2010 help boost the efficiency of work and quality of services in the judicial system? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
G10 c	Would you say that the number of prosecutors and deputy prosecutors, before prosecutors/deputy prosecutors, who were not reappointed, were returned to work, was too small, sufficient or could it have been even smaller? <i>Please indicate only <u>one</u> answer</i>	1. Too small 2. Sufficient 3. Could have been smaller
G10 d	How would you evaluate the current number of prosecutors/deputy prosecutors - as too small, just right/sufficient or it could be even smaller?	1. Too small 2. Sufficient 3. Could have been smaller
G11	Did the implementation of the reforms from 2010. result in a more adequate penal policy? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No
G12	Did judges with the implementation of the reforms from 2010. have more legal mechanisms to maintain order in the court? <i>Please indicate only <u>one</u> answer</i>	1. Yes, to a great extent 2. Yes, to an extent 3. No

### H Reforms launched in 2013

H1	How informed are you of the new National strategy of judicial system reform for the period 2014 - 2018, adopted in the Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not at all → go to H7 2. Mostly not informed → go to H2 3. Medium → go to H2 4. Mostly informed → go to H2 5. Very well informed → go to H2
H2	What are your main sources of information about new National strategy of judicial system reform?  <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Media (TV, radio, newspapers, magazines, websites...) 2. Official information 3. Other staff, informal discussions 4. I informed myself by reading the laws 5. Other: _____ 6. None



H3	Do you support the new National strategy of judicial system reform, launched 2013 in general or not? Please indicate only one answer	<ol style="list-style-type: none"> <li>Yes, I fully support it → skip to question H4, than H6, than continue</li> <li>I support it to an extent → skip to question H4, than H6, than continue</li> <li>No, I don't support it → skip to question H5 and continue</li> </ol>				
H4	Why do you support it? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<hr/> <hr/> <hr/>				
H5	Why not? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<hr/> <hr/> <hr/>				
H6	To what extent will the new National strategy of judicial system reform launched on July 2013 improve the following dimensions of the judicial system? Please use a scale of -2 to 2, where -2 means Worsen to a great extent and 2 Improve to a great extent. PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION					
	Dimensions	Worsen to a great extent	Worsen to an extent	It will not bring any changes	Improve to an extent	Improveto a great extent
	8. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)	-2	-1	0	1	2
	9. Quality of working conditions (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2
	10. Quality of work of court staff	-2	-1	0	1	2
	11. Accessibility (e.g. accessibility of judicial services notwithstanding age, education level, financial status, nationality...)	-2	-1	0	1	2
	12. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)	-2	-1	0	1	2
	13. Integrity (e.g.: judicial independence, lack of corruption in the judiciary)	-2	-1	0	1	2
	14. More rational spending of budget funds	-2	-1	0	1	2
H7	Have you heard about the new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION for period 2013 to 2018 which was adopted in Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	<ol style="list-style-type: none"> <li>Not at all → go to R1</li> <li>Mostly not informed → go to H8</li> <li>Medium → go to H8</li> <li>Mostly informed → go to H8</li> <li>Very well informed → go to H8</li> </ol>				
H8	How efficient will be this strategy in fighting corruption in judiciary?	<ol style="list-style-type: none"> <li>Will be ineffective</li> <li>Will be effective, but not to a sufficient extent</li> <li>Will be very effective</li> </ol>				

	Please answer also to some questions regarding gender-related differences in your profession					
R1	Do you think that both men and women in your profession have equal chances for professional promotion?	<ol style="list-style-type: none"> <li>Yes, they have equal chances</li> <li>No, men have more chances than women</li> <li>No, women have more chances than men</li> <li>DK, I can't estimate</li> </ol>				
R2	And, thinking about total income of people employed in your profession, which beside salary includes other	<ol style="list-style-type: none"> <li>Women have much higher income</li> <li>Women have somewhat higher income</li> </ol>				

	<b>forms of income (travel expenses, bonuses, and similar receipts), would you say that there are differences between men and women, or they are equal from that aspect?</b>	<ol style="list-style-type: none"> <li>3. Women and men have equal income</li> <li>4. Men have somewhat higher income</li> <li>5. Men have much higher income</li> </ol>
R3	<b>As far as you know, have there been any cases of sexual harassment against any employee in your institution?</b>	<ol style="list-style-type: none"> <li>1. No</li> <li>2. Yes</li> <li>3. Not sure</li> </ol>

**STATISTICAL DATA**

**AT THE END, PLEASE ANSWER FEW MORE QUESTIONS WHICH WE NEED FOR THE STATISTICS OF THE SURVEY**

<b>A</b>	<b>What was your position within the judicial system in 2009?</b>	<ol style="list-style-type: none"> <li>1. Prosecutor</li> <li>2. Deputy prosecutor</li> <li>3. Other: _____ (please specify)</li> <li>4. I wasn't working within the judicial system in 2009</li> </ol>
<b>B</b>	<b>In 2009, which region did you work in?</b>	<ol style="list-style-type: none"> <li>1. Vojvodina</li> <li>2. Belgrade</li> <li>3. Central Serbia</li> </ol>
<b>C</b>	<b>In 2009, which body did you work in?</b>	
	<b>Prosecution</b>	
	<ol style="list-style-type: none"> <li>1. Republic</li> <li>2. District</li> <li>3. Municipality</li> </ol>	
<b>D</b>	<b>After the 2009 reform of the judiciary, did you continue working as a prosecutor or deputy prosecutor without interruptions?</b>	<ol style="list-style-type: none"> <li>1. Yes (END)</li> <li>2. No (GO TO QUESTION E)</li> </ol>
<b>E</b>	<b>When did you start working as a prosecutor or deputy prosecutor again, or when were you returned to work by the decision of the Constitutional Court?</b>	Month _____ Year _____

**Questionnaire for Court administrative staff**

**INSTRUCTIONS:**  
**THE QUESTIONNAIRE IS INTENDED FOR STAFF WHO CURRENTLY WORK IN COURT ADMINISTRATION AND ON THE SAME POSITION AT LEAST FOR LAST 12 MONTHS AND WHO WORK ON CASES BOTH DIRECTLY OR INDIRECTLY WITH CLIENTS OR NOT (ON SERVICE COUNTER OR IN OFFICE)**

Please read the questions in the left column carefully and then provide answer in the right column.

There is an instruction how to answer each question. As you can notice, there are 3 main types of questions:

1. Questions that you answer by circling the number in front of ONE of the suggested answers in the right column that best applies to you
2. Questions where you are expected to choose several answers
3. Questions where there are no suggested answers, but you write down your answer

Some questions are inserted in tables. Please pay close attention where you are supposed to, in order to evaluate all options (statements) in those tables.

**PLEASE ANSWER ALL THE QUESTIONS IN THIS QUESTIONNAIRE. YOUR OPINION AND EXPERIENCES ARE VERY VALUBALE FOR THIS STUDY.**

**This interview is ANONYMOUS (we are not asking for your name) and all collected data will be displayed as group data.**

<b>X0a</b>	World Bank and agency Ipsos Strategic Marketing in 2010 conducted survey similar to this one about judiciary system in Serbia. Did you participate in the survey in April/May 2010 about situation in judiciary? Did you participate in the survey January 2011 about situation in judiciary?	1. Yes 2. No
<b>X0b</b>	In what year did you start working in court administrative services?	_____ year
<b>X1</b>	What position did you hold in the court administrative service in the last 12 months?	_____
<b>X2</b>	In the administrative service of which institution did you work in the last 12 months?	
	<b>1. Court of General Jurisdiction</b>	<b>2. Courts of Special Jurisdiction</b>
	1. Principal 2. Superior 3. Appellate 4. Supreme court of cassation	1. Economic court 2. Economic Appellate court 3. Administrative court 4. Misdemeanor court 5. Superior misdemeanor court
<b>X3</b>	When were you appointed to that position in the administrative service?	1. Month _____ 2. Year _____
<b>X4</b>	In what region is the institution that you worked in the last 12 months located?	1. Belgrade 2. Vojvodina 3. Central Serbia
<b>X5</b>	Your sex?	1. Male 2. Female
<b>X6</b>	How old are you?	1. up to 35 years old 2. 36 - 50 years old 3. 51 years old and more

<b>A All questions refer to your work place, working conditions and tasks you were doing in last 12 months</b>		
<b>A1</b>	<b>What sector of the court administrative service did you work in the last 12 months?</b>	1. Registry desk 2. Department for reception, verification and expedition 3. Other: _____
<b>A2</b>	<b>Which administrative tasks did fall within your job description?</b> <i>MULTIPLE ANSWERS POSSIBLE</i>	1. Authentication (of documents and contracts) 2. Receipt and expedition of documents 3. Administrative tasks related to land registries 4. Administrative tasks related to archives 5. Administrative tasks in registry office 6. Render a statement 7. Other : _____
<b>A2a</b>	<b>Did your job involve work on a computer?</b>	1. Yes 2. No
<b>A3</b>	<b>To what extent did your job involve interaction with clients?</b> <i>PLEASE CHOSE ONLY ONE ANSWER</i>	1. Every day 2. Occasionally 3. Never (I didn't directly interact with clients)
<b>A4</b>	<b>Where did you interact with clients?</b> <i>PLEASE CHOSE ONLY ONE ANSWER</i>	1. I didn't interact with clients 2. At a service counter 3. In my office 4. Other, where?
<b>A5</b>	<b>How many cases did you handle on average on a daily basis in the last 12 months?</b>	Number of cases _____
<b>A6</b>	<b>Was your workload in the last 12 months greater, smaller or average compared to the previous years ?</b> <i>PLEASE CHOSE ONLY ONE ANSWER</i>	1. Much greater 2. Somewhat greater 3. Average 4. Somewhat smaller 5. Much smaller
<b>A6a</b>	<b>What would have been the optimal daily caseload, in your opinion, given THE CONDITIONS YOU WORKED IN the last 12 months?</b>	Number of cases _____
<b>A7</b>	<b>On average how many clients did you have contact with on a daily basis in the last 12 months?</b>	1. I didn't interact with clients Number of clients _____
<b>A8</b>	<b>Was it an average year where direct contact with clients is concerned or did you have fewer or more contacts with clients on a daily basis compared to the previous years?</b> <i>PLEASE CHOSE ONLY ONE ANSWER</i>	1. A much greater number of clients 2. A somewhat greater number of clients 3. An average number of clients 4. A somewhat smaller number of clients 5. A much smaller number of clients 6. I didn't interact with clients
<b>A8a</b>	<b>What would have been the optimal daily number of clients, in your opinion, given THE CONDITIONS YOU WORKED IN the last 12 months?</b>	1. I didn't interact with clients Number of clients _____
<b>A9</b>	<b>How much time on average do you spend in work with a client whenever s/he comes?</b>	1. I didn't interact with clients _____ minutes
<b>A10</b>	<b>How many times on average did a client need to come to your service counter/department to complete one administrative task?</b>	1. I didn't interact with clients _____ times

A11	<p>Can the administrative tasks that you perform be done entirely in your office, or the client has to do part of the administrative task with your colleagues in other office or at other window?</p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>	<ol style="list-style-type: none"> <li>1. The client <u>can</u> finish the bulk of administrative tasks from my domain with me, that is, it is rarely necessary for the client to go to other offices or court windows</li> <li>2. The client <u>can</u> finish a greater part of administrative tasks from my domain with me, but it is occasionally necessary to go to other offices or court windows because of some tasks</li> <li>3. The client <u>can</u> finish approximately one half of administrative tasks from my domain with me, and circa one half of administrative tasks require visiting other offices or court windows</li> <li>4. Greater portion of administrative tasks from my domain <u>can not</u> be finished with me, so the client must go to other offices and court windows</li> <li>5. The bulk of administrative tasks from my domain <u>can not</u> be finished with me, so the client must go to other offices and court windows</li> <li>6. I didn't interact with clients</li> </ol>								
A12	<p>Can you estimate the timeframe in which your sector completed cases i.e. the percentage of cases completed in the last 12 months within the legal deadline and the percentage completed beyond the expiry of the legal deadline?</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Time frame</th> <th style="text-align: center;">%</th> </tr> </thead> <tbody> <tr> <td>1. Within the legal deadline</td> <td></td> </tr> <tr> <td>2. Upon the expiry of the legal deadline</td> <td></td> </tr> <tr> <td>Total</td> <td style="text-align: center;"><math>\Sigma=100</math> %</td> </tr> </tbody> </table>	Time frame	%	1. Within the legal deadline		2. Upon the expiry of the legal deadline		Total	$\Sigma=100$ %
Time frame	%									
1. Within the legal deadline										
2. Upon the expiry of the legal deadline										
Total	$\Sigma=100$ %									
A13	<p>Could these administrative tasks have been completed in less time?</p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>								
A14	<p>What would help cut down the time of completion of the task?</p> <p>MULTIPLE ANSWERS POSSIBLE</p>	<ol style="list-style-type: none"> <li>1. Greater number of service counters/staff</li> <li>2. Better staff training</li> <li>3. Higher salaries of staff</li> <li>4. Greater staff commitment</li> <li>5. Additional financial incentives for staff</li> <li>6. Better technical equipment (computers)</li> <li>7. Simplification of the procedure</li> <li>8. If the clients were better informed (about which documents they need, etc.)</li> <li>9. Better allocation of work within the sector</li> <li>10. Other: _____</li> <li>11. Other: _____</li> <li>12. Task cannot be completed in less time</li> </ol>								
A15	<p>Does the administrative service in which you work have an information counter?</p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>								
A16	<p>To what extent did the information counter reduce the workload of other sectors in the administrative services?</p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>	<ol style="list-style-type: none"> <li>1. Administrative service in which I work does not have an information counter</li> <li>2. To a great extent</li> <li>3. To an extent</li> <li>4. Not at all</li> </ol>								
A17	<p>How satisfied are you with the efficiency of your sector in institution in which you worked in the last 12 months? Efficiency entails no waste of time and the fast and quality completion of work.</p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>	<ol style="list-style-type: none"> <li>1. Very dissatisfied</li> <li>2. Dissatisfied</li> <li>3. Satisfied</li> <li>4. Very satisfied</li> </ol>								
<b>B</b>										
B1	<p>What quality of services was rendered to clients by the sector in which you worked in-the last 12 months?</p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>	<ol style="list-style-type: none"> <li>1. Very low quality→ go to B2</li> <li>2. Low quality→ go to B2</li> <li>3. Average quality→ go to B1a</li> <li>4. High quality→ go to B2</li> <li>5. Very high quality→ go to B2</li> </ol>								

<b>B1a</b>	(ASK ONLY THE RESPONDENTS WHO ANSWERED AVERAGE ON B1) <b>But if in expressing your opinion about quality of services was rendered to clients by the sector in which you worked in the last twelve months you should opt only between negative and positive, which side your opinion would be closer to?</b>	1. Negative 2. Positive
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<b>B2</b>	<b>To what extent were the following circumstances important as the reasons why quality of work of the sector you worked in was not higher?</b> Please evaluate every circumstance in the table as „Insignificant”, “Partly significant” or „Very significant”				
	<b>Reason why the quality of work was not higher</b>	<b>Insignificant</b>	<b>Partly significant</b>	<b>Very significant</b>	
	1. Lack of staff	1	2	3	
	2. Poor organization	1	2	3	
	3. Poor working conditions (including low remuneration)	1	2	3	
	4. Poor infrastructure (lack of office space, equipment)	1	2	3	
	5. Insufficient training of existing staff	1	2	3	
	6. Poor organization and allocation of work	1	2	3	
	7. Poor inter-sectoral cooperation	1	2	3	
	8. Inaccurate and inadequate legal rules	1	2	3	
<b>B2a</b>	<b>Is there anything else not listed here that you consider a reason why the quality of work of the sector (organizational unit) you work in the last 12 months not higher?</b> <i>If yes, please write down</i>		1. Yes, what? _____ 2. No		
<b>B3</b>	<b>Which of the reasons why quality of work was not higher would you rank as the first, or the most significant one?</b> <i>PLEASE CHOOSE ONE ANSWER FROM 7 SUGGESTED. IF THERE IS NO REASON YOU FIND MOST IMPORTANT AMONG SUGGESTED ANSWERS, PLEASE WRITE UNDER "OTHER, WHAT"</i>		1. Lack of staff 2. Poor organization 3. Poor working conditions (including low remuneration) 4. Poor infrastructure (lack of office space, equipment) 5. Insufficient training of existing staff 6. Poor organization and allocation of work 7. Poor inter-sectoral cooperation 8. Other, what: _____		
<b>B6</b>	<b>Please rate your satisfaction with the following aspects of your job in the institution in which you work-in last 12 months on a scale of 1 to 4, where 1 represents ‘very dissatisfied’ and 4 represents ‘very satisfied’.</b>				
		<b>Very dissatisfied</b>	<b>Dissatisfied</b>	<b>Satisfied</b>	<b>Very satisfied</b>
	<b>1. Premises and equipment</b>	1	2	3	4
	<b>2. Amount of salary</b>	1	2	3	4
	<b>3. Organization of work in general</b>	1	2	3	4
	<b>4. Organization of work in your sector</b>	1	2	3	4
	<b>5. Work climate</b>	1	2	3	4
	<b>6. Cooperation with other administrative sectors</b>	1	2	3	4
	<b>7. Cooperation with other non-administrative sectors</b>	1	2	3	4
	<b>8. Cooperation with superiors</b>	1	2	3	4
<b>9. Cooperation with the court judges</b>	1	2	3	4	

<b>B7</b>	<b>How many training sessions on work in the court administrative service did you have?</b> PLEASE CHOSE ONLY ONE ANSWER	0. None 1. 1 2. 2 3. 3 4. Over 3, how many? _____
<b>B8</b>	<b>How would you assess the knowledge you acquired at the training sessions?</b> PLEASE CHOSE ONLY ONE ANSWER	5. Fully sufficient 6. Partly sufficient 7. Insufficient 8. I didn't have any training
<b>B9</b>	<b>Do you feel you need additional training to perform your job well?</b>	1. Yes 2. No
<b>B10</b>	<b>Is there ongoing training in use of computer programs in the sector you work in?</b>	1. Yes 2. No
<b>B11</b>	<b>How well trained are you in the use of computer programs?</b> PLEASE CHOSE ONLY ONE ANSWER	1. Fully, for me to do my job well 2. Sufficiently, for me to do my job well 3. Not enough, for me to do my job well 4. Not at all, for me to do my job well
<b>B12</b>	<b>Do you encounter communication problems in your work with clients?</b>	1. Yes 2. No 3. I don't work with clients
<b>B13</b>	<b>What do you find problematic in working with clients?</b> PLEASE CHOSE ONLY ONE ANSWER	1. Their lack of information about the case 2. Their failure to understand the information I am imparting to them 3. Their unpleasantness 4. Other: _____ 5. I don't encounter communication problems in work with clients 6. i don't work with clients

<b>C</b>																																			
<b>C1</b>	<p><b>How accessible are currently the judicial administrative services to the public on a scale of 1 to 4, where 1 represents 'very inaccessible' and 4 represents 'very accessible'.</b></p> <p>PLEASE EVALUATE EACH ASPECT FROM THE TABLE</p> <table border="1"> <thead> <tr> <th></th> <th>Very inaccessible</th> <th>Mostly inaccessible</th> <th>Mostly accessible</th> <th>Very accessible</th> <th>Can't estimate</th> </tr> </thead> <tbody> <tr> <td>1. In terms of finances – given the administrative costs?</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>9</td> </tr> <tr> <td>2. In terms of geography – given the distance of the courthouse?</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>9</td> </tr> <tr> <td>3. In terms of layout – how easy was it to find your way and move around the courthouse?</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>9</td> </tr> <tr> <td>4. In terms of access to information</td> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>9</td> </tr> </tbody> </table>						Very inaccessible	Mostly inaccessible	Mostly accessible	Very accessible	Can't estimate	1. In terms of finances – given the administrative costs?	1	2	3	4	9	2. In terms of geography – given the distance of the courthouse?	1	2	3	4	9	3. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4	9	4. In terms of access to information	1	2	3	4	9
	Very inaccessible	Mostly inaccessible	Mostly accessible	Very accessible	Can't estimate																														
1. In terms of finances – given the administrative costs?	1	2	3	4	9																														
2. In terms of geography – given the distance of the courthouse?	1	2	3	4	9																														
3. In terms of layout – how easy was it to find your way and move around the courthouse?	1	2	3	4	9																														
4. In terms of access to information	1	2	3	4	9																														
<b>C2</b>	<p><b>How accessible were the judicial administrative services to all citizens, notwithstanding their age, education, financial status, nationality, disability .... in the last 12 months? Please rate their accessibility on a scale of 1 to 4, where 1 represents 'very inaccessible' and 4 represents 'very accessible'.</b></p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>		<p>1. Very inaccessible 2. Mostly inaccessible 3. Mostly accessible 4. Very accessible <i>Don't know</i></p>																																
<b>C3</b>	<p><b>In your opinion, how easy or difficult was it in the last 12 months for ALL citizens, notwithstanding their age, education level, financial status, nationality, or disability to find their way around the court building where you worked?</b></p> <p>PLEASE CHOSE ONLY ONE ANSWER</p>		<p>1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy</p>																																

C4	<p>How easy or difficult was it in the last 12 months for ALL citizens, notwithstanding their age, education level, financial status, nationality, or disability to access information regarding the administrative task they came to complete in court? PLEASE CHOSE ONLY ONE ANSWER</p>	<p>1. Very difficult 2. Mostly difficult 3. Mostly easy 4. Very easy</p>
C6	<p>Which sources of information were in the last 12 months available to citizens who wanted to obtain information about the administrative tasks they wanted to complete?  <i>MULTIPLE ANSWERS POSSIBLE</i></p>	<p>1. Internet websites 2. TV 3. Radio 4. Daily newspapers 5. Court bulletin boards 6. Brochures, leaflets 7. Information service (via the telephone) 8. Information counter 9. Registry desk 10. Court archives 11. Court staff 12. Lawyer 13. Friends, relatives, colleagues 14. Other: _____ _____</p>
C8	<p>What are the three most efficient ways of informing the public? <i>UP TO 3 ANSWERS</i></p>	<p>1. _____ 2. _____ 3. _____</p>
<b>D</b>		
D1	<p>To what extent was corruption present in the court administrative services in the last 12 months? PLEASE CHOSE ONLY ONE ANSWER</p>	<p>1. To a great extent 2. To an extent 3. There were none</p>
D2	<p>Was there any form of internal control within the court administrative service in the last 12 months?</p>	<p>1. Yes No</p>
D3	<p>How was internal control conducted?</p>	<p>1. There were no internal control 2. _____ _____ _____</p>
D4	<p>Do you know if your work is appraised?</p>	<p>1. Yes 2. No</p>
D5	<p>If your work is appraised please write down who appraises your work</p>	<p>1. _____ _____ 2. I don't know who appraises my work</p>
D6	<p>Do you know of anyone at work who was held disciplinarily liable for not doing his/her job well?</p>	<p>1. Yes 2. No</p>
D7	<p>Do you know of anyone at work who was in a situation in which a client tried to resort to informal means (make an additional payment, give you a gift, pull strings) to influence his/her work?</p>	<p>1. Yes 2. No</p>
D8	<p>Do you know anyone at work who agreed to receive compensation for a task s/he completed?</p>	<p>1. Yes 2. No</p>



D9	<p><b>What did that person at work receive as compensation for a task s/he completed?</b></p> <p><i>MULTIPLE ANSWERS POSSIBLE</i></p>	<ol style="list-style-type: none"> <li>1. Pulling strings (with an employee, political influence....)</li> <li>2. Pecuniary compensation</li> <li>3. A gift</li> <li>4. Rendering a "service in return"</li> <li>5. Other: _____</li> <li>6. I don't know any person at work who agreed to receive compensation for a task s/he completed</li> </ol>
D10	<p><b>Did you ever find yourself in a situation in which a client tried to resort to informal means (make an additional payment, give you a gift, pull strings) to affect your work?</b></p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>
D11	<p><b>Did you ever find yourself in a situation in which you accepted some form of compensation for your work from a client?</b></p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>
D12	<p><b>What did the informal means entail- what did you receive?</b></p> <p><i>MULTIPLE ANSWERS POSSIBLE</i></p>	<ol style="list-style-type: none"> <li>3. I did someone I know a favor</li> <li>4. Pecuniary compensation</li> <li>5. A gift</li> <li>6. I rendered a "service in return"</li> <li>7. Other: _____</li> <li>8. I have never been in such a situation</li> </ol>
D12 a	<p><b>Has it happened during the past 12 months that some party suggested you to influence your work in some informal way?</b></p>	<ol style="list-style-type: none"> <li>9. Never</li> <li>10. Rarely</li> <li>11. Occasionally</li> <li>12. Often</li> </ol>
D13	<p><b>Did your court provide clients with the option of personal filing of complaints to the work of court staff in the last 12 months?</b></p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>

<b>E</b>	
E1	<p><b>Where could the court administrative services have cut costs in the last 12 months?</b></p> <p><i>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</i></p> <hr/> <hr/> <hr/>
E2	<p><b>In your opinion, was there a need for investing any additional funds, which would, in the long term, actually cut costs, since such investments would result in considerable improvement of judicial efficiency? In what should these additional funds be investigating?</b></p> <p><i>PLEASE WRITE DOWN YOUR ANSWER ON THE LINES</i></p> <hr/> <hr/> <hr/>

<b>G</b>	
G3	<p><b>Do you support the judicial reform launched in January 2010 in general or not?</b></p> <p><i>Please indicate only <u>one</u> answer</i></p> <ol style="list-style-type: none"> <li>1. Yes, I fully support it (skip to question G4, than G6, then continue)</li> <li>2. I support it to an extent ( skip to question G4, than G6, then continue)</li> <li>3. No, I don't support it ( skip to question G5 and continue)</li> </ol>

G3a	PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3 <b>Why do you support reform launched in January 2010?</b> PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<hr/> <hr/> <hr/> <hr/>				
G4	PLEASE ANSWER THIS QUESTION IF YOU ANSWERED 1 OR 2 ON QUESTION G3 <b>Why don't you support reform launched in January 2010?</b> PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<hr/> <hr/> <hr/> <hr/>				
G5	How was the work of your sector changed by the reform introduced in January 2010? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<hr/> <hr/> <hr/> <hr/>				
G6	How do you assess these changes of the work of your sector? PLEASE CHOSE ONLY ONE ANSWER.	1. As positive 2. As negative 3. I don't have a view on them				
G7	<b>To what extent did the judicial system reforms launched on 1 January 2010 improv the following dimensions of the <u>judicial system</u>? Please use a scale of -2 to 2, where -2 means Worsened to a great extent and 2 Improved to a great extent. PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION</b>					
Dimensions		Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent
27. Efficiency (e.g. duration of proceedings, work time spent, number of hearings...)		-2	-1	0	1	2
28. Quality (e.g.: working conditions, organization of work, work climate...)		-2	-1	0	1	2
29. Quality of work of court staff		-2	-1	0	1	2
30. Accessibility (e.g. accessibility of judicial services notwithstanding age, education, financial status, nationality....)		-2	-1	0	1	2
31. Fairness (e.g. penal policy, non-selective enforcement of the law, consistent enforcement of the law...)		-2	-1	0	1	2
32. Integrity (e.g.: judicial independence, lack of corruption in the judiciary)		-2	-1	0	1	2
33. More rational spending of budget funds		-2	-1	0	1	2
G8	<b>To what extent did the judicial system reforms launched on 1 January 2010 improve the following dimensions of the <u>court administrative sources</u>? Please use a scale of -2 to 2, where -2 means Worsened to a great extent and 2 Improved to a great extent. PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION</b>					

Dimensions	Worsened to a great extent	Worsened to an extent	Did not bring any changes	Improved to an extent	Improved to a great extent
1. Efficiency (e.g. time it takes to complete the case, number of completed cases...)	-2	-1	0	1	2
2. Quality (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2
3. Quality of work of court administration staff	-2	-1	0	1	2
4. Accessibility (e.g. accessibility of administrative services notwithstanding the client's age, education, financial status, nationality...)	-2	-1	0	1	2
5. Integrity (e.g. independence, lack of corruption within the sector)	-2	-1	0	1	2
6. The accuracy of norms / rules governing the work of administrative services	-2	-1	0	1	2

### H Reforms launched in 2013

H1	How well informed are you about the new National strategy for judiciary reforms for the period 2013-2018 adopted in the Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	<ol style="list-style-type: none"> <li>Not at all → go to H7</li> <li>Mostly not informed → go to H2</li> <li>Medium → go to H2</li> <li>Mostly informed → go to H2</li> <li>Very well informed → go to H2</li> </ol>				
H2	What are your main sources of information about new National strategy for judiciary reforms?  <i>MULTIPLE ANSWERS POSSIBLE</i>	<ol style="list-style-type: none"> <li>Media (TV, radio, newspapers, magazines, websites...)</li> <li>Official information</li> <li>Other staff, informal discussions</li> <li>I informed myself by reading the laws</li> <li>Other: _____</li> <li>None</li> </ol>				
H3	Do you generally support the new National strategy for judiciary reforms, launched in July 2013 or not? Please indicate only one answer	<ol style="list-style-type: none"> <li>Yes, I fully support it → skip to question G4, than G6, than continue</li> <li>I support it to an extent → skip to question G4, than G6, than continue</li> <li>No, I don't support it → skip to question G5 and continue</li> </ol>				
H4	Why do you support it? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<ol style="list-style-type: none"> <li>I do not support the reform</li> <li>_____</li> <li>_____</li> <li>_____</li> </ol>				
H5	Why don't you support it? PLEASE WRITE DOWN YOUR ANSWER ON THE LINES	<ol style="list-style-type: none"> <li>I support the reform</li> <li>_____</li> <li>_____</li> <li>_____</li> </ol>				
H6	To what extent will the new National strategy for judiciary reforms, launched in July 2013 improve the following dimensions of the <u>court administrative sources</u> ? Please use a scale of -2 to 2, where -2 means Worsen to a great extent and 2 Improve to a great extent. PLEASE INDICATE ONE ANSWER FOR EACH DIMENSION					
	Dimensions	Worsen to a great extent	Worsen to an extent	It will-not bring any changes	Improve to an extent	Improve to a great extent

	1. Efficiency (e.g. time it takes to complete the case, number of completed cases...)	-2	-1	0	1	2
	2. Quality (e.g.: working conditions, organization of work, work climate...)	-2	-1	0	1	2
	3. Quality of work of court administration staff	-2	-1	0	1	2
	4. Accessibility (e.g. accessibility of administrative services notwithstanding the client's age, education, financial status, nationality...)	-2	-1	0	1	2
	5. Integrity (e.g. independence, lack of corruption within the sector)	-2	-1	0	1	2
	6. The accuracy of norms / rules governing the work of administrative services	-2	-1	0	1	2
H7	How well informed are you about the new NATIONAL STRATEGY FOR FIGHT AGAINST CORRUPTION which was adopted in Parliament in July 2013? Please use a scale of 1 to 5, where 1 represents 'not informed at all' and 5 represents 'very well informed'.	1. Not at all → go to R1 2. Mostly not informed → go to H8 3. Medium → go to H8 4. Mostly informed → go to H8 5. Very well informed → go to H8				
H8	How much will this strategy contribute to the efficiency of fighting corruption in judiciary?	1. They were ineffective 2. They were effective, but not to a sufficient extent 3. They were very effective				
<b>F</b>						
Please answer also some questions regarding gender-related differences in your profession						
R1	Do you think that both men and women in your profession have equal chances for professional promotion?	1. Yes, they have equal chances 2. No, men have more chances than women 3. No, women have more chances than men 4. DK, I can't estimate				
R2	And, thinking about total income of people employed in your profession, which beside salary includes other forms of income (travel expenses, bonuses, and similar receipts), would you say that there are differences between men and women, or they are equal from that aspect?	1. Women have much higher income 2. Women have somewhat higher income 3. Women and men have equal income 4. Men have somewhat higher income 5. Men have much higher income				
R3	As far as you know, have there been any cases of sexual harassment against any employee in your institution?	1. No 2. Yes 3. Not sure				



