



Strasbourg, 10 September 2010

CEPEJ(2010)1

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)**

**HANDBOOK FOR CONDUCTING
SATISFACTION SURVEYS AIMED AT COURT USERS
IN COUNCIL OF EUROPE'S MEMBER STATES**

Handbook prepared by the CEPEJ-GT-QUAL

according to a report by
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(Strasbourg, 9 – 10 September 2010)

INTRODUCTION

The CEPEJ's working group on the quality of justice (CEPEJ-GT-QUAL) proposed to draft a methodological handbook for central court authorities and individual courts wishing to develop user satisfaction surveys. This tool was due to be based in particular on the experience of certain member states and relevant best practices to be highlighted.

The *Checklist for Promoting the Quality of Justice and the Courts* adopted by the CEPEJ in July 2008 (CEPEJ(2008)2) is an essential point of reference for this work.

Satisfaction surveys are a key element of policies aimed to introduce a culture of quality. Taking into account expectations as a starting point, a public-satisfaction approach reflects a concept of justice focused more on the users of a service than on the internal performance of the judicial system.

Satisfaction survey methods vary considerably: trend recording and ordinary public-opinion surveys (such as the "Eurobarometer" of the European Union), qualitative surveys of sample groups of users, and surveys to assess the satisfaction of actual users.

National opinion surveys on justice and its operation

This type of survey has a number of distinguishing features. They may be either regular or ad hoc, and are frequently conducted even with the aim of gauging the impact of a high-profile case. Regular and/or detailed surveys are conducted by Ministries of Justice, Councils of the judiciary and publicly funded bodies. Ad hoc opinion polls are conducted by private institutes at the request of individual sponsors, mostly media. They mainly reflect the *level of confidence in the judicial system*, with varying results according to the country concerned, which can be linked to the general level of confidence in national public institutions such as the education system, the health system and the police. The view has been taken that regular surveys are more useful provided they cover larger sample groups and are based on fixed questionnaires, which are a far more appropriate means of measuring significant changes.

Criticisms of the judicial system have remained the same for two centuries (delays, costs, inequality, unintelligibility, etc), and variances in survey results are closely associated with certain judicial scandals.

In this work, are being looked primarily regular surveys with reliable indicators which make it possible to measure effectively the level of public confidence in the judicial system, explain any changes and understand the public's priorities in terms of reforms to improve the quality and efficiency of the judicial response. To this end, the CEPEJ does not rely on polls aimed at representative samples of the public (where the results are confined to *perceptions of justice*) but on the somewhat harder to organise surveys aimed at people who have actually had dealings with the courts, where the results offer *practical feedback*.

National and local surveys of actual court users

Various **categories of users can be specified:**

- **citizens who have had dealings with the courts** for various reasons: in criminal cases as victims or perpetrators, witnesses or jury members; in civil cases as plaintiffs or defendants. Perception of the courts' performance in terms of reception of the public, length of proceedings and also cost is important, as is perception of the input of all those involved, first and foremost judges, lawyers and court staff. All aspects must be considered, as the surveyed individuals might have won or lost their civil cases. Specific categories of user may be studied, particularly victims of offences.
- **legal professionals**, making a distinction between:
 - professionals belonging to the public service of justice, such as **judges, public prosecutors, and other non judge and non prosecutor staff belonging to the courts and the public prosecution service,**
 - professionals who are essential partners of the courts, especially **lawyers.**

It is also always possible to conduct surveys aimed at particular players such as bailiffs, notaries, expert witnesses and interpreters, as well as public sector employees and associations working directly with the courts to prepare or enforce the latter's decisions (social workers, police, probation staff, prison officers, etc.). This type of sociological survey, based on questionnaires and interviews, can be used either to explore a specific issue or to supplement the main survey in the event of a comprehensive evaluation of the system's operation.

Methods used and expected outcomes

Various methods can be used for qualitative or quantitative surveys: on-the-spot observation, interviews, self-administered or telephone questionnaires, and "mirror surveys".

Method and frequency will depend on the:

- **objectives** (monitoring user satisfaction, measuring court performance, improving service delivery, reforming the judicial system);
- **scope** (a service area, a court, several courts of the same type, several courts in the same geographical district, etc.);
- **target groups**: court users (all users of a particular court, certain users such as victims, persons involved in divorce proceedings, etc.), professionals (in the categories referred to above);
- human, technical and budgetary **resources** available to the survey sponsor.

With this handbook the CEPEJ wishes to propose an inexpensive and approved "basic product" that is easy to use and focused on the fundamental problems and issues of the courts' operation. A tool of this kind is intended to be widely distributed to member state courts and its use should entail few costs for the latter.

A second level of need might concern a more sophisticated multi-entry product, which could be adapted to specific judicial cultures, the problems anticipated and the amount of money available.

Therefore a *model multi-entry survey of actual court users* is proposed here, accompanied by a *methodological guide* making use of trials already run in a number of member states and the CEPEJ's work addressing the substantive issues involved. The aim is to develop an operational tool within an overarching approach to improving the quality of justice. It takes the form of an *adjustable kit* with a *standard model that can be adapted* by users according to their needs, resources and priorities.

For a more detailed presentation and analyse of the European existing systems of surveys, see the detailed report by Jean-Paul JEAN and Hélène JORRY – Document CEPEJ(2010)2, available on www.coe.int/CEPEJ.

1. CONSTRUCTING A USER SURVEY AT LOCAL LEVEL

For a comprehensive approach to quality assessment, it would be advisable to start by conducting a qualitative survey using individual interviews, group meetings or on-the-spot observation of behaviour, supplemented by an analysis of correspondence and complaints (examples: the Polish Ombudsman¹, the Court of Grasse in 2000², the French *Médiateur*), in order to define more clearly the target group, the scope of the survey and the methodology and to involve stakeholders in the assessment procedure. Some courts, following the example of the law courts in the cantons of Bern and Geneva (Switzerland), have set up a **steering committee** to this end. Such a committee, which may be internal or external to the court concerned and which consists of court professionals, court users and external specialists (academics, researchers, etc.), can adapt the final version of the questionnaire to the court's needs and aims and then make arrangements for its implementation.

However, given the cost and the resources required, a qualitative survey of this sort is not automatically necessary; the tool proposed by the CEPEJ draws on good practice in member states and can be adapted to specific local features after a few consultation meetings.

Whatever the circumstances, establishing a local steering committee would seem essential to the success of a user satisfaction survey, with or without a preliminary qualitative survey.

1. 1. DETERMINING THE AIMS, METHODOLOGY AND RELEVANT INDICATORS OF THE SURVEY

Putting in place a survey means first clarifying the aims in order to:

- narrow down the scope of the survey (object and target groups);
- define the survey methodology (user observation, interviews, questionnaires, etc.) and details (timetable, regular or ad hoc survey, etc.);
- agree with staff on aims, indicators and use of the results;
- determine the way in which the target groups are to be involved in the survey;
- cope more effectively with any problems arising;
- collect relevant results.

The indicators should be chosen in order to pinpoint the various aspects of a user's perception of the situation. It is a question of understanding all aspects affecting the relations with the court user (environment, cost, length of proceedings, reception, etc.).

In addition, this stage makes it possible to determine whether the conduct of the survey and the analysis of its results will require the involvement of an independent outside body or the establishment of a steering committee. A research laboratory or university team may well be interested in working in partnership with the court. If a private company is used, the relevant cost must be taken into account.

1. 2. DETERMINING VARIOUS CATEGORIES OF USERS

It is first necessary to define a representative sample, which will depend on user characteristics, the survey choices and the degree of detail required.

In the case of national opinion surveys, such as those conducted in Belgium, France and Spain, a representative sample can be put together using a wide range of criteria, including socio-demographic factors (age, gender, faith, etc.), language factors, geographical representativeness and whether individuals are actual court users or not. National surveys may also target categories of actual users – on the basis of an individual's status during proceedings, for example.

Satisfaction surveys in courts, on the other hand, must be conducted among actual users of the court concerned. The representative sample of users may be narrowed down according to whether the aim is to analyse a particular area of service, such as reception or registry services, operation of the court

¹ Rafal Pelc, What are the expectations and the needs of justice users: the experience of the Polish Ombudsman, CEPEJ study session, 2003

² Marie-Luce Cavrois, Hubert Dalle and Jean-Paul Jean (eds), *La qualité de la justice*, Perspectives sur la Justice, Paris, La Documentation française, 2002, 269 p.

as a whole or specific types of case (family law cases, for example), or to study specific categories of user:

- **parties:** individuals undergoing trial are one category of user of the public service of justice. Some countries such as Canada, the Netherlands and Switzerland use the label "customer/client" over and above its commercial meaning, to describe the individual receiving the service delivered (consumer, client, beneficiary, etc.);
- **lawyers:** registered with the Bar association of the court concerned, or outside its district but occasionally pleading there;
- **various professionals belonging to the court and the public prosecution service:** judges, Rechtspfleger, clerks, court officials, members of the prosecution service, etc.;
- **legal professionals** in most frequent contact with the court concerned (notaries and bailiffs);
- **other professionals frequently called upon to assist the courts,** whose contribution substantially affects the quality of justice: expert witnesses and interpreters.

1.3. CHOOSING A METHOD

There are a number of satisfaction survey methodologies depending on whether the aim is to take stock of trends in user opinion (qualitative survey) or of satisfaction levels in a representative sample of users (quantitative survey).

1.3.1. QUALITATIVE SURVEYS

Qualitative surveys are more exploratory in nature and can be used to identify trends in user satisfaction/expectations. More generally, they can provide preliminary information for quantitative surveys.

Various methods can be used:

- on-the-spot observation of users' attitudes and reactions when visiting a court;
- "mystery shops" by an expert posing as a user (telephone calls, enquiries, etc.);
- individual interviews to record opinions and understand users' motives for the purpose of preparing a questionnaire;
- interview with a sample group of users to record their experience and compare their viewpoints.

This is admittedly a costly, time-consuming method requiring specialist interviewers, but it is necessary for an overarching quality system (Netherlands). Combining a preliminary qualitative survey with a quantitative survey thus leads to the most detailed and comprehensive study possible of user satisfaction and/or expectations.

1.3.2. QUANTITATIVE SURVEYS

Quantitative surveys measure user satisfaction statistically on the basis of a representative sample.

Various methods may be used:

- **Self-administered questionnaires within the courts**

Example: a questionnaire made available at the court's reception desk or on leaving the hearing (Netherlands (user surveys), Switzerland (Bern), United Kingdom, United States).

This is the cheapest method of obtaining a very good response rate. In the first user surveys in the Netherlands, questionnaires sent out by post or administered by telephone had a response rate of between 10% and 20%. A change in administration method (interviews conducted with users as they leave the hearing) increased the response rate to 70%. However, distribution of the questionnaire immediately after the hearing may also entail a risk of bias in its interpretation.

- **Self-administered postal or Internet questionnaires**

This method is less expensive, but the response rate may be low without a special awareness-raising campaign. The electronic questionnaire, sent by e-mail or put on a dedicated website (the Netherlands (2009 survey into problems of access to the courts), Switzerland (Geneva), the United Kingdom (registry users and jurors), Canada and the United States), selects a specific category, Internet users,

which obviously affects representativeness (age, socio-cultural level, etc.). But this method of distribution is recommended for direct surveys of professionals, with excellent response rates if appropriate explanations and guarantees are given to the addressees, as in the Netherlands (surveys of professionals) and France (2008 survey aimed at judges and prosecutors).

This method nonetheless entails the use of a data file covered by domestic legislation on personal data protection.

- **Telephone questionnaires**

This method is more time-consuming and entails recourse to a polling agency and/or specialist interviewers to administer the questionnaire by telephone (at least twenty minutes per questionnaire). It is therefore expensive but can be used to construct representative samples and refine analysis and the degree of detail in replies (examples: Austria, Belgium, Finland (2008), France (2001 and 2008 user surveys, 2006 victim survey), Netherlands (initial court-user surveys) and Spain - 2008 judicial career survey).

- **Home or in-court interviews**

This method entails use of a questionnaire and face-to-face interviews. Since it necessitates recruitment of interviewers and recourse to a specialist body, it is more expensive (examples: Austria, France (1997 survey), Germany, the Netherlands (2009 survey of court access problems) and Spain - regular survey and 2001 survey).

1. 4. PREPARING THE SURVEY

1. 4. 1. MANAGEMENT AND ADMINISTRATION

Court staff should already be involved at the preparatory stage by setting up a *steering committee* (see above).

Use of outside bodies such as polling companies (as in France, Romania, the United Kingdom, Canada), external consultants (as in Austria, Ireland, Spain, Switzerland, Canada) or, if they exist, independent bodies responsible for producing performance measurement tools such as satisfaction surveys (as in the Netherlands (Prisma agency) and the United States - National Centre for State Courts)), for the administration, or even design, of the questionnaire and processing of the results will make the procedure more professional. This will, however, depend on the resources available to the court. Partnership with university and/or research teams seems the best solution (as in Albania, Finland and Spain).

1. 4. 2. SURVEY TIMING

User availability is a key factor. This will determine whether it is better to send the questionnaire with the summons, make it available at the court's reception desk, as users leave the hearing or outside the court, put it on the court's website or send it by post or e-mail.

In any case, it is essential that the court concerned should inform users beforehand in order that they feel involved in the survey procedure.

1. 4. 3. QUESTIONNAIRE CONTENT: METHODOLOGY

The questionnaire must be accompanied by a preliminary notice indicating the *survey sponsor and aims*. This notice must point out that *anonymity safeguards* will be respected and supply information on the *ethical principles* applying to use of the data provided.

The content of the questionnaire will be largely determined by the area of service or aspects of that service that you wish to evaluate (reception, speed, efficiency, accessibility, etc.). It must uncover user perceptions of the court concerned and thus enable its strengths and weaknesses to be identified in order to review service targets and fine-tune methods of service delivery.

The questionnaire should start with an introductory section of simple questions both to win the user's trust as well as to enable the sponsor to narrow down a representative sample of users (age, gender, position, actual user, occasional user, etc.).

Next, the **main themes of the questionnaire** should be arranged under headings, starting with the general perception of the service and going on to more specific aspects, such as access to information, court facilities or court operation (reception, contact with judges and public prosecutors, etc.). The various themes selected should consist of series of items alternating simple questions with more sensitive questions.

The form of the questionnaire must be such that it can be adapted for all courts in Council of Europe member states. It should usually consist of easily processable *closed questions* or statements, which can be accompanied, if appropriate, by *open-ended questions* for users to convey their opinions on matters that they think important and which might not have been addressed by the survey. However, the number of open-ended questions should be limited in order not to complicate the processing.

The questionnaire must have a *fixed part* containing *key indicators* common to all courts in Europe and easily tailored, where required, to procedural needs. It may also include *adjustable parts* to reflect specific features of different local and judicial cultures and to explore what court managers consider to be crucial problems.

Finally, the **language used** must be clear (short sentences, no ambiguity), neutral (no negative sentences or emotive words) and easily understood by all court users in Council of Europe member states. Translations of the standard questionnaire must therefore be careful to include the most appropriate terms in each national language.

1. 4. 4. QUESTIONNAIRE MEDIUM

The questionnaire may be administered using paper copies or else electronically with electronic kiosks. It can also be produced in an electronic format that is easy to process with a spreadsheet.

1. 4. 5. RESPONSE SCALES

Various response scales are possible. Some scales ask the user to choose an item (questions on the pattern of 'Select from the following replies ...' as used in the satisfaction survey conducted by the Supreme Court of Canada).

Some use ranking of set answers ('Rank the following replies from 1 to ...'). Other scales can be used to obtain simple replies through binary rating ('Satisfied/Dissatisfied'; 'Yes/No') or more detailed user preferences through a longer rating (a 0-to-10 scale on the pattern of the user questionnaires of the *Consejo General del Poder Judicial* in Spain (2001) or a satisfaction scale ranging from 'Very satisfied/Strongly agree' to 'Very dissatisfied/Strongly disagree' as in the response scales for the British and US surveys).

Particularly valuable are surveys such as those conducted in the courts of the canton of Geneva (Switzerland) that make it possible to *measure the gap between user expectations and user satisfaction for each item* using a dual assessment (importance and satisfaction).

1. 5. RECORDING AND ANALYSING RESULTS

Generally speaking, most of the surveys studied resorted to outside bodies for analysis of results, reports on the survey and, where applicable, recommendations. It would therefore be desirable for the steering committee to make use of an **outside body**, either public or private, thereby offering increased safeguards of the anonymity of replies and objective analysis of the results.

However, it is essential that the steering committee should also establish **intermediaries/contact persons** in the court (for example, court staff made available for this purpose) to provide methodological assistance for users where necessary. Close involvement of court staff in this process is vital.

Depending on the survey timetable, it is necessary to agree on the **frequency** with which responses are to be collected, whether the questionnaires are collected from a box provided at the reception desk or received by post or e-mail. A comparison of satisfaction rates for the time interval over which responses are collected (day, week, month, etc.) can thus be obtained.

Questionnaire responses must therefore be collected regularly and the results then processed using a **spreadsheet** (charts and tables of figures) for reporting purposes. The method of counting must also allow responses to be divided into the different user categories (age, professional seniority, class of court user, etc.). The aim must also be to bring to light the **gap between user expectations and user satisfaction** by taking into account, for each factor evaluated, both the replies relating to satisfaction and the replies relating to importance (level of expectation) according to the rating scales. The priorities in terms of improvements to be made will be determined by the items rated highest in terms of importance and lowest in terms of satisfaction.

1. 6. REPORTING RESULTS AND LEARNING LESSONS

Organisation and communication of feedback are an integral part of the survey process and should come within the framework of a *court plan* and *quality campaign*. This means setting up a *follow-up committee* to disseminate the survey results (in the form of a report presenting both the survey and the results obtained) and learn the lessons, especially by identifying priorities for action.

Communication must take place both in-house (oral presentation, discussion meetings), to involve staff in seeking practical solutions, and with regard to users (thank-you letters, information campaigns, results displayed in the court's reception area, etc.), who are thus informed about, and even involved in, any improvement undertakings.

Ad hoc surveys should not be considered sufficient for this purpose, and the process must be repeated regularly to measure changes in satisfaction levels. Media coverage of the process and the results helps to strengthen and promote the court plan and obtain outside backing to support the first trial.

1. 7. SUPPLEMENTING THE SURVEY BY OTHER METHODS IF NECESSARY

The main survey can also be supplemented by the use of measurement techniques such as satisfaction intervision, mirror surveys or "mystery shopping".

1. 7. 1. 'INTERVISION' OR PEER REVIEW

Based on reciprocity, the peer-review method (or 'intervision') consists in having judges assess each other outside the managerial framework. Imported from the Netherlands, the technique relies on a pair of judges observing each other in the actual course of their work in order to improve professional practice. This is very much part of a comprehensive approach to quality assessment and improvement.

It might, however, be a useful complement to the 'judges' questionnaire, following the example of the Netherlands, where it forms part of the RechtspraakQ quality system. Some French courts have begun to develop this practice over the last ten years³.

1. 7. 2. MIRROR SURVEYS

Mirror surveys consist in getting court staff to assess the level of user satisfaction or encouraging them to look at their own work (examples: 2008 survey by the French Judicial Service Commission; Romanian survey on independence of the judicial system).

³ The Courts of Roanne, Créteil and Albertville and the Caen Court of Appeal. Based on these pilots, the Legal Service Training College in 2008 produced an Intervision Charter and an observation sheet to clarify the framework and method.

This method can be used to compare the satisfaction rate expressed by users with the satisfaction rate as perceived by court staff. It also has the benefit of involving the latter more closely in the evaluation process.

1. 7. 3. 'MYSTERY SHOPPING'

Mystery shopping is a technique that is increasingly being used in activity areas concerned with customer satisfaction and quality development. The 'mystery shopper' is a person sent by a specialist outside firm who poses as a customer in order to measure the standard of service and reception. This person is given specific assessment criteria, which will be sent to the sponsor, often in the form of a questionnaire. Although the practice is still uncommon in the courts, some countries such as Ireland have used it to measure the quality of relations between court staff and users as well as the working environment. Sponsored by the Courts Service of Ireland, these 'mystery shops' carried out within court premises, by telephone and by e-mail have produced positive results regarding reception by court staff and the latter's availability.

2. MODEL QUESTIONNAIRES FOR CONDUCTING SATISFACTION SURVEYS OF COURT USERS

The priority of the CEPEJ is to produce a satisfaction questionnaire for court users, limited to *individuals having had actual contact with the court concerned*, and another questionnaire specifically for *lawyers*.

The survey is designed for a **twofold aim**, which will determine the way in which it is conducted:

- *internal use by the court* as part of a service delivery plan and/or an initiative to improve quality of service delivery to court users: all staff would be involved in implementing and following up the survey.
- *comparison of comparable courts* and availability of an overview gradually enabling similar approaches to be developed in each member state, even leading, eventually, to a large-scale survey conducted simultaneously in all member states under the aegis of the CEPEJ.

Regarding the practical details, on grounds of cost and relevance and to avoid creating files containing personal data, the proposed questionnaire could be offered to persons summoned to or visiting the court. In-court assistance from reception staff is advisable, if not essential. Boxes must be provided for the replies, and, if necessary, stamped addressed envelopes for individuals who will not complete the questionnaire immediately, with anonymity still being guaranteed by the receiving body.

The survey is based on closed questions but is supplemented by one open-ended question. It has a fixed part containing elements deemed essential, which it must be possible to adapt to each country's procedural particularities. This information will allow a reasonable standard of processing as well as comparison between courts in the same state and between courts in more than one state. It could be supplemented by an adjustable part to reflect specific local or cultural features and to explore what court managers consider to be crucial problems.

It is recommended that a simple spreadsheet should be provided under the aegis of the CEPEJ to process the results of the questionnaire (using Open Office, for example). This would make the questionnaire very easy to use and adapt and the results very easy to process, whether in a pooled manner within the CEPEJ's Secretariat or on a local basis by the courts.

The user questionnaire and lawyer questionnaire might eventually be supplemented by more specific questionnaires, administered separately, with a view to improving the response of the public judicial service to the needs of particular categories of users, such as jurors, witnesses and victims.

MODEL QUESTIONNAIRE FOR COURT USERS

EVALUATION OF THE FUNCTIONING OF THE COURTHOUSE OF _____

The _____⁴ has given us the job of obtaining your opinion on the quality of the services provided by the courts of _____.

Your opinions and suggestions are important for improving the quality of the services which the courts should supply to the citizens

****Notice for local survey managers concerning arrangements for distributing and returning the questionnaire. There are several possibilities:.***

1) If distributed within the court

Could you kindly answer the questionnaire, then place it in the box provided at the court's reception desk, using a sealed envelope,.

2) If sent with the court summons

Could you kindly answer the questionnaire and return it to the address on the postage-paid envelope.

Note: if the questionnaire is made available by electronic mail

You may reply via the Internet at the address given on the document. This site is secure and your anonymity is guaranteed.

Strict confidentiality of your answers is guaranteed. This survey is anonymous.

***Notice for local survey managers. The basic questionnaire made up of 27 set-answer questions and some open-ended questions constitutes a standard format common to all the courts of the Council of Europe's member states. More specific or locally oriented questions can be added in the second section, certain models for them being suggested. It is important to note that a usable survey must comprise a limited number of questions which users can answer quickly.**

⁴Commissioning authority.

Please tick the appropriate boxes:

1. Your age: between 18 and 30 between 31 and 50 between 51 and 65 over 65

2. Have you already been in contact with another court than the court of ... ?

yes no

3. In which capacity are you going to the court of?

one of the parties witness member of a jury

other (e.g. family of one of the parties, requesting information, visitor, ...)

Specify: _____

*Note: Please answer **all questions** in the survey if you are or have been a party in proceedings but, if you are in another category (witness, juror, other), please only answer those that concern you.*

4. If yes, in which kind of proceeding?

civil criminal administrative commercial
 labour other (e.g. minors, guardianship, pensions)

Specify: _____

5. If you were a party, and the decision was delivered, did the court find partially or fully in your favour?

yes no other
Please answer questions a and b **Go on to question 6** **Go on to question 6**

a. Were you represented by a lawyer? yes no

b. Did you receive legal aid? yes no

c. Did you use legal protection insurance? yes no

For each of the questions below, please **evaluate** by circling a number from 0 to 6

- your **LEVEL OF SATISFACTION**
- the **LEVEL OF IMPORTANCE** you attach to the question.

Please circle the appropriate number.

1) General perception of the functioning of justice

	LEVEL OF SATISFACTION						IMPORTANCE							
6. The court's functioning is:	unclear				clear		low				high			
	0	1	2	3	4	5	6	0	1	2	3	4	5	6
7. Do you think courts deal with a case:	slowly				quickly		low				high			
	0	1	2	3	4	5	6	0	1	2	3	4	5	6
8. Without taking into account lawyer's fees, the cost for acceding to justice seems:	expensive				cheap		low				high			
	0	1	2	3	4	5	6	0	1	2	3	4	5	6

	LEVEL OF SATISFACTION	IMPORTANCE
9. Do you trust your justice system:	a little completely 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6

2) Access to information
3)

	LEVEL OF SATISFACTION	IMPORTANCE
10. In general, finding information about your rights seems:	hard easy 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6

11. Did you find the information provided by the court:	unclear clear 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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4) Accessibility and interior of the court of _____ (facilities)

	LEVEL OF SATISFACTION	IMPORTANCE
12. Coming to the court is:	hard easy 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6

13. The signs inside the courthouse are:	bad good 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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14. The waiting conditions are:	bad good 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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15. The courtroom furnishing is:	inadequate adequate 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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5) Functioning of the court of _____

	LEVEL OF SATISFACTION	IMPORTANCE
16. The court summonses are:	clear unclear 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6

17. The time lapse between the court's summons and a hearing is:	unsatisfactory satisfactory 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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18. The punctuality of the hearings and the conditions under which your case was called were:	bad good 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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19. Did you find the attitude and politeness of the non-judge court personnel :	unsatisfactory satisfactory 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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20. Did you find the level of competence of the non-judicial court personnel:	bad good 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
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6) **The judges and prosecutors in the court of _____**

	LEVEL OF SATISFACTION	IMPORTANCE
21. The attitude and politeness of the judges and prosecutors are:	unsatisfactory satisfactory 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
22. The judge/prosecutor's language is:	unclear clear 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
23. The judges' impartiality in conducting the oral proceedings is:	unsatisfactory satisfactory 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
24. You (or your lawyer) were able to make your submissions at the hearing in sufficient/ insufficient time:	insufficient sufficient 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
25. The court decisions are:	unclear clear 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6
26. The timeframe for delivery of a court decision is:	too long reasonable 0 1 2 3 4 5 6	low high 0 1 2 3 4 5 6

27. After this experience, you consider the material resources available to the courts:

- most inadequate / inadequate / adequate / more than adequate

28. Please do not hesitate to tell us if you have any remarks or observation, or would like to bring a certain aspect of the court to our attention in order to improve the functioning of justice:

QUESTIONNAIRE (continued)

Example of flexible sections which may be added to the basic questionnaire

1. If the court users are foreign⁵ or if the country has several official languages⁶:

- Is _____ (*national language*)
your mother tongue? yes no
- If not, have you been assisted by an interpreter? yes no
- Was the conduct of the oral proceedings
in _____ (*language*) a disability for you? yes no

2. If the questionnaire is specifically intended for users of court registry services⁷:

Which court registry services have you used in the course of the past year?
Please tick all answers that fit:

- Information for requesting legal aid
 - Information on forms of legal action
 - Access to documents (e.g. copy of evidence)
 - Information on the court's decisions
 - Practical information on the execution of decisions
 - Other
- Specify: _____

What means of communication have you used to contact the court registry? :

- in person post telephone fax email
- online via the court's website

3. Where the court has a specific information service⁸:

	LEVEL OF SATISFACTION						IMPORTANCE							
You find the information supplied to you by the court's information service:	unclear			clear			low			high				
	0	1	2	3	4	5	6	0	1	2	3	4	5	6

⁵ An optional question on ethnic origin or community ties could be proposed by certain countries that usually ask this kind of question in their surveys, as was suggested by the United Kingdom, but it would raise legal and ethical problems in many others.

⁶ Example inspired by the "Palais de justice de Genève (2008)" survey.

⁷ Example inspired by the user satisfaction survey of the Canadian Supreme Court (2007).

⁸ Example inspired by the comments of the Turin court.

QUESTIONNAIRE AIMED AT LAWYERS

EVALUATION OF THE FUNCTIONING OF THE COURTHOUSE OF _____⁹
BY THE LAWYERS OF THE BAR OF _____

Note to local survey managers. The questionnaire intended for lawyers¹⁰ must if possible be e-mailed to all the members of the bar association.

The _____¹¹ has asked us to record your opinion on the quality of service provided by the courts of _____.

Your opinions and suggestions are important to us and will help make the necessary improvements.

**Please answer this questionnaire on our website.
The website is secure and your anonymity is guaranteed.**

Please tick the appropriate boxes:

You are a lawyer practising:

alone

within a firm of lawyers

For how long have you been a member of the bar of _____? _____ years

For each of the questions below, please **evaluate** by circling a number from 0 to 6

- your **LEVEL OF SATISFACTION** (0 = the worst / 6 = the best)
- the **LEVEL OF IMPORTANCE** you attach to the question (0 = little importance / 6 = high importance).

Please circle the appropriate number.

1) General evaluation of the service provided

The general criteria below relate to all services and courts of _____.

	LEVEL OF SATISFACTION	IMPORTANCE
3. Co-ordination in setting the time of hearings:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
4. Access to the case-law of the courts of the judicial area	0 1 2 3 4 5 6	0 1 2 3 4 5 6
5. Communication between the court and the lawyers:	0 1 2 3 4 5 6	0 1 2 3 4 5 6

⁹ Questionnaire may be modified to measure satisfaction either generally for the court(s) as a whole or separately for particular services or courts.

¹⁰ This means a lawyer as understood by the Council of Europe, a professional who may be briefed by a citizen to represent him or her before the courts.

¹¹ Commissioning authority.

6. Clarity in the organisation and administrative responsibilities:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
7. Quality of the court's website:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
8. Signaling within the courthouse:	0 1 2 3 4 5 6	0 1 2 3 4 5 6

2) Evaluation by court or by service

Please indicate to which service or court your evaluation refers¹²: _____

Please choose only one court or service per page, in particular the one(s) with which you have the most contacts, for example legal aid office, family court, juvenile court, criminal trials service. You may use the appended sheets to give your opinions on other courts or services.

For each of the questions below, please **evaluate** by circling a number from 0 to 6

- your **LEVEL OF SATISFACTION** (0 = the worst / 6 = the best)
- the **LEVEL OF IMPORTANCE** you attach to the question (0 = little importance / 6 = high importance).

Please circle the appropriate number.

2.1) Relations with the court or service:

	LEVEL OF SATISFACTION	IMPORTANCE
9. Judges / prosecutors' politeness and attitude:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
10. Court officers' politeness and attitude:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
11. Judges/prosecutors' level of professionalism:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
12. Court officers' level of professionalism:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
13. Judges/prosecutors' approachability and availability:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
14. Court officers' approachability and availability:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
15. Celerity of responses to your requests:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
16. Quality and reliability of registry's responses:	0 1 2 3 4 5 6	0 1 2 3 4 5 6
17. Computerised management of proceedings:	0 1 2 3 4 5 6	0 1 2 3 4 5 6

¹² Each country may thus adapt the survey to their specific organisation.

18. Easy and practical file consultation: 0 1 2 3 4 5 6 0 1 2 3 4 5 6
19. Clear responsibilities and organisation: 0 1 2 3 4 5 6 0 1 2 3 4 5 6
20. Costs / fees of access to justice: 0 1 2 3 4 5 6 0 1 2 3 4 5 6

2.2) Preparation and conduct of hearings:

- | | LEVEL OF SATISFACTION | IMPORTANCE |
|---|-----------------------|---------------|
| 21. Conditions of meeting with the clients: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 22. Furnishing, equipment of the courtroom: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 23. Punctuality of hearings: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 24. Organisation and progression of hearings: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 25. Impartiality of the judge in conducting hearings: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |

2.3) Judge's decisions:

- | | LEVEL OF SATISFACTION | IMPORTANCE |
|--------------------------------------|-----------------------|---------------|
| 26. Independence of judges: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 27. Clear, comprehensible decisions: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 28. Rapid handling of cases: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |
| 29. Decisions easy to be enforced: | 0 1 2 3 4 5 6 | 0 1 2 3 4 5 6 |

30. Do you think that, over the last 5 years, the functioning of the court (service):

- has deteriorated is unchanged has improved

31. During this time, do you think that the workload of the courts has increased

- faster than its means in proportion to its means more slowly than its means

32. In your opinion, are the court's material resources:

- most insufficient insufficient sufficient more than sufficient

33. In your opinion, are the court's staff resources:

- most insufficient insufficient sufficient more than sufficient

34. If you had the opportunity, what would you change in order to improve the functioning of the court?

Appendix 1: Extract from the Checklist for promoting the quality of justice and the courts adopted by the CEPEJ at its 11th plenary meeting (Strasbourg, 2 – 3 July 2008) CEPEJ(2008) 2

<i>The main pillars of the functioning of justice</i>	S	R	C	J	n.a
III.3. Physical and virtual access					
1. Are courts located so that they are effectively accessible?					
2. Is there a provision to hold hearings in other locations away from the main seat of the court?					
3. Are reception staff properly trained to take the stress of persons summoned into account?					
4. Has the court drafted a special charter to improve the reception of visitors?					
5. Do people with disabilities or elderly people have easy access to: reserved parking spaces? access ramps into buildings?					
6. If necessary, is there a possibility that someone may accompany them to the courtrooms?					
7. Are the waiting and hearing rooms properly equipped and of a reasonable standard?					
8. Are there rooms in the court where the lawyers can meet with their clients?					
9. Are the waiting rooms organised so that the opposite parties do not have to wait together?					
10. Are there clear signs for visitors entering court buildings?					
11. Is there a policy for the use of ADR?					
12. Are mediators easy accessible to resolve certain disputes?					

<i>The main pillars of the functioning of justice</i>	S	R	C	J	n.a
III.6. Legitimacy and public trust					
1. Is there an annual report presented to citizens on the quality and functioning of the judicial system?					
2. Is this report debated in parliament?					
3. Is there a regular evaluation of the public trust in the judiciary?					
4. Is there a regular public report on the functioning (court performance) and quality of the court?					
5. Are special enquiry committees established to conduct studies on the difficulties of the functioning of the judiciary? Is the work of these committees public?					
6. Does a court users' charter presenting their rights and duties exist?					
7. Do parties have the possibility of receiving, at any given moment, information about the stage their proceedings have reached? o directly (through the reception of information or Internet)? o indirectly through their legal counsel (i.e. lawyer or legal representative)?					
8. Is information on the system of disciplinary measures and sanctions imposed at the judiciary available to the general public and the court users' and are figures made public?					
9. Do citizens play a consultative role in discussing the priorities of the judicial system (financing, priority given to certain disputes, etc.)?					
10. Are associations whose social role relates to the judicial system (victims, consumers, etc) able to play a particular role in improving the functioning of justice?					
11. Are there regular exchanges of views on the functioning and quality of the courts at local level (public debates, meetings with associations), reception of school children, etc.) ?					
12. Does the court have a special officer trained in dealing with the press?					
13. Are any relevant documents of consensus which are the result of consultations between court judges and other legal professionals setting out rules of conduct or organisational arrangements agreed by all published?					
14. Are there open days organised for citizens to visit the courts?					

<i>The main pillars of the functioning of justice</i>	S	R	C	J	n.a
III.7. Evaluation					
1. Is there an assessment/evaluation system for measuring a (potential) loss of public trust in the judiciary?					
2. Is a potential risk of loss of public trust in the judiciary taken into account in the court policies (relationship with the media, communication management by the judges/prosecutors, etc.)?					
3. Have the relevant users been identified (users include litigants, lawyers, public prosecutors, probation and after-care service, interpreters, the Child Protection Board, experts, etc).					
4. Is the court users' satisfaction periodically evaluated?					
5. Are the evaluation results of the users' satisfaction surveys made public?					
6. Is progress on this subject monitored on the basis of the results of such assessments (the topics on which the user could be questioned could be for example : treatment by the judge and the latter's behaviour, the court's infrastructure and services, delay before the trial, impression of legal certainty and readability of the decision)? Are these made use of to improve on the functioning of the courts?					

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