



By John Stuart Blackton

Reducing the wait for justice in Egypt

A USAID-funded project is reducing the time ordinary Egyptians must wait for justice. Egyptian law has been characterized by a relatively modern civil code, an authoritarian constitution, and an independent but weakened judiciary.

By the mid-1980s, this patchwork judicial system was showing strain. Cases moved slowly, and legal delays became lawyers' tactic of choice. The courts were viewed as dilatory by the public and as obstructionist by the executive branch.

A national Egyptian judicial conference, called in 1986 to address these increasingly serious challenges, concluded that automating and modernizing the

management of courts was an urgent need, and the Egyptian government approached the U.S. government for assistance.

Egypt had seldom used external experts in the court system, and it took a decade of delicate negotiations for the two governments to reach accord on a program of joint cooperation in judicial reform. USAID awarded the resulting Administration of Justice Support project to a consortium led by AMIDEAST, with technical support by the U.S. National Center for State Courts.

The project focused on both automated and manual approaches to reduce delays, designing an automated Arabic language case management system and Arabic

language "front counter" system for case initiation. Arabic legal research tools, such as searchable databases of legislation and high court opinions, were distributed and civil court judges trained to use laptops for judicial work. Major improvements have been realized, cutting case processing time from initiation to disposition by 40 percent in the pilot North Cairo Courts serving some 10 million Egyptians. Civil and criminal proceedings have been separated, case processing streamlined, case files and archives modernized, case initiation computerized and selection of judges automated and randomized.

These improvements are already benefiting ordinary

Egyptians, whose cases involving land disputes, inheritance and urban tenant-landlord issues had often languished in the courts for years.

Egypt's minister of justice encouraged fellow justice ministers in Syria, Morocco, Lebanon and Yemen to replicate the program. The World Bank is financing a replication in Morocco and a scaled-down version in Yemen. USAID financed a similar project with the Palestinian Authority late last year and is launching a judicial reform project in Croatia modeled on the Egypt project. ■

—Blackton is chief of party, Administration of Justice Support project

By Steven Hendrix

Helping Guatemalans get their day in court

The need to modernize and reform the justice system was recognized in the 1996

Guatemalan Peace Accords, which set up the Commission to Strengthen Justice. The commission identified major problems to be addressed: rampant corruption, lack of trust in the justice system by the citizenry, lack of understanding between the indigenous population and court functionaries, an outmoded administrative system and an excessive accumulation of pending trials.

USAID assisted Guatemala in establishing the first Clerk of Courts office in a capital city in Latin America. Supreme Court Magistrate Napoleon Gutierrez Vargas said this

increased access to justice for residents of the capital, including women, indigenous peoples and the poor.

"Providing technical assistance for the Guatemalan-led design and implementation of a modern, efficient system of organization, case management and justice administration resulted in reduced corruption, increased transparency and an inventory of case loads for the first time," Gutierrez said.

He explained that "Previously, corrupt officials were paid to 'lose' case files. From Oct. 1, 1997, to Sept. 30, 1998, the court system 'lost' 1,061 cases in seven of the 11 Guatemala City trial courts alone. The disappearance of these files

violated the rights of both the accused and the victims of crime in the city and contributed to lack of respect for the justice system. Many of the 1,061 accused individuals remained in jail without a trial because the files were lost, while others who remained free could not be brought to justice."

After the new Clerk of Courts office opened, from Oct. 1, 1998, to Sept. 31, 1999, only one case was "lost." The clerk of court located it, and it is now being prosecuted.

The new computerized system automatically assigns cases, preventing lawyers from shopping for friendly judges. This reduces congestion caused by overloading

some judges, and results in cases being heard in court, Gutierrez notes. The new system also automatically keeps track of procedural time limits and provides statistics and reports on court actions, improving planning and assignment of resources.

The Guatemalan Supreme Court is considering expanding the Clerk of Court model nationwide to cover all criminal, civil, family and labor courts, providing a huge multiplier effect for USAID's initial \$25,000 investment. ■

—Hendrix is justice program coordinator in the USAID mission to Guatemala.