



კავკასიის კვლევითი  
რესურსების ცენტრი

# The Judicial System in Georgia: Views of Legal Professionals

## Baseline Study Report

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July 2016

## **Executive Summary**

This baseline study for the USAID-funded project Promoting Rule of Law in Georgia (PROLoG) implemented by East-West Management Institute (EWMI) was conducted by the Caucasus Research Resource Centers (CRRC-Georgia) and aimed at evaluating how certain aspects of the justice system are seen by legal professionals: lawyers, judges and prosecutors. This study used quantitative and qualitative research methods to assess the following: (1) whether there is an effective balance between parties in courts, (2) whether citizens (including minorities and vulnerable groups) can benefit from the protection the justice system offers, (3) the level of legal education in Georgia, and (4) how different judicial institutions perform. Within the quantitative component of the survey, 310 lawyers (204 private lawyers, 49 NGO lawyers and 57 LAS lawyers), 108 judges and 102 prosecutors were surveyed. As for the qualitative part, 14 interviews were conducted with 7 judges and 7 prosecutors. Furthermore, 4 focus groups were organized with an average of 8 participants, including private, NGO and LAS lawyers. The findings of the study are grouped in four chapters according to the four main topics of the study.

Across all topics, prosecutors tended to have the most positive views of the judicial institutions. The opinions of lawyers, and in particular NGO lawyers, were generally significantly less positive than prosecutors or judges. Additionally, compared to other judicial professionals, most prosecutors and judges were more positive about their own institutions: the courts and the Prosecutor's Office, respectively.

The divide between legal professionals' assessment is especially noticeable with regards to criminal law and practice. This was demonstrated through questions on the balance and equality between the parties: lawyers and judges stressed several major problems, while the vast majority of prosecutors believed there was no disparity between the rights and opportunities of the parties. Critics of the current balance of parties – lawyers and judges – pointed out that the law still provides the prosecution with more rights and felt that reform is needed to address this difference. State resources were another issue causing the imbalance between the parties, according to them. Conversely, most prosecutors stated that both the law and practice provides for equality of arms, and that any differences depend on how the parties use it based on their own skills and hard work.

Another important finding was that most legal professionals believe that equality between marginalized groups and those within the mainstream of Georgian society is mainly or fully achieved in the justice system. However, a portion of NGO lawyers did state that the judicial system was mainly unfair or unequal, and named some specific cases of unequal treatment in court. In addition, compared to other groups in society, more legal professionals feel that representatives of minority religions and the LGBT community face unfair treatment from the court or are unequally treated by the Prosecutor's Office. In contrast to other judicial institutions, the performance of the police was mostly assessed negatively in relation to both marginalized and non-marginalized groups, indicating a larger problem, with some professionals calling for a reform of the police and more educational programs.

Although the quality of legal education was mostly felt to have improved compared to several years ago, the lack of practical skills in the graduates is still a major shortcoming in the view of respondents. More

internships and tight relationships between legal establishments and universities were seen as potential solutions.

While the affordability of the court was assessed differently by different legal professionals, very few of them stated that the court is either totally affordable or totally unaffordable. In fact, the majority believes that services of private lawyer are unaffordable.

When assessing the work of justice system institutions, the most relevant problem outlined by almost all participants in the research was the high caseload of the courts, which negatively affects the right to a speedy trial and the quality of judgments. Most respondents did not see awareness and transparency as a challenge; however, there were differing opinions in assessing the performance of the institutions. In qualitative interviews and focus groups, the professionalism of private lawyers and even judges was questioned by many professionals. Additionally, the passive role of certain institutions was another problem raised, particularly with regard to the Supreme Court of Georgia.

Apart from these findings, the study observed differences in the attitudes of certain legal professionals towards various issues. It seems that prosecutors tend to make more positive assessments with regards to the large majority of issues, with the exception being qualification of lawyers and in some instances of the police. They mainly see the law and practice to be fair and providing equal treatment and efficiency. Judges tended to be quite positive in the quantitative research, but were more critical in qualitative assessments. NGO lawyers were the most critical, particularly during the qualitative research, with private lawyers and LAS lawyers less so (though, in a few instances, these lawyers exhibited what might be considered insensitivity to the challenges facing minorities).

Overall, the research demonstrated that reforms have had positive effect thus far, but certain issues need more attention. The shortcomings of law regarding the equality of arms, the qualifications of certain participants of justice system, and the heavy judicial caseload seem to be the most important challenges as seen by the legal professionals.

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## Introduction

Between December 2015 and May 2016, CRRC-Georgia conducted a baseline study for the USAID-funded program Promoting Rule of Law in Georgia (PROLoG), a program aimed at strengthening justice system and in turn ensuring due process, judicial independence and the protection of human rights.<sup>1</sup> Based on the sub-purposes of PROLoG, the study explored four topics:

- (1) Effective balance between disputing parties in courts;
- (2) Possibility of citizens to benefit from the protection justice system offers;
- (3) Quality of legal education; and
- (4) Performance of justice system institutions.

The baseline study included a survey of legal professionals (a face-to-face survey with 310 lawyers and 108 judges; an online self-administered survey with 102 prosecutors), four focus groups with lawyers, and qualitative interviews with judges (7) and prosecutors (7). Based on one of the sub-purposes of the PROLoG program – improving access to justice for marginalized citizens, in particular women and ethnic, religious and sexual minorities – the study focused on Tbilisi and three regions outside the capital with ethnic minority populations: Adjara, Kvemo Kartli and Samtskhe-Javakheti. See the detailed methodology in Annex 1.

The structure of this report follows the four main topics and analyzes findings of quantitative and qualitative research in four respective chapters. The first chapter is aimed at demonstrating how legal professionals view the balance between parties. The chapter separately assesses the balance in both criminal and civil/administrative laws and practices, as well as the issue of balance when a party is not represented by a professional lawyer. The second chapter discusses whether legal professionals perceive that citizens benefit from judicial system protection in three main ways – the treatment from different institutions, protection of presumption of innocence, and the affordability of the system. These issues also cover the question of access and equality for marginalized citizens. The third chapter aims to evaluate the quality of legal education as viewed by legal professionals and tries to find ways to improve it. The last chapter demonstrates how the justice system institutions are assessed by legal professionals, the problems in their performance, and how those problems can be addressed. The final section reviews the overall conclusions that can be made from this baseline study.

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<sup>1</sup> For more information about the PROLoG program, please, see the website: <http://ewmi-prolog.org/en/about/PROLoG>

The document is accompanied by several annexes: methodology (Annex 1), indicators (Annex 2), tables of quantitative surveys with lawyers, judges and prosecutors (Annex 3), and the detailed summary of the qualitative interviews and focus groups accompanied with quotes (Annex 4).

## ***1. Balance Between Parties in Law and in Practice***

### Key Findings

- With regard to civil and administrative law, the majority of judges, lawyers and prosecutors assess that the balance between parties is similar both in the laws and actual practice, but more lawyers say that neither law nor practice provides equality of arms. With regard to criminal law, the majority of judges and prosecutors assess the balance between the parties as similar both in laws and in practice, but fewer than half of lawyers agree with this assessment.
- Lawyers have fewer possibilities to gather and introduce evidence into the court than prosecutors in criminal law, which lawyers claim creates an imbalance between parties
- Most lawyers think there is a balance of parties in civil law; one notable exception is the practice of placing the burden of proof on the applicant in discrimination cases, which goes against the law
- In administrative proceedings, 84 percent of judges fully or mainly agreed that there is equality of arms both in the law and practice, and around 65-75 percent of private, NGO and LAS lawyers gave fully or mainly positive evaluations. However, almost one-fourth of private lawyers (24%) stated that equality of arms in administrative cases is not mainly or fully provided in the law or observed in practice, with around 12 percent of NGO and LAS lawyers stating the same.<sup>2</sup>
- Unrepresented defendants can cause an imbalance if the judge gives them special treatment, or if the judge confuses or misleads them

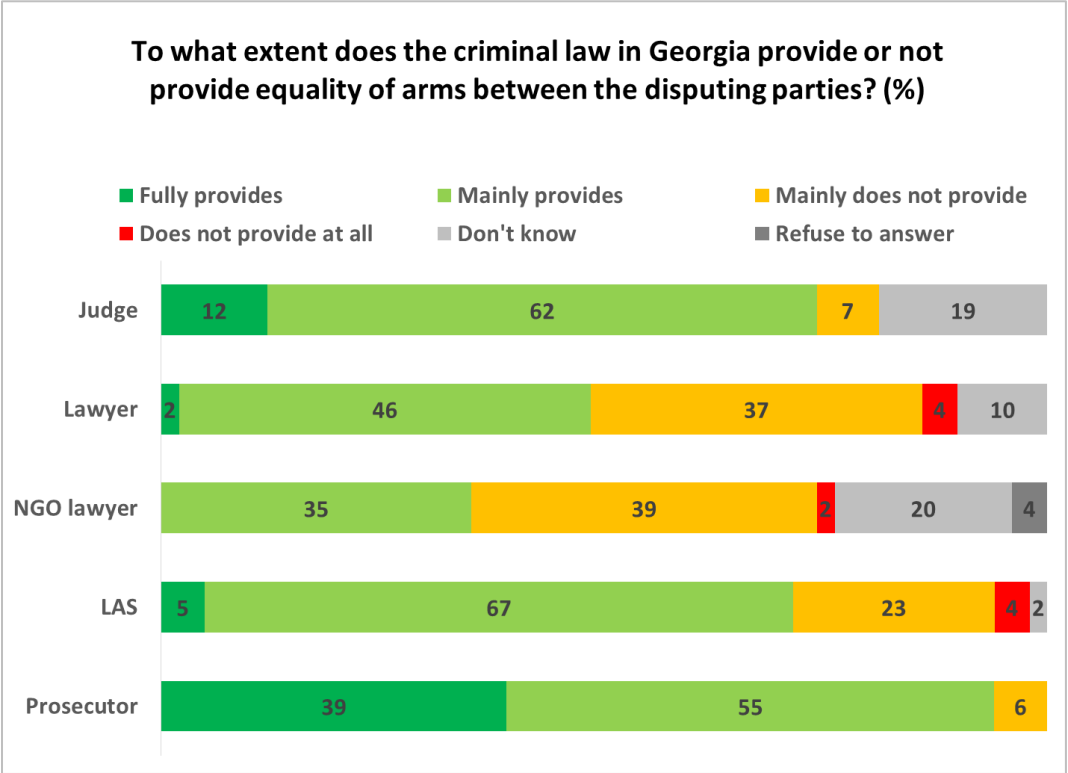
### *Criminal Law and Practice*

When discussing the effective balance between parties in criminal, civil and administrative cases, the divide is clear. Most legal professionals state that the balance is largely achieved in civil and administrative cases, but legal professionals' opinions differ on criminal cases.

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<sup>2</sup> These numbers differ from those in Indicator 1 because: (1) percentages in the indicator are calculated excluding 'Don't know' and 'Refuse to answer' responses; (2) in the indicator, the responses of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of the indicators, see Annex 2.

Many judges (74%), prosecutors (94%) and Legal Aid Services (LAS) lawyers (72%) stated that equality is fully or mainly provided by the law in criminal cases. Conversely, less than half of private lawyers (48%) and only around one-third of all NGO lawyers (35%) stated the same.<sup>3</sup> A large issue within criminal law is the ability to acquire evidence. When asked about balance between parties in this respect, all groups except prosecutors believe that the prosecution has a better possibility than the defense. The majority of prosecutors (73%) believe that both parties have equal possibilities of acquiring evidence.



When considering this issue in focus groups, almost all lawyers agree that the defense has fewer rights and opportunities under the law, and even less so in practice. According to the law, a criminal trial is adversarial in nature, which implies that both the prosecution and defense should have equal rights and opportunities. Yet, during the focus groups many lawyers indicated instances where the law itself equips the prosecuting party with more opportunities and rights,

<sup>3</sup> These numbers differ from those in Indicator 1 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) the indicator uses three questions, not one, to calculate the positive responses for equality of arms provided in criminal cases under the law and in practice, averaging the positive responses to the question whether equality of arms is provided and two questions on whether the parties have equal opportunities to obtain and access evidence; (3) in the indicator, the responses of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

such as the right to search and seizure without approval from a judge in exigent circumstances (Article 120 of the Criminal Procedure Code of Georgia).<sup>4</sup> This imbalance was negatively assessed by the lawyers. The ability to acquire video footage as evidence from owners of video control systems, which cannot be done by defense lawyers, was also mentioned; only a prosecutor can submit the motion to the court to acquire such evidence (Article 136 of the Criminal Procedure Code of Georgia). Therefore, if the prosecutor disagrees with the defense about the importance of evidence for an investigation there is no legal remedy to ensure its delivery to the court.<sup>5</sup> This particular provision was negatively assessed by one of the interviewed judges as well, who questioned the constitutionality of the law.<sup>6</sup>

Judges and prosecutors did provide some justifications for such restrictions. One judge underlined that the right to obtain such evidence is specific, and felt it was logical to empower only the prosecution with it as there would be “high risks” associated with individuals’ privacy if lawyers could exercise the right to conduct such investigative measures.<sup>7</sup> The prosecutors supported this by stating that the law limiting the right to submit a motion for obtaining video footage or other evidence, especially the one allowing for search and seizure, is necessary and justified since such procedures need to be operated by state bodies and not private individuals (such as lawyers).<sup>8</sup> One prosecutor stated that video footage includes information on the private life of people, and such data should not be collected by attorneys or other non-state actors.<sup>9</sup> However, it should be noted that one prosecutor considered it illogical to only empower the prosecution with the right to acquire certain evidence, such as video footage, as defense parties must address the prosecution with the request to obtain evidence, which “creates some discomfort.”<sup>10</sup>

*“The problem of video recording. A lawyer cannot demand it, even through the court, only a prosecutor can. If you address the prosecutor with this request and he/she refuses, then you as the defending side cannot get that recording.” (LAS lawyer, criminal law, 6 years’ experience, Tbilisi)*

See the detailed summary of the qualitative component in Annex 4.

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<sup>4</sup> LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi.

<sup>5</sup> LAS lawyer, criminal law, 6 years’ experience, Tbilisi.

<sup>6</sup> Judge, criminal and civil law, 8 years’ experience, Batumi. It is notable, that article 136 is the subject of Constitutional Claims N650 (lodged on May 28 2015) and N699 (lodged on December 8 2015) the Claims are pending before the Constitutional Court of Georgia.

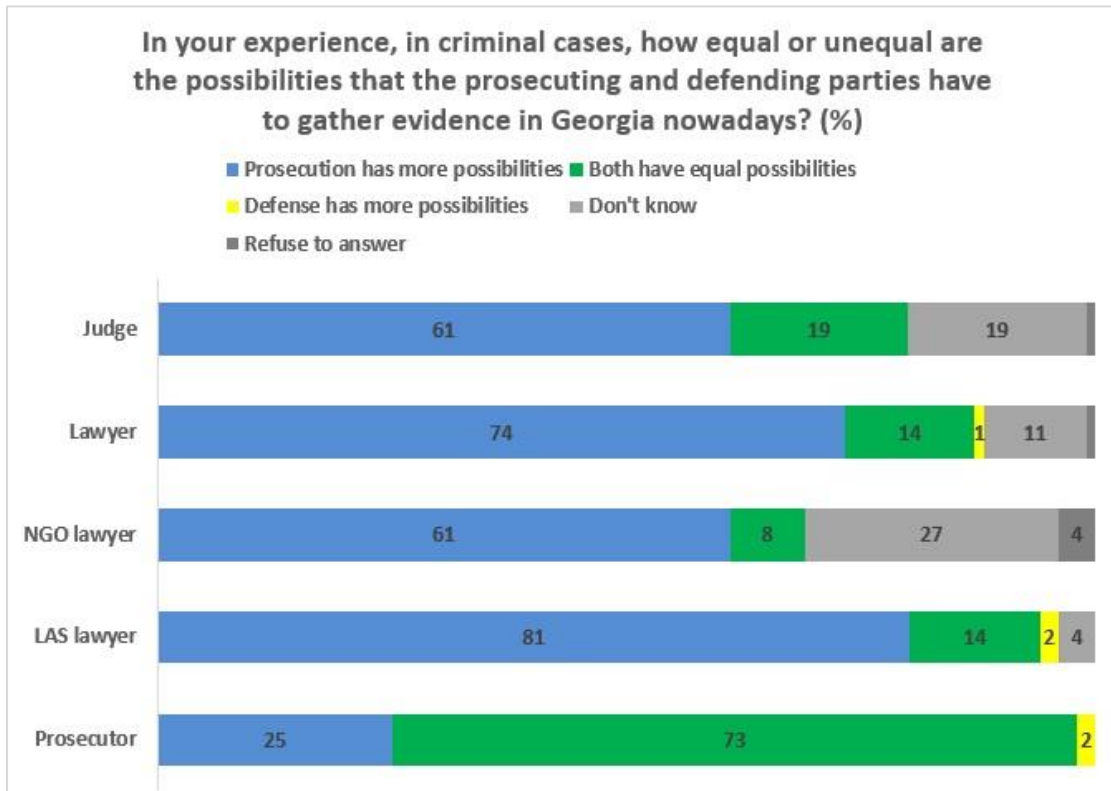
<sup>7</sup> Judge, criminal law, 1-year experience, Tbilisi.

<sup>8</sup> Prosecutor, 3 years’ experience, Batumi; Prosecutor, 13 years’ experience, Batumi; Prosecutor, 17 years’ experience, Akhaltsikhe.

<sup>9</sup> Prosecutor, 13 years’ experience, Batumi.

<sup>10</sup> Prosecutor, 3 years’ experience, Rustavi.





The lawyers also pointed out that as part of a state institution the prosecution has a better position when seeking to obtain evidence from other state institutions and private entities. In practice, the defense is less capable of gathering evidence from state institutions, especially when there are time limits, which affect its ability to provide evidence at trial. Gathering certain types of evidence is costly, so a problem also arises when a defendant has limited financial resources.<sup>11</sup> Some lawyers stated that the law also provides a mechanism for the prosecution that is not available for the defense: a sanction for hindering the work of the prosecution (Article 364 of the Criminal Code of Georgia - Interference with Legal Proceedings or Investigation). This law gives the prosecution a tool to enforce its demands towards any party, something the defense lacks.<sup>12</sup>

The unequal powers of the prosecution and defense was mentioned as an overall problem of the justice system during the focus groups with lawyers. It was also noted that having a prosecutor

<sup>11</sup> Private lawyer, general law, 26 years' experience, Rustavi; Lawyer at GYLA, civil law, 9 years' experience, Rustavi.

<sup>12</sup> LAS lawyer, general law, mostly criminal law, 12 years' experience, Rustavi.

and an investigator on the side of the prosecution might also be a problem for the justice system, since the investigation is completely focused on establishing a strong case for prosecution. According to the law, the investigation should not ignore any exonerating evidence and the prosecution has the duty to provide all such evidence to the defense (Article 83). But lawyers stated that, in reality, the prosecution frequently tries to hide evidence that might be damaging for their case.<sup>13</sup> In addition to the legal opportunities afforded only to the prosecution, some lawyers stated that in practice similar evidence provided by the two parties is treated unequally, with judges tending to be more trusting of the evidence provided by the prosecution.<sup>14</sup> Prosecutors, on the other hand, stated that they are interested in a full investigation; therefore, if the investigator is aware of evidence that may favor the defense, it is collected even without a demand from the defense.<sup>15</sup>

During the interviews, prosecutors stated that both the law and practice give the parties equal rights and opportunities. As stated by one prosecutor, “the field is equal.”<sup>16</sup> Another prosecutor underlined that the adversarial process in criminal law allowed attorneys to “demonstrate their face and abilities,” so the result of the case is fully dependent on the professionalism and hard work of the parties (a statement to this effect is made by judges on the opening of every trial as well).<sup>17</sup> One prosecutor even stated that the court is more lenient towards the defense, as evidenced by the increasing rate of acquittals.<sup>18</sup>

*“In any case there is the state on one side with its body, the Prosecutor’s Office, which has a lot of resources to conduct an investigation. Even if the other party is equipped with the same rights, it has still less opportunities, less resources – human or other, to conduct an investigation of the same scale and obtain proof.” (Judge, criminal law, 1-year experience, Tbilisi)*

See the detailed summary of the qualitative component in Annex 4

Several respondents (among lawyers) negatively assessed the removal of the “exceptional right of the defense” (Article 84) from the Criminal Procedure Code. Article 84 prescribed the right of the defense to not provide evidence on time (and that it would not be considered inadmissible at a later stage) that had special relevance for the defense.<sup>19</sup> On the other hand, the removal of Article

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<sup>13</sup> LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi; Private lawyer, criminal law, 8 years’ experience, Batumi.

<sup>14</sup> Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe; Private lawyer, LAS contracted lawyer, former prosecutor, criminal law, 37 years’ experience, Akhaltsikhe.

<sup>15</sup> Prosecutor, 17 years’ experience, Akhaltsikhe; Prosecutor, 13 years’ experience, Batumi.

<sup>16</sup> Prosecutor, 17 years’ experience, Akhaltsikhe.

<sup>17</sup> Prosecutor, 13 years’ experience, Batumi.

<sup>18</sup> Prosecutor, 9 years’ experience, Rustavi.

<sup>19</sup> Private lawyer, criminal law, 8 years’ experience, Batumi; Private lawyer, general law, former prosecutor, former judge, 32 years’ experience, Batumi; Lawyer at GYLA, criminal law, 1-year experience, Batumi. Judge in Batumi

84 was positively assessed by one prosecutor who stated that attorneys sometimes abused this right, sometimes withholding evidence that provided an alibi, which if presented at an earlier stage the prosecution might not have charged the accused.<sup>20</sup>

It should be noted that defense lawyers indicated some measures that can be taken to improve the situation, such as establishing an institution of private investigators,<sup>21</sup> separating investigation from the prosecution,<sup>22</sup> and equipping the defense party with the same enforcement rights with regards to gathering evidence.<sup>23</sup>

Some lawyers also discussed the rights of victims, stating that their rights are neglected and pushed out from the process.<sup>24</sup> It should be noted that the victim does not have the status of a party in a criminal proceeding, which is why they have limited procedural rights.

When judges assessed the balance between parties in criminal cases, most claimed that the law provides equal opportunities but that the defense does not always use those opportunities.<sup>25</sup> However, one judge stated that the criminal law does not fully provide equality of arms between the parties, particularly with regards to the procedure prior to a person being charged with a crime (he/she is not considered as a defendant, hence has no rights attributed to the defending party or the right to acquire certain evidence).<sup>26</sup>

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(criminal and civil law, 8 years' experience) pointed out that when legislator removed article 84 it should have given some other adequate balancing mechanism, which did not happen due to some errors in the law.

<sup>20</sup> Prosecutor, 3 years' experience, Batumi

<sup>21</sup> Private lawyer, general law, 15 years' experience, Batumi.

<sup>22</sup> Private lawyer, general law, 15 years' experience, Batumi.

<sup>23</sup> LAS lawyer, criminal, civil and administrative law, 6 years' experience, Akhaltsikhe.

<sup>24</sup> Private lawyer, former judge for 18 years, general law, 33 years' experience, Akhaltsikhe; Private lawyer, general law, mostly criminal law, 15 years' experience, Rustavi.

<sup>25</sup> Judge, criminal, civil and administrative law, 10 years' experience, Rustavi); Judge, criminal law, 1 years' experience, Tbilisi. Judge, civil and administrative law, 15 years' experience, Rustavi and Judge, civil law, 7 years' experience, Batumi. The two latter Judges assessed mostly law, since they do not specialize in criminal law.

<sup>26</sup> Judge, criminal and civil law, 8 years' experience, Batumi;

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**Indicator 1: Effective balance between disputing parties in courts (criminal law)  
(Percent of positive assessments, number of responses in parentheses)**

The majority of judges and prosecutors give positive assessments to the equality of arms in criminal law and practice, but the majority of lawyers disagree – less than half of lawyers assess equality of arms in criminal law and practice positively.

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Criminal laws provide equality of arms + questions on evidence	75% (86)	46% (276)	86% (101)
Equality of arms in observed in practice + questions on evidence	75% (86)	46% (267)	85% (101)

\* For a detailed explanation of indicator calculations see Annex 2.

\*\* In indicator calculations, those who either answered “Don’t Know” or did not answer the question (“non-responders”) were excluded from the calculation.

\*\*\* In indicator calculations, lawyers (private, NGO and LAS) are presented jointly.

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*Civil and Administrative Law and Practice*

Both quantitative and qualitative research showed that most legal professionals perceive civil and administrative law and practice to enable a fair balance between the parties, with over 90 percent of judges saying equality of arms is either fully or mainly provided by the civil law and observed in practice. Even among NGO lawyers, the most critical group of legal professionals surveyed, over 85 percent mainly or fully agree that there is equality of arms in civil law and practice. In administrative law and practice, the picture is similar but with somewhat smaller numbers – 84% of judges fully or mainly agreeing there is equality of arms in administrative law and practice, and around 65-75 percent of private, NGO and LAS lawyers giving fully or mainly positive evaluations. However, almost one-fourth of private lawyers (24%) stated that equality of arms is mainly not provided or not provided at all by administrative law or observed in practice, with around 12 percent of NGO and LAS lawyers stating the same.<sup>27</sup> During the focus groups one private lawyer stated that the administrative bodies participating in trials are equipped with more capacities and more support from the court, which in turn results in some imbalance between

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<sup>27</sup> These numbers differ from those in Indicator 1 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) in the indicator, responses of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

parties.<sup>28</sup> Lawyers also pointed out that the inquisitorial system applies in administrative law, which enables the court to be more active; however, this is not regarded as negatively affecting the principle of equality. Some lawyers even stressed that when applied properly, the principle of inquisition is a positive aspect so long as it is not used to aid the state party.<sup>29</sup>

Judges claimed that in civil cases both law and practice provide equality of arms between the parties. However some pointed out that administrative cases, which follow the inquisitorial system and not the adversarial system that is used in criminal cases, have a different characteristic that is mainly for providing balance between unequal parties.<sup>30</sup>

Practicing lawyers noted cases related to claims of discrimination, which shift the burden of proof from the applicant (claimant) to the respondent regarding the issues in the claim (this is in contrast to the traditional approach in civil law, where the claimant bears burden of proof for their claim, and the respondent only bears the burden of proof for any counterclaim). The lawyers suggested that courts do not always follow the law in discrimination cases, instead using the “traditional” approach and placing the burden on the applicant when it should be on the respondent.<sup>31</sup>

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<sup>28</sup> Private lawyer, general law, 26 years’ experience, Rustavi.

<sup>29</sup> Private lawyer, lecturer, worked in court, prosecutor’s office, private and administrative law, 30 years’ experience, Tbilisi.

<sup>30</sup> Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi.

<sup>31</sup> Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi.

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**Indicator 1: Effective balance between disputing parties in courts (civil and administrative law)****(Percent of positive assessments, number of responses in parentheses)**

All actors of the court process agree that equality of arms in civil law is both provided by the law and observed in practice. The absolute majority of judges and prosecutors have the same opinion with regard to administrative law. However, lawyers have a less positive evaluation of the equality of arms in administrative law and practice.

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Civil laws provide equality of arms	100% (101)	93% (279)	100%* (53)
Equality of arms observed in practice in civil law cases	100% (101)	92% (270)	100%* (48)
Administrative laws provide equality of arms	97% (94)	78% (277)	96%* (51)
Equality of arms observed in practice in administrative law cases	99% (92)	78% (270)	94%* (50)

\* Percent of respondents, who answered “Don’t know” or abstained from answering exceeds 20%.

\*\* For a detailed explanation of indicator calculations see Annex 2.

\*\*\* In indicator calculations, those who either answered “Don’t Know” or did not answer the question (“non-responders”) were excluded from the calculation.

\*\*\*\* In indicator calculations, lawyers (private, NGO and LAS) are presented jointly.

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*Equality of Arms When a Party is Not Represented by a Lawyer*

Some lawyers stated that when a defendant is not represented by a professional lawyer the judge gives advice to hire one, and if the defendant still prefers not to hire a lawyer the judge sometimes gives additional explanations.<sup>32</sup> However, most lawyers do not assess these explanations as affecting the trial, since a non-lawyer still cannot have enough understanding; but in instances where the judges give explanations off the record (with the microphones off), problems can arise if the judge makes a comment beyond a simple explanation.<sup>33</sup> Other practitioners stated that judges advise individuals to hire a lawyer,<sup>34</sup> but then either refuse to

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<sup>32</sup> Private lawyer, general law, mostly civil and administrative law, 17 years’ experience, Rustavi.

<sup>33</sup> Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi; Lawyer at GYLA, civil and administrative law, 2 years’ experience.

<sup>34</sup> Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe; Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe.

define certain legal terms or in some instances even mislead the individuals, who lack legal knowledge (in one instance a person without a legal representation was told by the court to withdraw the claim, and because the party did not understand legal procedures he did so).<sup>35</sup> Some judges said they try to balance the situation in administrative and some civil cases by taking an active role in gathering evidence.<sup>36</sup>

Most judges pointed out that having no lawyer during the trial is uncomfortable for them; a judge from Batumi claimed that in criminal trials he tries to help the party that cannot hire a lawyer for financial reasons by having the party say that they might consider a plea bargain (according to the Criminal Procedure Code, a mandatory defense attorney is appointed for such cases).<sup>37</sup> A similar approach was demonstrated by one prosecutor, who stated that when they see that a person needs a lawyer but cannot afford one, the prosecution advises the defendant to discuss the possibility of plea bargain.<sup>38</sup> Almost all prosecutors stated that the court takes more time explaining the procedures and other issues when a party does not have legal representation. A prosecutor from Batumi stated that the court accepted evidence from a defendant without an attorney despite a legal prohibition and stated that since the party was not represented he/she could not have fully been aware of procedural rules.<sup>39</sup>

Judges were almost unanimous in claiming that they prefer having parties represented by lawyers as it makes the process simpler and smoother, hence, they always advise parties to hire a lawyer when possible.<sup>40</sup> Some prosecutors also said that they prefer the accused to be represented.<sup>41</sup> A prosecutor from Akhaltsikhe underlined that if a party does not have mandatory defense provided by the law, it indicates that a case is rather simple and that even without a lawyer the party will manage to protect itself; however if they see that a person wants a lawyer and avoids hiring one due to financial reasons, they explain that the state can provide one for free.<sup>42</sup> A judge from Akhaltsikhe even stated that an unrepresented party looks somewhat like an “orphan without an attorney”.<sup>43</sup>

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<sup>35</sup> Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe; Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe.

<sup>36</sup> Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi; Judge, civil and administrative law, 15 years’ experience, Rustavi.

<sup>37</sup> Judge, criminal and civil law, 8 years’ experience, Batumi.

<sup>38</sup> Prosecutor, 3 years’ experience, Batumi.

<sup>39</sup> Prosecutor, 3 years’ experience, Batumi.

<sup>40</sup> Judge, criminal and administrative law, 4 years’ experience, Akhaltsikhe.

<sup>41</sup> Prosecutor, 13 years’ experience, Batumi; Prosecutor, 17 years’ experience, Akhaltsikhe.

<sup>42</sup> Prosecutor, 17 years’ experience, Akhaltsikhe.

<sup>43</sup> Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe.

## *2. Ability of Citizens to Benefit from Justice System*

The qualitative and quantitative research demonstrated several interesting tendencies when discussing how much citizens benefit from the justice system, including their treatment by the justice institutions, the effectiveness of the institutions, the protection of the presumption of innocence and the affordability of justice. The research also focused on whether these results varied depending on whether a citizen belonged to a marginalized group or mainstream Georgian society.

### Key Findings

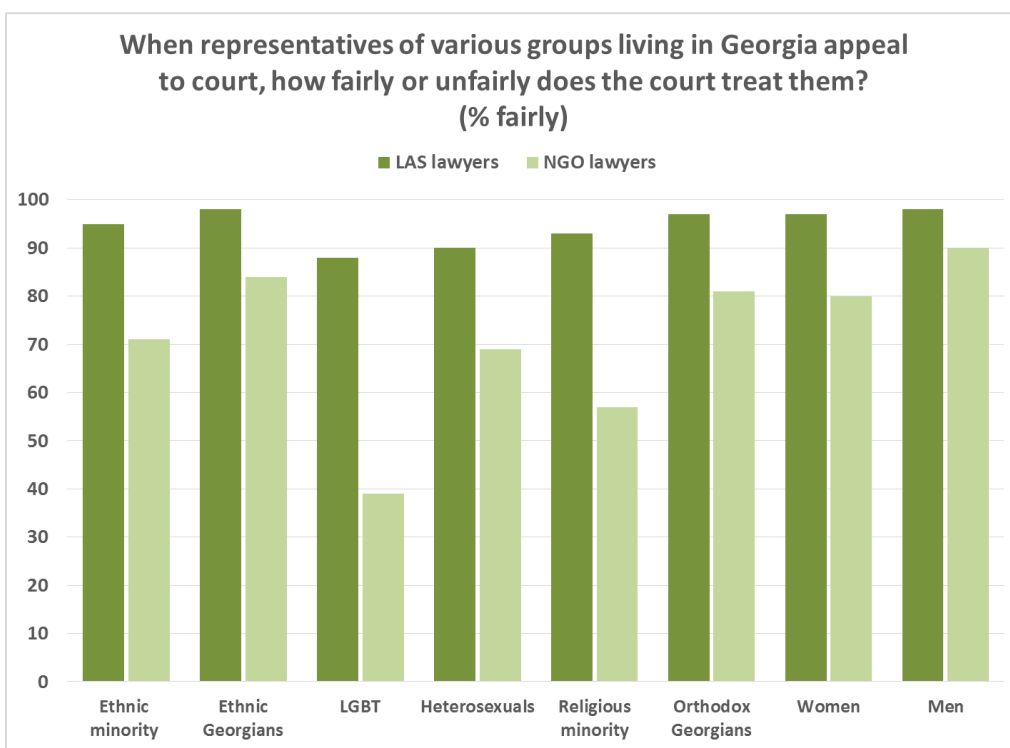
- A large majority of judges and prosecutors positively assess citizens' ability to benefit from the protection that the justice system offers; an even a bigger majority of judges and prosecutors assess the treatment of marginalized groups by the main justice institutions as equal and the presumption of innocence as protected by courts. The majority of lawyers also give a positive evaluation to the court's protection of the presumption of innocence. But in terms of the ability to benefit from the justice system, only slightly more than half of lawyers give positive evaluations; this is because of low assessments of equal treatment and affordability. Affordability of justice was seen by all actors of the court process as the most problematic issue
- NGO lawyers believe that the LGBT community and religious minorities are the groups treated least fairly or equally by the court and prosecutor's office; however, the majority of legal professionals thought all groups were treated mainly or fully fairly or equally
- Compared to other legal professionals, NGO lawyers tended to see groups as treated less fairly or equally, even in the case of traditionally privileged groups (men, ethnic Georgians, Orthodox Christians), suggesting a general view by this group that the courts and prosecutors are unfair
- The police are considered ineffective by many legal professionals, with even some prosecutors calling for reform
- The high caseload of judges impedes the court's effectiveness, as noted by both judges and lawyers
- Over 80% of legal professionals consider the court to fully or mainly protect the presumption of innocence for all groups
- The majority of legal professionals think at least some aspect of the justice system, like hiring a private lawyer or paying for procedural necessities, is unaffordable

### *Treatment*

Responses varied when legal professionals were asked about the treatment of different majority and minority groups by the court, the prosecutor's office or the state legal aid service.



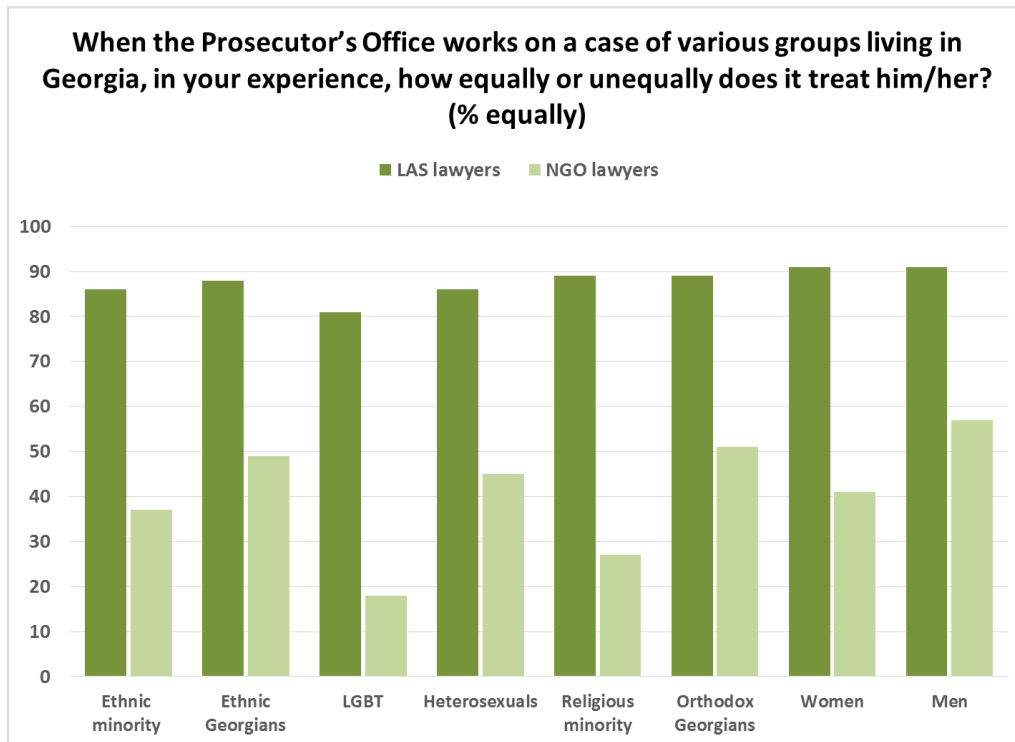
Most representatives of the legal profession stated that the court treats every group either fully fairly or mainly fairly. However, one-third of NGO lawyers (33%) stated that representatives of the LGBT community are treated mainly or fully unfairly by the court, and almost one-fourth of NGO lawyers (24%) stated that representatives of minority religions are treated mainly or fully unfairly by the court, with similarly high responses for “Don’t Know” (29% and 18%, respectively). NGO lawyers also tended to be more critical than LAS lawyers of the treatment of all groups, both marginalized and mainstream. It should be noted that LAS lawyers typically had only a slight difference in their assessment of the treatment given by the court to a mainstream group and its counterpart (e.g. Georgians vs. ethnic minorities), but NGO lawyers had a much larger gap in their assessment of how different groups were treated.<sup>44</sup>



The treatment of minority groups by the Prosecutor’s Office was considered mainly or fully equal by almost 100 percent of prosecutors. More than 70 percent of judges, LAS lawyers and private lawyers also expressed positive evaluations of the Prosecutor’s Office’s treatment of most minority groups; the exception was the treatment of LGBT community representatives,

<sup>44</sup> These numbers differ from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) percentages in the indicator combine multiple questions about the treatment of several minority and non-minority groups by more than one legal institution; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

when the share of private lawyers agreeing that the Prosecutor’s Office fully or mainly provided equal treatment was 60%. By contrast, NGO lawyers were much more critical of the Prosecutor’s Office. Only 18 percent stated that the Prosecutor’s office treats LGBT representatives mainly or fully equally, 27 percent said the same about religious minorities, and 37 percent stated that ethnic minorities were mainly or fully treated equally. NGO lawyers even saw the Prosecutor’s Office’s treatment of mainstream groups as unequal. Again, the LAS lawyers saw the treatment of all groups as more equal than their NGO counterparts.<sup>45</sup>



The state legal aid service lawyers were assessed as fully or mainly equal in their treatment of both marginalized groups and mainstream society across all legal professions. However, almost 40% of NGO lawyers, around 15-20% of private lawyers, and around 15% of judges responded to this group of questions with “I don’t know,” which suggests legal professionals are less knowledgeable about this agency.

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<sup>45</sup> These numbers differ from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) percentages in the indicator combine multiple questions about the treatment of several minority and non-minority groups by more than one legal institution; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

During the focus group discussions and interviews, most legal professionals claimed that the treatment is equal for the representatives of majority and minority groups in similar cases. However, one practicing lawyer discussed cases of discrimination of some minority groups and stated that judges in regions are not sufficiently sensitive. In one instance, the judge openly stated his/her own religious belief and blessed the party, who was Muslim, by making statements like “we Orthodox people” and saying “God bless you”. Such cases were mentioned as rather rare, however.<sup>46</sup> Conversely, a prosecutor from Tbilisi highlighted that in cases where marginalized groups, particularly members

*“There has never been a single case when I noticed either aggression or cynicism or anything on the face of a judge or a lawyer. They might be more attentive to the language they use,”* a prosecutor from Tbilisi said.

See the detailed summary of the qualitative component in Annex 4.

of the LGBT community, are involved, parties and the court are more sensitive, especially regarding the language they use.<sup>47</sup> Another prosecutor said that if an LAS lawyer is discriminatory towards his/her own client, the law would allow for the removal of such a representative since it goes against the interests of the client.<sup>48</sup>

During focus groups, lawyers stated that police treatment towards religious or ethnic minorities might be unfair or abusive sometimes (e.g., police may use the lack of Georgian language knowledge in certain regions to their advantage), but it is not systematic in the other justice system institutes. Prosecutors unanimously stated that different treatment is not present in any justice system institution.

Lawyers in Rustavi discussed one case where an attorney defending a minor was physically abused by the police in the presence of his client, which caused the defendant to feel threatened.<sup>49</sup> Although not specifying this case or any others, a prosecutor from Rustavi noted that police abuse was a serious problem.<sup>50</sup>

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<sup>46</sup> Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi.

<sup>47</sup> Prosecutor, 9 years’ experience, Tbilisi.

<sup>48</sup> Prosecutor, 10 years’ experience, Tbilisi.

<sup>49</sup> Private lawyer, general law, mostly criminal law, 15 years’ experience, Rustavi; Private lawyer, general law, 26 years’ experience, Rustavi; Lawyer at GYLA, civil law, 9 years’ experience, Rustavi; LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi.

<sup>50</sup> Prosecutor, 9 years’ experience, Rustavi.

## *Effectiveness*

Legal professionals were asked about the effectiveness of judicial institutions, such as the police and courts. Specific issues were raised regarding their effectiveness generally, and in the case of the police, issues were raised with regard to specific groups in society like minorities and women.

Prosecutors, LAS lawyers, judges and private lawyers provided positive evaluations of the effectiveness of the police in treating different minority groups and women, with over 90 percent of prosecutors stating the police treat these groups mainly or fully effectively. In the case of LGBT community representatives, the numbers were slightly lower – 67 percent of judges, 54 percent of private lawyers, 77 percent of LAS lawyers, but still 91 percent of prosecutors said the police treated the group mainly or fully effectively. NGO lawyers expressed significantly different opinions, with only 10 percent saying the police treat LGBT community representatives mainly or fully effectively, 22 percent in case of ethnic minority representatives, 18 percent in case of religious minority representatives, and 20 percent in case of women.<sup>51</sup> Despite the highly positive evaluation of police by prosecutors, two prosecutors emphasized that there is a need for reform in the police,<sup>52</sup> and one underlined that due to lack of knowledge on some issues police sometimes exceed their authority, resulting in the damage of an individual's rights.<sup>53</sup>

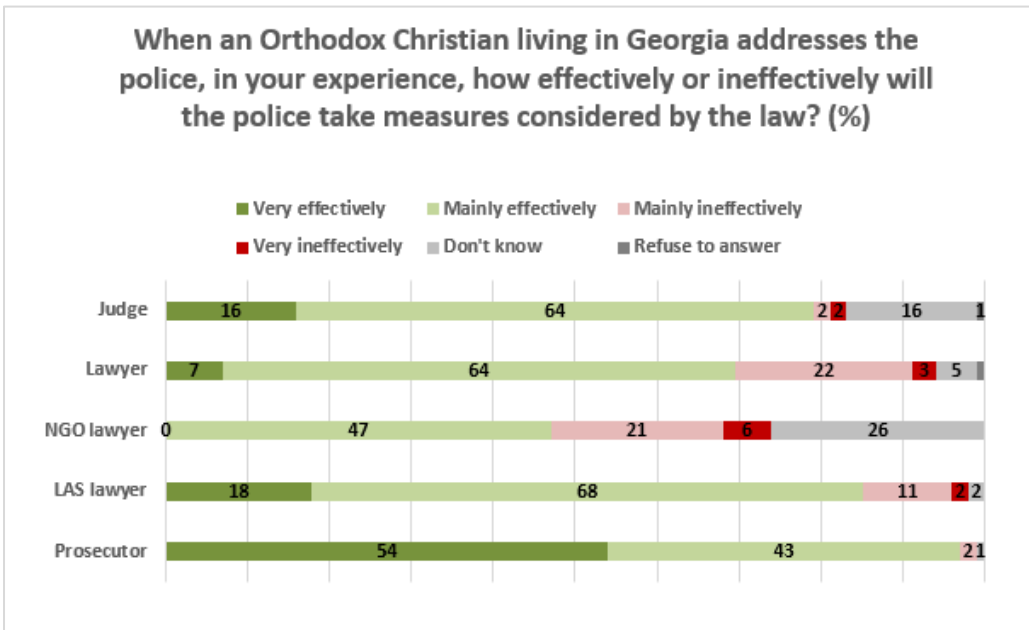
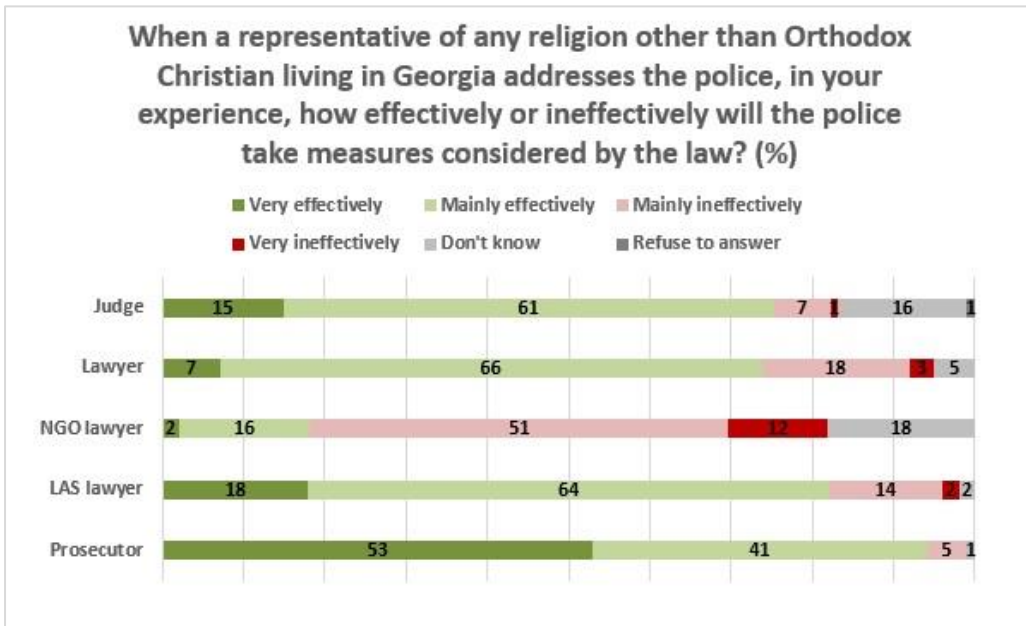
Following the responses about the treatment of different groups by the court and the Prosecutor's Office, the only legal professionals that saw a large difference between the treatment of police towards marginalized groups and their non-marginalized counterparts were NGO lawyers.

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<sup>51</sup> These numbers differ from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding 'Don't know' and 'Refuse to answer' responses; (2) percentages in the indicator combine multiple questions about the treatment of several minority and non-minority groups by more than one legal institution; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

<sup>52</sup> Prosecutor, 9 years' experience, Rustavi; Prosecutor, 3 years' experience, Rustavi.

<sup>53</sup> Prosecutor, 9 years' experience, Rustavi.



Almost all legal professionals saw problems with the effectiveness of the courts. In particular, the timeliness of hearings and the resolution of cases, as well as the timely admission of cases for hearings on the merits, were stressed due to the low number of judges and high number of cases.

Caseload was especially problematic in the view of judges. This issue affects the right to a speedy trial and, in some instances, the quality of judgments as well. Some judges also stressed infrastructure problems, like the lack of courtrooms, which cause postponed hearings and prolong trials.<sup>54</sup> A judge in Batumi stated that each judge at Batumi City Court has an extremely high caseload: in criminal cases, it is more than 100 cases per judge, in administrative cases around 150-170 cases, and in civil cases, the number reaches 300 cases per judge.<sup>55</sup> Hence, certain cases are postponed for exceedingly long periods. This issue was even worse before new judges were appointed, but these appointments still have not completely solved the problem. The same judge also underlined that there are 13 judges using 7 courtrooms, so even if all the judges were ready to hear their cases they would have to wait for a courtroom to become available. This also increases the amount of time necessary for resolving cases.

A large number of lawyers also stressed that the high caseload of judges is extremely problematic. In some instances, the hearing was postponed for so long that the claimant died before his case was heard.<sup>56</sup> According to legal professionals, when a judge has to decide on too many cases, the judgments are not well elaborated and are sometimes made with templates, without an individualized assessment of the case.<sup>57</sup>

### *Protection of Presumption of Innocence*

The question of the protection of the presumption of innocence assesses the protection provided to defendants by the court. Quantitative research demonstrated that over 80% of legal professionals consider the court to fully or mainly protect the presumption of innocence for all groups. Almost 90% of judges and around 75-80% of prosecutors stated that the court provides full protection, whereas lawyers, NGO lawyers and LAS lawyers were more inclined to claim that protection is mainly provided.<sup>58</sup>

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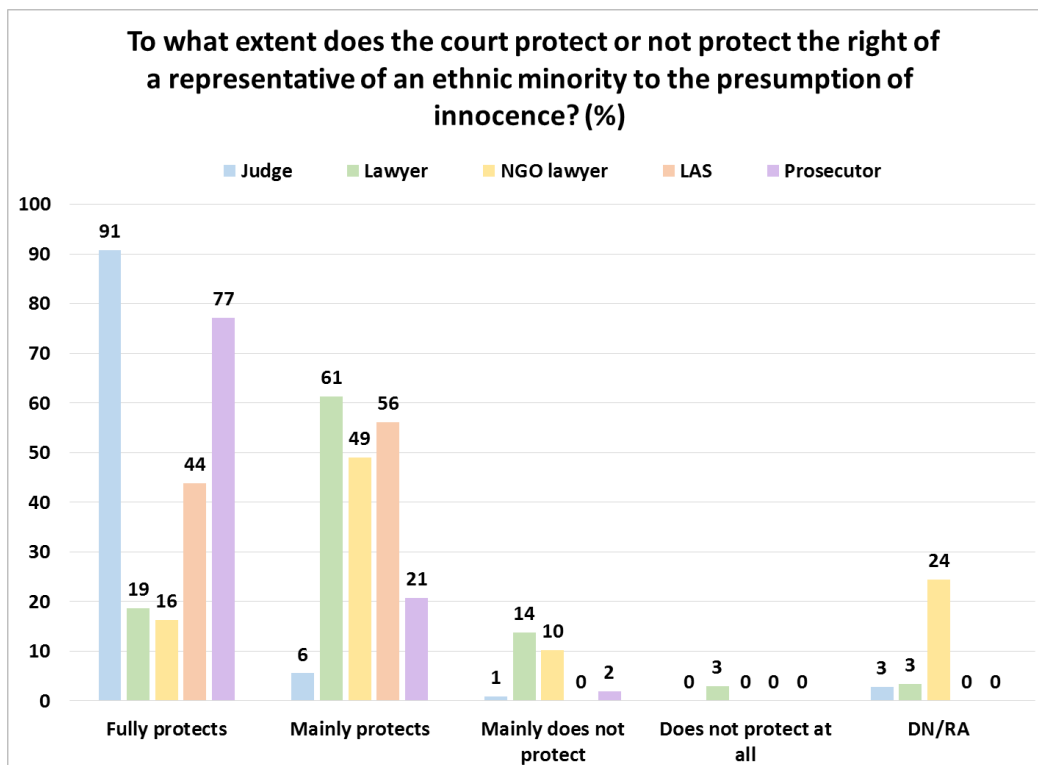
<sup>54</sup> Judge, criminal and civil law, 8 years' experience, Batumi; Judge, criminal law, 1-year experience, Tbilisi.

<sup>55</sup> Judge, criminal and civil law, 8 years' experience, Batumi.

<sup>56</sup> Lawyer at GYLA, civil and administrative law, 2 years' experience, Tbilisi.

<sup>57</sup> Lawyer at GYLA, civil and administrative law, 1 year of experience, Batumi.

<sup>58</sup> These numbers from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding 'Don't know' and 'Refuse to answer' responses; (2) the indicator combines mainly and fully protect responses to determine positive evaluations about courts protecting the innocence of minority and non-minority groups; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.



### *Affordability of Justice*

Quantitative research demonstrated that affordability of the benefits of the justice system is believed to be a problem by many legal professionals.

Less than half of all legal professionals consider the services of private lawyers mainly or fully affordable, with only 14 percent of NGO lawyers and 28 percent of LAS lawyers stating so.<sup>59</sup>

As for the affordability of court fees, they were also found mainly or fully affordable by less than half of all legal professionals except judges, with 33 percent of NGO lawyers and 35 percent of LAS lawyers stating so. By contrast, over three-fourths of judges (81%) stated court fees are

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<sup>59</sup> These numbers differ from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) percentages in the indicator take into consideration two questions (affordability of private lawyers and affordability of court fees), whereas the figures above reflect only affordability of private lawyers; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

mainly or fully affordable for citizens.<sup>60</sup> Very few legal professionals stated that the court is either totally affordable or totally unaffordable.

The affordability of the justice system was also a subject of the qualitative research, where some lawyers indicated that defendants do not always have the financial means to take certain procedural actions (e.g., gather evidence, hire experts).<sup>61</sup> Judges also pointed out that sometimes parties cannot afford private lawyers.<sup>62</sup> The problem of unqualified or dishonest lawyers was mentioned by some judges, who said that sometimes lawyers try to prolong trials by rejecting friendly settlement or bringing in extra evidence in order to receive more remuneration.<sup>63</sup>

Several lawyers indicated during focus groups that the civil procedure law obliging the party to be responsible for delivering documents to the opposing side is unfair and merely aims to relieve the court of its duties, noting that the court fee should cover such services.<sup>64</sup> It was also pointed out that in practice there is almost no instance where courts waive the court fee, reduce it or postpone it, even though the law allows for such measures if there is sufficient reason, thus limiting the affordability for those people who are not legally socially vulnerable but have inadequate financial means to pay the fees.<sup>65</sup> Another issue stated was the affordability of justice for prisoners: because they are removed from the list of socially vulnerable persons once they are convicted, they must pay court fees if they want to address the court for any reason.<sup>66</sup>

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<sup>60</sup> These numbers differ from those in Indicator 2 because: (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) percentages in the indicator take into consideration two questions (affordability of private lawyers and affordability of court fees), whereas the figures above reflect only affordability of court fees; (3) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For a detailed description of indicators, see Annex 2.

<sup>61</sup> Private lawyer, general law, 26 years’ experience, Rustavi; Lawyer at GYLA, civil law, 9 years’ experience, Rustavi.

<sup>62</sup> Judge, criminal and civil law, 8 years’ experience, Batumi; Judge, civil and administrative law, 15 years’ experience, Rustavi.

<sup>63</sup> Judge, criminal and civil law, 8 years’ experience, Batumi; Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe.

<sup>64</sup> Private lawyer, criminal law, 8 years’ experience, Batumi; Private lawyer, former judge for 18 years, general law, 33 years’ experience, Akhaltsikhe.

<sup>65</sup> Private lawyer, general law, 15 years’ experience, Batumi.

<sup>66</sup> Lawyer at GYLA, criminal law, 1 year experience, Batumi.



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**Indicator 2: Positive assessment of citizens' access to justice system****(Percent of positive assessments, number of responses in parentheses)**

A large majority of judges and prosecutors positively assess citizens' ability to benefit from the protection that the justice system offers; an even a bigger majority of judges and prosecutors assess the treatment of marginalized groups by the main justice institutions as equal and the presumption of innocence as protected by courts. The majority of lawyers also give a positive evaluation to the court's protection of the presumption of innocence. But in terms of the ability to benefit from the justice system, only slightly more than half of lawyers give positive evaluations; this is because of low assessments of equal treatment and affordability. Affordability of justice was seen by all actors of the court process as the most problematic issue.

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Average of responses regarding citizens' possibility to benefit from the protection that the justice system offers	82% (107)	56% (304)	79% (99)
Equal treatment	97% (108)	63% (309)	96% (102)
Presumption of innocence	98% (105)	80% (295)	97% (102)
Affordability	52% (108)	26% (309)	45% (93)

*\*For a detailed explanation of indicator calculations see Annex 2.*

*\*\* In indicator calculations, those who either answered "Don't Know" or did not answer the question ("non-responders") were excluded from the calculation.*

*\*\*\* In indicator calculations, lawyers (private, NGO and LAS) are presented jointly.*

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### *3. Assessment of Quality of Legal Education*

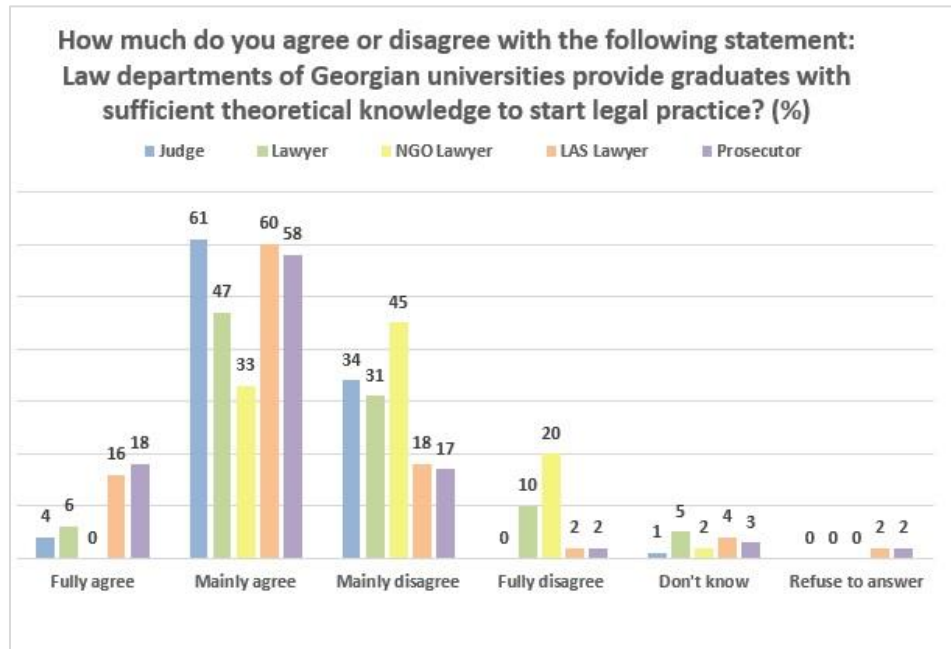
#### Key Findings

- Legal education was an area where positive assessments were lacking. Prosecutors were the most positive about the existing theoretical and practical legal education, with slightly more than half giving a positive assessment. The majority of judges and lawyers did not provide positive evaluations to legal education, either theoretical or practical
- Prosecutors stated that the mandatory internship program they are required to complete is “extremely valuable”
- Lawyers assessed Continuing Legal Education trainings given by the Georgian Bar Association (GBA) positively, but lawyers from the regions noted that it is difficult to attend
- Judges noted that the trainings given by the High Council of Justice are good and highlighted that their requests regarding trainings were responded to

A majority of legal professionals (around 55 to 75% of most legal professionals, but only 33% of NGO lawyers) agree that the law departments of Georgian universities mainly or fully provide graduates with sufficient theoretical knowledge. But respondents mainly disagree that graduates are provided with sufficient practical skills, with only 10 percent of NGO lawyers, 28 percent of private lawyers and 38 percent of judges mainly or fully agreeing that law department graduates have sufficient practical skills to start legal practice.<sup>67</sup> Overall, most legal professionals consider the universities to prepare their graduates on medium level for the specialized qualification exams.

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<sup>67</sup> These numbers differ from those in Indicator 3 because (1) percentages in the indicator are calculated excluding ‘Don’t know’ and ‘Refuse to answer’ responses; (2) for the assessment of theoretical legal education, the indicator combines two questions (one on whether law department graduates have enough theoretical knowledge and another on whether a university education prepares graduates for specialized qualification exams); (3) in the indicator, percentages of all lawyers (private, NGO, LAS) are presented jointly. For a detailed description of indicators, see Annex 2.



During the qualitative research the same assessment was provided by both lawyers and judges. Some pointed out that students and graduates are not equipped with enough skills to be ready for formal legal writing<sup>68</sup> and that there is lack of practical education,<sup>69</sup> particularly in regional universities.<sup>70</sup> It was also pointed out that to gain practical knowledge it is important for intern lawyers to be able to participate in trials, similar to the intern prosecutors, which would give them practical litigation skills.<sup>71</sup> At the same time, some lawyers underlined that compared to a few decades ago, graduates today have better skills.<sup>72</sup> But they believed there remains a need for additional practical skills to be gained both during university and afterwards (through moot courts or internships).<sup>73</sup>

<sup>68</sup> Private lawyer, lecturer, worked in court, prosecutor's office, private and administrative law, 30 years' experience, Tbilisi.

<sup>69</sup> Private lawyer, LAS contracted lawyer, former prosecutor, criminal law, 37 years' experience, Akhaltsikhe; Private lawyer, former investigator of the Interior Ministry, criminal law, 27 years' experience, Akhaltsikhe; Lawyer at GYLA, criminal law, 1-year experience, Batumi.

<sup>70</sup> Lawyer at GYLA, civil and administrative law, 1-year experience, Batumi; Private lawyer, civil and administrative law, 2 years' experience, Batumi.

<sup>71</sup> Private lawyer, criminal and administrative law, 12 years' experience, Tbilisi.

<sup>72</sup> Private lawyer, general law, 26 years' experience, Rustavi.

<sup>73</sup> Lawyer at GYLA, civil law, 9 years' experience, Rustavi; Private lawyer, general law, mostly civil and administrative law, 17 years' experience, Rustavi; Prosecutor, 13 years' experience, Batumi; Prosecutor, 3 years' experience, Batumi.

During the interviews judges assessed legal education given by Georgian universities rather positively, especially compared to previous years, but stressed that more attention should be paid to practical skills.<sup>74</sup> The possibility of internships at courts or other institutions was underlined by certain judges as a way of improving the quality of practical education.<sup>75</sup>

Almost all prosecutors stated that the mandatory internship program that a candidate must complete before being appointed as a prosecutor is extremely valuable. They felt the internship program tests almost all skills and encourages competition, which in turn results in highly qualified personnel, and that the practical knowledge gained during such programs is very valuable. A prosecutor from Batumi underlined that despite the quite detailed practical knowledge he acquired in the university, he still faced “extremely different approaches in real practice.”<sup>76</sup> One prosecutor from Akhaltsikhe stated that it is important to encourage students from the regions to study at local universities, saying that although the possibilities to study in Tbilisi are much wider, a motivated student can achieve a decent education in the regions as well and certain institutions should value such motivated students, who would be good examples to other students.<sup>77</sup>

*“University should take care to give students what they are seeking outside of the university and gaining from other sources. The university should give them the basis – practice along with theory.” (Private lawyer, general law, 17 years’ experience, Rustavi)*

See the detailed summary of the qualitative component in Annex 4.

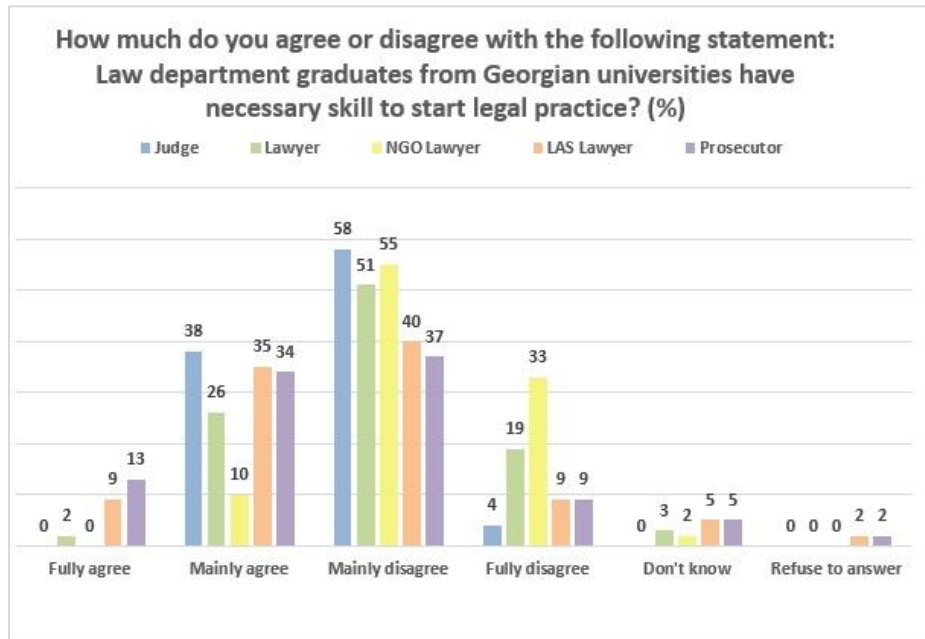
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<sup>74</sup> Judge, civil law, 7 years’ experience, Batumi; Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi; Judge, civil and administrative law, 15 years’ experience, Rustavi; Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe; Judge, criminal and administrative law, 4 years’ experience, Akhaltsikhe.

<sup>75</sup> Judge, criminal and administrative law, 4 years’ experience, Akhaltsikhe; Judge, criminal and civil law, 8 years’ experience, Batumi.

<sup>76</sup> Prosecutor, 3 years’ experience, Batumi.

<sup>77</sup> Prosecutor, 17 years’ experience, Akhaltsikhe.



During the qualitative research, legal professionals (both lawyers and judges) were also asked to assess the Continued Legal Education trainings provided by the Georgian Bar Association. The GBA trainings were assessed mainly positively by lawyers, who said the topics are interesting and the qualification of trainers and quality of materials are high;<sup>78</sup> however, some practitioners stated that subjects and the content are repetitive.<sup>79</sup> Some lawyers emphasized that the trainings are too short and too general, with no in-depth discussion.<sup>80</sup> Lawyers from regions said that trainings are sometimes inaccessible for them due to distance and their limited ability to find time for both travel and attendance.<sup>81</sup> Some lawyers stated that the courts or the High Council of Justice would also be good institutions to provide practicing lawyers with continuing legal education so that investigators and prosecutors could also be involved.<sup>82</sup>

During the interviews, some judges stated that the qualification of lawyers was a major problem, and it was underlined as a problem for justice system.<sup>83</sup> A prosecutor from Rustavi also said the

<sup>78</sup> Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years' experience, Tbilisi; Private lawyer, criminal and administrative law, 12 years' experience, Tbilisi; Private lawyer, general law, 26 years' experience, Rustavi; Private lawyer, criminal law, 8 years' experience, Batumi.

<sup>79</sup> Private lawyer, lecturer, worked in court, prosecutor's office, private and administrative law, 30 years' experience, Tbilisi; Lawyer at GYLA, civil and administrative law, 2 years' experience, Tbilisi.

<sup>80</sup> Lawyer at GYLA, civil law, 9 years' experience, Rustavi.

<sup>81</sup> LAS lawyer, criminal, civil and administrative law, 6 years' experience, Akhaltsikhe.

<sup>82</sup> Private lawyer, general law, 26 years' experience, Rustavi; Lawyer at GYLA, civil law, 9 years' experience, Rustavi; Lawyer at GYLA, civil law, 9 years' experience, Rustavi.

<sup>83</sup> Judge, criminal and civil law, 8 years' experience, Batumi; Judge, criminal law, 1 year experience, Tbilisi.

qualification of lawyers was a major problem.<sup>84</sup> One prosecutor pointed out that the qualification of judges is a problem, too.<sup>85</sup>

All interviewed judges assessed trainings provided by the High Council of Justice rather positively, with both the quality and organization considered quite good. Judges were also content that the trainings are tailored to their specialization and their requests were responded to.<sup>86</sup>

When asked how to improve the situation in legal education, practicing lawyers stated that some professionals in the justice system, for instance investigators, lack legal knowledge and training in both law and psychology, and need better qualifications in these and other relevant fields.<sup>87</sup> One judge also pointed out that a lack of qualification is a problem for investigators, since incomplete investigations caused acquittal judgments due to incomplete investigative steps.<sup>88</sup>

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**Indicator 3: Assessment of the quality of legal education as adequate for market demand (Percent of positive assessments, number of responses in parentheses)**

Legal education was an area where positive assessments were lacking. Prosecutors were the most positive about the existing theoretical and practical legal education, with slightly more than half giving a positive assessment. The majority of judges and lawyers did not provide positive evaluations to legal education, either theoretical or practical.

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Assessment of legal education – theoretical	29% (108)	25% (301)	58% (96)
Assessment of legal education – practical	38% (107)	29% (299)	51% (93)

\* For a detailed explanation of indicator calculations see Annex 2.

\*\* In indicator calculations, those who either answered “Don’t Know” or did not answer the question (“non-responders”) were excluded from the calculation.

\*\*\* In indicator calculations, lawyers (private, NGO and LAS) are presented jointly.

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<sup>84</sup> Prosecutor, 3 years’ experience, Rustavi.

<sup>85</sup> Prosecutor, 9 years’ experience, Rustavi.

<sup>86</sup> Judge, civil law, 7 years’ experience, Batumi; Judge, civil and administrative law, 15 years’ experience, Rustavi; Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe.

<sup>87</sup> Private lawyer, criminal and administrative law, 12 years’ experience, Tbilisi; Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi.

<sup>88</sup> Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe.

#### *4. Assessment of Justice System Institutions*

##### Key Findings

- Legal professionals tend to give positive assessments to the institutions directly related to them. Judges were most positive about courts, High Council of Justice, High School of Justice and the Judges' Association of Georgia. Prosecutors gave highest evaluations to the Prosecutor's Office, the Ministry of Justice and the state's Legal Aid Service. Lawyers, who were mostly critical and did not evaluate justice institutions positively, gave highest evaluations to the Georgian Bar Association, NGO legal aid and the state Legal Aid Service.
- The vast majority of legal professionals are aware of the justice system institutions, with the exception of the High Council of Justice
- Most legal professionals are aware of the organizations that cater to them (i.e. lawyers and judges are aware of the GBA and judges are aware of the Judges' Association of Georgia and, to a lesser extent, "Unity"), although they may not participate in their activities
- Most justice systems institutions were considered mainly transparent by the majority of legal professionals
- Overall, lawyers (private, NGO and LAS) judged the transparency and performance of institutions harsher than judges and prosecutors
- The high caseload in the courts was seen as a major issue that affects the performance of the courts, and one that has negative effects on the speed, quality and, in the case of the Supreme Court, uniformity of legal decisions

##### *Awareness*

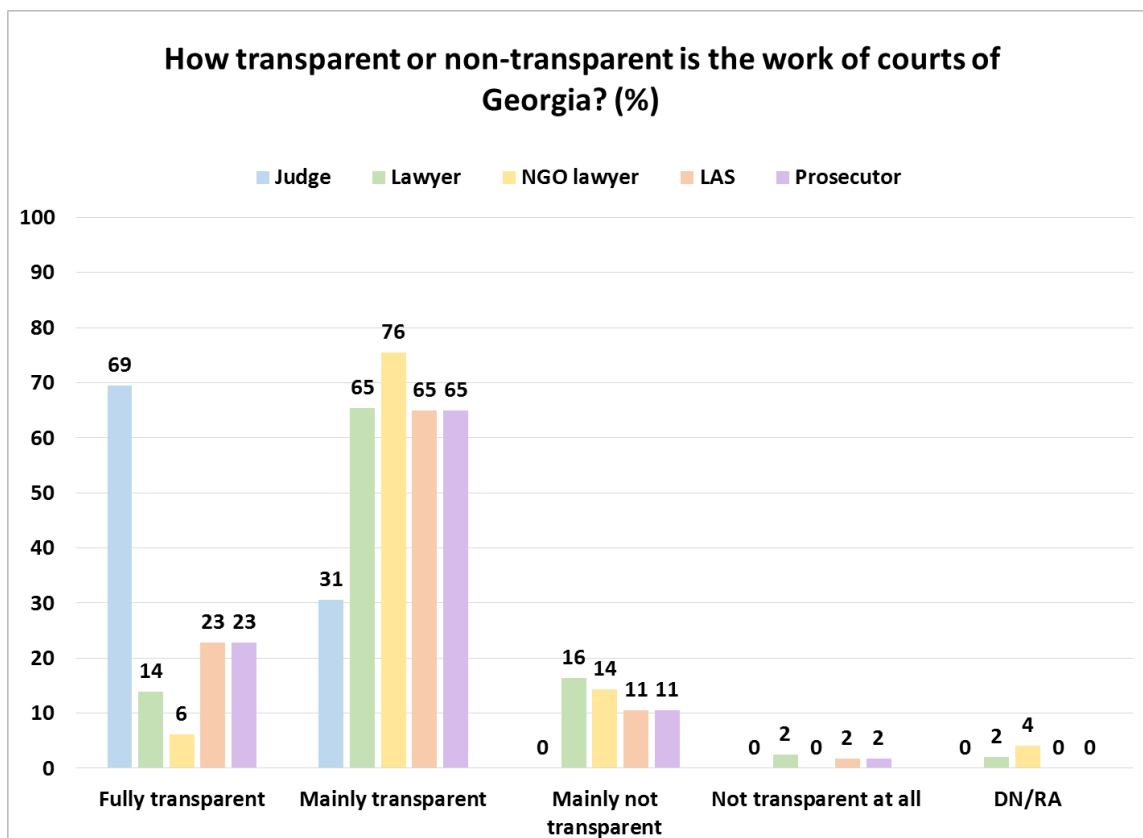
Most legal professionals are aware of the work done by different justice system institutions, like the Ministry of Justice, LAS, NGOs, courts, prosecutor's office and GBA. However, the work of the High Council of Justice was unfamiliar to a large portion of private lawyers (44%) and NGO lawyers (53%). Some justice system institutions, such as the Judges' Association and "Unity" (Judges' Association) were mainly unfamiliar to some legal professionals, with the exception of judges (90% of whom were fully or mainly familiar with the work of the Association and almost 60% were fully or mainly familiar with that of "Unity") and some prosecutors (45% were fully or mainly familiar with the work of the Association).

When discussing these institutions during the qualitative interviews and focus groups, almost all lawyers and judges stated that they were aware of GBA's work. All interviewed judges were members of the Judges' Association of Georgia, however few were aware of its work or participated in it; similarly few were aware of the work of "Unity".

## Transparency

Legal professionals who stated that they were aware of the justice system institutions were then asked to assess their transparency. Most institutions were considered mainly transparent in their work; however, the work of High Council of Justice was assessed as mainly not transparent or not transparent at all by most NGO lawyers (67%), slightly less than half of private lawyers (43%) and about one-third of LAS lawyers (35%). Additionally, very few of these three groups assessed the work of the HCOJ as fully transparent (respectively 0%, 4% and 9%). However, more than half of LAS lawyers (54%) consider HCOJ as mainly transparent. Judges evaluated the work of the HCOJ the most positively with regard to transparency, with 95% assessing it as fully or mainly transparent. Two-thirds of prosecutors (67%) also said HCOJ was mainly or fully transparent.

The courts are assessed as mainly transparent by the majority of legal professionals, except for judges, who think it is fully transparent.



Prosecutors were the only group of legal professionals that considered the Prosecutor’s Office fully transparent in its work (72%). The Prosecutor’s Office was reported to be mainly transparent by 57% of judges and 49% of LAS lawyers. A large number of private attorneys



(40%) and NGO lawyers (54%), and more than one-third of LAS lawyers (35%), stated that the work of the Prosecutor's Office was mainly not transparent.

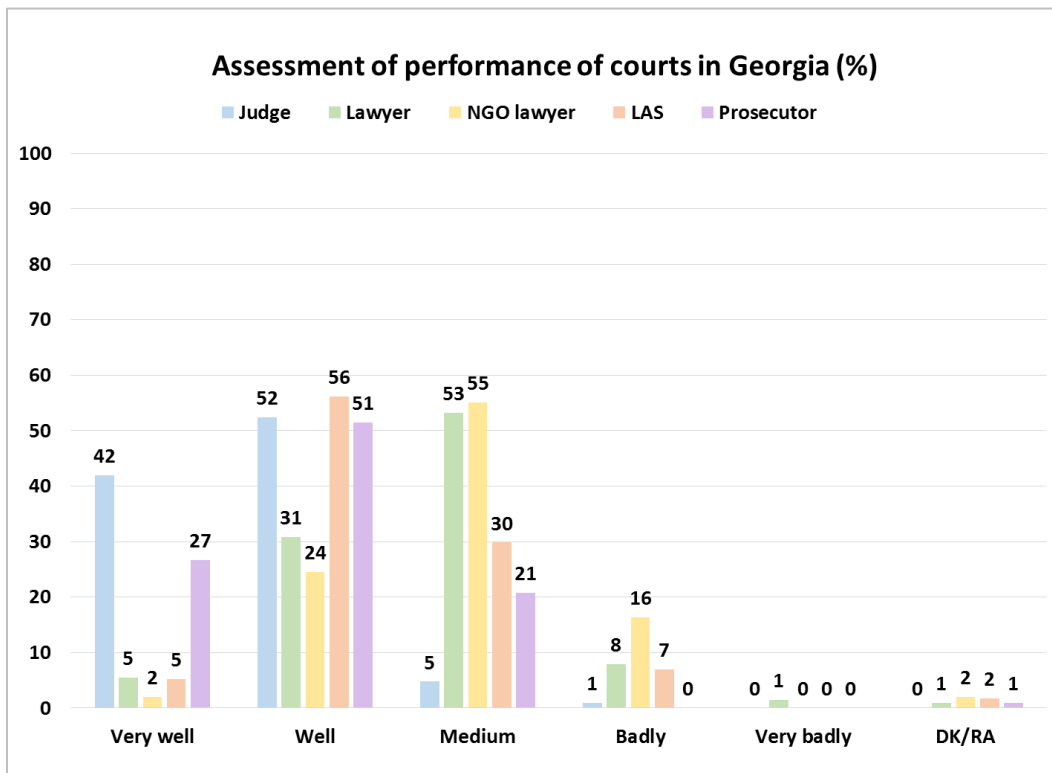
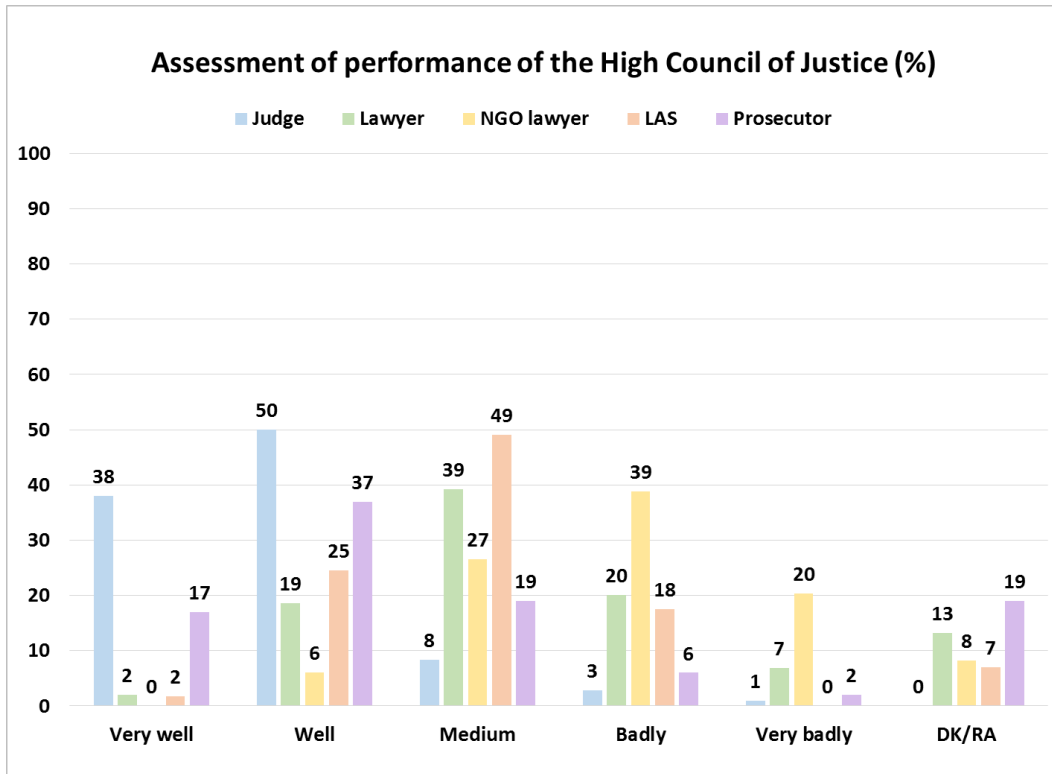
Only those legal professionals aware of the work of the Judges' Association and "Unity" were asked about the transparency of those organizations, but most respondents, except for judges, answered "I don't know."

### *Performance*

More than half of legal professionals with awareness of relevant institutions assessed the performance of justice system institutions as above medium (medium or well). Around 5-10% of private, NGO or LAS lawyers stated that these institutions perform very well, while 20-50% of prosecutors and judges made such an assessment (depending on the institution); the work of most institutions was assessed as bad or very bad by less than 5% of legal professionals. However, some institutions were considered to perform badly by certain lawyers. For example, many NGO lawyers (39%) think the HCOJ performs badly; none of the NGO lawyers assessed the performance of Prosecutor's Office as good or very good, while 27% think the performance of the Prosecutor's Office is bad and 19% think it is very bad.<sup>89</sup>

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<sup>89</sup> These numbers differ from those in Indicator 4 because: (1) percentages in the indicator are calculated excluding 'Don't know' and 'Refuse to answer' responses; (2) in the indicator, percentages of all lawyers (private, NGO and LAS) are presented jointly. For the detailed description of indicators, see Annex 2.



The qualitative research tried to go deeper into this issue and asked respondents which justice system institutions are most in need of improvement. Almost all legal professionals felt that some sort of changes are needed in each of the different institutions. One judge said that reforms and changes are necessary and welcomed, and noted that after a requirement to record trials was introduced judges became more “in shape” and are now more attentive.<sup>90</sup>

The majority of lawyers and judges mentioned heavy caseloads caused by an insufficient number of judges as a problem, which affected the quality of decisions (template judgments, low argumentation) and delayed the resolution of cases. Some lawyers stressed that this was also an issue in the Supreme Court, which accepted very few cases, thus not providing enough explanatory judgments that would develop a uniform practice between the courts.<sup>91</sup> A prosecutor from Batumi also stressed that the passive role of the Supreme Court negatively affects the understanding the law: during the past few years only three or four judgments were issued by the court each year, so the understanding of crime is not uniform in different courts.<sup>92</sup> Prosecutors stated that this non-uniform practice of the courts can be assessed as a problem of justice system.<sup>93</sup>

Some lawyers also assessed the appointment process of judges as problematic, claiming that the judges’ qualifications are not high enough and that issues with nepotism or corruption during the appointment process affect the court system extremely negatively.<sup>94</sup> Some lawyers also stated that judges are not sufficiently involved in writing court decisions, that the court staff produces these documents even though their qualifications are questionable.<sup>95</sup>

An additional issue that lawyers mentioned was the passive role of court mediation. Some practitioners stated that activating this institution would lessen the courts’ caseload, provide for more rapid justice, and enable reaching consensus between more parties.<sup>96</sup>

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<sup>90</sup> Judge, criminal and administrative law, 4 years’ experience, Akhaltsikhe.

<sup>91</sup> Private lawyer, general law, 15 years’ experience, Batumi; Private lawyer, former judge for 18 years, general law, 33 years’ experience, Akhaltsikhe.

<sup>92</sup> Prosecutor, 13 years’ experience, Batumi.

<sup>93</sup> Prosecutor, 3 years’ experience, Batumi; Prosecutor, 13 years’ experience, Batumi.

<sup>94</sup> Private lawyer, lecturer, worked in court, prosecutor's office, private and administrative law, 30 years’ experience, Tbilisi; Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi; Private lawyer, civil and administrative law, 2 years’ experience, Batumi; Private lawyer, former judge for 18 years, general law, 33 years’ experience, Akhaltsikhe.

<sup>95</sup> Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi; Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi.

<sup>96</sup> Private lawyer, criminal law, 8 years’ experience, Batumi; Lawyer at TI, civil and administrative law, 2 years’ experience, Batumi.

Systematic problems were outlined by several lawyers regarding the way the Prosecutor's Office works on cases where less severe sanctions can be used. According to Criminal Code of Georgia, punishment that is less than the minimum sanction provided by the law can be used only when a plea bargain is made. In practice, such a bargain can be struck only with the consent of the General Prosecutor's Office, an office within the Prosecutor's Office, which is not fully aware of the case or personality of the defendant, resulting in a rather severe and rigid approach.<sup>97</sup>

During interviews, several judges and prosecutors stated that the qualification of lawyers is not high enough. It was also stressed that institutions like the GBA are frequently involved in discrediting the court system instead of working on increasing the qualification of their members or improving the legal framework (by constitutional claims, etc.).<sup>98</sup>

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<sup>97</sup> Private lawyer, former judge for 18 years, general law, 33 years' experience, Akhaltsikhe; Private lawyer, criminal law, 8 years' experience, Akhaltsikhe.

<sup>98</sup> Judge, criminal and civil law, 8 years' experience, Batumi.

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**Indicator 4: Assessment of justice institutions****(Percent of positive assessments, member of responses in parentheses)**

Actors of the court process tend to give positive assessments to the institutions directly related to them. Judges were most positive about courts, High Council of Justice, High School of Justice and the Judges' Association of Georgia. Prosecutors gave highest evaluations to the Prosecutor's Office, the Ministry of Justice and the state Legal Aid Service. Lawyers, who were mostly critical and did not evaluate justice institutions positively, gave highest evaluations to the Georgian Bar Association, NGO legal aid and the state Legal Aid Service.

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Ministry of Justice	78% (104)	47% (300)	99% (96)
High Council of Justice	88% (108)	22% (275)	67% (81)
High School of Justice	88% (106)	37%* (232)	70%* (76)
Legal Aid Service (LAS)	74% (96)	64% (270)	85% (97)
NGO legal aid	73%* (85)	66% (278)	65%* (66)
Courts of Georgia	94% (105)	40% (303)	79% (100)
Prosecutor's Office	61% (92)	23% (275)	100% (99)
Georgian Bar Association	47% (99)	73% (304)	62% (92)
Judges Association of Georgia	83% (104)	39%* (179)	69%* (54)
Judges Association "Unity"	62%* (78)	36%* (110)	62%* (39)

\* Percent of respondents, who answered "Don't know" or abstained from answering exceeds 20%.

\*\* For a detailed explanation of indicator calculations see Annex 2.

\*\*\* In indicator calculations, those who either answered "Don't Know" or did not answer the question ("non-responders") were excluded from the calculation.

\*\*\*\* In indicator calculations, lawyers (private, NGO and LAS) are presented jointly.

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## Conclusion

The study has demonstrated that certain aspects of the judicial system are seen differently by different legal professionals. Prosecutors and judges, all of whom are employed by the state, tended to have a more positive view of judicial institutions and the judicial system. They were particularly positive towards their own institutions, the Prosecutor's Office and the courts, respectively. Among the lawyers, opinions of the judicial system varied, with NGO lawyers having the least positive view, in particular towards the treatment of minorities.

Lawyers tend to believe that criminal law and practice does not provide for the equality of arms, while prosecutors have an opposing view and judges are somewhat divided. On the other hand, civil law and, to a large extent, administrative law are seen to enable equality between parties. In the view of many lawyers, an issue that undermines the equality of arms is the rights given solely to the prosecutors to gather and introduce evidence into court.

Some issues had more consensus among legal professionals. Almost all legal professionals agree that the lack of speedy trials is an impediment to the judicial process that is mainly caused by a shortage of judges and lack of alternative dispute resolution outside of courts. Another issue raised by many legal professionals is the qualifications of different justice system representatives. In the case of judges some pointed to nepotism in the selection process, while in the case of lawyers, prosecutors and other court staff, the biggest complaint was the lack of practical knowledge.

The treatment towards marginalized groups was not seen as a major problem by the majority of legal professionals, with the exception of NGO lawyers who saw large gaps between the treatment of and effectiveness towards marginalized groups within the justice system. The largest issue brought up while researching the treatment of marginalized groups was the need for police reform, a reform that would benefit both minority groups and women, as well as the general population. The affordability of the courts, including the fees for hiring a lawyer, gathering evidence and sending documents, was also seen as a barrier for citizens.

Legal professionals are aware of most judicial institutions, and their transparency was mainly assessed positively. However, the performance of some of institutions, such as the High Council of Justice, GBA and Prosecutor's Office, were not as positively assessed as the other institutions.

Overall, it can be concluded that the reform of laws and practice are seen as a necessity in many fields, particularly criminal procedures, especially with regard to gathering and introducing evidence and other procedural benefits given to the prosecution. Reforms addressing the

qualifications of legal professionals and improvements aimed at increasing the effectiveness of judicial institutions are also felt to be needed.

## Appendices

### *Annex 1 – Methodology*

As part of the Promoting Rule of Law in Georgia (PROLoG) program, CRRC-Georgia (Caucasus Research Resource Center) conducted a baseline study in December 2015-May 2016 including a survey of legal professionals (face-to-face survey with lawyers and judges using a CAPI – Computer Assisted Personal Interviewing method; online self-administered survey with prosecutors), focus groups with lawyers and qualitative interviews with judges and prosecutors. Based on one of the sub-purposes of the PROLoG program – improving access to justice for marginalized citizens, in particular women and ethnic and sexual minorities – the study focused on Tbilisi and three regions outside the capital: Adjara, Kvemo Kartli and Samtskhe-Javakheti. The study explored four topics:

- Balance between disputing parties in courts
- Possibility of all citizens to benefit from the protection justice system offers
- Quality of legal education
- Performance of justice system institutions.

#### *Quantitative component: survey with legal professionals*

Survey with legal professionals targeted all three actors of the court process: lawyers (private lawyers, NGO lawyers and LAS - legal aid service lawyers), acting judges of city courts and acting prosecutors. Face-to-face interviews were conducted with lawyers and judges using a CAPI method and an online self-administered survey with prosecutors. The same survey instrument was used in all three cases.

#### Survey with lawyers

The survey with lawyers was conducted between the period of **December 22 2015 and January 31 2016**. Overall **310 lawyers** were interviewed (204 private lawyers, 49 NGO lawyers and 57 LAS lawyers). Non-response was the highest among private lawyers (41%).

Sampling of lawyers used the simple random sampling method. In addition, where possible, respondents were selected from the regions of interest for the study (Adjara, Kvemo Kartli and Samtskhe-Javakheti). The sampling frame of private lawyers was the list of all lawyers registered at the Georgian Bar Association (4069 lawyers as of October 19 2015). With the help of the Georgian Bar Association, CRRC-Georgia randomly sampled 500 lawyers (simple random sampling selection method was used through a “rand()” function in Excel).



The sampling frame of NGO lawyers was the list of lawyers providing legal aid service at the following NGOs: Georgian Young Lawyers' Association, Human Rights Education and Monitoring Center (EMC), Article 42, Human Rights Center (HRC) and Transparency International Georgia (TI). The number of lawyers in the NGO-provided legal aid service was only 55 lawyers; therefore, CRRC-Georgia attempted to interview all of them, without any selection.

The sampling frame of LAS lawyers was the list of all lawyers working in the state-provided legal aid service bureaus provided to CRRC-Georgia by the LAS. Overall, there were 105 lawyers as of October 2015. CRRC-Georgia selected all lawyers working in three regions of focus (Adjara, Kvemo Kartli and Samtskhe-Javakheti) and randomly (simple random sampling selection method was used through a "rand()" function in Excel) selected lawyers from other regions – overall comprising the sample of 61 lawyers.

#### Survey with judges

The survey with judges was conducted between **December 23 2015 and January 31 2016**. Overall **108 judges** were interviewed. Non-response was only 17.5%.

The High Council of Justice assisted CRRC-Georgia in the selection of judges by providing the list of all acting judges and further on in the appointment of interviews with judges. From the list of 230 acting judges in city courts and courts of appeal around Georgia, CRRC-Georgia sampled all judges working in three regions of focus (Adjara, Kvemo Kartli and Samtskhe-Javakheti) and randomly (simple random sampling selection method was used through a "rand()" function in Excel) selected judges from other regions – overall comprising the sample of 131 judges.

#### Online survey with prosecutors

The online survey with prosecutors was conducted between **January 25-31 2016**. Overall, **102 prosecutors** were interviewed.<sup>99</sup>

The sampling frame was 540 acting prosecutors around Georgia. With the help of the Professional Development and Career Management Center of the Chief Prosecutor's Office, CRRC-Georgia randomly selected (simple random sampling selection method was used through a "rand()" function in Excel) 200 prosecutors.<sup>100</sup> The Prosecutor's Office sent out an email with the link to the online survey and a contact person's number at CRRC-Georgia for questions. For

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<sup>99</sup> Some of the sampled prosecutors experienced technical problems while opening the link possibly due to the internet browser version/restriction on their work computer. It might have increased the level of non-response.

<sup>100</sup> CRRC-Georgia sampling expert went to the Prosecutor's Office and drew the sample in the presence of the Prosecutor's Office staff.

the online self-administered survey CRRC-Georgia used the website esurvey.ge developed by CRRC-Georgia's Senior Researcher, on which an online questionnaire form based on ODK (Open Data Kit) and Enketo (online form distribution service) was uploaded.

*Qualitative component: focus groups with lawyers, interviews with judges and prosecutors*

Qualitative component of the study consisted of focus groups with lawyers (private lawyers, NGO lawyers and LAS lawyers) and qualitative interviews with judges and prosecutors. The fieldwork of the qualitative component took place between March 31 and May 5 2016. The same focus group/interview guide was used with all three types of respondents.

Focus groups with lawyers

Four focus groups were conducted with lawyers in Tbilisi, Rustavi, Akhaltsikhe and Batumi between March 31-April 7 2016, one in each location. The groups consisted of a mixed composition of private lawyers, NGO lawyers and LAS lawyers (on average, 8 participants in each group). Participants were recruited by CRRC-Georgia supervisors and recruiters in respective regions based on the lists available from the quantitative survey as well as additional information obtained locally. Participants of focus groups received an incentive for attending the discussion (25 Gel phone card). Focus groups were recorded and transcribed.

Interviews with judges and prosecutors

The qualitative component of the study considered two interviews with judges and prosecutors in Tbilisi and three regions of interest (Adjara, Kvemo Kartli and Samtskhe-Javakheti). Selection criteria was experience of working in that region. The High Council of Justice and the Professional Development and Career Management Center of the Chief Prosecutor's Office assisted CRRC-Georgia in the selection of respondents and appointment of interviews.

Interviews with judges took place between April 5-May 3 2016 – overall, 7 interviews were conducted.<sup>101</sup> Interviews with prosecutors took place on May 4-5 2016 – 7 prosecutors were interviewed.<sup>102</sup> Interviews with judges were recorded and transcribed. Interviews with prosecutors were not recorded; only hand-notes were taken.

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<sup>101</sup> In Tbilisi, there was only one interview due to the extremely busy schedule of judges and time constraints of the study.

<sup>102</sup> In Akhaltsikhe, only one interview was conducted due to logistical and time constraints.

## *Annex 2 – Indicators Based on Legal Professionals’ Survey*

### **(1) Percent of legal professionals who feel there is effective balance between disputing parties in courts**

For this indicator we calculate the reported assessment of effective balance in criminal, civil and administrative courts separately.

To calculate legal professionals’ assessment of the laws affecting the practice of criminal law, we combine the responses on q1 with an agreement to statements about equal opportunities for obtaining evidence and equal access to the other party’s evidence (q3 and q4). The percent of positive assessments on q1, on the one hand, and the percent of positive assessments on q3 and q4, on the other hand, are averaged.<sup>103</sup> For example, when calculating the assessment by judges of the laws affecting the practice of criminal law, 91% of respondents found that the criminal laws “fully” or “mainly” provided equity of arms (q1). With regard to evidence, 23% responded that both parties in criminal cases had an equal opportunity to gather evidence (q3) and 93% responded that both sides have equal access to each other’s evidence (q4), for an average positive assessment of 58%. The 91% assessment of the laws and the 58% assessment of the ability to gather evidence were averaged, resulting in a positive assessment of 75%.

For evaluations of how the equality of arms is observed in practice for criminal law cases we apply the same approach described above, averaging responses on q2 with an agreement to statements about equal opportunities for obtaining evidence and equal access to the other party’s evidence (q3 and q4).

The share of legal professionals with positive assessments is summarized in Table 1 below:

**Table 1. Assessment of equality of arms in criminal law  
(Percent of positive assessments, number of responses in parentheses)**

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Criminal laws provide equality of arms + questions on evidence	75% (86)	46% (276)	86% (101)
Equality of arms in observed in practice + questions on evidence	75% (86)	46% (267)	85% (101)

We also calculate legal professionals’ assessment of the equality of arms in civil law and administrative law, assessing each in terms of both legal provisions and the actual practice. Civil law is assessed using the percent of positive responses on q5 (equality of arms provided for civil cases under the law) and q6 (equality of arms for civil law cases in practice). The equality of arms provided by administrative law is

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<sup>103</sup> In this and all other calculations, those who either answered “Don’t Know” or did not answer the question (“non-responders”) were excluded from the calculation. Special note is made when non-responders exceeded 20%.

assessed using positive responses on q7, and equality of arms for administrative cases in practice is assessed using positive responses on q8.

The share of legal professionals for this part of Indicator 1 is summarized in Table 2 below:

**Table 2. Assessment of equality of arms in civil and administrative law  
(Percent of positive assessments, number of responses in parentheses)**

	Judges	Lawyers	Prosecutors
Civil laws provide equality of arms	100% (101)	93% (279)	100%* (53)
Equality of arms observed in practice in civil law cases	100% (101)	92% (270)	100%* (48)
Administrative laws provide equality of arms	97% (94)	78% (277)	96%* (51)
Equality of arms observed in practice in administrative law cases	99% (92)	78% (270)	94%* (50)

\* Percent of respondents, who answered “Don’t know” or abstained from answering exceeds 20%.

## **(2) Percent of legal professionals who feel citizens have the possibility to benefit from the protection the justice system offers**

For this indicator we calculate the positive responses on eight different questions: four questions on the treatment of minority groups and their respective non-minority groups by the court, Prosecutor’s Office, Legal Aid Service (LAS) and police (q9, 10, 11, 12); one question on the protection of the presumption of innocence with regard to minority and their respective non-minority groups by the court (q13); and two questions on the affordability of private lawyers (q17) and court fees (q18). We then group those responses into three components: treatment, presumption of innocence, and affordability.

To calculate the overall indicator of citizens’ possibility to benefit from the justice system, we averaged percent of positive assessments for each of the three categories of questions and treated responses above the midpoint as positive assessments. Table 3 summarizes the results:

**Table 3. Assessment of access to justice system  
(Percent of positive assessments, number of responses in parentheses)**

	Judges	Lawyers	Prosecutors
Average of responses regarding citizens’ possibility to benefit from the protection that the justice system offers	82% (107)	56% (304)	79% (99)
Equal treatment	97% (108)	63% (309)	96% (102)
Presumption of innocence	98% (105)	80% (295)	97% (102)
Affordability	52% (108)	26% (309)	45% (93)

### **(3) Percent of legal professionals who assess the quality of legal education as adequate for the market demand**

We calculate two indicators using three questions about the theoretical and practical knowledge of university graduates and their preparedness for qualification exams. The index for theoretical knowledge averages responses on the 5-point scale and treats scores above the midpoint as positive. Assessment of practical knowledge is captured by a single question (q19\_2). Results are summarized in Table 4:

**Table 4. Assessment of the quality of legal education  
(Percent of positive assessments, number of responses in parentheses)**

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Assessment of legal education – theoretical	29% (108)	25% (301)	58% (96)
Assessment of legal education – practical	38% (107)	29% (299)	51% (93)

**(4) Percent of legal professionals who positively assess the performance of justice system institutions:**

The performance of the different justice system institutions is assessed separately using the percentage of positive assessments (“very well” and “well”) on q23. See the Table 5 below:

**Table 5. Assessment of justice institutions  
(Percent of positive assessments, number of responses in parentheses)**

	<b>Judges</b>	<b>Lawyers</b>	<b>Prosecutors</b>
Ministry of Justice	78% (104)	47% (300)	99% (96)
High Council of Justice	88% (108)	22% (275)	67% (81)
High School of Justice	88% (106)	37%* (232)	70%* (76)
Legal Aid Service (LAS)	74% (96)	64% (270)	85% (97)
NGO legal aid	73%* (85)	66% (278)	65%* (66)
Courts of Georgia	94% (105)	40% (303)	79% (100)
Prosecutor's Office	61% (92)	23% (275)	100% (99)
Georgian Bar Association	47% (99)	73% (304)	62% (92)
Judges Association of Georgia	83% (104)	39%* (179)	69%* (54)
Judges Association "Unity"	62%* (78)	36%* (110)	62%* (39)

\* Percent of respondents, who answered “Don’t know” or abstained from answering exceeds 20%.

### Annex 3 – Survey Frequency Tables

**q1. In your opinion, to what extent does the criminal law in Georgia provide or not provide equality of arms between the disputing parties?**

		Fully provides	Mainly provides	Mainly does not provide	Does not provide at all	Don't know	Refuse to answer	Total
Judge	Count	13	67	8	0	20	0	108
	%	12.0%	62.0%	7.4%	0.0%	18.5%	0.0%	100.0%
Lawyer	Count	4	94	76	9	20	1	204
	%	2.0%	46.1%	37.3%	4.4%	9.8%	.5%	100.0%
NGO lawyer	Count	0	17	19	1	10	2	49
	%	0.0%	34.7%	38.8%	2.0%	20.4%	4.1%	100.0%
LAS lawyer	Count	3	38	13	2	1	0	57
	%	5.3%	66.7%	22.8%	3.5%	1.8%	0.0%	100.0%
Prosecutor	Count	39	56	6	0	0	0	101
	%	38.6%	55.4%	5.9%	0.0%	0.0%	0.0%	100.0%

**q2. In your experience, in criminal cases, to what extent is equality of arms observed during court trials in Georgia nowadays?**

		Fully observed	Mainly observed	Mainly not observed	Not observed at all	Don't know	Refuse to answer	Total
Judge	Count	26	52	7	0	23	0	108
	%	24.1%	48.1%	6.5%	0.0%	21.3%	0.0%	100.0%
Lawyer	Count	5	89	75	7	27	1	204
	%	2.5%	43.6%	36.8%	3.4%	13.2%	.5%	100.0%
NGO lawyer	Count	0	12	22	0	14	1	49
	%	0.0%	24.5%	44.9%	0.0%	28.6%	2.0%	100.0%
LAS lawyer	Count	2	41	13	0	1	0	57
	%	3.5%	71.9%	22.8%	0.0%	1.8%	0.0%	100.0%
Prosecutor	Count	43	49	9	0	1	0	102
	%	42.2%	48.0%	8.8%	0.0%	1.0%	0.0%	100.0%

**q3. In your experience, in criminal cases, how equal or unequal are the possibilities that the prosecuting and defending parties have to gather evidence in Georgia nowadays?**

		Prosecution has more possibilities	Both have equal possibilities	Defense has more possibilities	Don't know	Refuse to answer	Total
Judge	Count	66	20	0	21	1	108
	%	61.1%	18.5%	0.0%	19.4%	0.9%	100.0%
Lawyer	Count	151	29	1	22	1	204
	%	74.0%	14.2%	0.5%	10.8%	0.5%	100.0%
NGO lawyer	Count	30	4	0	13	2	49
	%	61.2%	8.2%	0.0%	26.5%	4.1%	100.0%
LAS lawyer	Count	46	8	1	2	0	57
	%	80.7%	14.0%	1.8%	3.5%	0.0%	100.0%
Prosecutor	Count	25	74	2	0	0	101
	%	24.8%	73.3%	2.0%	0.0%	0.0%	100.0%

**q4. In your experience, in criminal cases, how equal or unequal access do the prosecuting and defending parties have to each other's evidence in Georgia nowadays?**

		Prosecution has more access	Both have equal access	Defense has more access	Don't know	Refuse to answer	Total
Judge	Count	5	81	1	20	1	108
	%	4.6%	75.0%	0.9%	18.5%	0.9%	100.0%
Lawyer	Count	81	96	1	25	1	204
	%	39.7%	47.1%	0.5%	12.3%	0.5%	100.0%
NGO lawyer	Count	19	12	0	15	3	49
	%	38.8%	24.5%	0.0%	30.6%	6.1%	100.0%
LAS lawyer	Count	11	43	1	2	0	57
	%	19.3%	75.4%	1.8%	3.5%	0.0%	100.0%
Prosecutor	Count	5	84	11	2	0	102
	%	4.9%	82.4%	10.8%	2.0%	0.0%	100.0%



**q5. In your opinion, to what extent does the civil law in Georgia provide or not provide equality of arms between the disputing parties?**

		Fully provides	Mainly provides	Mainly does not provide	Does not provide at all	Don't know	Refuse to answer	Total
Judge	Count	74	27	0	0	6	1	108
	%	68.5%	25.0%	0.0%	0.0%	5.6%	0.9%	100.0%
Lawyer	Count	45	130	13	3	9	1	201
	%	22.4%	64.7%	6.5%	1.5%	4.5%	.5%	100.0%
NGO lawyer	Count	10	35	0	0	4	0	49
	%	20.4%	71.4%	0.0%	0.0%	8.2%	0.0%	100.0%
LAS lawyer	Count	7	33	3	0	13	1	57
	%	12.3%	57.9%	5.3%	0.0%	22.8%	1.8%	100.0%
Prosecutor	Count	25	28	0	0	22	21	96
	%	26.0%	29.2%	0.0%	0.0%	22.9%	21.9%	100.0%

**q6. In your experience, in civil cases, to what extent is equality of arms observed during court trials in Georgia nowadays?**

		Fully observed	Mainly observed	Mainly not observed	Not observed at all	Don't know	Refuse to answer	Total
Judge	Count	78	23	0	0	6	1	108
	%	72.2%	21.3%	0.0%	0.0%	5.6%	0.9%	100.0%
Lawyer	Count	36	135	15	4	10	1	201
	%	17.9%	67.2%	7.5%	2.0%	5.0%	.5%	100.0%
NGO lawyer	Count	6	35	1	0	5	0	47
	%	12.8%	74.5%	2.1%	0.0%	10.6%	0.0%	100.0%
LAS lawyer	Count	10	27	1	0	18	1	57
	%	17.5%	47.4%	1.8%	0.0%	31.6%	1.8%	100.0%
Prosecutor	Count	25	23	0	0	30	20	98
	%	25.5%	23.5%	0.0%	0.0%	30.6%	20.4%	100.0%

**q7. In your opinion, to what extent does the administrative law in Georgia provide or not provide equality of arms between the disputing parties?**

		Fully provides	Mainly provides	Mainly does not provide	Does not provide at all	Don't know	Refuse to answer	Total
Judge	Count	43	48	3	0	13	1	108
	%	39.8%	44.4%	2.8%	0.0%	12.0%	0.9%	100.0%
Lawyer	Count	22	118	44	4	12	1	201
	%	10.9%	58.7%	21.9%	2.0%	6.0%	.5%	100.0%
NGO lawyer	Count	1	36	6	0	4	1	48
	%	2.1%	75.0%	12.5%	0.0%	8.3%	2.1%	100.0%
LAS lawyer	Count	6	33	7	0	11	0	57
	%	10.5%	57.9%	12.3%	0.0%	19.3%	0.0%	100.0%
Prosecutor	Count	22	27	2	0	26	21	98
	%	22.4%	27.6%	2.0%	0.0%	26.5%	21.4%	100.0%

**q8. In your experience, in administrative cases, to what extent is equality of arms observed during court trials in Georgia nowadays?**

		Fully observed	Mainly observed	Mainly not observed	Not observed at all	Don't know	Refuse to answer	Total
Judge	Count	50	41	1	0	15	1	108
	%	46.3%	38.0%	0.9%	0.0%	13.9%	0.9%	100.0%
Lawyer	Count	13	124	43	6	14	1	201
	%	6.5%	61.7%	21.4%	3.0%	7.0%	.5%	100.0%
NGO lawyer	Count	1	36	6	0	5	1	49
	%	2.0%	73.5%	12.2%	0.0%	10.2%	2.0%	100.0%
LAS lawyer	Count	7	29	5	0	15	1	57
	%	12.3%	50.9%	8.8%	0.0%	26.3%	1.8%	100.0%
Prosecutor	Count	22	25	3	0	28	19	97
	%	22.7%	25.8%	3.1%	0.0%	28.9%	19.6%	100.0%

**q9\_1. When representatives of an ethnic minority living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	100	8	0	0	0	0	108
	%	92.6%	7.4%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	70	112	7	2	12	0	203
	%	34.5%	55.2%	3.4%	1.0%	5.9%	.0%	100.0%
NGO lawyer	Count	7	28	5	0	9	0	49
	%	14.3%	57.1%	10.2%	0.0%	18.4%	0.0%	100.0%
LAS lawyer	Count	28	26	1	0	2	0	57
	%	49.1%	45.6%	1.8%	0.0%	3.5%	0.0%	100.0%
Prosecutor	Count	77	19	1	0	2	1	100
	%	77.0%	19.0%	1.0%	0.0%	2.0%	1.0%	100.0%

**q9\_2. When ethnic Georgians living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	100	8	0		0	0	108
	%	92.6%	7.4%	0.0%		0.0%	0.0%	100.0%
Lawyer	Count	68	127	7		2	0	204
	%	33.3%	62.3%	3.4%		1.0%	.0%	100.0%
NGO lawyer	Count	9	32	2		6	0	49
	%	18.4%	65.3%	4.1%		12.2%	0.0%	100.0%
LAS lawyer	Count	27	29	0		1	0	57
	%	47.4%	50.9%	0.0%		1.8%	0.0%	100.0%
Prosecutor	Count	77	20	1		2	1	101
	%	76.2%	19.8%	1.0%		2.0%	1.0%	100.0%

**q9\_3. When representatives of an LGBT (Lesbian, Gay, Bisexual, and Transgender) community living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	100	7	1	0	0	0	108
	%	92.6%	6.5%	0.9%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	53	86	13	1	47	4	204
	%	26.0%	42.2%	6.4%	0.5%	23.0%	2.0%	100.0%
NGO lawyer	Count	2	17	14	2	14	0	49
	%	4.1%	34.7%	28.6%	4.1%	28.6%	0.0%	100.0%
LAS lawyer	Count	27	23	2	1	4	0	57
	%	47.4%	40.4%	3.5%	1.8%	7.0%	0.0%	100.0%
Prosecutor	Count	72	18	2	0	6	3	101
	%	71.3%	17.8%	2.0%	0.0%	5.9%	3.0%	100.0%

**q9\_4. When heterosexuals living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	101	6	1	0	0	0	108
	%	93.5%	5.6%	0.9%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	52	102	5	1	41	3	204
	%	25.5%	50.0%	2.5%	0.5%	20.1%	1.5%	100.0%
NGO lawyer	Count	4	30	3	1	11	0	49
	%	8.2%	61.2%	6.1%	2.0%	22.4%	0.0%	100.0%
LAS lawyer	Count	24	27	0	1	5	0	57
	%	42.1%	47.4%	0.0%	1.8%	8.8%	0.0%	100.0%
Prosecutor	Count	71	17	3	0	8	2	101
	%	70.3%	16.8%	3.0%	0.0%	7.9%	2.0%	100.0%

**q9\_5. When representatives of any religion other than Orthodox Christian living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	101	7	0	0	0	0	108
	%	93.5%	6.5%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	64	117	5	2	12	0	200
	%	32.0%	58.5%	2.5%	1.0%	6.0%	.0%	100.0%
NGO lawyer	Count	3	25	11	1	9	0	49
	%	6.1%	51.0%	22.4%	2.0%	18.4%	0.0%	100.0%
LAS lawyer	Count	29	21	1	0	3	0	54
	%	53.7%	38.9%	1.9%	0.0%	5.6%	0.0%	100.0%
Prosecutor	Count	75	20	1	0	4	1	101
	%	74.3%	19.8%	1.0%	0.0%	4.0%	1.0%	100.0%

**q9\_6. When Orthodox Christians living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	99	9	0	0	0	0	108
	%	91.7%	8.3%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	73	116	6	1	3	0	199
	%	36.7%	58.3%	3.0%	0.5%	1.5%	.0%	100.0%
NGO lawyer	Count	5	34	2	0	7	0	48
	%	10.4%	70.8%	4.2%	0.0%	14.6%	0.0%	100.0%
LAS lawyer	Count	29	26	0	0	2	0	57
	%	50.9%	45.6%	0.0%	0.0%	3.5%	0.0%	100.0%
Prosecutor	Count	75	22	0	0	3	1	101
	%	74.3%	21.8%	0.0%	0.0%	3.0%	1.0%	100.0%

**q9\_7. When women living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	101	7	0	0	0	0	108
	%	93.5%	6.5%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	71	119	6	2	4	0	202
	%	35.1%	58.9%	3.0%	1.0%	2.0%	.0%	100.0%
NGO lawyer	Count	7	32	7	0	3	0	49
	%	14.3%	65.3%	14.3%	0.0%	6.1%	0.0%	100.0%
LAS lawyer	Count	32	23	1	0	1	0	57
	%	56.1%	40.4%	1.8%	0.0%	1.8%	0.0%	100.0%
Prosecutor	Count	76	21	2	0	1	1	101
	%	75.2%	20.8%	2.0%	0.0%	1.0%	1.0%	100.0%

**q9\_8. When men living in Georgia appeal to court, how fairly or unfairly does the court treat them?**

		Fully fairly	Mainly fairly	Mainly unfairly	Fully unfairly	Don't know	Refuse to answer	Total
Judge	Count	100	7	0	0	0	0	107
	%	93.5%	6.5%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	67	126	4	1	4	0	202
	%	33.2%	62.4%	2.0%	0.5%	2.0%	.0%	100.0%
NGO lawyer	Count	8	36	1	0	4	0	49
	%	16.3%	73.5%	2.0%	0.0%	8.2%	0.0%	100.0%
LAS lawyer	Count	33	22	0	0	1	0	56
	%	58.9%	39.3%	0.0%	0.0%	1.8%	0.0%	100.0%
Prosecutor	Count	76	20	2	0	1	1	100
	%	76.0%	20.0%	2.0%	0.0%	1.0%	1.0%	100.0%

**q10\_1. When the Prosecutor's Office works on a case of a representative of an ethnic minority living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	56	27	0	0	25	0	108
	%	51.9%	25.0%	0.0%	0.0%	23.1%	0.0%	100.0%
Lawyer	Count	43	118	15	0	27	1	204
	%	21.1%	57.8%	7.4%	0.0%	13.2%	.5%	100.0%
NGO lawyer	Count	1	17	15	1	14	1	49
	%	2.0%	34.7%	30.6%	2.0%	28.6%	2.0%	100.0%
LAS lawyer	Count	20	29	4	2	2	0	57
	%	35.1%	50.9%	7.0%	3.5%	3.5%	0.0%	100.0%
Prosecutor	Count	87	15	0	0	0	0	102
	%	85.3%	14.7%	0.0%	0.0%	0.0%	0.0%	100.0%

**q10\_2. When the Prosecutor's Office works on a case of an ethnic Georgian living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	56	25	0	0	26	1	108
	%	51.9%	23.1%	0.0%	0.0%	24.1%	0.9%	100.0%
Lawyer	Count	46	118	13	0	25	2	204
	%	22.5%	57.8%	6.4%	0.0%	12.3%	1.0%	100.0%
NGO lawyer	Count	1	23	9	0	15	1	49
	%	2.0%	46.9%	18.4%	0.0%	30.6%	2.0%	100.0%
LAS lawyer	Count	21	29	4	1	2	0	57
	%	36.8%	50.9%	7.0%	1.8%	3.5%	0.0%	100.0%
Prosecutor	Count	87	15	0	0	0	0	102
	%	85.3%	14.7%	0.0%	0.0%	0.0%	0.0%	100.0%

**q10\_3. When the Prosecutor's Office works on a case of a representative of an LGBT community living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	52	24	2	0	29	1	108
	%	48.1%	22.2%	1.9%	0.0%	26.9%	0.9%	100.0%
Lawyer	Count	34	90	25	4	47	4	204
	%	16.7%	44.1%	12.3%	2.0%	23.0%	2.0%	100.0%
NGO lawyer	Count	2	7	18	4	16	2	49
	%	4.1%	14.3%	36.7%	8.2%	32.7%	4.1%	100.0%
LAS lawyer	Count	19	27	2	3	5	1	57
	%	33.3%	47.4%	3.5%	5.3%	8.8%	1.8%	100.0%
Prosecutor	Count	85	15	0	0	2	0	102
	%	83.3%	14.7%	0.0%	0.0%	2.0%	0.0%	100.0%

**q10\_4. When the Prosecutor's Office works on a case of a heterosexual living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	54	24	1	0	28	1	108
	%	50.0%	22.2%	0.9%	0.0%	25.9%	0.9%	100.0%
Lawyer	Count	35	109	15	3	39	3	204
	%	17.2%	53.4%	7.4%	1.5%	19.1%	1.5%	100.0%
NGO lawyer	Count	1	21	9	1	16	1	49
	%	2.0%	42.9%	18.4%	2.0%	32.7%	2.0%	100.0%
LAS lawyer	Count	20	29	1	3	3	1	57
	%	35.1%	50.9%	1.8%	5.3%	5.3%	1.8%	100.0%
Prosecutor	Count	84	15	0	0	3	0	102
	%	82.4%	14.7%	0.0%	0.0%	2.9%	0.0%	100.0%



**q10\_5. When the Prosecutor's Office works on a case of a representative of any religion other than Orthodox Christian living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	53	27	0	1	26	1	108
	%	49.1%	25.0%	0.0%	0.9%	24.1%	0.9%	100.0%
Lawyer	Count	38	121	11	2	29	1	202
	%	18.8%	59.9%	5.4%	1.0%	14.4%	.5%	100.0%
NGO lawyer	Count	1	12	17	3	14	1	48
	%	2.1%	25.0%	35.4%	6.3%	29.2%	2.1%	100.0%
LAS lawyer	Count	22	28	2	2	2	0	56
	%	39.3%	50.0%	3.6%	3.6%	3.6%	0.0%	100.0%
Prosecutor	Count	86	15	0	0	1	0	102
	%	84.3%	14.7%	0.0%	0.0%	1.0%	0.0%	100.0%

**q10\_6. When the Prosecutor's Office works on a case of an Orthodox Christian living in Georgia, in your experience, how equally or unequally does it treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	54	25	1	0	27	1	108
	%	50.0%	23.1%	0.9%	0.0%	25.0%	0.9%	100.0%
Lawyer	Count	42	120	13	2	25	1	203
	%	20.7%	59.1%	6.4%	1.0%	12.3%	.5%	100.0%
NGO lawyer	Count	2	23	9	0	14	1	49
	%	4.1%	46.9%	18.4%	0.0%	28.6%	2.0%	100.0%
LAS lawyer	Count	21	29	1	2	3	0	56
	%	37.5%	51.8%	1.8%	3.6%	5.4%	0.0%	100.0%
Prosecutor	Count	87	14	0	0	1	0	102
	%	85.3%	13.7%	0.0%	0.0%	1.0%	0.0%	100.0%

**q10\_7. When the Prosecutor's Office works on a case of a woman in Georgia, in your experience, how equally or unequally does it treat her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	57	25	0	0	25	1	108
	%	52.8%	23.1%	0.0%	0.0%	23.1%	0.9%	100.0%
Lawyer	Count	44	117	13	4	25	1	204
	%	21.6%	57.4%	6.4%	2.0%	12.3%	.5%	100.0%
NGO lawyer	Count	1	19	14	1	13	1	49
	%	2.0%	38.8%	28.6%	2.0%	26.5%	2.0%	100.0%
LAS lawyer	Count	21	31	2	1	2	0	57
	%	36.8%	54.4%	3.5%	1.8%	3.5%	0.0%	100.0%
Prosecutor	Count	87	15	0	0	0	0	102
	%	85.3%	14.7%	0.0%	0.0%	0.0%	0.0%	100.0%

**q10\_8. When the Prosecutor's Office works on a case of a man living in Georgia, in your experience, how equally or unequally does it treat him?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	57	24	0	0	26	1	108
	%	52.8%	22.2%	0.0%	0.0%	24.1%	0.9%	100.0%
Lawyer	Count	41	124	12	1	25	1	204
	%	20.1%	60.8%	5.9%	0.5%	12.3%	.5%	100.0%
NGO lawyer	Count	1	27	7	0	13	1	49
	%	2.0%	55.1%	14.3%	0.0%	26.5%	2.0%	100.0%
LAS lawyer	Count	22	30	2	1	2	0	57
	%	38.6%	52.6%	3.5%	1.8%	3.5%	0.0%	100.0%
Prosecutor	Count	88	14	0	0	0	0	102
	%	86.3%	13.7%	0.0%	0.0%	0.0%	0.0%	100.0%

**q11\_1. When the state legal aid service works on a case of a representative of an ethnic minority living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	77	14	1	0	16	0	108
	%	71.3%	13.0%	0.9%	0.0%	14.8%	0.0%	100.0%
Lawyer	Count	58	98	8	3	35	2	204
	%	28.4%	48.0%	3.9%	1.5%	17.2%	1.0%	100.0%
NGO lawyer	Count	7	22	1	0	19	0	49
	%	14.3%	44.9%	2.0%	0.0%	38.8%	0.0%	100.0%
LAS lawyer	Count	53	4	0	0	0	0	57
	%	93.0%	7.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	79	19	2	0	1	0	101
	%	78.2%	18.8%	2.0%	0.0%	1.0%	0.0%	100.0%

**q11\_2. When the state legal aid service works on a case of an ethnic Georgian living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	79	13	0	0	16	0	108
	%	73.1%	12.0%	0.0%	0.0%	14.8%	0.0%	100.0%
Lawyer	Count	60	98	5	2	36	2	203
	%	29.6%	48.3%	2.5%	1.0%	17.7%	1.0%	100.0%
NGO lawyer	Count	7	24	0	0	18	0	49
	%	14.3%	49.0%	0.0%	0.0%	36.7%	0.0%	100.0%
LAS lawyer	Count	53	4	0	0	0	0	57
	%	93.0%	7.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	79	19	1	0	1	0	100
	%	79.0%	19.0%	1.0%	0.0%	1.0%	0.0%	100.0%

**q11\_3. When the state legal aid service works on a case of a representative of an LGBT community living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	73	15	1	0	19	0	108
	%	67.6%	13.9%	0.9%	0.0%	17.6%	0.0%	100.0%
Lawyer	Count	53	88	7	4	49	3	204
	%	26.0%	43.1%	3.4%	2.0%	24.0%	1.5%	100.0%
NGO lawyer	Count	7	19	3	0	20	0	49
	%	14.3%	38.8%	6.1%	0.0%	40.8%	0.0%	100.0%
LAS lawyer	Count	52	5	0	0	0	0	57
	%	91.2%	8.8%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	73	16	3	0	7	1	100
	%	73.0%	16.0%	3.0%	0.0%	7.0%	1.0%	100.0%

**q11\_4. When the state legal aid service works on a case of a heterosexual living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	76	12	2	0	18	0	108
	%	70.4%	11.1%	1.9%	0.0%	16.7%	0.0%	100.0%
Lawyer	Count	55	92	7	2	46	2	204
	%	27.0%	45.1%	3.4%	1.0%	22.5%	1.0%	100.0%
NGO lawyer	Count	7	22	1	0	19	0	49
	%	14.3%	44.9%	2.0%	0.0%	38.8%	0.0%	100.0%
LAS lawyer	Count	52	5	0	0	0	0	57
	%	91.2%	8.8%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	75	15	3	0	7	1	101
	%	74.3%	14.9%	3.0%	0.0%	6.9%	1.0%	100.0%

**q11\_5. When the state legal aid service works on a case of a representative of any religion other than Orthodox Christian living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	77	13	1	0	17	0	108
	%	71.3%	12.0%	0.9%	0.0%	15.7%	0.0%	100.0%
Lawyer	Count	58	100	6	2	37	1	204
	%	28.4%	49.0%	2.9%	1.0%	18.1%	.5%	100.0%
NGO lawyer	Count	7	21	2	0	19	0	49
	%	14.3%	42.9%	4.1%	0.0%	38.8%	0.0%	100.0%
LAS lawyer	Count	50	6	0	0	0	0	56
	%	89.3%	10.7%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	79	16	2	0	2	0	99
	%	79.8%	16.2%	2.0%	0.0%	2.0%	0.0%	100.0%

**q11\_6. When the state legal aid service works on a case of an Orthodox Christian living in Georgia, in your experience, how equally or unequally does the LAS treat him/her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	76	15	0	0	17	0	108
	%	70.4%	13.9%	0.0%	0.0%	15.7%	0.0%	100.0%
Lawyer	Count	60	99	7	2	32	2	202
	%	29.7%	49.0%	3.5%	1.0%	15.8%	1.0%	100.0%
NGO lawyer	Count	5	26	0	0	18	0	49
	%	10.2%	53.1%	0.0%	0.0%	36.7%	0.0%	100.0%
LAS lawyer	Count	52	4	0	0	0	0	56
	%	92.9%	7.1%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	81	16	1	0	2	0	100
	%	81.0%	16.0%	1.0%	0.0%	2.0%	0.0%	100.0%

**q11\_7. When the state legal aid service works on a case of a woman living in Georgia, in your experience, how equally or unequally does the LAS treat her?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	79	13	0	0	16	0	108
	%	73.1%	12.0%	0.0%	0.0%	14.8%	0.0%	100.0%
Lawyer	Count	59	100	7	2	33	2	203
	%	29.1%	49.3%	3.4%	1.0%	16.3%	1.0%	100.0%
NGO lawyer	Count	5	23	3	0	18	0	49
	%	10.2%	46.9%	6.1%	0.0%	36.7%	0.0%	100.0%
LAS lawyer	Count	53	4	0	0	0	0	57
	%	93.0%	7.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	80	17	1	0	1	0	99
	%	80.8%	17.2%	1.0%	0.0%	1.0%	0.0%	100.0%

**q11\_8. When the state legal aid service works on a case of a man living in Georgia, in your experience, how equally or unequally does the LAS treat him?**

		Fully equally	Mainly equally	Mainly unequally	Fully unequally	Don't know	Refuse to answer	Total
Judge	Count	81	13	0	0	14	0	108
	%	75.0%	12.0%	0.0%	0.0%	13.0%	0.0%	100.0%
Lawyer	Count	58	102	6	1	33	2	202
	%	28.7%	50.5%	3.0%	0.5%	16.3%	1.0%	100.0%
NGO lawyer	Count	5	25	0	0	19	0	49
	%	10.2%	51.0%	0.0%	0.0%	38.8%	0.0%	100.0%
LAS lawyer	Count	52	5	0	0	0	0	57
	%	91.2%	8.8%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	81	17	1	0	1	0	100
	%	81.0%	17.0%	1.0%	0.0%	1.0%	0.0%	100.0%

**q12\_1. When a representative of an ethnic minority living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	16	63	6	1	20	2	108
	%	14.8%	58.3%	5.6%	0.9%	18.5%	1.9%	100.0%
Lawyer	Count	15	131	40	5	13	0	204
	%	7.4%	64.2%	19.6%	2.5%	6.4%	.0%	100.0%
NGO lawyer	Count	1	10	23	4	11	0	49
	%	2.0%	20.4%	46.9%	8.2%	22.4%	0.0%	100.0%
LAS lawyer	Count	9	35	8	2	2	0	56
	%	16.1%	62.5%	14.3%	3.6%	3.6%	0.0%	100.0%
Prosecutor	Count	55	43	4	0	0	0	102
	%	53.9%	42.2%	3.9%	0.0%	0.0%	0.0%	100.0%

**q12\_2. When an ethnic Georgian living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	18	65	2	2	20	1	108
	%	16.7%	60.2%	1.9%	1.9%	18.5%	0.9%	100.0%
Lawyer	Count	16	130	42	6	10	0	204
	%	7.8%	63.7%	20.6%	2.9%	4.9%	.0%	100.0%
NGO lawyer	Count	1	22	13	2	11	0	49
	%	2.0%	44.9%	26.5%	4.1%	22.4%	0.0%	100.0%
LAS lawyer	Count	10	34	10	1	1	0	56
	%	17.9%	60.7%	17.9%	1.8%	1.8%	0.0%	100.0%
Prosecutor	Count	58	40	2	0	0	0	100
	%	58.0%	40.0%	2.0%	0.0%	0.0%	0.0%	100.0%

**q12\_3. When a representative of an LGBT community living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	15	57	6	5	24	1	108
	%	13.9%	52.8%	5.6%	4.6%	22.2%	0.9%	100.0%
Lawyer	Count	12	99	42	17	32	2	204
	%	5.9%	48.5%	20.6%	8.3%	15.7%	1.0%	100.0%
NGO lawyer	Count	1	4	21	12	11	0	49
	%	2.0%	8.2%	42.9%	24.5%	22.4%	0.0%	100.0%
LAS lawyer	Count	7	36	6	4	3	0	56
	%	12.5%	64.3%	10.7%	7.1%	5.4%	0.0%	100.0%
Prosecutor	Count	48	44	3	3	3	0	101
	%	47.5%	43.6%	3.0%	3.0%	3.0%	0.0%	100.0%

**q12\_4. When a heterosexual living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	16	63	5	2	20	1	107
	%	15.0%	58.9%	4.7%	1.9%	18.7%	0.9%	100.0%
Lawyer	Count	14	111	40	9	28	1	203
	%	6.9%	54.7%	19.7%	4.4%	13.8%	.5%	100.0%
NGO lawyer	Count	1	18	12	4	14	0	49
	%	2.0%	36.7%	24.5%	8.2%	28.6%	0.0%	100.0%
LAS lawyer	Count	8	36	5	3	3	0	55
	%	14.5%	65.5%	9.1%	5.5%	5.5%	0.0%	100.0%
Prosecutor	Count	50	41	3	3	4	0	101
	%	49.5%	40.6%	3.0%	3.0%	4.0%	0.0%	100.0%



**q12\_5. When a representative of any religion other than Orthodox Christian living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	16	65	7	1	17	1	107
	%	15.0%	60.7%	6.5%	0.9%	15.9%	0.9%	100.0%
Lawyer	Count	15	134	37	7	11	0	204
	%	7.4%	65.7%	18.1%	3.4%	5.4%	.0%	100.0%
NGO lawyer	Count	1	8	25	6	9	0	49
	%	2.0%	16.3%	51.0%	12.2%	18.4%	0.0%	100.0%
LAS lawyer	Count	10	36	8	1	1	0	56
	%	17.9%	64.3%	14.3%	1.8%	1.8%	0.0%	100.0%
Prosecutor	Count	54	42	5	0	1	0	102
	%	52.9%	41.2%	4.9%	0.0%	1.0%	0.0%	100.0%

**q12\_6. When an Orthodox Christian living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	17	69	2	2	17	1	108
	%	15.7%	63.9%	1.9%	1.9%	15.7%	0.9%	100.0%
Lawyer	Count	13	129	44	5	9	1	201
	%	6.5%	64.2%	21.9%	2.5%	4.5%	.5%	100.0%
NGO lawyer	Count	0	22	10	3	12	0	47
	%	0.0%	46.8%	21.3%	6.4%	25.5%	0.0%	100.0%
LAS lawyer	Count	10	38	6	1	1	0	56
	%	17.9%	67.9%	10.7%	1.8%	1.8%	0.0%	100.0%
Prosecutor	Count	55	44	2	0	1	0	102
	%	53.9%	43.1%	2.0%	0.0%	1.0%	0.0%	100.0%

**q12\_7. When a woman living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	16	65	6	4	16	1	108
	%	14.8%	60.2%	5.6%	3.7%	14.8%	0.9%	100.0%
Lawyer	Count	15	130	42	9	8	0	204
	%	7.4%	63.7%	20.6%	4.4%	3.9%	.0%	100.0%
NGO lawyer	Count	1	9	27	3	9	0	49
	%	2.0%	18.4%	55.1%	6.1%	18.4%	0.0%	100.0%
LAS lawyer	Count	9	38	5	3	1	0	56
	%	16.1%	67.9%	8.9%	5.4%	1.8%	0.0%	100.0%
Prosecutor	Count	58	41	3	0	0	0	102
	%	56.9%	40.2%	2.9%	0.0%	0.0%	0.0%	100.0%

**q12\_8. When a man living in Georgia addresses the police, in your experience, how effectively or ineffectively will the police take measures considered by the law?**

		Very effectively	Mainly effectively	Mainly ineffectively	Very ineffectively	Don't know	Refuse to answer	Total
Judge	Count	17	68	4	1	17	1	108
	%	15.7%	63.0%	3.7%	0.9%	15.7%	0.9%	100.0%
Lawyer	Count	17	136	35	8	8	0	204
	%	8.3%	66.7%	17.2%	3.9%	3.9%	.0%	100.0%
NGO lawyer	Count	1	23	13	2	10	0	49
	%	2.0%	46.9%	26.5%	4.1%	20.4%	0.0%	100.0%
LAS lawyer	Count	9	38	6	1	1	0	55
	%	16.4%	69.1%	10.9%	1.8%	1.8%	0.0%	100.0%
Prosecutor	Count	57	42	2	0	0	0	101
	%	56.4%	41.6%	2.0%	0.0%	0.0%	0.0%	100.0%

**q13\_1. In your experience, to what extent does the court protect or not protect the right of a representative of an ethnic minority to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	98	6	1	0	3	0	108
	%	90.7%	5.6%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	38	125	28	6	7	0	204
	%	18.6%	61.3%	13.7%	2.9%	3.4%	.0%	100.0%
NGO lawyer	Count	8	24	5	0	11	1	49
	%	16.3%	49.0%	10.2%	0.0%	22.4%	2.0%	100.0%
LAS lawyer	Count	25	32	0	0	0	0	57
	%	43.9%	56.1%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	78	21	2	0	0	0	101
	%	77.2%	20.8%	2.0%	0.0%	0.0%	0.0%	100.0%

**q13\_2. In your experience, to what extent does the court protect or not protect the right of an Ethnic Georgian to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	96	8	1	0	3	0	108
	%	88.9%	7.4%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	38	124	30	4	7	0	203
	%	18.7%	61.1%	14.8%	2.0%	3.4%	.0%	100.0%
NGO lawyer	Count	8	26	4	0	10	1	49
	%	16.3%	53.1%	8.2%	0.0%	20.4%	2.0%	100.0%
LAS lawyer	Count	25	32	0	0	0	0	57
	%	43.9%	56.1%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	80	20	2	0	0	0	102
	%	78.4%	19.6%	2.0%	0.0%	0.0%	0.0%	100.0%

**q13\_3. In your experience, to what extent does the court protect or not protect the right of a representative of an LGBT community to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	95	8	1	0	4	0	108
	%	88.0%	7.4%	0.9%	0.0%	3.7%	0.0%	100.0%
Lawyer	Count	37	109	28	8	21	1	204
	%	18.1%	53.4%	13.7%	3.9%	10.3%	.5%	100.0%
NGO lawyer	Count	8	23	5	0	12	1	49
	%	16.3%	46.9%	10.2%	0.0%	24.5%	2.0%	100.0%
LAS lawyer	Count	23	32	1	1	0	0	57
	%	40.4%	56.1%	1.8%	1.8%	0.0%	0.0%	100.0%
Prosecutor	Count	76	20	3	0	3	0	102
	%	74.5%	19.6%	2.9%	0.0%	2.9%	0.0%	100.0%

**q13\_4. In your experience, to what extent does the court protect or not protect the right of a heterosexual to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	94	8	2	0	4	0	108
	%	87.0%	7.4%	1.9%	0.0%	3.7%	0.0%	100.0%
Lawyer	Count	40	115	26	4	18	1	204
	%	19.6%	56.4%	12.7%	2.0%	8.8%	.5%	100.0%
NGO lawyer	Count	8	25	4	0	11	1	49
	%	16.3%	51.0%	8.2%	0.0%	22.4%	2.0%	100.0%
LAS lawyer	Count	24	32	1	0	0	0	57
	%	42.1%	56.1%	1.8%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	76	20	2	0	4	0	102
	%	74.5%	19.6%	2.0%	0.0%	3.9%	0.0%	100.0%

**q13\_5. In your experience, to what extent does the court protect or not protect the right of a representative of any religion other than Orthodox Christian to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	96	8	1	0	3	0	108
	%	88.9%	7.4%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	37	120	34	5	8	0	204
	%	18.1%	58.8%	16.7%	2.5%	3.9%	.0%	100.0%
NGO lawyer	Count	8	24	6	0	10	1	49
	%	16.3%	49.0%	12.2%	0.0%	20.4%	2.0%	100.0%
LAS lawyer	Count	24	32	1	0	0	0	57
	%	42.1%	56.1%	1.8%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	78	21	2	0	0	0	101
	%	77.2%	20.8%	2.0%	0.0%	0.0%	0.0%	100.0%

**q13\_6. In your experience, to what extent does the court protect or not protect the right of an Orthodox Christian to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	96	8	1	0	3	0	108
	%	88.9%	7.4%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	37	122	34	4	7	0	204
	%	18.1%	59.8%	16.7%	2.0%	3.4%	.0%	100.0%
NGO lawyer	Count	9	26	4	0	9	1	49
	%	18.4%	53.1%	8.2%	0.0%	18.4%	2.0%	100.0%
LAS lawyer	Count	24	33	0	0	0	0	57
	%	42.1%	57.9%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	79	18	2	0	1	0	100
	%	79.0%	18.0%	2.0%	0.0%	1.0%	0.0%	100.0%

**q13\_7. In your experience, to what extent does the court protect or not protect the right of a woman to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	97	7	1	0	3	0	108
	%	89.8%	6.5%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	40	117	33	7	7	0	204
	%	19.6%	57.4%	16.2%	3.4%	3.4%	.0%	100.0%
NGO lawyer	Count	8	26	5	0	9	1	49
	%	16.3%	53.1%	10.2%	0.0%	18.4%	2.0%	100.0%
LAS lawyer	Count	24	32	1	0	0	0	57
	%	42.1%	56.1%	1.8%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	79	20	3	0	0	0	102
	%	77.5%	19.6%	2.9%	0.0%	0.0%	0.0%	100.0%

**q13\_8. In your experience, to what extent does the court protect or not protect the right of a man to the presumption of innocence?**

		Fully protects	Mainly protects	Mainly does not protect	Does not protect at all	Don't know	Refuse to answer	Total
Judge	Count	95	8	1	0	3	0	107
	%	88.8%	7.5%	0.9%	0.0%	2.8%	0.0%	100.0%
Lawyer	Count	39	123	30	5	7	0	204
	%	19.1%	60.3%	14.7%	2.5%	3.4%	.0%	100.0%
NGO lawyer	Count	9	26	5	0	8	1	49
	%	18.4%	53.1%	10.2%	0.0%	16.3%	2.0%	100.0%
LAS lawyer	Count	24	33	0	0	0	0	57
	%	42.1%	57.9%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	81	19	2	0	0	0	102
	%	79.4%	18.6%	2.0%	0.0%	0.0%	0.0%	100.0%

**q17. In your opinion, how affordable or unaffordable are services of a private lawyer for regular citizens of Georgia?**

		Totally affordable	Mainly affordable	Mainly unaffordable	Totally unaffordable	Don't know	Refuse to answer	Total
Judge	Count	4	47	53	2	2	0	108
	%	3.7%	43.5%	49.1%	1.9%	1.9%	0.0%	100.0%
Lawyer	Count	8	77	106	13	0	0	204
	%	3.9%	37.7%	52.0%	6.4%	0.0%	.0%	100.0%
NGO lawyer	Count	0	7	37	3	2	0	49
	%	0.0%	14.3%	75.5%	6.1%	4.1%	0.0%	100.0%
LAS lawyer	Count	0	16	38	2	1	0	57
	%	0.0%	28.1%	66.7%	3.5%	1.8%	0.0%	100.0%
Prosecutor	Count	9	37	45	2	6	2	101
	%	8.9%	36.6%	44.6%	2.0%	5.9%	2.0%	100.0%

**q18. In your opinion, how affordable or unaffordable is the court fee for citizens?**

		Totally affordable	Mainly affordable	Mainly unaffordable	Totally unaffordable	Don't know	Refuse to answer	Total
Judge	Count	16	71	19	0	2	0	108
	%	14.8%	65.7%	17.6%	0.0%	1.9%	0.0%	100.0%
Lawyer	Count	6	83	96	15	4	0	204
	%	2.9%	40.7%	47.1%	7.4%	2.0%	.0%	100.0%
NGO lawyer	Count	1	15	32	0	1	0	49
	%	2.0%	30.6%	65.3%	0.0%	2.0%	0.0%	100.0%
LAS lawyer	Count	0	20	33	0	4	0	57
	%	0.0%	35.1%	57.9%	0.0%	7.0%	0.0%	100.0%
Prosecutor	Count	6	37	30	2	20	6	101
	%	5.9%	36.6%	29.7%	2.0%	19.8%	5.9%	100.0%

**q19\_1. How much do you agree or disagree with the following statement:**

**Law departments of Georgian universities provide graduates with sufficient theoretical knowledge to start legal practice?**

		Fully agree	Mainly agree	Mainly disagree	Fully disagree	Don't know	Refuse to answer	Total
Judge	Count	4	66	37	0	1	0	108
	%	3.7%	61.1%	34.3%	0.0%	0.9%	0.0%	100.0%
Lawyer	Count	13	96	63	21	11	0	204
	%	6.4%	47.1%	30.9%	10.3%	5.4%	.0%	100.0%
NGO lawyer	Count	0	16	22	10	1	0	49
	%	0.0%	32.7%	44.9%	20.4%	2.0%	0.0%	100.0%
LAS lawyer	Count	9	34	10	1	2	1	57
	%	15.8%	59.6%	17.5%	1.8%	3.5%	1.8%	100.0%
Prosecutor	Count	18	59	17	2	3	2	101
	%	17.8%	58.4%	16.8%	2.0%	3.0%	2.0%	100.0%

**q19\_2. How much do you agree or disagree with the following statement:**

**Law department graduates from Georgian universities have necessary skill to start legal practice?**

		Fully agree	Mainly agree	Mainly disagree	Fully disagree	Don't know	Refuse to answer	Total
Judge	Count	0	41	62	4	0	0	107
	%	0.0%	38.3%	57.9%	3.7%	0.0%	0.0%	100.0%
Lawyer	Count	3	53	104	38	6	0	204
	%	1.5%	26.0%	51.0%	18.6%	2.9%	.0%	100.0%
NGO lawyer	Count	0	5	27	16	1	0	49
	%	0.0%	10.2%	55.1%	32.7%	2.0%	0.0%	100.0%
LAS lawyer	Count	5	20	23	5	3	1	57
	%	8.8%	35.1%	40.4%	8.8%	5.3%	1.8%	100.0%
Prosecutor	Count	13	34	37	9	5	2	100
	%	13.0%	34.0%	37.0%	9.0%	5.0%	2.0%	100.0%



**q20. How well does university education in law prepare graduates to pass specialized qualification exams (lawyer, judge, prosecutor)?**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	0	20	64	11	1	12	0	108
	%	0.0%	18.5%	59.3%	10.2%	0.9%	11.1%	0.0%	100.0%
Lawyer	Count	4	39	88	38	12	23	0	204
	%	2.0%	19.1%	43.1%	18.6%	5.9%	11.3%	0.0%	100.0%
NGO lawyer	Count	0	2	19	18	7	2	1	49
	%	0.0%	4.1%	38.8%	36.7%	14.3%	4.1%	2.0%	100.0%
LAS lawyer	Count	1	14	25	6	4	6	1	57
	%	1.8%	24.6%	43.9%	10.5%	7.0%	10.5%	1.8%	100.0%
Prosecutor	Count	11	43	22	9	4	9	3	101
	%	10.9%	42.6%	21.8%	8.9%	4.0%	8.9%	3.0%	100.0%

**q21\_1. Please, tell me how familiar or unfamiliar are you with the work of the Ministry of Justice?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	11	80	15	2	0	0	108
	%	10.2%	74.1%	13.9%	1.9%	0.0%	0.0%	100.0%
Lawyer	Count	52	122	20	7	2	0	203
	%	25.6%	60.1%	9.9%	3.4%	1.0%	.0%	100.0%
NGO lawyer	Count	8	37	4	0	0	0	49
	%	16.3%	75.5%	8.2%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	7	39	8	1	1	1	57
	%	12.3%	68.4%	14.0%	1.8%	1.8%	1.8%	100.0%
Prosecutor	Count	27	65	5	2	0	2	101
	%	26.7%	64.4%	5.0%	2.0%	0.0%	2.0%	100.0%

**q21\_2. Please, tell me how familiar or unfamiliar are you with the work of the High Council of Justice?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	77	31	0	0	0	0	108
	%	71.3%	28.7%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	30	111	54	4	5	0	204
	%	14.7%	54.4%	26.5%	2.0%	2.5%	.0%	100.0%
NGO lawyer	Count	9	28	11	1	0	0	49
	%	18.4%	57.1%	22.4%	2.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	7	31	13	3	2	1	57
	%	12.3%	54.4%	22.8%	5.3%	3.5%	1.8%	100.0%
Prosecutor	Count	18	55	12	7	6	4	102
	%	17.6%	53.9%	11.8%	6.9%	5.9%	3.9%	100.0%

**q21\_3. Please, tell me how familiar or unfamiliar are you with the work of the High School of Justice?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	52	52	3	1	0	0	108
	%	48.1%	48.1%	2.8%	0.9%	0.0%	0.0%	100.0%
Lawyer	Count	13	74	90	15	11	0	203
	%	6.4%	36.5%	44.3%	7.4%	5.4%	.0%	100.0%
NGO lawyer	Count	6	13	26	4	0	0	49
	%	12.2%	26.5%	53.1%	8.2%	0.0%	0.0%	100.0%
LAS lawyer	Count	4	29	17	3	3	1	57
	%	7.0%	50.9%	29.8%	5.3%	5.3%	1.8%	100.0%
Prosecutor	Count	13	56	15	7	8	3	102
	%	12.7%	54.9%	14.7%	6.9%	7.8%	2.9%	100.0%

**q21\_4. Please, tell me how familiar or unfamiliar are you with the work of the legal aid service provided by the state?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	9	69	25	4	1	0	108
	%	8.3%	63.9%	23.1%	3.7%	0.9%	0.0%	100.0%
Lawyer	Count	29	110	39	16	10	0	204
	%	14.2%	53.9%	19.1%	7.8%	4.9%	0.0%	100.0%
NGO lawyer	Count	8	29	9	2	1	0	49
	%	16.3%	59.2%	18.4%	4.1%	2.0%	0.0%	100.0%
LAS lawyer	Count	55	2	0	0	0	0	57
	%	96.5%	3.5%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	33	62	5	1	0	0	101
	%	32.7%	61.4%	5.0%	1.0%	0.0%	0.0%	100.0%

**q21\_5. Please, tell me how familiar or unfamiliar are you with the work of the legal aid service provided by NGOs?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	4	56	43	4	0	0	107
	%	3.7%	52.3%	40.2%	3.7%	0.0%	0.0%	100.0%
Lawyer	Count	34	100	46	15	9	0	204
	%	16.7%	49.0%	22.5%	7.4%	4.4%	.0%	100.0%
NGO lawyer	Count	31	16	1	0	0	0	48
	%	64.6%	33.3%	2.1%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	17	30	8	2	0	0	57
	%	29.8%	52.6%	14.0%	3.5%	0.0%	0.0%	100.0%
Prosecutor	Count	11	42	22	12	11	3	101
	%	10.9%	41.6%	21.8%	11.9%	10.9%	3.0%	100.0%

**q21\_6. Please, tell me how familiar or unfamiliar are you with the work of courts in Georgia?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	92	15	0	0	0	0	107
	%	86.0%	14.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	100	100	2	1	0	0	203
	%	49.3%	49.3%	1.0%	0.5%	0.0%	0.0%	100.0%
NGO lawyer	Count	27	22	0	0	0	0	49
	%	55.1%	44.9%	0.0%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	33	24	0	0	0	0	57
	%	57.9%	42.1%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	64	36	1	0	0	0	101
	%	63.4%	35.6%	1.0%	0.0%	0.0%	0.0%	100.0%

**q21\_7. Please, tell me how familiar or unfamiliar are you with the work of the Prosecutor's Office?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	22	57	25	4	0	0	108
	%	20.4%	52.8%	23.1%	3.7%	0.0%	0.0%	100.0%
Lawyer	Count	55	104	30	11	1	0	201
	%	27.4%	51.7%	14.9%	5.5%	0.5%	0.0%	100.0%
NGO lawyer	Count	13	19	13	4	0	0	49
	%	26.5%	38.8%	26.5%	8.2%	0.0%	0.0%	100.0%
LAS lawyer	Count	26	27	3	0	0	0	56
	%	46.4%	48.2%	5.4%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	96	5	0	0	0	0	101
	%	95.0%	5.0%	0.0%	0.0%	0.0%	0.0%	100.0%

**q21\_8. Please, tell me how familiar or unfamiliar are you with the work of the Georgian Bar Association?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	7	72	27	2	0	0	108
	%	6.5%	66.7%	25.0%	1.9%	0.0%	0.0%	100.0%
Lawyer	Count	129	69	1	3	0	0	202
	%	63.9%	34.2%	0.5%	1.5%	0.0%	0.0%	100.0%
NGO lawyer	Count	24	23	2	0	0	0	49
	%	49.0%	46.9%	4.1%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	43	14	0	0	0	0	57
	%	75.4%	24.6%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	33	57	5	5	2	0	102
	%	32.4%	55.9%	4.9%	4.9%	2.0%	0.0%	100.0%

**q21\_9. Please, tell me how familiar or unfamiliar are you with the work of the Judges Association of Georgia?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	71	28	8	0	1	0	108
	%	65.7%	25.9%	7.4%	0.0%	0.9%	0.0%	100.0%
Lawyer	Count	10	72	67	36	18	0	203
	%	4.9%	35.5%	33.0%	17.7%	8.9%	.0%	100.0%
NGO lawyer	Count	2	13	29	5	0	0	49
	%	4.1%	26.5%	59.2%	10.2%	0.0%	0.0%	100.0%
LAS lawyer	Count	3	24	23	3	3	1	57
	%	5.3%	42.1%	40.4%	5.3%	5.3%	1.8%	100.0%
Prosecutor	Count	14	31	20	9	21	4	99
	%	14.1%	31.3%	20.2%	9.1%	21.2%	4.0%	100.0%

**q21\_10. Please, tell me how familiar or unfamiliar are you with the work of the Judges Association "Unity"?**

		Very familiar	Mainly familiar	Mainly unfamiliar	Very unfamiliar	Don't know	Refuse to answer	Total
Judge	Count	28	35	29	6	8	2	108
	%	25.9%	32.4%	26.9%	5.6%	7.4%	1.9%	100.0%
Lawyer	Count	3	26	40	70	65	0	204
	%	1.5%	12.7%	19.6%	34.3%	31.9%	.0%	100.0%
NGO lawyer	Count	6	8	17	15	3	0	49
	%	12.2%	16.3%	34.7%	30.6%	6.1%	0.0%	100.0%
LAS lawyer	Count	1	19	16	13	7	1	57
	%	1.8%	33.3%	28.1%	22.8%	12.3%	1.8%	100.0%
Prosecutor	Count	9	18	18	14	35	7	101
	%	8.9%	17.8%	17.8%	13.9%	34.7%	6.9%	100.0%

**q22\_1. In your opinion, how transparent or non-transparent is the work of the Ministry of Justice?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	25	75	4	0	4	0	108
	%	23.1%	69.4%	3.7%	0.0%	3.7%	0.0%	100.0%
Lawyer	Count	28	110	48	7	11	0	204
	%	13.7%	53.9%	23.5%	3.4%	5.4%	.0%	100.0%
NGO lawyer	Count	1	36	11	1	0	0	49
	%	2.0%	73.5%	22.4%	2.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	7	41	6	0	3	0	57
	%	12.3%	71.9%	10.5%	0.0%	5.3%	0.0%	100.0%
Prosecutor	Count	66	32	2	0	0	1	101
	%	65.3%	31.7%	2.0%	0.0%	0.0%	1.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_2. In your opinion, how transparent or non-transparent is the work of the High Council of Justice?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	58	45	4	1	0	0	108
	%	53.7%	41.7%	3.7%	0.9%	0.0%	0.0%	100.0%
Lawyer	Count	8	79	68	20	28	0	203
	%	3.9%	38.9%	33.5%	9.9%	13.8%	.0%	100.0%
NGO lawyer	Count	0	11	25	8	4	1	49
	%	0.0%	22.4%	51.0%	16.3%	8.2%	2.0%	100.0%
LAS lawyer	Count	5	31	16	4	1	0	57
	%	8.8%	54.4%	28.1%	7.0%	1.8%	0.0%	100.0%
Prosecutor	Count	25	43	14	7	10	2	101
	%	24.8%	42.6%	13.9%	6.9%	9.9%	2.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_3. In your opinion, how transparent or non-transparent is the work of the High School of Justice?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	55	47	4	0	2	0	108
	%	50.9%	43.5%	3.7%	0.0%	1.9%	0.0%	100.0%
Lawyer	Count	9	76	40	12	62	3	202
	%	4.5%	37.6%	19.8%	5.9%	30.7%	1.5%	100.0%
NGO lawyer	Count	0	16	15	5	11	2	49
	%	0.0%	32.7%	30.6%	10.2%	22.4%	4.1%	100.0%
LAS lawyer	Count	6	30	11	2	7	0	56
	%	10.7%	53.6%	19.6%	3.6%	12.5%	0.0%	100.0%
Prosecutor	Count	23	38	12	6	19	3	101
	%	22.8%	37.6%	11.9%	5.9%	18.8%	3.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_4. In your opinion, how transparent or non-transparent is the work of the legal aid service provided by the state?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	17	61	3	1	25	0	107
	%	15.9%	57.0%	2.8%	0.9%	23.4%	0.0%	100.0%
Lawyer	Count	29	106	24	2	43	0	204
	%	14.2%	52.0%	11.8%	1.0%	21.1%	.0%	100.0%
NGO lawyer	Count	5	28	5	0	11	0	49
	%	10.2%	57.1%	10.2%	0.0%	22.4%	0.0%	100.0%
LAS lawyer	Count	53	4	0	0	0	0	57
	%	93.0%	7.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	37	50	4	0	8	1	100
	%	37.0%	50.0%	4.0%	0.0%	8.0%	1.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_5. In your opinion, how transparent or non-transparent is the work of the legal aid service provided by NGOs?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	17	56	2	0	32	1	108
	%	15.7%	51.9%	1.9%	0.0%	29.6%	0.9%	100.0%
Lawyer	Count	28	105	21	5	45	0	204
	%	13.7%	51.5%	10.3%	2.5%	22.1%	.0%	100.0%
NGO lawyer	Count	23	25	0	0	1	0	49
	%	46.9%	51.0%	0.0%	0.0%	2.0%	0.0%	100.0%
LAS lawyer	Count	15	34	3	1	3	1	57
	%	26.3%	59.6%	5.3%	1.8%	5.3%	1.8%	100.0%
Prosecutor	Count	21	38	10	3	23	5	100
	%	21.0%	38.0%	10.0%	3.0%	23.0%	5.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.



**q22\_6. In your opinion, how transparent or non-transparent is the work of courts of Georgia?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	75	33	0	0	0	0	108
	%	69.4%	30.6%	0.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	28	132	33	5	4	0	202
	%	13.9%	65.3%	16.3%	2.5%	2.0%	.0%	100.0%
NGO lawyer	Count	3	37	7	0	1	1	49
	%	6.1%	75.5%	14.3%	0.0%	2.0%	2.0%	100.0%
LAS lawyer	Count	13	37	6	1	0	0	57
	%	22.8%	64.9%	10.5%	1.8%	0.0%	0.0%	100.0%
Prosecutor	Count	50	44	7	0	0	0	101
	%	49.5%	43.6%	6.9%	0.0%	0.0%	0.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_7. In your opinion, how transparent or non-transparent is the work of the Prosecutor's Office?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	11	61	15	1	19	0	107
	%	10.3%	57.0%	14.0%	0.9%	17.8%	0.0%	100.0%
Lawyer	Count	8	71	80	22	19	0	200
	%	4.0%	35.5%	40.0%	11.0%	9.5%	.0%	100.0%
NGO lawyer	Count	0	6	26	9	6	1	48
	%	0.0%	12.5%	54.2%	18.8%	12.5%	2.1%	100.0%
LAS lawyer	Count	4	28	20	4	0	1	57
	%	7.0%	49.1%	35.1%	7.0%	0.0%	1.8%	100.0%
Prosecutor	Count	73	26	2	0	0	0	101
	%	72.3%	25.7%	2.0%	0.0%	0.0%	0.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_8. In your opinion, how transparent or non-transparent is the work of the Georgian Bar Association?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	12	60	11	3	21	0	107
	%	11.2%	56.1%	10.3%	2.8%	19.6%	0.0%	100.0%
Lawyer	Count	73	114	12	2	2	1	204
	%	35.8%	55.9%	5.9%	1.0%	1.0%	.5%	100.0%
NGO lawyer	Count	8	31	6	0	3	0	48
	%	16.7%	64.6%	12.5%	0.0%	6.3%	0.0%	100.0%
LAS lawyer	Count	31	26	0	0	0	0	57
	%	54.4%	45.6%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	32	40	13	2	12	0	99
	%	32.3%	40.4%	13.1%	2.0%	12.1%	0.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_9. How transparent or untransparent is the work of the Judges Association of Georgia?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	49	46	6	1	5	1	108
	%	45.4%	42.6%	5.6%	0.9%	4.6%	0.9%	100.0%
Lawyer	Count	9	59	31	9	95	0	203
	%	4.4%	29.1%	15.3%	4.4%	46.8%	.0%	100.0%
NGO lawyer	Count	0	8	16	0	23	1	48
	%	0.0%	16.7%	33.3%	0.0%	47.9%	2.1%	100.0%
LAS lawyer	Count	2	24	15	0	14	1	56
	%	3.6%	42.9%	26.8%	0.0%	25.0%	1.8%	100.0%
Prosecutor	Count	17	30	10	2	37	4	100
	%	17.0%	30.0%	10.0%	2.0%	37.0%	4.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q22\_10. In your opinion, how transparent or non-transparent is the work of the Judges Association "Unity"?**

		Fully transparent	Mainly transparent	Mainly not transparent	Not transparent at all	Don't know	Refuse to answer	Total
Judge	Count	23	48	4	0	30	3	108
	%	21.3%	44.4%	3.7%	0.0%	27.8%	2.8%	100.0%
Lawyer	Count	1	23	16	9	154	0	203
	%	0.5%	11.3%	7.9%	4.4%	75.9%	.0%	100.0%
NGO lawyer	Count	0	16	4	1	26	1	48
	%	0.0%	33.3%	8.3%	2.1%	54.2%	2.1%	100.0%
LAS lawyer	Count	1	18	9	0	28	1	57
	%	1.8%	31.6%	15.8%	0.0%	49.1%	1.8%	100.0%
Prosecutor	Count	12	17	8	2	55	6	100
	%	12.0%	17.0%	8.0%	2.0%	55.0%	6.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_1. Please, assess performance of the Ministry of Justice.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	13	68	22	0	1	4	0	108
	%	12.0%	63.0%	20.4%	0.0%	0.9%	3.7%	0.0%	100.0%
Lawyer	Count	11	80	91	11	5	6	0	204
	%	5.4%	39.2%	44.6%	5.4%	2.5%	2.9%	0.0%	100.0%
NGO lawyer	Count	0	13	31	2	1	1	1	49
	%	0.0%	26.5%	63.3%	4.1%	2.0%	2.0%	2.0%	100.0%
LAS lawyer	Count	4	32	19	0	0	2	0	57
	%	7.0%	56.1%	33.3%	0.0%	0.0%	3.5%	0.0%	100.0%
Prosecutor	Count	49	46	1	0	0	0	2	98
	%	50.0%	46.9%	1.0%	0.0%	0.0%	0.0%	2.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_2. Please, assess performance of the High Council of Justice.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	41	54	9	3	1	0	0	108
	%	38.0%	50.0%	8.3%	2.8%	0.9%	0.0%	0.0%	100.0%
Lawyer	Count	4	38	80	41	14	27	0	204
	%	2.0%	18.6%	39.2%	20.1%	6.9%	13.2%	0.0%	100.0%
NGO lawyer	Count	0	3	13	19	10	3	1	49
	%	0.0%	6.1%	26.5%	38.8%	20.4%	6.1%	2.0%	100.0%
LAS lawyer	Count	1	14	28	10	0	3	1	57
	%	1.8%	24.6%	49.1%	17.5%	0.0%	5.3%	1.8%	100.0%
Prosecutor	Count	17	37	19	6	2	14	5	100
	%	17.0%	37.0%	19.0%	6.0%	2.0%	14.0%	5.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_3. Please, assess performance of the High School of Justice.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	40	53	13	0	0	2	0	108
	%	37.0%	49.1%	12.0%	0.0%	0.0%	1.9%	0.0%	100.0%
Lawyer	Count	5	53	77	12	3	52	2	204
	%	2.5%	26.0%	37.7%	5.9%	1.5%	25.5%	1.0%	100.0%
NGO lawyer	Count	1	6	17	7	2	14	2	49
	%	2.0%	12.2%	34.7%	14.3%	4.1%	28.6%	4.1%	100.0%
LAS lawyer	Count	3	18	26	2	0	8	0	57
	%	5.3%	31.6%	45.6%	3.5%	0.0%	14.0%	0.0%	100.0%
Prosecutor	Count	19	34	18	4	1	18	7	101
	%	18.8%	33.7%	17.8%	4.0%	1.0%	17.8%	6.9%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_4. Please, assess performance of the legal aid service provided by the state.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	9	62	25	0	0	12	0	108
	%	8.3%	57.4%	23.1%	0.0%	0.0%	11.1%	0.0%	100.0%
Lawyer	Count	16	83	64	6	2	33	0	204
	%	7.8%	40.7%	31.4%	2.9%	1.0%	16.2%	0.0%	100.0%
NGO lawyer	Count	1	19	21	1	0	7	0	49
	%	2.0%	38.8%	42.9%	2.0%	0.0%	14.3%	0.0%	100.0%
LAS lawyer	Count	42	13	2	0	0	0	0	57
	%	73.7%	22.8%	3.5%	0.0%	0.0%	0.0%	0.0%	100.0%
Prosecutor	Count	28	54	11	3	1	2	1	100
	%	28.0%	54.0%	11.0%	3.0%	1.0%	2.0%	1.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_5. Please, assess performance of the legal aid service provided by NGOs.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	12	50	20	2	1	21	1	107
	%	11.2%	46.7%	18.7%	1.9%	0.9%	19.6%	0.9%	100.0%
Lawyer	Count	16	80	67	9	3	29	0	204
	%	7.8%	39.2%	32.8%	4.4%	1.5%	14.2%	0.0%	100.0%
NGO lawyer	Count	18	26	4	1	0	0	0	49
	%	36.7%	53.1%	8.2%	2.0%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	10	34	8	1	1	3	0	57
	%	17.5%	59.6%	14.0%	1.8%	1.8%	5.3%	0.0%	100.0%
Prosecutor	Count	18	25	17	2	4	25	8	99
	%	18.2%	25.3%	17.2%	2.0%	4.0%	25.3%	8.1%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_6. Please, assess performance of courts in Georgia.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	44	55	5	1	0	0	0	105
	%	41.9%	52.4%	4.8%	1.0%	0.0%	0.0%	0.0%	100.0%
Lawyer	Count	11	62	107	16	3	2	0	201
	%	5.5%	30.8%	53.2%	8.0%	1.5%	1.0%	0.0%	100.0%
NGO lawyer	Count	1	12	27	8	0	0	1	49
	%	2.0%	24.5%	55.1%	16.3%	0.0%	0.0%	2.0%	100.0%
LAS lawyer	Count	3	32	17	4	0	1	0	57
	%	5.3%	56.1%	29.8%	7.0%	0.0%	1.8%	0.0%	100.0%
Prosecutor	Count	27	52	21	0	0	1	0	101
	%	26.7%	51.5%	20.8%	0.0%	0.0%	1.0%	0.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_7. Please, assess performance of the Prosecutor's Office.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	8	48	32	4	0	16	0	108
	%	7.4%	44.4%	29.6%	3.7%	0.0%	14.8%	0.0%	100.0%
Lawyer	Count	3	38	92	38	10	19	0	200
	%	1.5%	19.0%	46.0%	19.0%	5.0%	9.5%	0.0%	100.0%
NGO lawyer	Count	0	0	19	13	9	6	1	48
	%	0.0%	0.0%	39.6%	27.1%	18.8%	12.5%	2.1%	100.0%
LAS lawyer	Count	2	19	27	4	1	1	1	55
	%	3.6%	34.5%	49.1%	7.3%	1.8%	1.8%	1.8%	100.0%
Prosecutor	Count	79	20	0	0	0	0	0	99
	%	79.8%	20.2%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_8. Please, assess performance of the Georgian Bar Association.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	3	44	45	7	0	9	0	108
	%	2.8%	40.7%	41.7%	6.5%	0.0%	8.3%	0.0%	100.0%
Lawyer	Count	53	97	43	4	2	2	1	202
	%	26.2%	48.0%	21.3%	2.0%	1.0%	1.0%	0.5%	100.0%
NGO lawyer	Count	3	21	19	6	0	0	0	49
	%	6.1%	42.9%	38.8%	12.2%	0.0%	0.0%	0.0%	100.0%
LAS lawyer	Count	17	31	8	0	0	1	0	57
	%	29.8%	54.4%	14.0%	0.0%	0.0%	1.8%	0.0%	100.0%
Prosecutor	Count	18	39	27	6	2	6	1	99
	%	18.2%	39.4%	27.3%	6.1%	2.0%	6.1%	1.0%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_9. Please, assess performance of the Judges Association of Georgia.**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	25	61	16	1	1	3	1	108
	%	23.1%	56.5%	14.8%	0.9%	0.9%	2.8%	0.9%	100.0%
Lawyer	Count	4	42	52	14	4	87	1	204
	%	2.0%	20.6%	25.5%	6.9%	2.0%	42.6%	0.5%	100.0%
NGO lawyer	Count	0	4	13	5	1	23	3	49
	%	0.0%	8.2%	26.5%	10.2%	2.0%	46.9%	6.1%	100.0%
LAS lawyer	Count	1	18	16	5	0	16	1	57
	%	1.8%	31.6%	28.1%	8.8%	0.0%	28.1%	1.8%	100.0%
Prosecutor	Count	13	24	13	3	1	36	9	99
	%	13.1%	24.2%	13.1%	3.0%	1.0%	36.4%	9.1%	100.0%

\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.

**q23\_10. Please, assess performance of the Judges Association "Unity".**

		Very well	Well	Medium	Badly	Very badly	Don't know	Refuse to answer	Total
Judge	Count	9	39	26	4	0	28	2	108
	%	8.3%	36.1%	24.1%	3.7%	0.0%	25.9%	1.9%	100.0%
Lawyer	Count	1	18	31	6	3	143	1	203
	%	0.5%	8.9%	15.3%	3.0%	1.5%	70.4%	0.5%	100.0%
NGO lawyer	Count	0	10	9	1	1	27	1	49
	%	0.0%	20.4%	18.4%	2.0%	2.0%	55.1%	2.0%	100.0%
LAS lawyer	Count	0	11	18	1	0	25	2	57
	%	0.0%	19.3%	31.6%	1.8%	0.0%	43.9%	3.5%	100.0%
Prosecutor	Count	9	15	11	2	2	49	11	99
	%	9.1%	15.2%	11.1%	2.0%	2.0%	49.5%	11.1%	100.0%

*\* The question was not asked to respondents who said they were mainly or very unfamiliar with the work of this institution.*



## ***Annex 4 – Summary of focus groups and qualitative interviews***

Qualitative component of the baseline study consisted of focus groups with lawyers (mixed groups of private lawyers, NGO lawyers and LAS lawyers) in Tbilisi, Rustavi, Akhaltsikhe and Batumi (one in each location) and qualitative interviews with judges (7) and prosecutors (7) in the same locations. This part provides detailed summary of results – views and opinions expressed during focus groups and qualitative interviews supported by respective quotes.

### **Areas of the judiciary that need improvement in Georgia**

Lawyers in Tbilisi outlined several problems with courts: too many cases for each judge, which indicates to the lack of judges, and together with the lack of available courtrooms results in prolonged cases, violation of established terms for case discussion and refusal of accepting lawsuits. Prolonged cases, especially in civil law, and “fired back” lawsuits were considered a big problem by lawyers in Rustavi and Akhaltsikhe as well.

In the Tbilisi focus group, qualification and appointment mechanism of judge assistants was criticized. It was also mentioned that criteria for appointing judges were not specified and candidates were not told why their candidacy was not accepted. One lawyer mentioned that political will was the main issue. If there was political will for courts and judges to be independent, if there was political will for nepotism to disappear from court, then courts and justice would be in a better state. One lawyer, former judge, in Akhaltsikhe mentioned that judges were not fully independent, not necessarily dependent on something or somebody institutionally, but not fully independent in their views.

In Akhaltsikhe, the fact that judges had no specialized areas of law was named as a problem, since working in criminal, civil and administrative law all together made it hard for judges to absorb the huge materials and affected their decisions.

- *“There are many cases and we should not blame it all on judges. You might have 400 cases and make mistakes. The number of judges should increase, as everyone, the party, the judge and of course justice is damaged.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“There are specific cases in which law dictates tighter terms and these terms are neglected.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“Often in administrative and civil cases, there are refusals to accept lawsuits in court. The reasons for refusal are often not grounded well. As an ordinary lawyer, I have a feeling that judges want to get rid of the case in order not to have even more cases on*

his/her account.” (Lawyer at GYLA, civil and administrative law, 2-years’ experience, Tbilisi)

- “Today the situation with terms is very bad. There are not enough judges and lawsuit and case terms are prolonged incredibly.” (Private lawyer, general law, mostly civil and administrative law, 17 years’ experience, Rustavi)
- “Prolonged one year, two years, some judges do not give you their decision for years.” (Private lawyer, general law, 26 years’ experience, Rustavi)
- “Clients often lose interest in the case or prolonging of the case might bring some other damage to the client. If you know the essence of the court decision, then ok, but what to do when we fight for months for a case and clients tell us, it does not matter if the decision is negative, they just want it to end. Judges are standing with baseball bats and firing back lawsuits.” (Private lawyer, general law, mostly civil and administrative law, 17 years’ experience, Rustavi)
- “Prolonged cases by courts of appeal, supreme court or first instance courts. Six months for the supreme court to discuss the case, then if something starts, you never know how long it lasts. It loses effectiveness.” (Private lawyer, LAS contracted lawyer, former prosecutor, criminal law, 37 years’ experience, Akhaltsikhe)
- “Judges do not always write their decisions. Their assistants do that. I work mostly on cases related to discrimination; judges have little awareness about discrimination and assistant have no awareness. When I file a lawsuit about discrimination, when I directly indicate laws, they do not understand based on which law they should discuss the case. It is necessary to train judges but also their assistants. From what I know, assistants are appointed through nepotism and there should be certain criteria and control mechanisms for the appointment of assistants.” (Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi)
- “Criteria for appointing judges are not specified. There are general criteria and no one knows, even candidate him/herself does not know, why he/she was not selected.” (Private lawyer, lecturer, worked in court, prosecutor's office, private and administrative law, 30 years’ experience, Tbilisi)
- “The biggest problem of court is its attitude to political leadership. It was so during the previous government and it is still so. There is a need for a political will. If there was political will nowadays, court would be independent and it would contribute to the improvement of everything under it. Bribes have disappeared but nepotism remained. Until court breaks free from things like that, we will be in this situation.” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)

- *“Court is not as independent as it should be. Practice is different. It is not dependent from the justice point of view per se, but, for example, any proof presented by the Prosecutor’s Office, we are all people and we can think, we know our strong sides and our weak sides; any shallow conclusion presented by the Prosecutor’s Office that is signed by only one expert, the judge is looking at it like ‘aha, this is presented by the Prosecutor’s Office’. Views need to change and they are changed through training.” (Private lawyer, former judge for 18 years, general law, 33 years’ experience, Akhaltsikhe)*
- *“Specialization in court is necessary, because when a judge works on all three spheres: criminal, civil and administrative, it is huge material, which the mind of one person cannot absorb fully and it affects decisions. I as a citizen do not need a judge who is educated in everything and meanwhile cannot notice many things, due to the overload.” (Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe)*

Situation at the Prosecutor’s Office was discussed in the focus group of lawyers in Tbilisi and was assessed as “post-catastrophic”. Mostly, inability of prosecutors to take decisions locally was criticized, since information about the case was not delivered fully and thoroughly up the stairs of hierarchy. Plea bargain was another issue mentioned in the context of the Prosecutor’s Office. Lawyers felt diminished in the process of requesting a plea bargain and suggested equipping judges with this authority.

- *“It is a post-catastrophic situation [at the Prosecutor’s Office]. Catastrophe already was there and passed.” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)*
- *“If the case does not reach Chief Prosecutor’s Office, it is not decided. Very dry information reaches the Chief Prosecutor’s Office, I don’t know who receives the information there but this one person takes the decision without meeting the citizen. Each case is individual and can contain many extenuating circumstances. Practically, decision-maker is not the one who has actual contact with the case.” (Private lawyer, criminal and administrative law, 12 years’ experience, Tbilisi)*
- *“The practice of plea bargaining is like a... I do not want to be in the role of a beggar. Court can have the same right to agree to the plea bargain, right? How can prosecutors have more rights than judges?!” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)*

Necessity to reform police was broadly discussed in the focus group of lawyers in Rustavi. The police was criticized for the incorrect attitude to citizens. According to lawyers in Rustavi, it did

not matter if you were a culprit or a victim; any person who got into the police department was treated as a culprit, thus, not fairly. The case of a lawyer was mentioned who was beaten by the police while interrogating the juvenile person, he was defending and it was outlined that reaction to this case was much delayed.

- *“The police need to be reformed if we want to have any real results... [Reform] in terms of investigation or fighting crime, protection of citizens’ rights and interests, because when a person gets in the police department, it does not matter if you are guilty or not guilty, everyone looks at you as guilty. It does not matter if you are a victim, still the same attitude. If you are a friend or close person of the police people, only then they treat you differently.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*
- *“The lawyer was beaten, leave alone beaten, was tortured while doing his job; while protecting rights of a juvenile person. The boy was shocked. It is very offending for me that the reaction was very delayed.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*

In addition, the need for the state to pay more attention to prevention of crime and re-socialization of criminals was brought up by lawyers in Rustavi along with the issue of general inspections of different law enforcement bodies being dependent on the respective law enforcement structures and, thus, not always objective or interested to reveal actual cases of violations by law enforcers. The issue of general inspections concerned lawyers in Tbilisi as well. They said that independent investigation system should be created to investigate cases of exceeding authority by the police, be institutionally independent and objective. Absence of independent investigation was mentioned in Batumi as well; reference was made to the institute of private detective and the fact that the accusing party was the same as the investigating side was denounced.

- *“It is necessary that the state becomes more active in terms of preventing crime and afterwards re-socialization. This is the most important. If that happens, then crimes will decrease. A person will not be punished but will be improved/corrected.” (Lawyer at GYLA, civil law, 9 years’ experience, Rustavi)*
- *“[Police] should do something, the big state stands behind them, to support the juveniles [caught on committing some crime]. All juveniles who commit crime, they are in a bad social situation; they have no money, no food, so they go out and steal. There were*

*juveniles the other day and I asked them if they liked Kukaracha or Murtalo<sup>104</sup> [in the Georgian film “Kukaracha”] and they said Murtalo. The police should make them realize that Kukaracha is better.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*

- *“General inspections, they actually do nothing. I think they [general inspections] should not depend on the structure. It should be independent. If general inspection works well, facts that law enforcers do will be revealed.” (Lawyer at GYLA, civil law, 9 years’ experience, Rustavi)*
- *“I have a demand for the creation of an independent investigation system. It should be institutionally independent. As I know, the state agrees to have that but there is an issue of authority, the state does not want a structure like that to have the prosecution power, i.e. it will investigate, make a conclusion and then it will depend on the Prosecutor’s Office if it takes the case to court. It already undermines independence.” (Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi)*
- *“In the west, institute of a private detective works quite well. Both parties [defense and accusing party] should have same rights and opportunities. Although we [lawyers] have the right of a number of actions but there is no such investigation institute in Georgia. It is not good that the accusing body is the investigating body at the same time.” (Private lawyer, general law, 15 years’ experience, Batumi)*

When discussing ways of improvement, lawyers in Rustavi said judges needed to be more honest, independent and stronger personalities. They touched upon prosecutors and said it was wrong to recruit too young people and raise them there, at the Prosecutor’s Office, before they knew anything about justice or life in general.

- *“There should be honest judges. Judge is not only about reading the code quickly. A judge should be a strong personality, deeply educated. So that even if he/she does not like you personally or is lazy or something, he/she will never allow him/herself. The great responsibility that they have, they do not always realize that. Not all are like that but many.” (Private lawyer, general law, 26 years’ experience, Rustavi)*
- *“I am against young people going to the Prosecutor’s Office. No matter what, when a person is 22, he/she needs to form into a personality. You should not grow into a person in the Prosecutor’s Office, you should be grown up when you go there in order to be a*

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<sup>104</sup> Characters of a Georgian film “Kukaracha” based on Nodar Dumbadze’s novel, directed by Siko and Ketii Dolidzes. Kukaracha is a policeman of one of the districts in Tbilisi with high moral standards, fighting crime and trying to change behavior and thinking of youngsters. Murtalo is a criminal authority.

*string part of the justice system. Youngsters are 'poisoned' there.” (LAS lawyer, general law, mostly criminal law, 12 years' experience, Rustavi)*

The main problem and area that needs improvement in the judiciary, according to judges in Tbilisi, Rustavi, Akhaltsikhe and Batumi is a small number of judges. While appeals to courts increased in recent years, quantity of judges stayed the same. Judges often have hundreds of cases which affects the judicial practice and quality of legal judgments as well as duration of the process. Moreover, judges in Tbilisi and Batumi said that due to overload there was lack of courtrooms, which also prolonged legal processes. A judge in Rustavi mentioned that while the increasing appeals meant improved public trust towards the court system, more work is needed in that direction. In Akhaltsikhe, one judge spoke of the need for more qualified investigation, both of the police and the Prosecutor's Office.

- *“Number of cases is increasing every year, with high rates. There has not been an year with decline, which naturally requires increase in the number of judges as well in order to provide quick, qualitative justice to people.” (Judge, civil law, 7 years' experience, Batumi)*
- *“While quantity of cases increased in nearly every field, quantity of judges stayed the same and some judges are suspended. This may affect quality of legal judgment.” (Judge, civil and administrative law, 15 years' experience, Rustavi)*
- *“Although, we are in quite a big building, there is lack of courtrooms. There is not enough courtrooms for hundred trials, which one judge may have, to discuss every case in short periods and intensively.” (Judge, criminal law, 1 year's experience, Tbilisi)*
- *“I think serious steps are taken to increase public trust in justice and court system; increased appeals to court prove that. But we are not at the level yet, that could satisfy us.” (Judge, criminal, civil and administrative law, 10 years' experience, Rustavi)*
- *“Speaking of my experience, I would wish to have more qualified investigation, especially in criminal law, of both the police and the Prosecutor's Office.” (Judge, criminal and administrative law, 32 years' experience, Akhaltsikhe)*

Speaking about areas of improvement, judges discussed lawyers and the Prosecutor's Office and said that lawyers lacked qualification. One reason for that could be frequent changes in laws and the need for additional trainings. Since the Prosecutor's Office was a state structure, trainings were more frequent there and prosecutors had higher qualifications. One more suggestion for improvement highlighted by a judge in Rustavi was more emphasis on re-socialization of criminals rather than strict policy of punishment.

- *“There are cases when court faces the problem that because of low level of qualification rights of an accused person might not be protected well. It is not on a massive scale but the problem exists. Since laws are amended often, a number of institutions are changed*

*and refined, it needs adequate response, for example, from the Georgian Bar Association, to train lawyers shortly.” (Judge, criminal law, 1 year’s experience, Tbilisi)*

- *“Our law enforcement bodies have strict policy. It might as well be public demand. The appeals that we have are very categorical, there is zero tolerance. I want approaches to be different. I know European and American approaches. The policy there is more oriented on re-socialization of criminals and not their punishment. If we achieve that, it will contribute to higher level of justice.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*

Prosecutors in all four locations said the justice system nowadays was not in a bad state.<sup>105</sup> Younger prosecutors spoke of improvements in recent years and of more independence of the justice system. Of the areas of the justice system that needed improvement, prosecutors in Rustavi stressed the necessity to reform the police and to increase the level of knowledge among their employees so that no cases of exceeding authority took place anymore. In that context, categorization of salaries was mentioned as a shortcoming, since lower salaries in regions damaged motivation of the police employees. A prosecutor in Batumi spoke of the need of the police to be more active in terms of crime prevention. A prosecutor in Batumi criticized the more formal role of the Supreme Court – the fact that there was no common approach to understanding the essence of crime, so, the Supreme Court had to be more active in developing practice. A prosecutor in Akhaltsikhe spoke of the abolished electronic contact between the Prosecutor’s Office and courts, which caused additional expenses of time and resources.

### **Equality and balance between disputing parties in court**

Lawyers in Rustavi agreed that in civil law the balance between the disputing parties was observed, both in law and in practice. It truly depended on the parties, their proofs, their presentation of the case. In Tbilisi, Batumi and Akhaltsikhe, similar views were expressed. As for criminal law, the balance was more formal there, according to Rustavi lawyers and the accusing side had more leverages. The lawyers now had the right of extracting proof but through court and court would assign the task to an investigator. Investigator was still on the accusing side, so, the balance was not quite there. Besides, there was law that punished hindering the work of an investigator and there was nothing that punished anyone for hindering the work of a lawyer. In Tbilisi, one shortcoming was mentioned in criminal law that prohibited lawyers to request video recording due to personal data issues, even through court. Only prosecutors were

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<sup>105</sup> Prosecutor’s views are mostly not quoted, since no audio recording was made. Only hand notes were taken.

allowed to do that. In Akhaltsikhe, criminal law was more criticized in terms of equality of the parties in questioning witnesses, in cases when witnesses refused.

- *“In civil law, I have no problem with the equality and balance. In criminal law, I believe balance of parties is formal. The law reads it but you cannot implement in practice, for various reasons, such as lack of financial resources on the side of the client. Gaining proof is costly. Expertise is expensive.” (Private lawyer, general law, 26 years’ experience, Rustavi)*
- *“In civil law, it [balance] is observed. It is about the parties – how they obtain proofs, how they present proofs in court. As for criminal law, partly there is balance but the accusing side has more leverages. Let’s say, for search and extraction of proof, they do not need to come to court. Lawyers were given the right of extraction but we need to address the court, a judge needs to issue an order and assign an investigator to fulfill that order. The investigator should not be participating in the case but still, he/she is an investigator, thus, the accusing side. In that part balance is violated. Let’s take law, is it punished when the work of an investigator is hindered? There is an article about that. Hindering the work of a lawyer is not punished. Balance is violated there as well.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*
- *“In civil law, it is a dispute of two parties and there is more equality and the judge is less interested in giving either of the sides any privilege.” (Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe)*
- *“In civil or administrative, it [code] gives you [equality] more or less. It is up to you to request [documents] on time... You have to deal with a citizen like yourself.” (Private lawyer, general law, former prosecutor, former judge, 32 years’ experience, Batumi)*
- *“Court tries not to violate balance. In nowadays’ practice, I have not encountered in civil and administrative law that court violated this balance.” (Private lawyer, lecturer, worked in court, prosecutor's office, private and administrative law, 30 years’ experience, Tbilisi)*
- *“One problem of a video recording. A lawyer cannot demand it, even through court, only a prosecutor can. If you address the prosecutor with this request and he/she refuses, then you as a defending side cannot get that recording.” (LAS lawyer, criminal law, 6 years’ experience, Tbilisi)*
- *“In criminal law, let us speak about the interrogation of a witness, questioning rather. Both parties can question the witness but if a witness refuses to be questioned, the accusing side can take him/her to the court and interrogate him/her. The defending side cannot do that.” (LAS lawyer, criminal, civil and administrative law, 6 years’ experience, Akhaltsikhe)*



Similar to lawyers, judges expressed that in civil law balance and competitiveness between the parties was observed. Latest changes in procedural codes authorized lawyers with more rights and ensured more effective balance between the parties. In criminal law, some judges felt the balance was ensured; others did not see effective balance observed in all cases, due to the fact that changes were introduced recently and time was needed for the parties to realize their rights and authorities or due to the imbalance in resources between the defending and the prosecuting parties.

- *“In this regard, civil law is in a good situation and a very good model is developed in the process.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*
- *“Our criminal procedural code gives equal rights to prosecutors and lawyers. In specific cases if someone has some [complaints], they can appeal to higher instance courts. There are electronic protocols that they can take on a disc and figure it out.” (Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe)*
- *“In criminal law, equality and competitiveness is a relatively new thing. It is still in the process of refinement. People [lawyers] do not realize fully that they can present their own proofs, that the court is not a notary. We need to break the stereotype that court is a notary of the Prosecutor’s Office. There is a whole base of legislative changes completely based on competitiveness and we need some exercise to use that in practice.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*
- *“The principle of equality between the parties is not observed absolutely, I mean that in any case there is a state on one side with its body, the Prosecutor’s Office, which has big resources to conduct investigation. Even if the other party is equipped with the same rights, it has still less opportunities, less resources – human or other, to conduct investigation of the same scale and gain proofs. The rights on the legislative level are balanced but there are rights, e.g. related to request for information, electronic information and secret investigative actions that the defending side does not have the right to.” (Judge, criminal law, 1 year’s experience, Tbilisi)*

Prosecutors in all locations confirmed that there was effective balance between the parties in court and judge was “just an arbiter”. The new procedural code ensured that, lawyers had more rights and they truly felt the competitiveness. “The battle field is equal,” said a prosecutor from Akhaltsikhe. “Every prosecutor is nervous before the [court] process. The parties are not indifferent anymore and every detail matters,” said a prosecutor from Batumi. A prosecutor from Rustavi confirmed this idea and said each prosecutor had to actually work hard and prepare for the process to present “really good arguments” to the judge. In Tbilisi, prosecutors spoke of

lawyers improving in terms of using their rights more actively. “Before it was hard for lawyers but now they know better of their rights,” said a prosecutor from Tbilisi.

The only shortcoming mentioned by a prosecutor in Rustavi in terms of the equality of arms was Article 136, according to which the defending side did not have the right to demand a video recording containing some proof. Therefore, the defending side had to ask prosecutors to do that. And it might create certain discomfort and sense of inequality.

### ***Cases when the party represents itself without a lawyer***

Lawyers in Tbilisi recalled their practices when in cases when a party did not have a lawyer judges strongly advised them to get a lawyer. They also mentioned that sometimes judges turn off microphones and give the party that represents itself without a lawyer some hints and explanations. In Akhaltsikhe, lawyers did not observe any kind of different attitude from judges in such cases, only more explanations to the party not represented by a lawyer, explanations in non-legal language.

- *“They [judges] advise them to get a lawyer, or else they will lose the case.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“They turn off microphones and tell them this way, give indications.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“I had a case in practice when a party did not have a lawyer and the judge acted in no way differently. On the contrary, if the party did not understand anything, [the judge] would explain in ordinary words, advise to get a legal representative.” (Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe)*

Judges did not elaborate much on the issue and mainly listed all cases when citizens were authorized to have state defenders. They mentioned that always preferred to have legal professionals as both parties.

Prosecutors recalled cases from their practice when during the court process judges spent much more time explaining their rights and concepts in non-legal language to the party that was not represented by a lawyer, or cases when judges strongly advised the party to get a lawyer. According to them, the law clearly listed cases when a state attorney was appointed to a person and these were the cases when the lawyer was needed the most. Therefore, no inequality

occurred. One prosecutor from Batumi brought a specific example of an expertise conclusion that the party presented to court in the moment when it was not allowed anymore. The conclusion changed the outcome completely and the court accepted this document since the party did not have a lawyer and did not know the procedural stages so well (“however, the prosecutor would object against it, of course”).

### **Court treatment of minorities and vulnerable groups**

Lawyers in Rustavi, in Batumi and in Akhaltsikhe did not see any difference of treatment of court towards any of the minority groups or vulnerable groups. In Tbilisi, one lawyer who had been working on cases of discrimination, said some of the judges did not have sensitivity towards minorities. She brought the example of a case of a Muslim person where judge spoke of being Orthodox and used terms such as “God bless you”, also, a case of a judge who discussed the May 17 case and had homophobic posts on his Facebook page. The latter was discussed in the context of the High Council of Justice having to pay more attention to the views of judges and not only their knowledge of legislation. At the same time, other lawyers in the Tbilisi focus group did not agree that judges showed different attitude to minority groups.

- *“I think there is no difference in treatment.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*
- *“Kvemo Kartli is populated with ethnic minorities and there are many cases, among them domestic violence cases. Where we are involved, even if we were not involved, they receive the result that we expect. There are no complications on religious bases in court.” (Lawyer at GYLA, civil law, 9 years’ experience, Rustavi)*
- *“There are no differences and court acts according to law, quite normally. Especially that our region is, you know. But there is no such issue either in religious or ethnic terms.” (Private lawyer, criminal law, 8 years’ experience, Akhaltsikhe)*
- *“That court had any discriminatory attitudes towards these groups, I have not noticed that in practice.” (Lawyer at GYLA, civil and administrative law, 1 year’s experience, Batumi)*
- *“Some judges are very non-sensitive in this regard, especially towards religious and sexual minorities. We had a case about discrimination of a Muslim. Judge spoke and mentioned, we, the Orthodox, used such terms as ‘God bless you’. It relates to the issue of the High Council of Justice not checking issues like that. For example, one judge who discussed the May 17 case, there were homophobic posts on his Facebook page. Therefore, the High Council of Justice should not only check professional experience of a candidate for a judge, but his/her views, senses with regards to minorities and human rights. Because a judge is not an ordinary person who knows law; he/she should have a*

*special attitude to human rights as highest value.” (Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi)*

- *“Or a Batumi court where we discuss the case of a Kobuleti madrassa. There are cases where judges keep religious neutrality but there are judges who violate religious neutrality.” (Lawyer at EMC, civil and administrative law, 3 years’ experience, Tbilisi)*
- *“I cannot say that judges in Georgian courts are discriminatory. If a Jehovah witness and an Orthodox have a dispute, I do not think they will decide the case in favor of an Orthodox [because of that reason].” (Private lawyer, criminal and administrative law, 12 years’ experience, Tbilisi)*

Judges excluded any kind of difference in treatment of minority and vulnerable groups. One judge from Batumi recalled a case from about three years ago when military police employees got drunk, would stop people and cars and ask them to show crosses. The military police people were charged with the article dealing with exceeding of authority not considering the religious aspect. However, personal opinion of the judge was that it was necessary to speak loud of such cases in order to eradicate problems.

- *“Of course, for me as a judge, it does not matter if it is a representative of any minority or vulnerable group, or an ordinary citizen, not different from others with his/her social, ethnic, religious or other characteristic. I discuss his/her case in the same conditions than of a person not belonging to any of the groups.” (Judge, criminal law, 1 year’s experience, Tbilisi)*
- *“There is no option. For me it is the same what orientation a person is, or which ethnic group he/she belongs to, on the contrary, sometimes I feel I treat them more delicately.” (Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe)*
- *“In 2013, military police employees, we tried them in court later, but unfortunately, the accusation they were charged with, it was exceeding authority. They were drunk, they would stop people, check cars and ask people to show if they were wearing crosses. The presented charges did not mention religious aspect. The court is not the body that can present new charges or make the burden of charges heavier. I think loud discussions are needed on any issue like that and it will eventually lead to the resolution of the problem.” (Judge, criminal and civil law, 8 years’ experience, Batumi)*

Prosecutors were unanimous in questions about court treatment of minority and vulnerable groups. They reported no difference in treatment on any stage of the court process, plea bargaining terms or anything. “It would mean discrimination and no one would allow that,” a prosecutor from Akhaltsikhe said. “There has never been a single case when I noticed either

aggression or cynicism or anything on the face of a judge or a lawyer. They might be more attentive to the language they use,” a prosecutor from Tbilisi said.

### **Prosecutor’s Office treatment of minorities and vulnerable groups**

Lawyers in Rustavi, Batumi and in Akhaltsikhe did not report any difference in treatment of prosecutors to different minority or vulnerable groups. In Tbilisi, lawyers discussed cases of the police rather than the Prosecutor’s Office (since, according to them, it does not always come to the attention of prosecutors), mostly domestic violence cases against women when police officers did not start investigation in circumstances when the focus group participants believed they should.

- *“I had a case where I defended transsexuals and I did not notice any different attitude, any pressure or offensive remarks.” (Lawyer at GYLA, civil law, 9 years’ experience, Rustavi)*
- *“We did not have anything like that in practice.” (Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe)*
- *“I personally had a case when a woman called patrol police. The latter came so late that the husband had already broken the wooden door in. The investigation has not started at all. There was a 2-years old kid who had a cigarette burn on a hand and a woman who was hit with a chair in her head. They told her that since there already was a protective order approved for her case, she would not want investigation. The woman was shocked and said no. They [the police] try to have less cases and think about statistics as well, by the way.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“It does not necessarily reach prosecutors. The case when a policeman told a woman that for that [behavior] she would have been beaten, of course. Do you think the prosecutor took some measured? No.” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)*

Judges also excluded such cases from the Prosecutor’s Office. According to them, prosecutors would not dare to do that as sharp reactions would follow.

- *“From my practice, I do not recall any such case of the Prosecutor’s Office having a different approach or the defending side.” (Judge, criminal law, 1 year’s experience, Tbilisi)*
- *“The Prosecutor’s Office, it is excluded. It will simply not dare that. It will have very sharp reactions that it... for religious or any other reason.” (Judge, criminal and civil law, 8 years’ experience, Batumi)*

Similar to the treatment of courts, prosecutors in all four locations agreed that there was no difference in treatment of minority or vulnerable groups among prosecutors. “When I receive a citizen [in my office], it does not matter whether he/she is a man or a woman, old or young, Georgian or non-Georgian,” a prosecutor from Rustavi said. In Tbilisi, a prosecutor added that “on court processes prosecutors represent the state. They act with cold mind.”

### **LAS treatment of minorities and vulnerable groups**

In Tbilisi, Rustavi, Batumi or Akhaltsikhe, lawyers could not report any kind of different treatment of minorities and vulnerable groups by LAS lawyers from their practice or from any information they had. Likewise, no difference in treatment was outlined by lawyers in Rustavi.

- *“No, it is excluded, discrimination. On the contrary, this service is oriented on protecting vulnerable groups and being maximally focused on their rights.” (Private lawyer, criminal and administrative law, 12 years’ experience, Tbilisi)*
- *“There is no difference in treatment of Georgians and people of other religions, Muslims.” (LAS lawyer, criminal, civil and administrative law, 6 years’ experience, Akhaltsikhe)*

Similar to lawyers and prosecutors, judges did not report any case of a different treatment on the side of the LAS lawyers.

- *“No, categorically no. They have quite well prepared staff, this service. I have never noticed anything like that.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*

Prosecutors outlined professionalism of LAS lawyers and excluded any kind of difference in treatment based on certain characteristics, such as ethnical, religious belonging or anything else. “They are opponents but they are very good,” a prosecutor from Tbilisi said. Another prosecutor from Tbilisi added that if an LAS lawyer did something against his/her defendant that would be a reason for changing that lawyer so no such thing would occur.

### **Legal education - University education and continuous education**

In Tbilisi, the focus group participants (lawyers) spoke about the need of more practical skills among students, especially skills of formal writing or academic writing; also general education (such as elementary maths). Lack of practical experience was an issue discussed in Batumi as

well. One of the focus group participants was a recent graduate and confirmed that at university they had little contact with practical subjects, the studies were more theory-based and there was lack of lecturers in practical subjects. In Tbilisi, some lawyers had good experience with Master students and praised Tbilisi State University graduates. In the context of improvement, one participant mentioned the shortcoming of a new criminal procedural code, which prohibited intern lawyer to appear in court as a lawyer, unlike intern-prosecutors.

Lawyers in Rustavi said level of professionalism among court workers, prosecutors and lawyers was quite good. As for the university graduates, they had theoretical knowledge and they had opportunities to gain practical experience through internships or moot courts. Therefore, the new generation of lawyers would be better. As for improvements in legal education, according to lawyers in Rustavi, university should try to give students what they are seeking outside university.

In Akhaltsikhe, lawyers said those willing to get education, would manage to do that. Universities gave more theoretical knowledge but it meant nothing without practice, work experience.

- *“Interns come to me and I interview them. There was a girl that came, with a university diploma but she had no idea about fractions. General education among lawyers is very low. Apart from several universities, others do not give adequate knowledge.” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)*
- *“I have almost 25 years of teaching experience at different universities. A simple example, formal writing or academic writing at universities, it is almost not [taught] or very minimally and I can say with full seriousness that not everyone knows what solving a casus is. During the casus solving we are tortured on the read and write level... Apart from theoretical [knowledge], practical skills should be given attention.” (Private lawyer, lecturer, worked in court, prosecutor’s office, private and administrative law, 30 years’ experience, Tbilisi)*
- *“As for the university education level, there is little contact with real, practical subjects. It [studies] are more theoretical. There is lack of human resources in those subjects.” (Private lawyer, civil and administrative law, 2 years’ experience, Batumi)*
- *“There are legal clinics at universities. This is one of the necessary components of authorization but not so strong to give a ready product of lawyers.” (Private lawyer, lecturer, worked in court, prosecutor’s office, private and administrative law, 30 years’ experience, Tbilisi)*

- *“The old procedural code enabled intern lawyer to participate in the court process directly, upon the agreement of the defendant. The new code prohibits that. If this shortcoming in law is corrected it will be better, since intern lawyers will have a chance to gain practical experience.” (Private lawyer, criminal and administrative law, 12 years’ experience, Tbilisi)*
- *“From what I hear and university graduates that I meet, they are prepared. Where and how they received education? Probably, at the university. Interns that come to us [LAS], intern prosecutors, it is clear that they have received education.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*
- *“No one receives practical experience at the university, only during their internships. They [students] just have much information and opportunities to gain experience – we [GYLA] have interns, LAS has interns. The arena is wide. I think there will be a better generation.” (LAS lawyer, general law, mostly criminal law, 12 years’ experience, Rustavi)*
- *“The university should take care to give students what they are seeking outside of the university and gaining from other sources. The university should give them the basis – practice along with theory.” (Private lawyer, general law, mostly civil and administrative law, 17 years’ experience, Rustavi)*
- *“Those who are motivated, they learn.” (LAS lawyer, criminal law, 2-month experience, Akhaltsikhe)*
- *“If you ask me, graduating today means nothing; if you do not work in practice.” (Private lawyer, former investigator of the Interior Ministry, criminal law, 27 years’ experience, Akhaltsikhe)*
- *“High education institutions give education more or less, theoretical.” (Private lawyer, civil and administrative law, 2 years’ experience, Akhaltsikhe)*

Most of the focus group participants in Tbilisi liked the Georgian Bar Association trainings, the topics as well as trainers. However, younger participants found trainings repetitive and mentioned there was no training about discrimination. Generally, lawyers in Rustavi also liked the trainings, topics as well as trainers; however, there were some who thought training sessions were short and could not deliver information on the theme fully. Other than the Georgian Bar Association, lawyers in Rustavi named courts – Supreme Court, Court of Appeal as possible providers of training to lawyers on court practice, court decisions about different issues. In Akhaltsikhe, lawyers were not happy that trainings of the Georgian Bar Association were held in Tbilisi and the 3-hour road and other logistical issues made it hard for them to attend.



- *“I regularly attend trainings at the Georgian Bar Association and, to my surprise, all are very topical and well prepared. Lecturers or trainers are qualified.” (Private lawyer, former prosecutor, criminal, civil and administrative law, 34 years’ experience, Tbilisi)*
- *“There is nothing on discrimination. Actually, on topics, I have a feeling that topics are repeated. They are the same every year.” (Lawyer at GYLA, civil and administrative law, 2 years’ experience, Tbilisi)*
- *“I participate in trainings systematically and I cannot say I am not satisfied.” (Private lawyer, general law, 26 years’ experience, Rustavi)*
- *“We, lawyers, are part of the Georgian Bar Association and we have trainings to raise our awareness but it is not effective because trainings are short and thematically a two-hour meeting cannot exhaust the topic fully. We select topics but, for example, I have never left a training fully satisfied, relevant to the expectation I had.” (Lawyer at GYLA, civil law, 9 years’ experience, Rustavi)*
- *“Courts... It would be good. If the same Supreme, Court of Appeal, if they did it [training] for lawyers about court practice. About these decisions about this or that issue, I think it would be good.” (Private lawyer, general law, 26 years’ experience, Rustavi)*
- *“Mainly these trainings are held in Tbilisi. The Association has a training center and they are held there. Now, for regions it is not accessible much. We have many things to do here and it would require us a three-hour drive to there and three hours back. Why can it not be held here? People here can be mobilized, who is willing to attend.” (LAS lawyer, criminal, civil and administrative law, 6 years’ experience, Akhaltsikhe)*

Assessment of education level of legal professionals in Georgia was not similar among judges and some spoke about lack of qualifications among lawyers as well as prosecutors saying *“prosecutors are several steps ahead than lawyers. If we assess on a five-point scale, we can write three to prosecutors or even four and lawyers – only one.” (Judge, criminal and civil law, 8 years’ experience, Batumi)*

At the same time, judges were quite positive about the new generation of students who they encountered during internships in court but thought it depended on individuals more; however, graduates of certain universities (in particular Tbilisi State University) were more distinguished. Suggestions of improvement included setting higher standards by education institutions and universities having more agreements with public institutions for providing internships to students.

- *“It [level of education] depends on what university graduates specific students are. Tbilisi State University students, not 100% but bigger share are better prepared than other university graduates. It also depends on individual demands and attitudes, to what extent a person has the responsibility and the demand to actually get legal education at the university and not only study there formally.” (Judge, criminal law, 1 year’s experience, Tbilisi)*
- *“Quite well prepared youngsters come, we have interns.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*
- *“The education system should set a higher standard.” (Judge, criminal, civil and administrative law, 10 years’ experience, Rustavi)*
- *“Universities should have agreements with various public institutions where third or fourth year students would have one month [internship].” (Judge, criminal and civil law, 8 years’ experience, Batumi)*
- *“More practical works should be there and internships at the Tbilisi court or the Prosecutor’s Office, so that they come to actual work and practice more prepared.” (Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe)*

In terms of continuous legal education, judges were happy with the trainings provided by the High School of Justice and the easy electronic system that allowed subscription to the training they were most interested in. Topics were selected based on their preferences as well; trainers were prepared and of high qualifications.

- *“To me as a judge, the High School of Justice provides this opportunity [of continuous legal education] absolutely because the trainings are held intensively, in many spheres, problematic issues related to legislation, international standards and non-legal issues, such as international standards of behavior of a judge.” (Judge, criminal law, 1 year’s experience, Tbilisi)*
- *“No week passes without trainings. All judges are registered electronically.” (Judge, criminal and civil law, 8 years’ experience, Batumi)*
- *“When we finish the training, anonymous [evaluation forms] are distributed, what we liked and what not, and in the end there are questions on what we would like to have more training on and we write.” (Judge, criminal and administrative law, 32 years’ experience, Akhaltsikhe)*

Prosecutors spoke of improvements in the education level among legal professionals. They discussed several types of internships at the Prosecutor’s Office – the one-years internship,

which gave very good practical experience and successful completion of which was a way to become a prosecutor; and the program for students ‘One day at the Prosecutor’s Office’ that enabled students to get a real idea of what the work of a prosecutor was like. They spoke of difficult selection procedures for prosecutors, which was based not only on legislative knowledge, but personal qualities. A prosecutor from Akhaltsikhe said there were more opportunities in Tbilisi but stressed the importance of individuals’ hard work and motivation. A prosecutor in Rustavi spoke of the need to have more clinics at universities, clinics of the Prosecutor’s Office, of the police and other institutions of justice. Several prosecutors mentioned visits to secondary schools and talks with teenagers about crime and justice.