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Legal Empowerment Project (JILEP)*

# **Attitudes to the Judiciary in Georgia: Assessment of General Public, Legal Professionals and Business Leaders**

May, 2014



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## Table of Contents

1. Introduction .....	2
2. General Public: Trust, Independence, Fairness, and Knowledge of the Courts.....	4
Trust .....	4
Independence .....	7
Fairness .....	10
Knowledge and Perceptions of the Judiciary and the Legal Profession .....	13
3. Legal Professionals on the High School of Justice (HSOJ), Judges Association of Georgia (JAG), Georgian Bar Association (GBA), Legal Service Providers and Legal Education .....	18
Depth of Knowledge and Accessibility of Information: .....	18
Evaluation of Performance: HSOJ, JAG, GBA, Legal Service Providers, and Legal Education .....	20
4. Business Leaders on the Courts, Alternative Dispute Resolution (ADR) and Commercial Law .....	28
5. Conclusion.....	33
Annex 1 – Tables .....	35
Annex 2 – Methodology.....	72
Annex 3 – About CRRC-Georgia .....	73

## 1. Introduction

In 2011 and 2012, as part of the Judicial Independence and Legal Empowerment Project, the Caucasus Research and Resource Centers conducted research on the attitudes of the general public, legal professionals and business leaders to the judicial system in Georgia. Since that time, there have been major political upheavals in the country. A new government came to power in October 2012, vowing to reform what was largely seen as a politically dependent judiciary. Revelations of torture in the prison system, elite level corruption and widespread illegal police surveillance have come to light since the original reports were compiled.

Data from 2011 showed the Georgian public maintained distrust towards their judiciary. This follow up study aims to compare the findings of the reports in 2011 and 2012 with research conducted in 2014. Just as in 2011 and 2012, as well as assessing the attitudes of the general public, including those who have been to court, the report will analyze the opinions of legal professionals to legal institutions and representatives of business to the resolution of business disputes.

In terms of the Georgian public, the findings in the report are based on nationwide, representative surveys conducted in 2011 and 2014. These surveys focused on the issue of judicial independence. The report is also based upon focus groups with the general public, court users and representatives of the legal profession. These focus groups were carried out in Tbilisi, Kutaisi and Batumi. Further to this, in depth interviews were carried out with legal professionals and business leaders. Respondents were asked a number of questions on a range of topics and about a number of legal and governmental institutions. These were analyzed and included in the report. As well as the in depth interviews, legal professionals and business people also completed a specially constructed survey. In all these cases, the survey, focus group and interview questions were the same as the ones given in 2012, enabling comparison over time.

For legal professionals, specific institutions including the High School of Justice (HSOJ), the Judges Association of Georgia (JAG), the Legal Aid Service (LAS), legal education institutions

(LE), the Georgian Bar Association (GBA), and Alternative Dispute Resolution (ADR) mechanisms arbitration and mediation were asked about. For each legal institution the questions were structured along four categories: depth of knowledge of the institution; information sources on the institution; evaluation of the performance of the institution; and the importance of reform of the institution towards the goal of creating a fair, independent judicial system.

The interview and survey questions were different for business people. They were asked about issues with commercial disputes and the demand for ADR as well as their satisfaction with the standard of legal expertise and education for their needs.

This report aims at aiding understanding of how, if at all, perceptions of people both in the general public and those close to judicial institutions have changed during the three-year period 2011-2014. By compiling and reporting this data this report aims to supplement and expand upon the work already conducted for the Judicial Independence and Legal Empowerment Project (JILEP).

## 2. General Public: Trust, Independence, Fairness, and Knowledge of the Courts

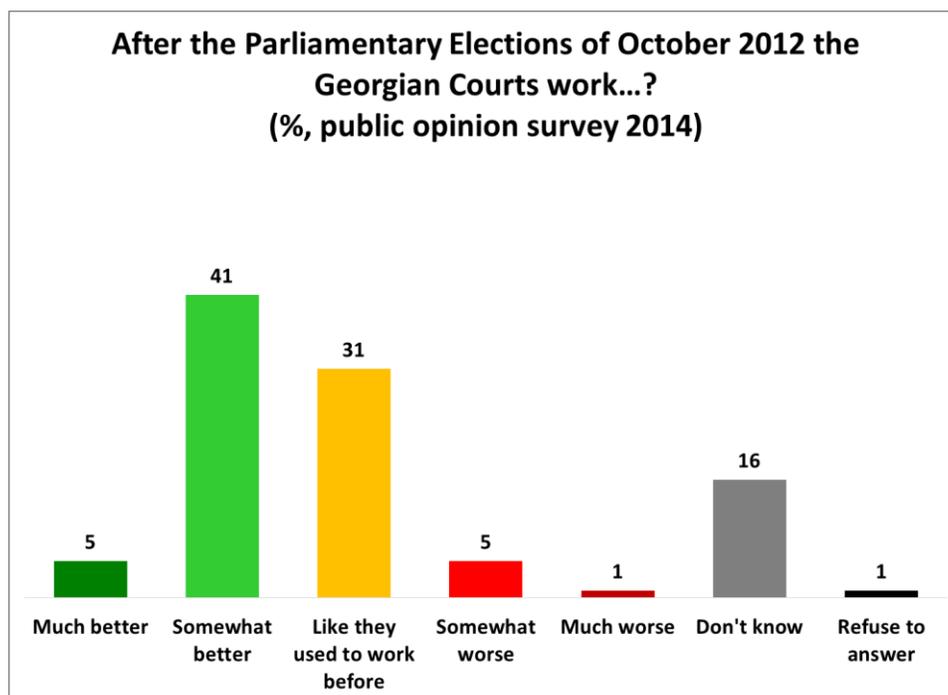
This section will report the findings from public opinion surveys, interviews and focus groups results from 2014 primarily with the general public. Where appropriate this section also draws specifically on focus groups with court users as well as legal professionals and business leaders. The section is divided into four parts: trust in the judicial system, perceptions of judicial independence, perceptions of fairness, and levels of knowledge of the system.

### Trust

*Compared to other public institutions, Georgians still have relatively low levels of trust in the courts, judges or prosecutors. General improvements are perceived in the judiciary after 2011 and they are partly associated with the change of the government in October 2012. However, some beliefs about the judiciary, such as the number of innocent people convicted, remain the same*

Georgians have become more critical in their assessment of the workings of the court system between the Rose Revolution of 2003 and the change of government in 2012. In this period, a lot of reform was enacted under the United National Movement and the super-presidential system headed by Mikheil Saakashvili. Whereas in 2011, 64% of respondents had said that the court system worked ‘much better’ or ‘somewhat better’ due to the reforms of that period [Table 1], by 2014 only 10% assessed the court system as working ‘well’ or ‘very well’ in that period [Table 2]. There was some positivity about the courts since the new Georgian Dream government came into power in October 2012 with only 6% of respondents believing the system had got ‘worse’ or ‘much worse’ and 46% seeing some improvement [Table 3, Chart 1]. When asked in focus groups, general public and court users reported more trust in courts and associated it with the change of the government in October 2012. Legal professionals spoke of the increased acquittal rate inducing more trust to courts.

**Chart 1**



Despite these perceived improvements, the survey and focus group data suggest that trust in courts, judges and prosecutors still remains very low. Indeed, compared to all but NGOs, these three elements of the judicial institutions system score lowest on overall levels of trust behind a plethora of other political and social institutions. For example, whereas only 35% of respondents partially or fully trust prosecutors, this figure stands at 76% for teachers and 78% for the patrol police [Table 4]. These 2014 results mirror those of 2011.

However, there have been small some gains in trust since 2011. In 2014, 37% of respondents said that they either ‘fully trust’ or ‘partially trust’ the courts, up from 32% in 2011. This figure had increased four percentage points for judges up to 36% in 2014 from 32% in 2011 [Table 4].

It should be noted, just as in 2011, that respondents in Kutaisi generally had more confidence in the criminal justice system and more trust in the courts and judges than in Batumi or Tbilisi. For example, 42% of Kutaisi residents said they trust or completely trust the courts compared to 33% in Batumi and 23% in

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*‘Trust has increased. In most cases, the judge can be objective,’ said one lawyer from Kutaisi.*

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Tbilisi [Table 5]. Those members of the general public with experience of the court system (court users) were most unconvinced in their feedback in focus groups as to whether the courts had become more trustworthy. Most thought that nothing had changed. Some complained that there had been no turnover of staff in the system.

Focus groups with legal professionals were more positive. Many participants felt there had been improvements. Some linked this to the relaxation of the mandatory custodial sentencing policy, giving judges more discretion, and increases in not guilty verdicts. ‘Trust has increased. In most cases, the judge can be objective,’ said one lawyer from Kutaisi. Participants in Tbilisi were much more skeptical on this point however. In general, legal professionals believed that courts in civic and administrative cases were more trustworthy than in criminal ones.

Among the general public, in questions concerning competency, fairness and serving the interests of the people judges did not improve significantly on scores from 2011. Very similar results obtained for both 2011 and 2014 as to how frequently mistakes were made by judges allowing guilty people to walk free or condemning innocents to state punishment. Just as in 2011, around a quarter of respondents reported that they believe innocents are punished often or very often in Georgia [Table 6, Table 7].

Focus groups with the general public shed further light on this continuing skepticism towards judges, as well as the court system, prosecutors and criminal investigators. This skepticism was most pronounced in Tbilisi. In Batumi and Kutaisi, some focus group members reported slight increased

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*Legal professionals were highly critical of the lack of training and professionalism among both prosecutors and investigators: ‘it is zero,’ commented one Tbilisi lawyer.*

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trust in the courts. A 43 year old female Tbilisi resident summarized the ambivalence that many felt: ‘obviously [the courts have] changed after the election, but still I cannot trust them fully. The situation still has to be improved.’

Similar opinions were aired concerning judges and prosecutors: ‘It [the Prosecutor’s Office] might have changed just slightly for the better but I cannot say that there is a big difference; it is almost the same as it used to be’ one man from Tbilisi said. Court users were particularly

dubious about positive changes among investigators and prosecutors. Among legal professionals there was concern over recruitment practices and the human capital and low salaries in the Prosecutor's Office, the high turnover of Chief Prosecutors. Legal professionals were highly critical of the lack of training and professionalism among both prosecutors and investigators: 'it is zero,' commented one Tbilisi lawyer.

In terms of the perception of the transparency of the court system, survey data showed that there have been significant improvements since the October 2012 elections. Whereas only 13% of respondents in the 2014 survey agreed or fully agreed that the courts had been transparent before 2012, 34% agreed or fully agreed that the courts have been transparent since October 2012

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*Court users saw the failure to prosecute more people from the previous regime as evidence of lingering influence, while legal professionals suggested that this was merely indicative of the lack of quality and experience among investigators and prosecutors.*

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[Table 8, Table 9]. In focus groups, legal professionals also expressed the view that access to courts and court information was adequate.

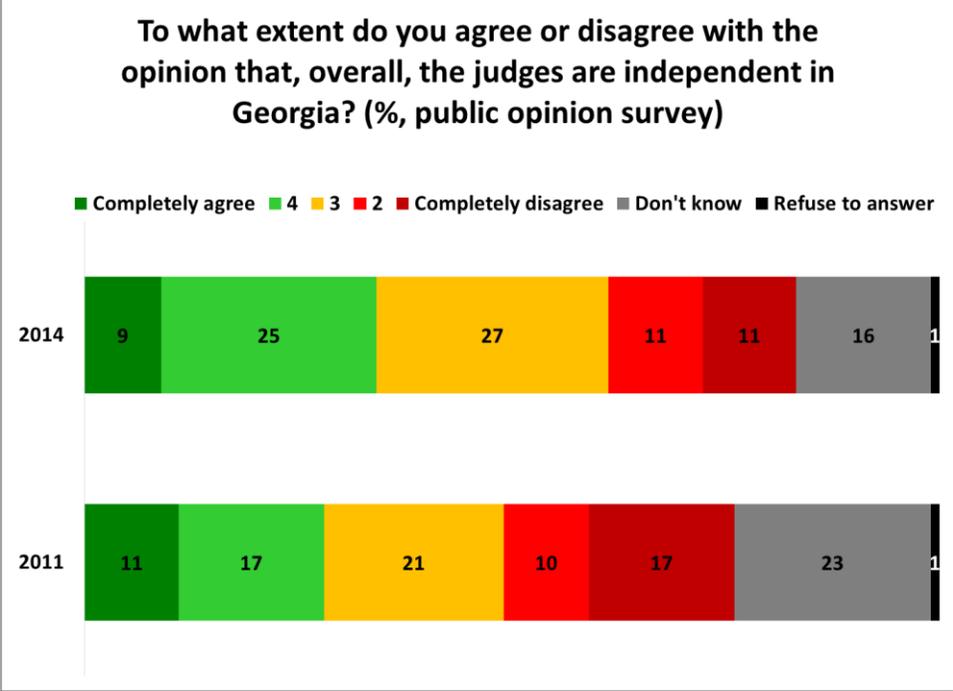
## Independence

***Georgians feel the government and prosecutors still influence judges; there have been slight improvements in perceived independence and impartiality despite this.***

The crucial question of judicial independence showed some positive changes in 2014, though again these were slight. In 2011, 28% of respondents agreed or fully agreed with the idea that judges were independent in Georgia; this had increased to 34% in 2014 [Table 10, Chart 2]. Only 3% 'completely agreed' that judges take bribes, down from 7% in 2011 [Table 11]. There was no significant difference in these results between those who had been to court and those who had not. The survey data showed that while respondents generally thought that judges were dependent above all else on the government, there was a decrease in those agreeing or

completely agreeing that judges served the government’s interests. In 2011, this figure stood at 39%, while in 2014 it had decreased to 32% [Table 12].

**Chart 2**



However, focus groups demonstrated continuing cynicism over judicial independence. For example, in one Kutaisi focus group only two participants out of ten took the position that judges were independent. A couple of respondents in both Tbilisi and Kutaisi described judges as ‘puppets’. ‘Judges have never been independent and never will be’ one Kutaisi man opined. Focus group participants often cited what one called ‘political structures’ as influencing judges. This included government ‘officials’; many still referred to the president as influential despite the fact that the president in Georgia now has a largely symbolic role; others simply noted the influence of the ‘first person in Georgia’. Court users were even more sceptical, in Tbilisi some focus group participants claimed that the previous United National Movement government still held sway over the system. In particular, court users saw the failure to prosecute more people from the previous regime as evidence of lingering influence, while legal professionals suggested that this was merely indicative of the lack of quality and experience among investigators and prosecutors.

Participants regularly referred to the Prosecutor’s Office as having influence over judges, similar to opinions expressed in 2011. This was particularly true among those who had been to court. ‘The judge makes decisions based on whatever the prosecutor says,’ one court user in Batumi said. It therefore appears difficult to change the perception, prevalent under the last government, that prosecutors hold the real power, at least in court. While only 6% of the general public thought that the Prosecutor’s Office was the institution that judges were most dependent on, this still made the Prosecutor’s Office the third most influential institution after the government and the Supreme Court [Table 13]. Moreover, this figure increased to 11% for those who had actually been to court [Table 14]. The perception remains then that justice in Georgia is part of one system, with instructions coming down from government via prosecutors to judges. While legal professionals do not necessarily see the system quite so negatively, even they highlight the fact that prosecutors are still in a position of disproportionate power to influence cases relative to defence lawyers.

Focus group participants from the general public clearly felt that the level of independence of judges depended on the type of case. It was possible for judges to be independent, so long as there were no political interests involved. For example, one young

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*‘Until a judge can be punished for an unfair decision, nothing will change,’ argued one court user from Tbilisi.*

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man from Kutaisi said: ‘judges are completely independent in hooliganism and petty crime cases.’ While a young Batumi resident argued that: ‘if the court case deals with civil law... the verdict is fair and objective and no one puts pressure on judges.’ Even the most highly critical respondents, court users, conceded that in civil cases the courts were more independent than in criminal cases. Most participants believed that leverage was exerted on judges through the threat of losing comfortable jobs. A number believed that judges could be dismissed for not obeying government orders.

A range of opinions were expressed on how to increase the independence of judges. Those who had been to court argued for creating greater accountability mechanisms and a wider range of sanctions to punish partisan judges up to and including criminal sanctions. ‘Until a judge can be

punished for an unfair decision, nothing will change,' argued one court user from Tbilisi. Others, and particularly legal professionals, emphasized the need for better training, education and selection processes of judges. There were calls for changes and greater openness to investigation procedures to enable lawyers to better assess how evidence was collected, as well as ensuring complete separation between the government and the High Council of Justice. Some legal professionals saw the problem of judicial independence the professional attitudes and values existing among judges that could not be changed easily.

## Fairness

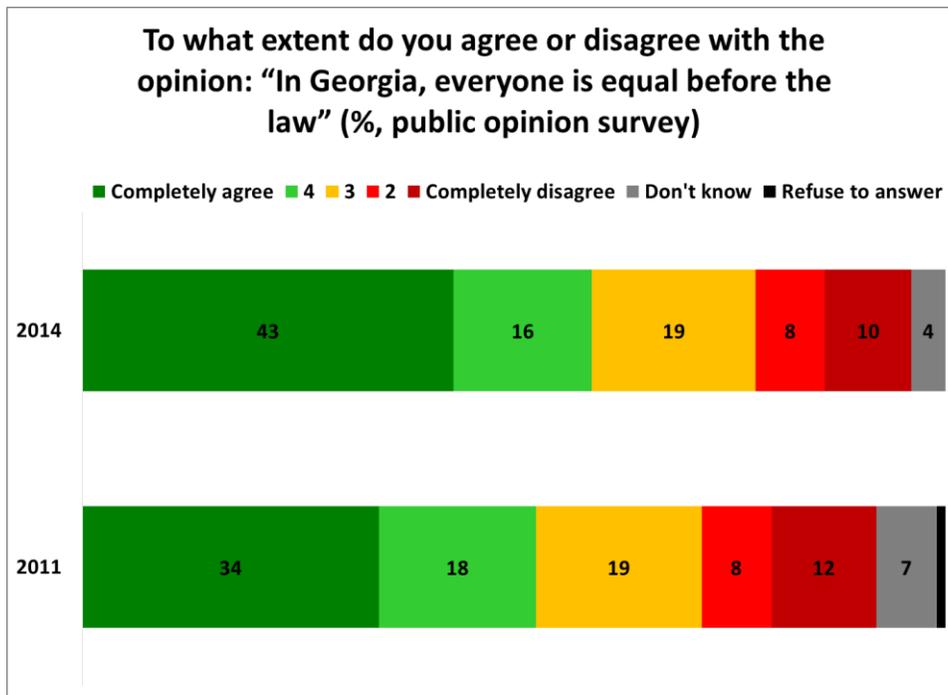
*Perceived impartiality of judges has increased but the perception persists that the system still discriminates against the poor; other minorities are seen as relatively protected. Plea bargaining is viewed slightly more positively now than in 2011; Georgians continue to believe juries will positively impact trust in the judiciary.*

There has been an increase in the perceived impartiality of judges in applying the law. In 2011, 52% of respondents agreed or completely agreed that people were equal before the law in Georgia. This figure had increased to 59% in 2014 [Table 15, Chart 3]. Roughly the same proportion (37%) said they agreed or completely agreed that judges were fair in 2014 as in 2011 (35%) [Table 16].

There was a relatively high degree of confidence that ethnic, religious and sexual minorities are given fair hearings in the courts: 65% thought that a Georgian and non-Georgian would have an equal chance of being found guilty, but, just as in 2011, 11% thought Georgian nationals were more likely to be found guilty [Table 17]. On that note, focus groups also revealed increasingly strong feelings that courts were biased in favour of foreigners or non-Georgians as a result of foreign influence. One court user felt that he had lost a court case simply due to the fact that the other side was a foreigner. Another Tbilisi resident and court user said: 'those minorities are more protected [than Georgians] because the finances and grants from abroad deal exactly

with minority issues.’ Legal professionals expressed confidence that minorities receive protection in Georgia due to concrete changes in the law in line with European norms.

**Chart 3**



A couple of legal professional focus group participants noted that sexual minorities are not protected fully. As one Tbilisi lawyer put it: ‘if we remember May 17<sup>th</sup> [2013, when sexual minorities were physically attacked in Tbilisi], the courts could have been more severe [towards the perpetrators of the violence].’ Survey data showed that, in terms of sexuality, 16% thought that those from a sexual minority, all else being equal, were more likely to be found guilty in court, while 64% believed that they would be judged equally before the law [Table 18]. Legal professionals in a couple of focus groups further mentioned issues of fairness for Internally Displaced People who may not have the right documentation and disabled people who struggle to access courts.

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*In Kutaisi for example, focus group participants felt plea bargaining had weakened justice in favour of a ‘trade’. According to one criminal lawyer with 17 years of experience, plea bargaining had ‘become a monster...’*

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There was less confidence that a rich and poor person would be judged the same way. According to 43% of respondents a poor person is much more likely to be found guilty all else being equal; only 49% believe both rich and poor have an equal chance of being found guilty [Table 19]. These results are roughly similar to those from 2011 suggesting that perceived unfairness based on socio-economic inequality remains an issue.

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*Even those who had been to court and were most skeptical were positive about juries: 'I think that the jury trial system will be one big step forward to independence of the court,' said one court user from Batumi.*

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There were some gains in the perceived fairness and purpose of plea-bargaining. This controversial practice, introduced in 2004, is now seen more positively. While 67% completely agreed or agreed that the practice was simply a method of transferring funds from private citizens to the government before 2012 [Table 20], only 54% think this of the practice as it has been used since the change of government [Table 21]. While there was little change in opinion as to whether plea bargaining increases fairness in the system (around 40% in both 2011 and 2014 completely agree or agree that it does), there was an increase in those who believe that plea bargaining is in the interests of the defendant and his or her family (24% thought this in 2014 against 18% in 2011) [Table 22, Table 23]. Legal professionals however were still highly critical of the practice. In Kutaisi for example, focus group participants felt plea bargaining had weakened justice in favour of a 'trade'. According to one criminal lawyer with 17 years of experience, plea bargaining had 'become a monster... these agreements have finally destroyed not only our [lawyers'] activities but also it has substantially lowered the quality of work of the prosecutors.'

As for the newly introduced, but still relatively rarely used, jury trials, there was little change compared to 2011. The majority of Georgians (65% in 2011 and 66% in 2014) believe that juries will increase both fairness and trust in the judiciary [Table 24, Table 25]. Even those who had been to court and were most skeptical were positive about juries: 'I think that the jury trial system will be one big step forward to independence of the court,' said one court user from

Batumi. This suggests that there has been no disillusionment with the system since the introduction of jury trials and that it might help to shift attitudes.

## Knowledge and Perceptions of the Judiciary and the Legal Profession

*Being a judge or a lawyer is still seen as relatively prestigious. There is increasing interest in the court system. Fewer respondents gave 'don't know' answers on all questions of the survey in 2014 suggesting increasing expressiveness on the judiciary. However, Georgians still lack significant knowledge about the judiciary and judicial reform; there is a growing awareness of free legal aid services.*

Georgians still see being a judge as a job with a high salary, benefits and good prospects. Of the general public, 22% said that they would choose being a judge as a future profession for their child given the choice of judge, lawyer or prosecutor. Many more (37%) would prefer their child to be a defense lawyer; lawyers are seen as being able to do some good [Table 26]. These survey results were very similar to those in 2011. However, despite the comfort and salary, focus group respondents were split as to whether being a judge was a position of prestige and respect. Court users were scathing: 'It is not prestigious,' said one 'but it is comfy.' Another Tbilisi court user merely commented that judges 'open the doors of hell.' Still, those from the general public who knew judges often had positive words to say about them personally.

In 2014, 58% of the general public said that they think of courts when they think of the judiciary in Georgia up from 44% in 2011 [Table 27]. Fewer people associate the patrol police with the judiciary down to 13% from 21%. This suggests that the locus of the justice system in terms of public perception is moving more and more towards what is happening in the courts. Moreover, across all questions on the survey, percentages of those responding 'don't know' had declined in 2014, in many cases significantly,

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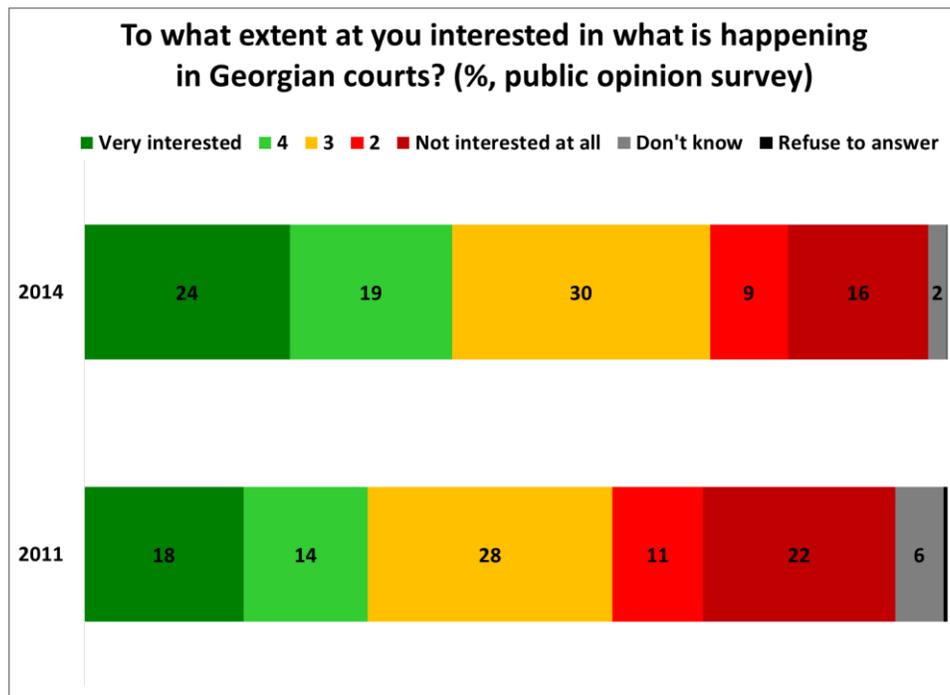
*Another Tbilisi court user merely commented that judges 'open the doors of hell.'*

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suggesting greater expressiveness on the issues covered. For example, while in 2011, 18% responded 'don't know' to a statement about whether they thought judges in Georgia were fair, this had declined to 11% in 2014 [Table 16]. This trend was observed for the majority of questions. It is not entirely clear why this trend was so clear across all questions, possibly Georgians feel more able to give opinions on the questions asked in the current political climate than they did in 2011.

On top of this, the survey results suggest that more people are taking an interest in what happens in Georgian courts now than three years ago. In 2014, fully 43% of respondents reported being 'interested' or 'very interested' in what was happening in the courts compared to just 32% in 2011 [Table 28, Chart 4]. There were also significant gains in professed knowledge of both plea bargaining and jury trials. For example, whereas 59% had heard of plea bargaining in 2011, this had increased to 66% in 2014 [Table 29]. Yet, relatively, the issue of judicial independence is simply not seen as anywhere near as important to Georgians as those of unemployment, poverty, or territorial integrity. Unsurprisingly, given the enormity of these other issues, this finding remained consistent from 2011 to 2014 [Table 30].

**Chart 4**



Despite this increased interest and expressiveness, Georgians remain relatively under informed about the judiciary. While there was a decline from 2011 in the proportion of respondents incorrectly answering that the President is the head of the High Council of Justice or that he or she can dismiss the Supreme Court [Table 31], there was an increase in the number of respondents incorrectly stating that the Supreme Court could not overrule other courts' verdicts (this increased from 20% in 2011 to 29% in 2014) [Table 32]. Moreover, some 40% of respondents believe that the Prime Minister can dismiss the Supreme Court and a further 37% answered 'don't know' to this question [Table 33].

Moreover, focus groups revealed large gaps in knowledge concerning the workings of the judicial system. Often participants were unable to explain the process of the appointment and dismissal of judges or how they are held to account even though they might know judges personally. One focus group in Batumi was representative in having only two participants who were able to identify certain institutions – in particular the Supreme Court and the Georgian Bar Association - connected to the judicial system though they could not name others such as the Judges Association of Georgia for example. The exception to this, perhaps unsurprisingly, was

among court users. Focus group data suggest that they tend to be quite knowledgeable concerning judicial institutions and the people who populate criminal justice institutions, including concrete judges and prosecutors.

In terms of knowledge of reform processes, participants often stated that while they knew there were some ongoing reforms in general they did not know the details. One focus group in Kutaisi was indicative of this, with only one participant mentioning the reforms: ‘I have heard about the reform but I do not know anything specifically.’ There seemed to be some consensus across focus groups that there was plenty of information on TV and in the media but that people did not necessarily have much interest in the courts. Instead, some participants noted, efforts should be made to ensure that information about courts was easily available online for those who might want to access it. Participants also expressed an interest in seeing more transparent courts including live broadcasts of court proceedings: ‘I would like to see a live broadcast of the trial and see for myself what the evidence is,’ said one woman from Batumi. The internet and TV were often cited by focus groups as the main sources of information regarding the courts. This mirrored the findings of the survey: fully 74% of respondents named TV as their main source of information on the courts in 2014, increasing from 66% in 2011 [Table 34].

One area where Georgians report increased knowledge is that of free legal aid services. While for state-provided legal aid this increase in awareness is only modest (57% in 2014 up from 53% in 2011), there was a significant increase in knowledge of free legal aid provided by NGOs from

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*Some 40% of respondents believe that the Prime Minister can dismiss the Supreme Court and a further 37% answered ‘don’t know’ to this question.*

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30% in 2011 to 43% in 2014 [Table 35, Table 36]. NGO-provided legal aid is seen as more helpful to respondents: 43% claimed it either helped ‘a lot’ or ‘somewhat’ for people like them against 33% claiming this for state-funded aid – these figures had not changed significantly from 2011 [Table 37, Table 38]. Focus groups showed that participants generally had heard of these services. For example, the majority of participants in two different focus groups in Kutaisi were

able to talk about these services and even name specific non-governmental providers – in particular the Georgian Young Lawyers' Association (GYLA) was often named across focus groups. However, in some cases there was incomprehension over how the service actually worked, and who it was primarily aimed at.

### 3. Legal Professionals on the High School of Justice (HSOJ), Judges Association of Georgia (JAG), Georgian Bar Association (GBA), Legal Service Providers and Legal Education

This section will report the findings from interviews and survey results from 2014 with legal professionals regarding a range of legal institutions: the High School of Justice (HSOJ), the Judges' Association of Georgia (JAG) and the judges' union 'Unity', the Georgian Bar Association (GBA) and legal service and legal education providers. Responses have been separated into two broad categories: depth of knowledge of these institutions and evaluation of their performance. Where relevant opinions of business leaders are also included.

#### Depth of Knowledge and Accessibility of Information:

*Legal professionals are most familiar with the GBA and Legal Education; there is less familiarity with the HSOJ and even less with the JAG - both of which are viewed as having poor visibility*

In terms of knowledge of certain institutions, surveys and interviews of legal professionals resulted in rather similar results as they had done in 2012. Legal professionals are most familiar with institutions engaged in legal education and with the Georgian Bar Association (GBA). For example, 71% of respondents reported being familiar or very familiar with the GBA in 2014; in 2012 this figure stood at 77% [Table 39].<sup>1</sup>

Legal professionals are less familiar with the High School of Justice (HSOJ) and the Judges' Association of Georgia (JAG) and the 'Unity' Judges' Association than other legal institutions. There was little change from 2012 concerning the HSOJ - it is 'familiar' or 'completely familiar'

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<sup>1</sup> It should be noted though that compared to the nationwide surveys of the general public the much smaller survey size among legal professionals and business leaders means that such small differences over time are less significant.

to around a third of respondents. Interviews showed in depth knowledge of the institution and its personnel among some legal professionals.

In terms of the JAG, whereas 61% of respondents had expressed being 'not familiar' or 'not at all familiar' with the JAG this had reduced to 29% in 2014; 22% were completely familiar or familiar up from 16% in 2011. All this suggests a growing awareness of the institution [Table 40].

However, the data showed that familiarity was still low relative to other institutions and that visibility and access to information was not judged positively. In particular the number of respondents choosing 'don't know' stood out concerning questions about the JAG. Such responses might be seen as indicative of low

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*Where only 30% of respondents in 2012 had claimed that the HSOJ was not visible or not at all visible in new media (the internet), this had increased to 61% in 2014, suggesting that more could be done to bring the HSOJ to attention through these media.*

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accessibility to information, low visibility and resultant low knowledge. For example, 24% responded with 'don't know' when asked about the visibility of the JAG in new media up from 8% in 2012 and this trend persisted across questions [Table 41]. This was reflected in interviews, half of respondents completing in depth interviews did not know anything about the operations of JAG. 'I did not even know such a union of judges existed' said one practicing lawyer.

Survey and interview data suggested that views on the GBA's visibility have remained consistent between 2012 and 2014 - it has more of a media presence than other legal institutions, and this is especially true in terms of new media. 'It is very rare to see the GBA on TV...but they have their own website where all information is accessible,' said a lawyer with some 19 years work experience. In contrast, where only 30% of respondents in 2012 had claimed that the HSOJ was not visible or not at all visible in new media (the internet), this had increased to 61% in 2014, suggesting that more could be done to bring the HSOJ to attention through these media [Table 42]. As one interviewee said, 'sometimes I get information from [the HSOJ] upon requesting it, sometimes I do not; they are not transparent.' However,

perceptions of the GBA's visibility in traditional media had significantly improved. In 2012, 51% had felt that the GBA was 'not visible' or 'not at all visible' in traditional media; in 2014, this number had dropped to 24% [Table 56].

## Evaluation of Performance: HSOJ, JAG, GBA, Legal Service Providers, and Legal Education

*HSOJ performs its function relatively well; it is now perceived as less politically dependent than before. Levels of ignorance as to its performance remain high.*

As in 2012, legal professionals were positive about the operations of the HSOJ for the most part. However, clearly many respondents lacked information about the inner workings of the institution. Once again, the surveys revealed a large percentage of respondents answering 'don't know' to particular questions about the HSOJ's performance [Tables 43, 44, 45]. Concerning the quality of trainers a full 39% responded 'don't know' if they were among the best in their profession or if they had been carefully selected, up from 31% in 2012 [Table 43]. On the question of the positive impacts of the continuous education offered by the HSOJ to judges, 46% answered 'don't know' [Table 45].

In interviews, opinions were mainly positive; the standard of education and qualifications received plaudits from respondents. 'The level of qualification of judges in Georgia is very good and

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*In contrast to 2012, in 2014 there was no mention of the HSOJ being beholden to the government.*

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this tells us that the High School of Justice does good work,' said one respondent, a lawyer and member of the GBA. While there were some negative comments about the work of the HSOJ, most of these complaints concerned the inner workings of the school. For example, some interviewees felt courses should be longer or better trainers could be recruited. In contrast to 2012, in 2014 there was no mention of the HSOJ being beholden to the government. This mirrors results from the survey. Whereas only 3% of respondents in 2012 'completely agreed' that the HSOJ was independent from the influence of the executive branch this number had

grown to 27% in 2014 [Table 46]. Despite these positive changes, consistent with the findings in 2012, improvements to the HSOJ is still seen as urgent in 2014: 34% feel this way [Table 47]. However, only 27% of respondents said that the HSOJ was in need of ‘great improvement’, a smaller proportion than for the JAG or the GBA [Table 48].

*JAG is still perceived to be inactive; there have been substantial improvements to perceived independence from the executive government; the establishment of ‘Unity’ is viewed positively*

Just as for the HSOJ, the JAG is seen as a crucial institution for the establishment of a fair and impartial judiciary among legal professionals. However, there have been only small shifts in a positive direction concerning the activeness of the JAG in promoting judicial independence. In 2012, 57% of respondents said that the JAG was ‘not at all active’ or ‘not active,’ but this had declined to 39% in 2014 [Table 49]. However, the percentage answering ‘don’t know’ to this question increased from 15% in 2012 to 27% in 2014. More convincingly, there appeared to be improvements to perceptions of JAG’s independence from the executive government. Fully 30% in 2014 ‘completely agreed’ that JAG was independent against only 8% in 2012 [Table 50, Table 51]. The same result obtained but was less pronounced concerning JAG independence from the High Council of Justice (HCOJ) – in 2014 14% completely agreed or agreed that the JAG was independent from the HCOJ up from 8% in 2012.

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*‘Both associations [JAG and Unity] work well and try to improve conditions for judges, but I think that the newer one is more effective,’ said one judge.*

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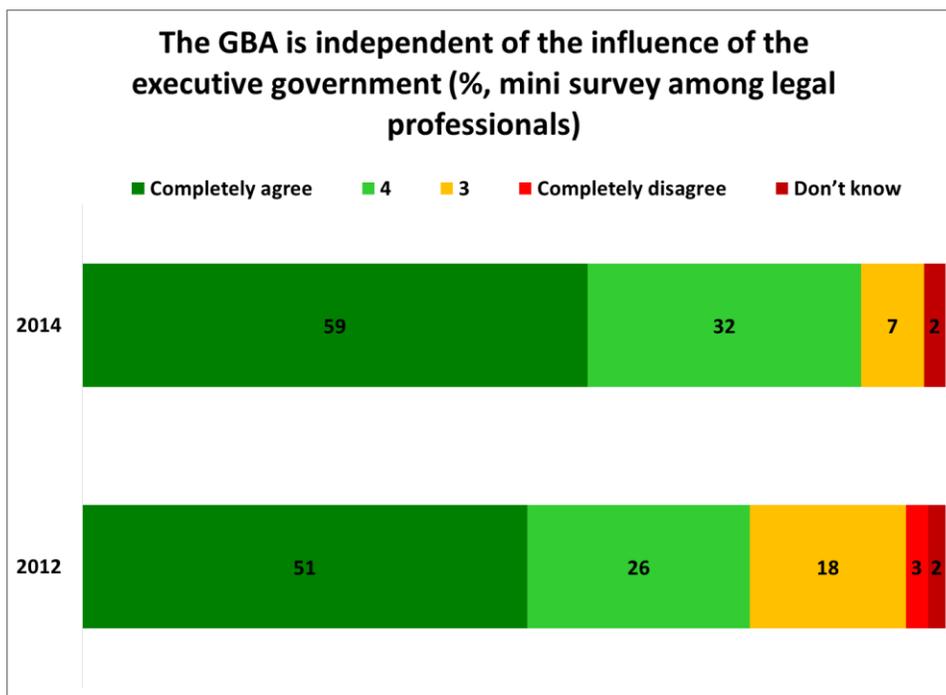
In interviews where respondents were able to talk about JAG, those that were a part of the organization suggested it did good work. There was a consensus that the new independent organization ‘Unity’ Judges’ Association had had a positive impact, set up as it was to reduce outside influences on judges. ‘Both associations [JAG and Unity] work well and try to improve conditions for judges, but I think that the newer one is more effective,’ said one judge. Similar

to the HSOJ, as opposed to complaints about government influence as had been the case in 2012 in 2014 the main complaints from respondents concerned the inner workings of the JAG or its general ineffectiveness and costliness. Around 50% of respondents in 2014, just as in 2012, said that the JAG needs ‘great improvement’ [Table 52].

*The GBA gets high marks for independence, leadership, training, and growing visibility. It is still seen as lacking influence on legal developments and allowing in too many members*

The GBA is seen as highly independent and this perception has only strengthened since 2012. In 2014, fully 91% of respondents agreed or completely agreed that the GBA is independent of the influence of the executive government. This figure stood at 77% in 2012 [Table 53, Chart 5]. Despite this, as in 2012, respondents still felt that the GBA lacked influence over legal developments in Georgia. For example, almost half of all respondents (46%) neither agreed nor disagreed with the statement that ‘the GBA currently influences legal developments in Georgia,’ up from 28% in 2012 [Table 54]. Only 20% agreed or completely agreed, down from 29% in 2012. The GBA got almost identical scores in 2014 as 2012 on the depth of reform needed – around a third said that the GBA ‘needs great improvement’ [Table 55].

**Chart 5**



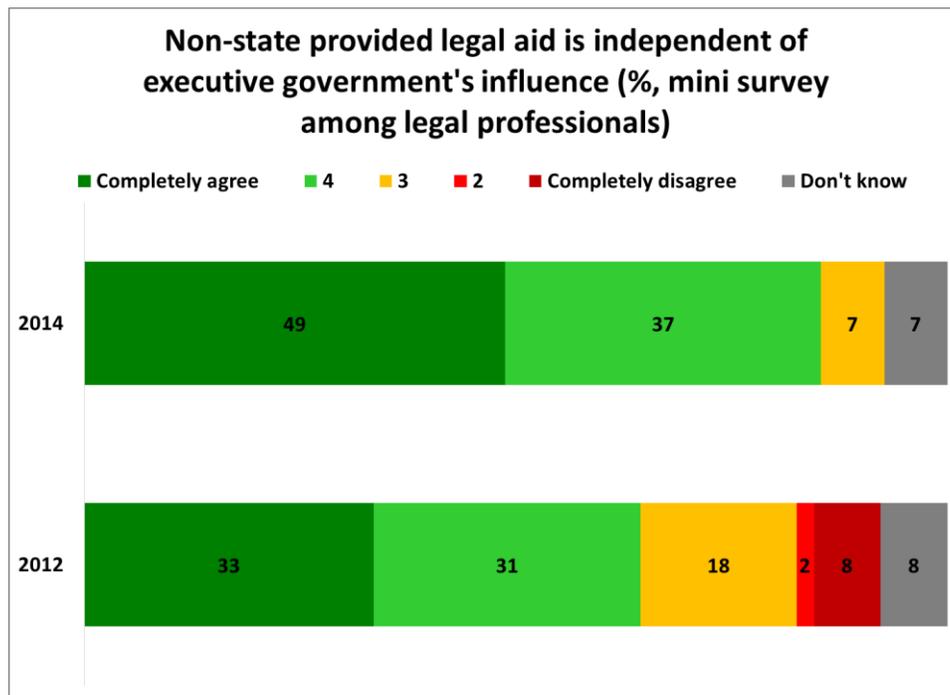
Despite this, interviews revealed a generally positive attitude to the GBA and some of its activities. Compared to the interviews in 2012, attitudes to the leader of the GBA, Zaza Khatiashvili, were more positive. There was still a concern that the GBA was at times too political, but more commonly respondents praised the head of the organization for independence and its protection of lawyers. ‘Khatiashvili is consistent and the face of the GBA’ one lawyer said. ‘The GBA is so independent as to make others jealous’ said another. There was praise for the GBA’s cooperation with other NGOs and the work of the Ethics Commission. Training, consultation, and continuing education, often with the help of outside programs such as JILEP, were consistently highlighted as positive work of the GBA to a greater degree than in 2012. Similar to 2012 however, negative comments concerned a lack of influence on law-making and law makers: ‘the GBA is very weak when it comes to making any changes in the legal sphere and advocating for those changes,’ said one lawyer of sixteen years of experience. A common concern was the ease with which people could obtain a lawyer’s license and join the

GBA, including former prosecutors and investigators. A number of interviewees suggested that entrance to the GBA should be more exclusive and restricted.

*There have been gains in perceptions of the independence of both state and non-state legal aid providers; while respondents remain positive about legal aid there are some questions over its quality still and a lack of knowledge of its exact workings*

Both state and non-state providers of legal aid services improved on scores concerning independence from the government since 2012. In 2014, 32% of respondents agreed or completely agreed that state provided legal aid was independent of the government up from 13% in 2012 [Table 57]. In 2012, state provided legal aid was under the auspices of the Ministry of Corrections and this had created a great deal of negativity from respondents at that time. Thus, there was still some skepticism among interviewees who felt that the legal aid service will still, as one said, ‘serve the interests of the state as it is the state that pays them.’ Non-state provided legal aid was also viewed as more independent in 2014 than in 2012. Fully 86% of respondents agreed or completely agreed that it was independent of the government in 2014, up from 64% in 2012 [Table 58, Chart 6].

**Chart 6**



These improvements in the perception of legal aid were not mirrored in assessments of the functioning of the services offered. As interviewees noted regarding state run services, the lawyers themselves might be ‘highly qualified’ and often doing ‘tremendous and very hard work’ however workloads were far too high for them to do a good job for their clients and incentives were not necessarily present either since they get such low salaries. Similar to 2012, only 31% agreed or completely agreed that the competence of lawyers providing state run legal aid was high [Table 59]. In 2014, 42% disagreed or completely disagreed that the standards of state legal aid were high. This was not significantly lower than 2012 where 49% of respondents had expressed this [Table 60].

Just as in 2012, interviewees were much more positive about non-state run legal aid services. When asked to name an organization, most interviewees named the Georgian Young Lawyers’ Association (GYLA), some also noted Transparency International. The qualifications of the lawyers and the monitoring of government activity were assessed positively. There was some skepticism as to how independent NGOs were from donor bodies and, as one respondent noted, ‘the lack of consolidation between [NGO] organizations.’ In general, legal professionals

would advise someone seeking legal advice to hire a private lawyer, however, NGOs were seen as a decent alternative for those who could not afford this. 'If a person has the finances, she or he should get a private lawyer; otherwise I would advise addressing GYLA, which does a great job,' said one professor of criminal law.

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*'A student after graduation is absolutely not able to work and starts everything from zero. There should be more practice involved in teaching,' said one lawyer of nineteen years standing.*

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***Studying law is prestigious with good prospects but legal education is still perceived as being rather low quality; just as in 2012 respondents highlighted a lack of practical experience among recent graduates***

Compared to reform of other legal institutions, reform and improvement of legal education is seen as the most necessary for creating a fair and impartial judiciary. This result obtained in both 2012 and 2014. Fully 80% of respondents feel that reform to legal education is necessary or very necessary for a fair judiciary, slightly down on 2012 (87%) [Table 61]. There was a decline in the number of respondents claiming that studying law is seen as a subject with good prospects – 93% agreed or completely agreed that it was in 2012 and this was down to 70% in 2014 [Table 62]. The legal profession is still seen as relatively prestigious – in the public opinion survey a greater percentage of people in 2014 (71%) said they would approve of their child becoming a lawyer than in 2012 (67%) [Table 63]. One positive was that only 46% of respondents said legal education needs 'great improvement' in 2014, down from 56% in 2012 [Table 64].

Just as in 2012, interviewees with both legal professionals and business leaders emphasized that there had been lots of positive changes in the recent past however the overall level of legal education in Georgia was perceived as being rather low. A common complaint was the lack of practical experience in legal education. This had led to new graduates not having the requisite skills to being practicing. This complaint had been common in 2012 also suggesting that there

has been little progress in this regard. 'A student after graduation is absolutely not able to work and starts everything from zero. There should be more practice involved in teaching,' said one lawyer of nineteen years standing. Business leaders too felt that theory should be taught with practice and that more expertise was needed in commercial law.

#### **4. Business Leaders on the Courts, Alternative Dispute Resolution (ADR) and Commercial Law**

This section will report the findings from interviews and survey results from 2014 with business leaders regarding the demand and provision of alternative dispute resolution, that is, arbitration and mediation, comparing these with the results from 2012. It will also present findings on the problem of judicial independence relative to other problems faced by Georgian business and the levels of expertise in commercial law. Legal professionals were also asked about some of these areas and where appropriate data from their responses will be included.

*Judicial independence is seen as one among many issues for doing business in Georgia; court efficiency and lack of commercial law expertise are seen as obstacles*

Interviews with 38 business people suggested a similar set of obstacles to business as in 2012. The world financial crisis was no longer made mention of, however, external events such as turbulence in Ukraine were cited as a continuing source of anxiety. Just as in 2012, respondents complained that despite the high unemployment rate, finding skilled workers, access to credit, and political instability all damaged their businesses. There was a virtually equal split in terms of perceptions of improvements after the change of government with roughly one third believing that government interference was less since 2012, a third that nothing had changed and a third arguing that interference was now worse, though most had not experienced unwanted state interference themselves.

Generally, positive responses were recorded concerning government influence in business in terms of the rule of law and regulation of business. Many commented that legislation had been improving in the country and such things as taxation legislation, import tariffs, and registration procedures were all conducive to conducting business. Some complained that the new government should be more active in improving legislation. Judicial independence was only mentioned once as a crucial area for improvement. Instead, respondents felt property rights

needed greater protection. Furthermore, ignorance of commercial law was seen as a problem as was the slowness of legal procedures in the courts.

The survey responses threw further light on these issues. There was a relatively even distribution of answers regarding the efficiency of civil courts. The same number, 31%, were 'not confident' or 'not confident at all' as were 'confident' or 'very confident' that court procedures were efficient, this was a very similar result as in 2012 [Table 65]. Business respondents were more confident in 2014 that civil courts dealt with commercial disputes in a fair and impartial way. Only 18% were not confident or not confident at all that a case would be decided fairly [Table 66]. In terms of impartiality, 24% lacked confidence in this against 44% who were confident or very confident in the impartiality of the court [Table 67]. Moreover, legal professionals had similar views to business people that commercial disputes were resolved impartially: 36% were confident or very confident of this [Table 68].

Interviews suggested relative satisfaction with court outcomes but skepticism remained as to court independence when the state is one of the disputing sides: 'I once did business with state representatives and...they did not pay. I did not sue them as it would make no difference,' said

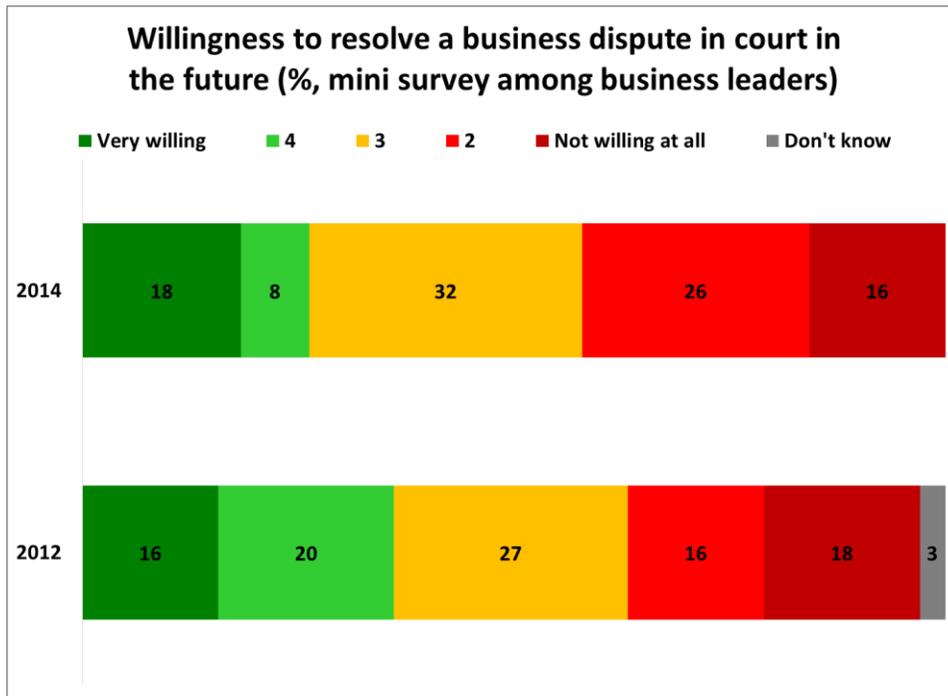
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*'Smaller companies like ours try to solve problems through private means and communication. Court cases take months and cost lots of money,' said one businessman with 24 years experience.*

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one businessman involved in construction. In general though, interviews revealed that the main reason for not using the courts was cost and efficiency. Most respondents said that going to court was a measure of last resort. 'Smaller companies like ours try to solve problems through private means and communication. Court cases take months and cost lots of money,' said one businessman with 24 years experience. Perhaps as a result only 26% of respondents said they were willing or very willing to take a future business dispute to court (down from 36% in 2012) [Table 69, Chart 7].

**Chart 7**



In terms of lawyers' expertise in commercial law, few business respondents said they were 'not satisfied at all' or 'unsatisfied' (19%, the same as in 2012), whereas 37% were 'satisfied' or 'very satisfied', though this was a decline from 2012 (46%) [Table 70]. Legal professionals were more confident about their knowledge of commercial law – 49% reported being familiar or completely familiar with commercial law [Table 71]. Similar to legal professionals, business leaders suggested that law students needed more practical training in university, more exchange programs to learn from international best practice, law clinics and internships. Business leaders would like to see greater commercial law expertise and this should be possible as fewer legal professionals reported that commercial law training was inaccessible or not accessible at all in 2014 (17%) compared to 2012 (33%). [Table 72].

*Familiarity with ADR is increasing but is still relatively low; there is growing demand for ADR; it is preferred in principle to courts but considerable misgivings remain*

Legal professionals are much more familiar than business leaders with forms of Alternative Dispute Resolution (ADR), arbitration and mediation. While 37% of legal professionals claimed to be ‘completely familiar’ with mediation for example, this was true of only 11% of business leaders [Table 73, Table 74]. This difference was also observed in 2012 though it was less pronounced - only 23% of legal professionals were ‘completely familiar’ then compared 14% of business leaders. The problem of access to information about ADR identified in 2012, remained in 2014 for business people. Of legal professionals, 34% felt information about ADR was ‘very accessible’ [Table 75], only 21% of business people felt the same way, though this was up from 16% in 2012 [Table 76] and not one business respondent said that information about ADR was ‘highly visible’ in the traditional media (TV and print) [Table 77]. Interviews suggested that most respondents had heard about ADR through word of mouth or through work. ‘Do we have arbitration in Georgia?’ asked one business woman with 15 years of business experience. ‘I know about arbitration but nothing of mediation. The source of information is from word of mouth, nothing else,’ said another.

Despite the continuing lack of knowledge about ADR, respondents, just as in 2012, suggested that there is a demand for it. Surveys showed increases in the proportion of those responding that there was ‘a great demand’ for mediation and arbitration both in the surveys of business and legal professionals. For example, 21% of business people said there was a great demand for arbitration in 2014 against only 9% in 2012 [Table 78] and 17% of legal professionals said the same up from 10% in 2012 [Table 79]. Both more business leaders and legal professionals thought there was a ‘great demand’ for mediation in 2014 compared to 2012, but from 5% to 13% and 12% respectively [Table 80, Table 81]. The majority of interviewees said they would ideally prefer arbitration or mediation over court proceedings due to its efficiency and cost-effectiveness, especially in small cases.

Just as in 2012 however, the interviews and surveys revealed that a lack of distrust and knowledge of ADR continues to suppress demand for it. There were a number of reasons weighing against using ADR: firstly, questions remain about the competence of possible arbitrators, though this has increased since 2012 (in 2014, 34% were confident or very confident in arbitrators versus only 16% in 2012) [Table 82]. Secondly, there was some concern as to how to ensure absolute impartiality of arbitrators or mediators as ‘outsiders’. Thirdly, a lack of knowledge put respondents off using mediation or arbitration. A common response was given by one businessman with six years of experience: ‘If I had to choose between arbitration and court, I would choose the court as I do not have much information about arbitration.’ Despite these misgivings, there was a generally positive outlook on the possibilities for ADR in Georgia: ‘If arbitration is unbiased and works properly, it will become popular,’ said one business respondent.

Legal professionals concurred with these misgivings but were more negative about arbitration than about mediation, particularly due to the way that arbitrators are selected and how inequalities of the sides involved in disputes

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*‘If arbitration is unbiased and works properly, it will become popular,’ said one business respondent.*

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could easily lead to biases. They were more positive about mediation, but on the other hand admitted that for the most part most of them only had theoretical knowledge about its working and there was certain skepticism about how it would work in practice.

## 5. Conclusion

The report on attitudes to the judiciary of the Georgian public and legal and business professionals published in 2011 and 2012 allowed a baseline from which to compare for this follow up study. The aim was to evaluate changes in attitudes among the general public, legal and business professional communities to the judiciary since 2012. A summary is provided below.

There has been increased interest and scrutiny of the judicial system since the elections of 2012. Broadly, levels of trust and perceptions of independence and fairness have improved, though these improvements have in some cases been slight. As is in 2012, the exception to this is among those who have actually been to court and thus have the most negative views of the system. However, there remains a significant lack of knowledge concerning the operation of the criminal justice system and the nature of reforms.

Despite slight improvements, there is clearly a lot still to be done to shift perceptions of the judiciary onto a more positive footing. In particular, prosecutors and investigators, both in terms of their competence and perceived nefarious influence on judges, are still the subject of criticism and viewed with a great deal of suspicion. Judges themselves are still far from free of the view that they lack backbone and independence. This view is particularly true of criminal cases. Moreover, the practice of plea bargaining remains controversial and in need of review. Just as in 2012, socio-economic equality is viewed as a possible cause of bias in the courts.

In terms of legal institutions and assessments of these by legal and business professionals, once again there were improvements of perceptions of independence from government for the HSOJ, JAG and state-funded legal aid. However, much remained the same from 2012. Often even legal professionals had little knowledge of the judicial institutions they were asked about. The JAG was still seen as inactive, though the establishment of Judges' Association Unity is seen as a step in the right direction. The GBA has seen improvements in terms of leadership and programs to improve ethics and legal skills in Georgia, but still lacks clout when it comes to law-making, just as it did in 2012. People are now more familiar with legal aid than they were in

2012. State run legal aid is perceived as more independent and non-state legal aid gets high marks for the work it does and its independence, in particular, GYLA. Legal education remains a big area for improvement. A consistent complaint in 2014, as in 2012, is emphasis on quantity over quality and the lack of graduates with practical skills.

For business, the study in 2014 shows increases in those claiming there is a demand in Georgia for ADR and positive assessments of its potential impacts, largely due to the perceived inefficiency and costliness of Georgian courts. Similar to 2012 however, there are questions over the competence and impartiality of arbitrators and the practicality of mediation. Knowledge and information is also lacking among the business community leading to doubts over whether ADR can truly be seen as an alternative to the court system.

## Annex 1 – Tables

Table 1

**Compared to the period before the Rose Revolution, now Georgian courts work... (%)**

	2011
Much better	18
Somewhat better	46
Like they used to work before	13
Somewhat worse	5
Much worse	2
Don't know	17
Refuse to answer	0

Table 2

**How did the Georgian courts work between the period of the “Rose Revolution” in 2003 and the Parliamentary Elections of October 2012? (%) \***

	2014
Very well	1
Well	9
Neutral	37
Badly	27
Very badly	12
Don't know	14
Refuse to answer	0

Table 3

**B2. After the Parliamentary Elections of October 2012 the Georgian Courts work...? (%) \***

	2014
Much better	5
Somewhat better	41
Like they used to work before	31
Somewhat worse	5
Much worse	1
Don't know	16
Refuse to answer	1

Table 4

**How much do you trust or distrust ...? (%)**

		Completely trust	4	3	2	Completely distrust	Not applicable	Don't know	Refuse to answer
Your religious institutions	2014	84	8	4	1	1	0	2	0
	2011	84	6	4	1	1	1	3	1
Army	2014	66	16	11	2	1	0	3	0
	2011	63	16	12	2	3	0	4	0
Patrol police	2014	53	25	14	2	4	0	2	0
	2011	53	22	13	3	5	0	3	0
Teachers	2014	55	21	16	3	3	0	3	0
	2011	50	22	16	4	3	0	4	0
Police	2014	39	27	19	4	6		4	0
	2011	42	18	20	4	9	0	5	1
Doctors	2014	37	25	24	7	7	0	2	0
	2011	33	22	26	7	9	0	3	0
Prime minister*	2014	31	24	22	4	9	0	9	1
TV Journalists	2014	27	26	28	7	6	0	6	0
	2011	25	18	30	8	10	1	7	1
President	2014	30	22	21	5	11	0	9	1
	2011	42	16	19	4	13	0	4	1
EU	2014	26	20	22	5	10	2	15	0
	2011	23	13	20	5	10	4	24	1
Ombudsman	2014	23	22	25	6	7	3	14	0
	2011	27	17	19	5	7	3	22	1
NATO	2014	27	18	21	4	11	2	16	0
	2011	26	11	19	5	11	3	23	1
UN	2014	24	19	22	5	10	3	17	0
	2011	22	12	20	6	11	4	25	1
Ministers*	2014	18	24	30	7	11	0	10	1
Prime minister and ministers*	2011	16	14	24	9	18	1	16	2
Banks	2014	22	17	24	9	20	1	7	1
	2011	31	16	20	6	14	1	12	0
Parliament	2014	17	20	32	8	13	0	8	1
	2011	17	14	26	9	20	1	12	2
Courts	2014	15	22	30	9	12	1	12	1
	2011	17	15	24	7	17	1	17	2
Judges	2014	16	20	29	8	12	1	13	0
	2011	17	15	22	7	17	2	19	1

		Completely trust	4	3	2	Completely distrust	Not applicable	Don't know	Refuse to answer
Prosecutors	2014	16	19	29	8	13	1	13	1
	2011	17	13	22	8	17	1	20	2
NGOs	2014	14	16	27	8	11	4	19	0
	2011	9	11	23	8	14	5	29	1

*\*In 2011 Prime minister and ministers were evaluated together but in 2014 they were assessed separately*

Table 5

**Please assess your trust toward courts BY Settlement Type (% , 2014)**

	Tbilisi	Batumi	Kutaisi	Urban	Rural
Completely trust	7	12	14	12	21
4	16	21	28	20	24
3	35	26	32	31	26
2	14	6	10	7	6
Completely distrust	17	15	9	13	8
Not applicable	1	1	0	1	1
Don't know	9	18	7	14	12
Refuse to answer	0	0	0	1	1

Table 6

**How often do the judges make mistakes that let guilty people go free? (%)**

	2014	2011
Always	5	5
4	18	13
3	31	29
2	16	11
Never	10	13
Don't know	20	27
Refuse to answer	0	1

Table 7

**How often do the judges make mistakes that lead to non-guilty people's conviction? (%)**

	2014	2011
Always	7	9
4	19	15
3	29	28
2	15	12
Never	10	9
Don't know	20	25
Refuse to answer	1	1

Table 8

**To what extent do you agree or disagree with the opinion that before the October 2012 Parliamentary Elections the courts' proceedings were transparent in Georgia? (%)**

	2014
Completely agree	3
4	10
3	25
2	17
Completely disagree	28
Don't know	17
Refuse to answer	0

Table 9

**To what extent do you agree or disagree with the opinion that after the October 2012 Parliamentary Elections the courts' proceedings are transparent in Georgia? (%)**

	2014
Completely agree	10
4	24
3	29
2	10
Completely disagree	8
Don't know	18
Refuse to answer	0

Table 10

**To what extent do you agree or disagree with the opinion that, overall, the judges are independent in Georgia? (%)**

	2014	2011
Completely agree	9	11
4	25	17
3	27	21
2	11	10
Completely disagree	11	17
Don't know	16	23
Refuse to answer	1	1

Table 11

**To what extent do you agree or disagree with the opinion that judges in Georgia take bribes? (%)**

	2014	2011
Completely agree	3	7
4	6	6
3	14	10
2	9	8
Completely disagree	39	32
Don't know	29	37
Refuse to answer	1	1

Table 12

**To what extent do you agree or disagree with the opinion that the judges in Georgia serve the government's interests? (%)**

	2014	2011
Completely agree	13	22
4	19	17
3	30	21
2	10	6
Completely disagree	11	8
Don't know	16	24
Refuse to answer	1	1

Table 13

**Whom or what do the Georgian judges depend on most? (of the 55% in 2014 and 64% in 2011 who disagree that judges are independent)**

	2014	2011
Government	32	27
Supreme Court	6	3
Prosecutors	6	7
Higher ranking judges	5	5
Ruling political party	5	2
Prime Minister	4	0
President	4	14
Ministry of Internal Affairs	1	5
High Council of Justice	1	1
Ministry of Justice	1	1
UNM/former government*	1	
Members of the Parliament	1	1
Large-scale business	0	0
European Union	0	0
Other Ministries	0	0
Other	2	1
Don't know	27	30
Refuse to answer	2	2

\* This option was added in 2014

Table 14

**Whom or what do the Georgian judges depend on most? BY Court experience for the past 2 years (%)**

	Yes	No
Government	37	31
Prosecutors	11	5
Higher ranking judges	8	5
Ruling political party	7	5
Prime Minister	5	4
Supreme Court	5	6
Ministry of Justice	2	1
High Council of Justice	1	1
Ministry of Internal Affairs	1	2
President	1	4
UNM/former government	1	1
Members of the Parliament	0	1
Other Ministries	0	0
European Union		0
Large-scale business		0
Other	2	2
Don't know	17	28
Refuse to answer	2	2

Table 15

**To what extent do you agree or disagree with the opinion: "In Georgia, everyone is equal before the law" (%)**

	2014	2011
Completely agree	43	34
4	16	18
3	19	19
2	8	8
Completely disagree	10	12
Don't know	4	7
Refuse to answer	0	1

Table 16

**To what extent do you agree or disagree with the opinion that Georgian judges are fair? (%)**

	2014	2011
Completely agree	12	15
4	25	20
3	35	27
2	9	7
Completely disagree	8	12
Don't know	11	18
Refuse to answer	0	1

Table 17

**Suppose two people – one of them ethnic Georgian, another one a representative of an ethnic minority group living in Georgia – each appear in court, charged with an identical crime they did not commit. Who you think would be more likely to be found guilty? (%)**

	2014	2011
Georgian person is more likely to be found guilty	11	11
Non-Georgian person is more likely to be found guilty	15	13
They have the same chance of being found guilty / not guilty	65	63
Don't know	8	11
Refuse to answer	0	1

Table 18

**Suppose two people - one of them heterosexual, another one representative of a sexual minority living in Georgia - each appear in court, charged with an identical crime they did not commit. Who you think would be more likely to be found guilty? (%)**

	2014
Heterosexual is more likely to be found guilty	3
Sexual minority is more likely to be found guilty	16
They have the same chance of being found guilty / not guilty	64
Don't know	15
Refuse to answer	1

Table 19

**Suppose two people - one rich, one poor - each appear in court, charged with an identical crime they did not commit. Who you think would be more likely to be found guilty? (%)**

	2014	2011
Rich person is more likely to be found guilty	4	6
Poor person is more likely to be found guilty	43	42
They have the same chance of being found guilty / not guilty	49	44
Don't know	5	7
Refuse to answer	0	1

Table 20

**B40. To what extent do you agree or disagree with the opinion that before the Parliamentary Elections of October 2012 plea bargaining helped to ensure sufficient income in the budget? (% , asked to 66% who has heard about 'plea bargaining')**

	2014
Completely agree	46
4	21
3	12
2	2
Completely disagree	3
Don't know	16
Refuse to answer	0

Table 21

**B41. To what extent do you agree or disagree with the opinion that after the Parliamentary Elections of October 2012 plea bargaining helps to ensure sufficient income in the budget? (% , asked to 66% who has heard about 'plea bargaining')**

	2014
Completely agree	34
4	20
3	16
2	5
Completely disagree	4
Don't know	20
Refuse to answer	0

Table 22

**To what extent do you agree or disagree with the opinion that plea bargaining contributes to more fair court rulings? (% asked to 66% in 2014 and 59% in 2011 who has heard about 'plea bargaining')**

	2014	2011
Completely agree	18	22
4	21	20
3	23	20
2	9	6
Completely disagree	14	16
Don't know	14	16
Refuse to answer	0	0

Table 23

**In whose interests is plea bargaining most of all? (% asked to 66% in 2014 and 59% in 2011 who has heard about 'plea bargaining')**

	2014	2011
Budget	34	39
Defendants and their families	24	18
Government	8	13
Whole society	8	10
State	7	8
Prosecutor's office	3	2
Judges	2	1
Other	1	1
Don't know	11	7
Refuse to answer	1	0

Table 24

**What is the result of introduction of jury in Georgia? (% asked to the 61% in 2014 and 56% in 2011 who has heard about introduction of jury in Georgia)**

	2014	2011
Contribute to more fair court rulings	66	65
Is not able to contribute to more fair court rulings	5	7
Nothing changes	16	15
Don't know	12	13
Refuse to answer	0	0

Table 25

**How the introduction of jury influences people's trust towards the courts? (% asked to the 61% in 2014 and 56% in 2011 who has heard about introduction of jury in Georgia)**

	2014	2011
Contributes to increase trust towards the courts	66	65
Contributes to decrease trust towards the courts	2	3
Does not have any influence	15	16
Don't know	17	15
Refuse to answer	0	1

Table 26

**Out of these three professions, which would you prefer as a future profession for your child? (% asked to 71% in 2014 and 67% in 2011 who said they would approve of their child's decision to become a lawyer)**

	2014	2011
Defense lawyer	37	37
Judge	22	19
Prosecutor	16	14
It does not matter	22	25
Don't know	3	5
Refuse to answer	0	0

Table 27

**When you think of the Georgian judiciary, which of the following institutions comes to your mind most often? (%)**

	2014	2011
Court	58	44
Police	41	41
Prosecutor's Office	39	25
Supreme Court	14	14
Patrol Police	13	21
Ministry of Justice	10	8
Ministry of Interior	9	10
Ombudsman	9	13
Bar Association	8	12
Human Rights Center	7	9
Young Lawyers' Association	5	5
Parliament	3	4

	2014	2011
High Council of Justice	2	2
Constitutional Court	2	3
President	2	6
Other	1	1
Don't know	7	12
Refuse to answer	0	1

Table 28

**To what extent are you interested in what is happening in Georgian courts? (%)**

	2014	2011
Very interested	24	18
4	19	14
3	30	28
2	9	11
Not interested at all	16	22
Don't know	2	6
Refuse to answer	0	0

Table 29

**Have you heard about 'plea bargaining'? (%)**

	2014	2011
Yes	66	59
No	30	34
Don't know	3	7
Refuse to answer	0	1

Table 30

**Which problem do you think is currently the most important in Georgia? (%)**

	2014	2011
Unemployment	81	78
Poverty	46	47
Territorial integrity	30	28
Rising prices	24	38
Affordability of healthcare	17	14
Relations with Russia	16	11
Low pensions	14	18
Low wages	9	11
Restoration of justice*	7	
Political stability in Georgia	7	6
Quality of education	7	6
Protection of human rights	6	6
NATO membership	2	5
EU Membership	2	0
Independence of courts	2	3
Freedom of speech	2	2
Protection of property rights	1	1
Corruption	1	2
Fairness of elections	0	3
Independence of journalists	0	0
Other	6	4
Don't know	1	1
Refuse to answer	0	0

\* Restoration of justice was added in 2014

Table 31

**The President of Georgia is the Head of the High Council of Justice (%)**

	2014	2011
True	8	13
False	59	52
Don't know what High Council of Justice is	5	3
Don't know	28	33
Refuse to answer	1	0

Table 32

**The Head of the Supreme Court of Georgia is legally allowed to alter decisions of all Georgian courts (%)**

	2014	2011
True	36	42
False	29	20
Don't know	33	37
Refuse to answer	1	0

Table 33

**The Prime Minister of Georgia is legally allowed to dismiss the Supreme Court of Georgia (%) \***

	2014
True	21
False	40
Don't know	37
Refuse to answer	1

\* This question was asked only in 2014.

Table 34

**Which is your main source of information about what is happening in Georgian courts? (%)**

	2014	2011
TV	74	66
Internet	7	2
Neighbors, friends	5	6
Newspapers, news magazines	3	4
Family members	2	3
Colleagues	1	1
Radio	0	1
Other	0	1
Not applicable	6	8
Don't know	1	7
Refuse to answer	0	0

Table 35

**Have you heard about free legal aid (state attorney) provided by the state? (%)**

	2014	2011
Yes	57	53
No	40	41
Don't know	3	5
Refuse to answer	0	1

Table 36

**Have you heard about free legal aid provided by NGOs? (%)**

	2014	2011
Yes	43	30
No	54	63
Don't know	4	6
Refuse to answer	0	1

Table 37

**How much does the state-provided free legal aid service help people like you? (%,  
asked to 57% in 2014 and 53% in 2011 who heard about state-provided legal aid)**

	2014	2011
Helps people a lot	14	17
4	19	16
3	28	26
2	7	7
Does not help people at all	7	11
Don't know	25	23
Refuse to answer	0	0

Table 38

**How much do the NGO-provided free legal services help people like you? (% asked to 43% in 2014 and 30% in 2011 who heard about free legal aid provided by NGOs)**

	2014	2011
Help people a lot	17	21
4	26	20
3	23	24
2	5	4
Do not help people at all	3	6
Don't know	26	24
Refuse to answer	0	0

Table 39

**Familiarity with the work of the Georgian Bar Association (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely familiar	2014	21	51
	2012	19	49
4	2014	8	20
	2012	11	28
3	2014	8	20
	2012	5	13
2	2014	4	10
	2012	4	10
Total	2014	41	100
	2012	39	100

Table 40

**Familiarity with the work of the Judges' Association of Georgia  
(Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely familiar	2014	2	5
	2012	1	3
4	2014	7	17
	2012	5	13
3	2014	16	39
	2012	9	23
2	2014	7	17
	2012	18	46
Completely unfamiliar	2014	5	12
	2012	6	15
Don't know	2014	4	10
	2012		
Total	2014	41	100
	2012	39	100

Table 41

**Assessment of the new media (internet) presence of the JAG (Mini  
survey among legal professionals)**

	Year	Frequency	Percent
Highly visible	2014		
	2012	1	3
4	2014	2	5
	2012	6	15
3	2014	7	17
	2012	8	21
2	2014	8	20
	2012	8	21
Not visible at all	2014	14	34
	2012	13	33
Don't know	2014	10	24
	2012	3	8
Total	2014	41	100
	2012	39	100

Table 42

**How would you assess the new media (internet) presence of the HSOJ? (Mini survey among legal professionals)**

	Year	Frequency	Percent
Highly visible	2014		
	2012	2	5
4	2014	4	10
	2012	10	26
3	2014	6	15
	2012	11	28
2	2014	13	32
	2012	6	15
Not visible at all	2014	12	29
	2012	6	15
Don't know	2014	6	15
	2012	4	10
Total	2014	41	100
	2012	39	100

Table 43

**The current trainers at the HSOJ are from among the best in the profession (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	5	12
	2012	2	5
4	2014	4	10
	2012	10	26
3	2014	11	27
	2012	10	26
2	2014	5	12
	2012	3	8
Completely disagree	2014		
	2012	2	5
Don't know	2014	16	39
	2012	12	31
Total	2014	41	100
	2012	39	100

Table 44

**Current trainers at HSOJ are carefully selected based on knowledge/skills (Mini survey among legal professionals)**

	Year	Frequency	Valid Percent
<b>Completely agree</b>	2014	5	12
	2012	3	8
<b>4</b>	2014	7	17
	2012	13	33
<b>3</b>	2014	8	20
	2012	4	10
<b>2</b>	2014	5	12
	2012	3	8
<b>Completely disagree</b>	2014		
	2012	4	10
<b>Don't know</b>	2014	16	39
	2012	12	31
<b>Total</b>	2014	41	100
	2012	39	100

Table 45

**Continuous legal education content for HSOJ judges improves their performance (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	4	10
	2012	4	10
4	2014	5	12
	2012	11	28
3	2014	6	15
	2012	9	23
2	2014	5	12
	2012	3	8
Completely disagree	2014	2	5
	2012	2	5
Don't know	2014	19	46
	2012	10	26
Total	2014	41	100
	2012	39	100

Table 46

**HSOJ is independent from the influence of the executive government  
(Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	11	27
	2012	1	3
4	2014	7	17
	2012	7	18
3	2014	6	15
	2012	9	24
2	2014	4	10
	2012	8	21
Completely disagree	2014	3	7
	2012	8	21
Don't know	2014	10	24
	2012	4	11
Refuse to answer	2014		
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 47

**Urgency of HSOJ reform for creating a fair and impartial judiciary in  
Georgia (Mini survey among legal professionals)**

	Year	Frequency	Valid Percent
Very urgent	2014	14	34
	2012	15	38
4	2014	9	22
	2012	9	23
3	2014	8	20
	2012	12	31
2	2014	1	2
	2012	1	3
Not urgent at all	2014	2	5
	2012		
Don't know	2014	7	17
	2012	2	5
Total	2014	41	100
	2012	39	100

Table 48

**Statement you agree with the most on improvement of HSOJ (Mini survey among legal professionals)**

	Year	Frequency	Percent
HSOJ needs great improvement	2014	11	27
	2012	10	26
HSOJ needs some improvement	2014	23	56
	2012	24	62
HSOJ needs no improvement	2014		
	2012	1	3
Don't know	2014	6	15
	2012	4	10
Total	2014	41	100
	2012	39	100

Table 49

**Activeness of JAG in promoting judicial independence/independence of judges (Mini survey among legal professionals)**

	Year	Frequency	Percent
Very active	2014	1	2
	2012		
4	2014	5	12
	2012	2	5
3	2014	7	17
	2012	9	23
2	2014	10	24
	2012	8	21
Not at all active	2014	6	15
	2012	14	36
Don't know	2014	11	27
	2012	6	15
Total	2014	41	100
	2012	39	100

Table 50

**The JAG is independent from the influence of the executive government (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	8	20
	2012	1	3
4	2014	4	10
	2012	2	5
3	2014	13	32
	2012	13	33
2	2014	2	5
	2012	8	21
Completely disagree	2014	4	10
	2012	7	18
Don't know	2014	10	24
	2012	8	21
Total	2014	41	100
	2012	39	100

Table 51

**The JAG is independent from HCOJ influence (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	3	7
	2012		
4	2014	3	7
	2012	3	8
3	2014	7	17
	2012	10	26
2	2014	6	15
	2012	6	15
Completely disagree	2014	7	17
	2012	10	26
Don't know	2014	14	34
	2012	10	26
Total	2014	41	100
	2012	39	100

Table 52

**Statement you agree with the most on improvement of the JAG (Mini survey among legal professionals)**

	Year	Frequency	Percent
JAG needs great improvement	2014	20	49
	2012	16	41
JAG needs some improvement	2014	15	37
	2012	19	49
Don't know	2014	6	15
	2012	4	10
Total	2014	41	100
	2012	39	100

Table 53

**The GBA is independent of the influence of the executive government (Mini survey among legal professionals)**

		Frequency	Percent
Completely agree	2014	24	59
	2012	20	51
4	2014	13	32
	2012	10	26
3	2014	3	7
	2012	7	18
Completely disagree	2014		
	2012	1	3
Don't know	2014	1	2
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 54

**Currently GBA influences legal developments in Georgia (Mini survey among legal professionals)**

		Frequency	Percent
Completely agree	2014	2	5
	2012	3	8
4	2014	6	15
	2012	8	21
3	2014	19	46
	2012	11	28
2	2014	9	22
	2012	10	26
Completely disagree	2014	3	7
	2012	5	13
Don't know	2014	2	5
	2012	1	3
Refuse to answer	2014		
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 55

**Statement you agree with the most on improvement of GBA (Mini survey among legal professionals)**

		Frequency	Percent
GBA needs great improvement	2014	11	27
	2012	13	33
GBA needs some improvement	2014	28	68
	2012	26	67
GBA needs no improvement	2014	1	2
	2012		
Don't know	2014	1	2
	2012		
Total	2014	41	100
	2012	39	100

Table 56

**Assessment of the traditional media presence of the GBA (Mini survey among legal professionals)**

		Frequency	Percent
Highly visible	2014	3	7
	2012	1	3
4	2014	10	24
	2012	6	15
3	2014	18	44
	2012	11	28
2	2014	9	22
	2012	14	36
Not visible at all	2014	1	2
	2012	6	15
Don't know	2014		
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 57

**State funded legal aid is independent of the executive government's influence (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	7	17
	2012	2	5
4	2014	6	15
	2012	3	8
3	2014	9	22
	2012	9	23
2	2014	7	17
	2012	10	26
Completely disagree	2014	5	12
	2012	9	23
Don't know	2014	7	17
	2012	6	15
Total	2014	41	100
	2012	39	100

Table 58

**Non-state provided legal aid is independent of executive government's influence (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	20	49
	2012	13	33
4	2014	15	37
	2012	12	31
3	2014	3	7
	2012	7	18
2	2014		
	2012	1	3
Completely disagree	2014		
	2012	3	8
Don't know	2014	3	7
	2012	3	8
Total	2014	41	100
	2012	39	100

Table 59

**Competence of lawyers providing state legal aid is high (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	3	7
	2012	2	5
4	2014	10	24
	2012	8	21
3	2014	16	39
	2012	10	26
2	2014	7	17
	2012	8	21
Completely disagree	2014	1	2
	2012	5	13
Don't know	2014	4	10
	2012	6	15
Total	2014	41	100
	2012	39	100

Table 60

**Current standards of state legal aid offered are high (Mini survey among legal professionals)**

	Year	Frequency	Percent
Completely agree	2014	1	2
	2012	1	3
4	2014	5	12
	2012	4	10
3	2014	15	37
	2012	13	33
2	2014	13	32
	2012	11	28
Completely disagree	2014	4	10
	2012	8	21
Don't know	2014	3	7
	2012	2	5
Total	2014	41	100
	2012	39	100

Table 61

**Necessity of legal education reform for fair and impartial judiciary in Georgia (Mini survey among legal professionals)**

	Year	Frequency	Percent
Very necessary	2014	21	51
	2012	23	59
4	2014	12	29
	2012	11	28
3	2014	7	17
	2012	4	10
2	2014		
	2012	1	3
Don't know	2014	1	2
	2012		
Total	2014	41	100
	2012	39	100

Table 62

**Studying law is seen as a subject with good career prospects (Mini survey among legal professionals)**

		Frequency	Percent
Completely agree	2014	10	24
	2012	26	67
4	2014	19	46
	2012	10	26
3	2014	9	22
	2012	1	3
2	2014	3	7
	2012	2	5
Total	2014	41	100
	2012	39	100

Table 63

**Imagine your child wants to become a lawyer. Would you approve or disapprove his/her decision? (%)**

	2014	2011
Approve	71	67
Disapprove	14	12
Not applicable	7	11
Don't know	8	10
Refuse to answer	0	1

Table 64

**Statement you agree with the most on improvement of legal education (Mini survey among legal professionals)**

	Year	Frequency	Percent
<b>Legal education needs great improvement</b>	2014	19	46
	2012	22	56
<b>Legal education needs some improvement</b>	2014	22	54
	2012	17	44
<b>Total</b>	2014	41	100
	2012	39	100

Table 65

**Confidence in the overall efficiency of court procedures in commercial cases (Mini survey among business leaders)**

		Frequency	Percent
Very confident	2014	5	13
	2012	4	9
4	2014	7	18
	2012	9	20
3	2014	9	24
	2012	12	27
2	2014	7	18
	2012	5	11
Not confident at all	2014	5	13
	2012	7	16
Don't know	2014	5	13
	2012	7	16
Total	2014	38	100
	2012	44	100

Table 66

**Confidence that outcome of commercial cases taken to court is on the whole fair (Mini survey among business leaders)**

		Frequency	Percent
Very confident	2014	5	13
	2012	5	11
4	2014	12	32
	2012	11	25
3	2014	12	32
	2012	12	27
2	2014	5	13
	2012	4	9
Not confident at all	2014	2	5
	2012	9	20
Don't know	2014	2	5
	2012	3	7
Total	2014	38	100
	2012	44	100

Table 67

**Confidence that outcome of commercial cases in court is on the whole impartial (Mini survey among business leaders)**

		Frequency	Percent
Very confident	2014	4	11
	2012	6	14
4	2014	13	34
	2012	12	27
3	2014	11	29
	2012	10	23
2	2014	3	8
	2012	6	14
Not confident at all	2014	6	16
	2012	7	16
Don't know	2014	1	3
	2012	3	7
Total	2014	38	100
	2012	44	100

Table 68

**Confidence that outcome of commercial dispute cases is on the whole impartial (Mini survey among legal professionals)**

		Frequency	Percent
Very confident	2014	3	7
	2012	3	8
4	2014	12	29
	2012	15	38
3	2014	16	39
	2012	11	28
2	2014	5	12
	2012	7	18
Not confident at all	2014		
	2012	2	5
Don't know	2014	5	12
	2012		
Refuse to answer	2014		
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 69

**Willingness to resolve a business dispute in court in the future (Mini survey among business leaders)**

		Frequency	Percent
Very willing	2014	7	18
	2012	7	16
4	2014	3	8
	2012	9	20
3	2014	12	32
	2012	12	27
2	2014	10	26
	2012	7	16
Not willing at all	2014	6	16
	2012	8	18
Don't know	2014		
	2012	1	2
Total	2014	38	100
	2012	44	100

Table 70

**Satisfaction with legal expertise level of Georgian lawyers in commercial law (Mini survey among business leaders)**

		Frequency	Percent
Very satisfied	2014	3	8
	2012	6	14
4	2014	11	29
	2012	14	32
3	2014	13	34
	2012	15	34
2	2014	6	16
	2012	6	14
Not satisfied at all	2014	1	3
	2012	2	5
Don't know	2014	4	11
	2012	1	2
Total	2014	38	100
	2012	44	100

Table 71

**Familiarity with commercial law (Mini survey among legal professionals)**

		Frequency	Percent
Completely familiar	2014	12	29
	2012	17	44
4	2014	8	20
	2012	13	33
3	2014	9	22
	2012	5	13
2	2014	4	10
	2012	4	10
Not at all familiar	2014	4	10
	2012		
Don't know	2014	4	10
	2012		
Total	2014	41	100
	2012	39	100

Table 72

**Accessibility of commercial law training to legal professionals (Mini survey among legal professionals)**

		Frequency	Percent
Very accessible	2014	4	10
	2012	9	23
4	2014	11	27
	2012	8	21
3	2014	13	32
	2012	8	21
2	2014	7	17
	2012	11	28
Not accessible at all	2012	2	5
	2014		
Don't know	2014	6	15
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 73

**Familiarity with mediation as an element of alternative dispute resolution  
(Mini survey among legal professionals)**

		Frequency	Percent
Completely familiar	2014	15	37
	2012	9	23
4	2014	15	37
	2012	13	33
3	2014	9	22
	2012	12	31
2	2014	1	2
	2012	4	10
Not at all familiar	2014	1	2
	2012		
Don't know	2014		
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 74

**Familiarity with mediation as an element of alternative dispute resolution  
(Mini survey among business leaders)**

		Frequency	Percent
Completely familiar	2014	4	11
	2012	6	14
4	2014	9	24
	2012	4	9
3	2014	10	26
	2012	10	23
2	2014	12	32
	2012	8	18
Not at all familiar	2014	3	8
	2012	10	23
Don't know	2014		
	2012	6	14
Total	2014	38	100
	2012	44	100

Table 75

**Accessibility of information about alternative dispute resolution (ADR)  
(Mini survey among legal professionals)**

		Frequency	Percent
Very accessible	2014	14	34
	2012	14	36
4	2014	11	27
	2012	10	26
3	2014	14	34
	2012	9	23
2	2014	1	2
	2012	5	13
Not accessible at all	2014	1	2
	2012	1	3
Total	2014	41	100
	2012	39	100

Table 76

**Accessibility of information about alternative dispute resolution to you  
(Mini survey among business leaders)**

		Frequency	Percent
Easily accessible	2014	8	21
	2012	7	16
4	2014	4	11
	2012	8	18
3	2014	13	34
	2012	10	23
2	2014	8	21
	2012	11	25
Not accessible at all	2014	2	5
	2012	7	16
Don't know	2014	3	8
	2012	1	2
Total	2014	38	100
	2012	44	100

Table 77

**Assessment of the presence of information about ADR in the traditional media (Mini survey among business leaders)**

		Frequency	Percent
4	2014	3	8
	2012	1	2
3	2014	8	21
	2012	5	11
2	2014	14	37
	2012	16	36
Not visible at all	2014	11	29
	2012	18	41
Don't know	2014	2	5
	2012	4	9
Total	2014	38	100
	2012	44	100

Table 78

**Statement you agree with the most on demand for arbitration as a form of ADR (Mini survey among business leaders)**

		Frequency	Percent
There is a great demand for arbitration as a form of ADR	2014	8	21
	2012	4	9
There is some demand for arbitration as a form of ADR	2014	17	45
	2012	33	75
There is little demand for arbitration as a form of ADR	2014	11	29
	2012	5	11
Don't know	2014	2	5
	2012	2	5
Total	2014	38	100
	2012	44	100

Table 79

**Statement you agree with the most on demand for arbitration as a form of ADR (Mini survey among legal professionals)**

		Frequency	Valid Percent
There is a great demand for arbitration as a form of ADR	2014	7	17
	2012	4	10
There is some demand for arbitration as a form of ADR	2014	25	61
	2012	24	62
There is little demand for arbitration as a form of ADR	2014	9	22
	2012	8	21
Don't know	2014		
	2012	1	3
Refuse to answer	2014		
	2012	2	5
Total	2014	41	100
	2012	39	100

Table 80

**Statement you agree with the most on demand for mediation as a form of ADR (Mini survey among business leaders)**

		Frequency	Valid Percent
There is a great demand for mediation as a form of ADR	2014	5	13
	2012	2	5
There is some demand for mediation as a form of ADR	2014	13	34
	2012	23	52
There is little demand for mediation as a form of ADR	2014	15	39
	2012	15	34
Don't know	2014	5	13
	2012	4	9
Total	2014	38	100
	2012	44	100

Table 81

**Statement you agree with the most on demand for mediation as a form of ADR (Mini survey among legal professionals)**

		Frequency	Valid Percent
There is a great demand for mediation as a form of ADR	2014	5	12
	2012	2	5
There is some demand for mediation as a form of ADR	2014	19	46
	2012	24	62
There is little demand for mediation as a form of ADR	2014	16	39
	2012	10	26
Don't know	2014	1	2
	2012	3	8
Total	2014	41	100
	2012	39	100

Table 82

**Confidence in legal expertise of arbitrators to resolve commercial disputes (Mini survey among business leaders)**

		Frequency	Percent
Very confident	2014	3	8
	2012	3	7
4	2014	10	26
	2012	4	9
3	2014	12	32
	2012	15	34
2	2014	2	5
	2012	4	9
Not confident at all	2014	2	5
	2012	5	11
Don't know	2014	9	24
	2012	13	30
Total	2014	38	100
	2012	44	100

## Annex 2 – Methodology

As part of the Judicial Independence and Legal Empowerment Project (JILEP), in order to study knowledge and perceptions about the judiciary in Georgia, CRRC Georgia has conducted baseline research in 2011 and 2012 including a nationally representative public opinion survey, focus group discussions with three target groups: general public, court users and legal professionals in Tbilisi, Batumi and Kutaisi, as well as qualitative and quantitative interviews with legal professionals and business representatives.

In 2014, CRRC Georgia repeated the study to trace any changes in the knowledge and attitudes towards the judiciary in Georgia and used the same research design to achieve that:

- From January 30 to February 13 2014, the 2<sup>nd</sup> wave of the Attitudes to Judiciary survey was conducted surveying adult (18+) population of the country, excluding the population living in South Ossetia and Abkhazia. The survey targeted all Georgian and Russian-speaking adults in Georgia. Overall, 3814 people were interviewed using the face-to-face PAPI (Paper and Pencil Interviewing) interviewing method. The sampling was representative to Georgia (excluding the breakaway territories), as well as Tbilisi, Batumi, Kutaisi, urban and rural settlements. The country level margin of error was 2%.
- Between February 12 and February 20 2014, 18 focus group discussions were held in Tbilisi, Batumi and Kutaisi. Three target groups were identified: general public (mixed age, gender and employment status), court users, i.e. people who (including themselves, their friends and relatives) had some court experience for the last 5 years (mixed civil, administrative and criminal cases), legal professionals (mixed practicing lawyers, NGO representatives, university professors). Two focus groups with each target group were arranged in each city.
- In February-April 2014, CRRC conducted 80 interviews with legal professionals (42) and business leaders (38). Interviews with legal professionals took place from February 6 to March 21. Respondents included practicing lawyers, representatives of legal firms, law professors, legal NGO representatives, former and current judges. Interviews with business representatives took place from March 12 to April 10 and founders, directors or executive directors of small, medium and large businesses were interviewed. Interviews consisted of a quantitative and qualitative component and asked about attitudes and opinions about the judiciary in Georgia.

### **Annex 3 – About CRRC-Georgia**

CRRC-Georgia is a non-governmental, non-profit research organization, which collects, analyzes and publishes policy relevant data on social, economic and political trends in Georgia. CRRC-Georgia, together with CRRC-Armenia and CRRC-Azerbaijan, constitutes a network with the common goal of strengthening social science research and public policy analysis in the South Caucasus.

CRRC's public databases give everyone the opportunity to understand and evaluate the social and political trends in both Georgia and the entire South Caucasus. These databases are accessible through user-friendly Online Data Analysis tool at [www.caucasusbarometer.org](http://www.caucasusbarometer.org).