



**Attitudes
towards the
judicial system
in Georgia**

January 24

2012



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MANAGEMENT
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*The Judicial Independence and
Legal Empowerment Project (JILEP)*

This study is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of CRRC and do not necessarily reflect the views of USAID or the United States Government or East-West Management, Inc. (EWMI).

1) Introduction

Since 2003, much has been done to reform the Georgian judicial system, from the establishment of the High School of Justice and significant reforms to the High Council of Justice, to a major change in personnel in the judiciary and among the corps of prosecutors. However, these successes are accompanied by serious concerns, particularly regarding judicial independence. International organizations from the Council of Europe to the US State Department have urged further reform of the system. Domestically, meanwhile, the issue is highly politicized, with the government highlighting the success of the judicial reform program, while its opponents point to what they see as a continued lack of independence.

Yet in spite of this fact, relatively little research has been conducted to ascertain how Georgians themselves feel about their judicial system. It is with this in mind that the East West Management Institute tasked the Caucasus Research Resource Center (CRRC), to undertake a comprehensive study into public attitudes about the judicial system. The combination of a survey, focus groups and interviews allowed this study to generate robust findings, grounded in quantitative and qualitative results.

The study thus consisted of a countrywide survey of the Georgian population's attitude towards various aspects of the judiciary, as well as background information. The survey, which was held between May 14 and June 5, 2011, was responded to by 4,318 people, resulting in an average margin of error of 4 percent.

As well as the survey, a total of 25 focus groups were held in Tbilisi, Kutaisi and Batumi between March 16 and April 3, 2011, with between eight and ten people participating in each focus group. In each city, four focus groups were conducted with members of the general public; two were conducted with people who had recent experience of the court system, and two were held with people working in the legal sphere in a professional capacity. In Tbilisi, a further focus group was carried out with law students. In each focus group a pre-prepared guide was used by the moderator to direct the discussion. This breakdown in focus groups was designed to allow different voices from across Georgia to provide insight and illustrative examples of people's perceptions of the judiciary. More information about the survey methodology and the focus groups is in the appendix.

The final component of the study was a series of 38 in-depth interviews with high-profile legal professionals conducted between March 24 and April 14, 2011. The interviewees included judges, senior government officials and a range of senior lawyers from all areas of the law.

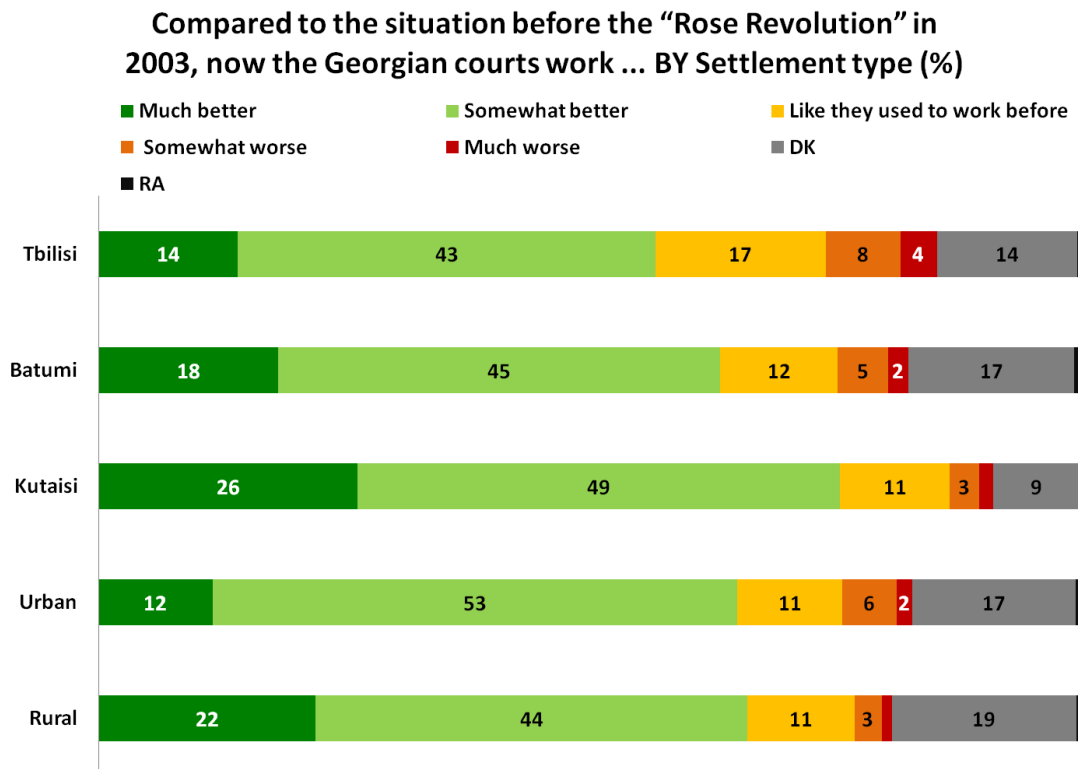
It is the aim of this report to synthesize the results of these components in order to achieve a rounded picture of public attitudes towards the judicial system in Georgia. It is hoped that the findings presented below will contribute to a

constructive debate about the ongoing efforts to improve and reform the Georgian judicial system.

2) Findings

Perceptions: Judiciary has improved since 2003 but some skepticism remains

A strong majority of Georgians believe their court system has improved since 2003. Some 18 percent say the courts work much better, and 46 percent say somewhat better. Only 7 percent of the general population says things have gotten worse since 2003.¹ While most people across Georgia think things have improved, perceptions vary according to region. Three quarters of Kutaisi residents say the courts work better, significantly more than in the rest of the country. Around two-thirds of people in Batumi, other cities and rural areas think courts have improved. In Tbilisi, people are slightly less likely to say the courts have improved, an answer given by 57 percent of Tbilisi residents.



The sense that courts have improved appears linked to overall views on progress. Those who think that Georgia is a democracy (46 percent of the population)² are much more likely to think courts have improved: 81 percent compared to 47 percent among people who think Georgia is not a democracy.³ Furthermore, people who trust television channels Rustavi 2 and Imedi, generally seen as sympathetic to the government, are also more likely to think

¹ See Table 1 on p. 23
² See Table 2 on p. 23
³ See Table 3 on p. 23

courts have improved (73 percent compared to 47 percent who do not trust these channels)⁴. This could indicate that perceptions about the judiciary being better than 2003 are related to a more general idea that Georgia itself is moving forward.

Interviews and focus groups with legal professionals also found that there is a strong sense that the judiciary has improved considerably. Some in the interview and focus groups pointed to a number of specific improvements to certain parts of the system. The improvement most frequently mentioned was the change made to the makeup of the High Council of Justice (HCOJ), where judges are now a majority on the council, and the president no longer sits as chair. Members of these groups also felt that the Georgian Bar Association (GBA) has made positive steps forward. While most interviewees agreed that the reforms in the GBA remain a work in progress, one interviewee was confident that they “have revived the true functions of the bar and in about six months the results will be evident for everyone in the judiciary to see.”

The end of bribe taking among judges is an aspect particularly highlighted by interviewees, focus groups and survey results. Significantly, focus group participants with recent court experience were adamant in claiming that bribery had been eradicated, with not a single participant mentioning bribery as interfering with the judicial process. “No one takes bribes,” as one court user from Kutaisi put it. While many interviewees said bribery was common in the past, they were also confident that it no longer occurred. “Today, in the current environment, corrupt deals involving money have been absolutely eliminated,” said one defense lawyer – a man who was highly critical of other aspects of the judicial system.

Yet views are not unanimous, and considerable uncertainty persists. The general population, for example, is less certain that bribery has been eliminated. While 40 percent of Georgians say judges do not take bribes, almost the same number, 37 percent, say they don’t know (13 percent say judges do take bribes).⁵

People’s associations with the judicial system also point to a distinct uncertainty as to the extent of improvements in the judiciary. As shown above, there is a widespread perception that the judiciary improved since 2003, yet people’s associations with the judiciary are not overwhelmingly positive, and in some cases distinctly ambivalent. While 20 percent of people associate ‘justice and truth’ with the judiciary, and 19 percent associate ‘courts and judges’ with the judiciary, significant numbers of people have negative associations. Nine percent of Georgians directly associate ‘injustice’ with the judiciary in Georgia, showing that some Georgians remain deeply skeptical about the system.⁶

Ambivalence in terms of associations with the judiciary was more pronounced in focus groups among court users and the general public. When asked, “What does the judicial system mean to you?” focus group participants answered ‘justice’, ‘human rights’ and ‘law and its implementation.’ However, many of the

⁴ See Table 4 on p. 24

⁵ See Table 5 on p. 24

⁶ See Table 6 on p. 24

participants also made clear that this was what they believed the judicial system *should* mean to them, not how it necessarily existed at present.

Georgians who have had direct or indirect experience with the courts in the last two years are generally more likely to be negative about the reform process. More than twice as many court users (13 percent) think the courts have gotten worse since 2003 than those with no experience with the courts (5percent).⁷ Additionally, court users are more likely to say Georgia is not a democracy (48 percent of court users compared to 36 percent of those with no court experience)⁸, and more likely to say the country is going in the wrong direction (26 percent compared to 17 percent)⁹. Although court users are more critical of many aspects of the judiciary, they are more convinced about the eradication of bribe taking than those who have not had experience with the courts. While 38 percent of the people with no court experience don't know whether judges take bribes, the number is 28 percent for court users. Additionally, court users are slightly more likely to say judges don't take bribes (43 percent compared to 39 percent of those with no court experience).¹⁰

One area where many people see room for improvement is the perceived routine severity of the court. Georgians are strongly in favor of a judicial system that displays leniency when appropriate, and many currently see the system as too punitive. Sixty-five percent of Georgians say that courts should consider the circumstances surrounding the crime, and be prepared to hand out lower sentences in the interests of rehabilitating criminals. Twenty-seven percent, meanwhile, say that courts should always punish criminals to the full extent of the law.¹¹ Of people that have had recent court experience, 77 percent say circumstances should be considered, 20 percent said criminals should always be punished to the full extent of the law¹². Many focus group participants and interviewees also believed the system to be too strict. "We need to differentiate between the child who stole a bun because he was hungry and poor and a child who was just stealing," a lawyer commented.

These findings show that while both the general population and legal professionals perceive that distinct improvements have been made to the way the judiciary functions since 2003, there is a widely held belief that more needs to be done. "It is a fact that we are better than we were 3 years after the revolution but it is not enough. We demand more," said one senior defense lawyer. There is also a perception that although the reform process up to now has been a success, this is a relative success given the state of affairs before 2003, and there is still a long way to go.

⁷ See Table 7 on p. 25

⁸ See Table 8 on p. 25

⁹ See Table 9 on p. 25

¹⁰ See Table 10 on p. 26

¹¹ See Table 11 on p. 26

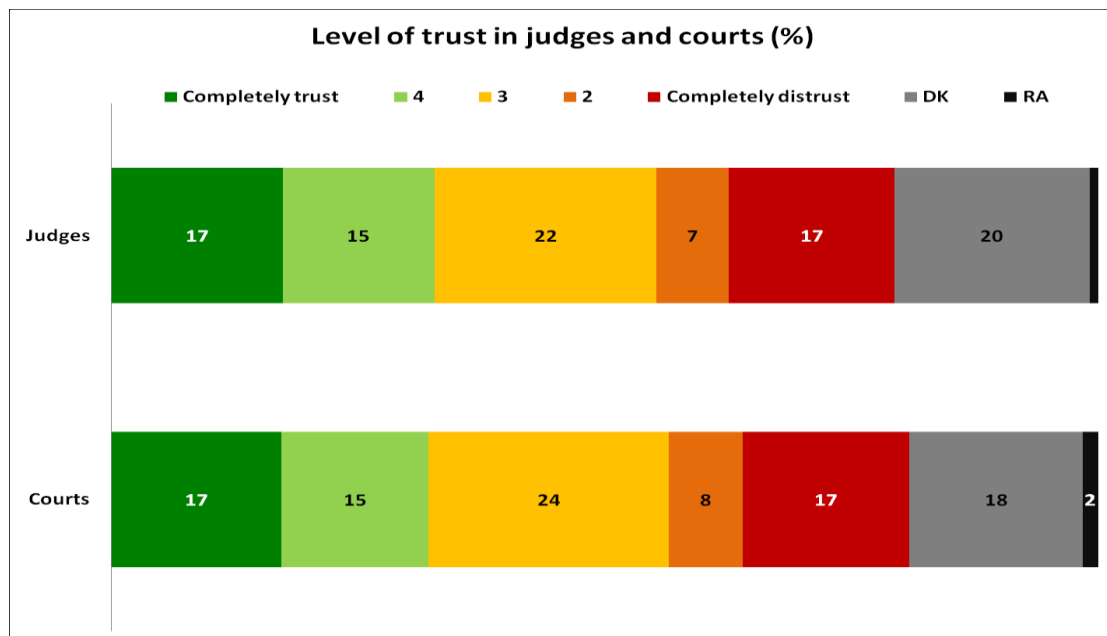
¹² See Table 12 on p. 26

Georgians are divided and uncertain as to whether their legal system can be trusted, as well as if it is independent

When responding to questions concerning their trust in the courts and belief in the independence of judges, around a third of Georgians were generally positive in their responses, and around a quarter were negative. This split in opinion, however, is combined with a large degree of uncertainty: the largest proportion of Georgians either don't know or don't feel strongly either way about whether judges and the courts are independent and can be trusted.

While there is trust in the judicial system, it remains limited. Approximately a third of Georgians partially or fully trust judges, and the same amount (32 percent) partially or fully trust the courts. This is significantly lower than the number of Georgians who trust the patrol police (76 percent)¹³, teachers (72 percent)¹⁴ or doctors (55 percent)¹⁵. While a third of people trust judges and the courts, fewer people actively distrust them. Twenty-four percent of people partially or fully distrust the courts; the same amount distrust judges.

However, it is uncertainty that best characterizes people's attitudes towards the courts and judges. Twenty-two percent of people neither trust nor distrust judges; a further 20 percent don't know whether judges can be trusted¹⁶. In terms of the courts, a quarter of the people express neither trust nor distrust, while a further 18 percent don't know¹⁷. Thus, more than 40 percent of Georgians, a plurality, neither trust nor actively distrust the courts and judiciary, or don't know whether they can be trusted or not—the bulk of Georgians are just not sure.



¹³ See Table 13 on p. 27

¹⁴ See Table 14 on p. 27

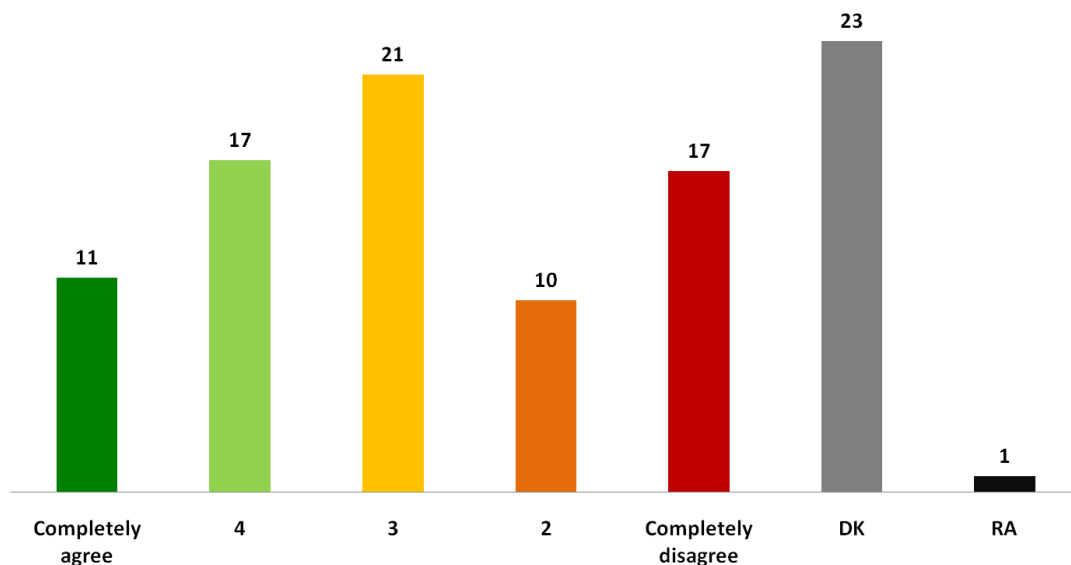
¹⁵ See Table 17 on p. 28

¹⁶ See Table 15 on p. 27

¹⁷ See Table 16 on p. 27

Underlining the fact that Georgians are both divided and uncertain about the state of their judicial system, results break down in a similar way as to whether judges are independent. Twenty-eight percent of Georgians strongly or partially agree that judges are independent, slightly less than the 33 percent who trust judges. Here again, though, 21 express no strong opinion either way and 23 percent don't know; 27 percent, meanwhile, say judges are not independent. People who are positive about Georgia's current state of development are much more positive about the judicial system. Of those who think that Georgia is a democracy (46 percent of the population), 47 percent trust judges¹⁸ and 48 percent trust the courts¹⁹, significantly higher than among the general population. Furthermore, almost half (48 percent) of people who think politics is going in the right direction trust courts and judges²⁰. This seems to suggest that trust in the judiciary could be linked to wider senses of optimism about Georgia. Indeed, people that think Georgia is a democracy, think politics is going in the right direction²¹. Those who trust Imedi and Rustavi 2 TV are also much more likely to trust prosecutors²², parliament²³ and a range of other state institutions.

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



Georgians with court experience, as demonstrated in the previous section, are less likely to believe that courts have improved since 2003, and more likely to think politics is going in the wrong direction, and that Georgia is not a democracy. In addition, those with court experience are slightly less likely to

¹⁸ See Table 18 on p. 28

¹⁹ See Table 19 on p. 28

²⁰ See Tables 20 and 21 on p. 28 and 29

²¹ See Table 22 on p. 29

²² See Table 23 on p. 29

²³ See Table 24 on p. 30

trust courts and judges (29 percent)²⁴ than the general population, while half of court users believe judges serve government interests²⁵. Forty-three percent of court users said judges were not independent²⁶, compared to 26 percent of the overall population.

Attitudes towards the independence and trustworthiness of judges and the courts vary across the country, and once again suggest that attitudes towards the judiciary are linked to overall feelings about the current state of affairs in Georgia. Kutaisi residents are more likely to trust judges (38 percent)²⁷ and the courts (42 percent)²⁸ than the population at large. Additionally, 39 percent of Kutaisi residents think judges are independent²⁹. Focus group participants from Kutaisi were also noticeably more positive about the judiciary than participants from Batumi or Tbilisi. Kutaisi residents also trust other public institutions more than the overall population. Fitting into the pattern described above, Kutaisi residents are also more likely to say Georgia is a democracy (61 percent)³⁰ and that politics is going in the right direction (67 percent)³¹. Kutaisi residents are also more likely to trust the president, 68 percent compared to 58 percent in the population at large.

In contrast to Kutaisi, residents of Tbilisi are much *less* likely to trust the judiciary, and also less likely to say Georgia is a democracy or going in the right direction. While this fits in with the general perception that the population of Tbilisi is less sympathetic to the government and various aspects of the reform process than people elsewhere in Georgia, it also further indicates that attitudes toward the judiciary are linked to attitudes about Georgia generally. While a third of Georgians overall trust judges and the courts, that number drops to 25 percent in Tbilisi for judges,³² and 25 percent for courts.³³ Additionally, people in Tbilisi are less likely to trust the president³⁴, other state institutions, Rustavi 2 and Imedi, and more likely to say they don't trust any TV news source.

Focus groups and interviews found that many legal professionals felt that the government's 'zero tolerance' attitude to crime directly undermined the independence of judges and trust in the judiciary, particularly in regard to criminal cases. One legal professional argued that the strictness of the legislation "leaves no choice for judges, ties them up and gives them no room to issue a fair verdict." Focus groups results showed that many people see sentences as excessive, which undermines trust in the system. "Distrust," said one legal professional in Batumi, "is caused by the sentences handed down in criminal cases."

²⁴ See Tables 25 and 26 on p. 30

²⁵ See Table 27 on p. 31

²⁶ See Table 28 on p. 31

²⁷ See Table 29 on p. 31

²⁸ See Table 30 on p. 32

²⁹ See Table 31 on p. 32

³⁰ See Table 32 on p. 32

³¹ See Table 33 on p. 32

³² See Table 29 on p. 31

³³ See Table 30 on p. 32

³⁴ See Tables 34 and 35 on p. 33

While Georgians' opinions are divided and uncertain about the independence of their judges in general, they tend to believe that judges serve the government's interests over the interests of the public. Twenty-eight percent of Georgians believe their judges are independent, but 39 percent say judges serve the government's interest (just 14 percent disagree).³⁵ A further 36 percent of Georgians say judges favor the interests of state bodies over that of individuals; 13 percent disagree.³⁶ These figures seem to indicate that, while a great deal of uncertainty remains, Georgians are much less confident of the independence of their judges when the government is involved.

This perception of governmental influence over judges is reflected in the responses of the focus groups. A large number of focus group participants felt that political considerations played a big role in judicial decision-making. Many participants expressed their belief that if the state is a party to the case, the judge will automatically decide in the state's favor. Many interviewees and focus group participants expressed the opinion that government influence on judges did not manifest itself through direct instruction. "It is not as if anyone calls the judge", said one defense lawyer. Some interviewees and focus group participants believed that independence ultimately was compromised by the judges themselves. Many believed that judges were selected and appointed based on their willingness to toe the government's line, and their reluctance to issue decisions that might be seen as going against the government's interest, this was described as "a lack of inner freedom" by one focus group participant. Furthermore, interviewees felt that public statements from politicians could have an effect on judicial proceedings, and potentially undermine the presumption of innocence.

Interestingly, focus group members who had court experience were less likely to point to the government or the ruling party as influencing judges, but rather to the prosecutors. The existence of such a perception by focus group members is supported by survey data. While 7 percent of people who said judges are not independent said prosecutors influenced judges,³⁷ 15 percent of court users said they did.³⁸ Court users in Tbilisi, Kutaisi and Batumi all remarked that prosecutors exert considerable influence over judges.³⁹

While overall trust in courts and judges remains relatively low at 33 percent, interviews and focus groups showed that most legal professionals believe trust to be far lower than it really is. Very few legal professionals overestimated the level of trust in the judiciary. Some legal professionals, notably defense lawyers, have expressed little trust in the judicial system. "Of course I don't trust the courts," said one lawyer.

³⁵ See Table 36 on p. 33

³⁶ See Table 37 on p. 33

³⁷ See Table 38 on p. 34

³⁸ See Table 39 on p. 34

³⁹ See Table 40 on p. 35

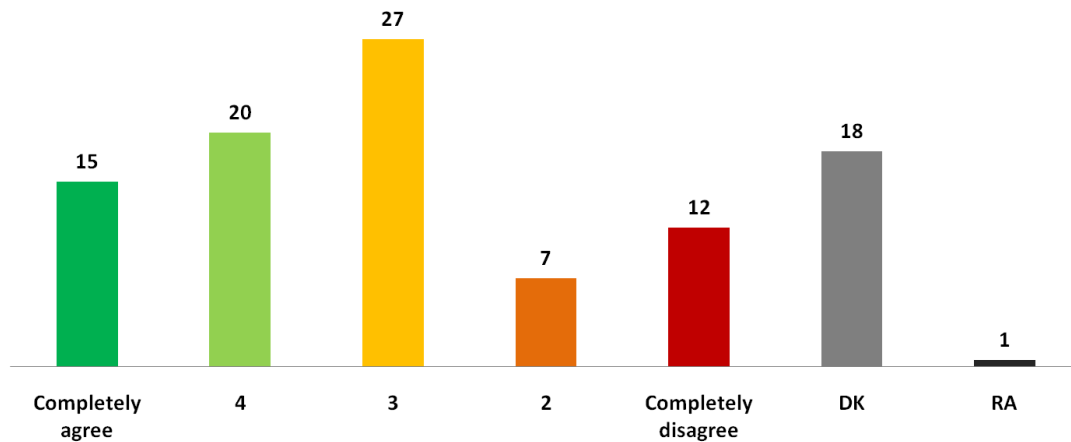
Public is unsure if courts are fair. Opinions are divided as to whether the system delivers justice

Georgians are unsure as to whether justice is served by their court system.

Almost a quarter (24 percent) of Georgians believe that innocent people are *often* sent to prison. Twenty-eight percent believe that innocent people are occasionally sent to prison, 21 percent say they never or seldom are, and a further 25 percent don't know.⁴⁰ This fragmentation of opinion regarding whether innocent people are incarcerated seems to indicate that Georgians are deeply uncertain about whether justice is done in the Georgian courts.

Opinions are also divided as to whether judges are fair in their decision making. More than a third of Georgians (35 percent) agree to at least some extent that judges are fair, while 19 percent say they are unfair. However, the dominant attitude expressed in responses to questions related to judges' fairness was one of uncertainty. Twenty-seven percent say judges are neither fair nor unfair, while a further 18 percent don't know.

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



Focus group testimonies echoed these findings, with a number of participants remarking that innocent people often go to jail. Some legal professionals said that there are a number of “good judges” who put themselves at risk and make the right decisions, but that many judges have to operate in a constricted environment which results in innocent people being convicted. There was an evident split in opinion regarding the fairness of judges' decisions, with both

⁴⁰ See Table 41 on p. 35

court users and legal professionals citing examples of completely independent and unbiased decisions being made as well as unfair ones.

Interestingly, there seems to be an inconsistency in opinion regarding the fairness of judges and opinions regarding the professionalism of judges. The general population is much more inclined to believe that judges are competent than fair.

Almost half (49 percent) of Georgians agree that their judges are competent, while just 9 percent disagree with this.⁴¹ Focus groups and interview responses may provide some insight as to why many Georgians see judges as competent but not fair. One legal professional remarked “fair and lawful are absolutely different things. A judge’s decision might be unfair but completely within the law.” Another interviewee concurred, saying, “Sometimes the decision is legally correct but it’s unfair, because laws are unfair.” Indeed, focus groups with legal professional showed that they all believed that courts issue decisions conformed to the letter of the law, but that sometimes the law itself might not be fair.

Interview and focus group results suggested that the strict punishments set out in Georgia’s legislation contributed to the perception of an unfair judiciary. Many interviewees felt that legislation prevents judges from acting in a fair way. “Judges cannot give the minimum punishment unless the prosecution requests this - which they usually do not do”, commented one defense lawyer. Another factor which might contribute to the perception that unfair decisions are often made by the courts, is the low acquittal rate for criminal cases in Georgian courts. According to one legal professional from Batumi, “Batumi City Court has not acquitted anyone since 2005. That means that everyone who appears is automatically guilty. How can everyone be guilty?”

There is a widespread perception seen in focus groups and expressed in interviews that the courts are most likely to be fair when hearing civil cases, because the state is not involved. Administrative cases are seen as less likely to result in a fair outcome, but criminal cases seen as least likely to result in fair outcomes.

Survey results show that perceptions of both judicial independence and fairness are higher in civil cases compared to administrative cases. When asked how independent and fair a judge would be in the case of a neighbor dispute, a low-level civil matter, 46 percent said the judge would be independent and 48 percent said the judge would be fair—significantly more than the 28 percent who think judges are independent in general, and the 35 percent who think judges are fair in general. Furthermore, only seven percent of Georgians think a judge would not be independent in the case of a neighbor dispute, while just six percent think the judge would be unfair.⁴² People are less likely to think decisions will be fair in administrative cases, where 30 percent think the judge would be fair, and 20 percent think the judge would be unfair.⁴³ This is backed up by focus group testimony. Most participants felt that fair decisions were most

⁴¹ See Table 42 on p. 35

⁴² See Tables 43 and 44 on p. 36

⁴³ See Table 45 on p. 36

likely in civil cases and least likely in criminal cases. One participant said that when courts hear a civil case between two “ordinary men” the verdict would be fair. Focus groups also suggest that the “bigger” or more high-profile the case, the less likely a fair outcome. There is a pronounced perception that judges are more able to make fair decisions when the stakes are lower, as well as in cases where the government is neither directly nor indirectly involved.

Plea-bargaining, which 59 percent of the Georgian population has heard of,⁴⁴ is another area which affects perceptions of the fairness of the judiciary. Forty-two percent of people think plea-bargaining increases fairness compared to 22 percent who think it increases unfairness (16 percent don’t know, while 20 percent think it neither increases or decreases fairness).⁴⁵ However, 63 percent agree that plea-bargaining helps to avoid jail,⁴⁶ potentially indicating that the practice could increase fairness by helping innocent people avoid jail, or guilty people avoid lengthy sentences.

Interviewees pointed out that because of extremely low rates of acquittal, innocent people opt for plea bargaining, undermining the fairness of the system. “I know people around me who chose to be free by admitting to a crime they did not commit. They paid some money, got their freedom and now have a conditional sentence,” said one interviewee. Of those who had heard about plea bargaining, 77 percent think that plea-bargaining helps to increase the state budget.⁴⁷ Indeed, many interviewees and focus group participants spoke with unease about the perception that the government uses plea-bargaining as a revenue stream, something echoed by members of the public in focus groups.

The Georgian public as a whole exhibits uncertainty as to whether taking a case to court provides an effective remedy for a claim. When asked if taking a case to court will make matters worse, 27 percent of Georgians say it will make matters worse, 24 percent disagree.⁴⁸ Here too, uncertainty is pronounced: 23 percent say taking a case to court will not make things better or worse, while a further 24 percent don’t know. The split of opinion in terms of the courts making things better or worse is echoed by focus group testimony. Some participants said they wanted nothing to do with the courts at all while others said they would be happy to take a case to court in order to protect their rights.

The apparent lack of willingness to engage with the judicial system, even in cases where it could potentially provide redress, is highlighted by the fact that 80 percent of Georgians would not take a dispute with a neighbor to court, and just 14 percent would agree with taking this case to court.⁴⁹ Almost half of the population (48 percent) thinks the judge would be fair in such a case,⁵⁰ but slightly more people (55 percent) think an informal resolution of the matter would result in a fair outcome.⁵¹ This indicates that people perceive the courts as

⁴⁴ See Table 46 on p. 36

⁴⁵ See Table 47 on p. 37

⁴⁶ See Table 48 on p. 37

⁴⁷ See Table 49 on p. 37

⁴⁸ See Table 50 on p. 38

⁴⁹ See Table 51 on p. 38

⁵⁰ See Table 52 on p. 38

⁵¹ See Table 53 on p. 38

serving justice in matters like a dispute with a neighbor about as effectively as the informal resolution of conflicts, and also indicates a strong reluctance on the part of the population to involve themselves in any way with the courts, even in minor matters like a neighbor dispute.

However, the perceptions of those that have had any recent experience of the courts paint a more positive picture. Half of the people who took a case to court themselves in the last two years (four percent of the total population) did so because they perceived the process as fair, the other half because it would have been impossible to decide the case without the court. Indeed, even when verdicts have gone against respondents, most still perceive them to be fair. Of the 14 percent of the population who have had any experience of the courts over the last two years,⁵² in cases ranging from property disputes, administrative cases to murder, 34 percent had the case decided in their favor, 46 percent were ruled against.⁵³ Nonetheless, half (49 percent) still say the verdict was fair, compared to 33 percent who see the verdict as unfair.⁵⁴

⁵² See Table 54 on p. 39

⁵³ See Table 55 on p. 39

⁵⁴ See Table 56 on p. 39

Significant lack of knowledge regarding the makeup and operation of the justice system

Many Georgians lack knowledge of the basic form and function of the judiciary. For example, just a quarter of Georgians (26 percent) answered correctly that the president is not entitled to dismiss the head of the Supreme Court.⁵⁵ When asked if the Supreme Court is allowed to overrule lower courts, 42 percent answered correctly that it could, but 20 percent answered incorrectly, and a further 37 percent did not know.⁵⁶ Furthermore, crucial parts of the judiciary seem to operate under the radar for most people. While large numbers of people named the police and the courts as institutions they associate with the judiciary, only 14 percent named the Supreme Court.⁵⁷

Focus groups show that members of the public have little information about key judicial institutions, as well as the methods by which judges are appointed and dismissed. Significantly, while several participants with recent experience of the courts could name several current judges, including the judges who heard their cases, none knew the process by which that judge was appointed, or how he or she might be dismissed. Opinions varied as to the appointments procedure, many thought judges were appointed by the Supreme Court, others by the Ministry of Justice or the president, while one participant said he believed judges were appointed based on party affiliation, and another said they were elected. Only a few correctly said judges were appointed by the HCOJ after passing special exams at the High School of Justice (HSOJ).

There is also a significant lack of awareness when it comes to the courts and organizations working in the justice sector. While several participants were familiar with the Georgian Young Lawyers' Association (GYLA), the Supreme Court and the Ministry of Justice, most did not know about either the Judges Association of Georgia (JAG), the HCOJ or the HSOJ, while most those that could name those institutions were unsure of their functions.

Even legal professionals lack key information about the form and function of the judiciary. Focus group results showed that a number of legal professionals were not familiar with the criteria by which judges are appointed and dismissed. One participant believed that it was necessary for judges to have served in the prosecutor's office, while others said that the president must agree to each appointment suggested by the HCOJ. Additionally, many were unfamiliar with the functions of the HCOJ, confusing its role with that of the HSOJ. Both focus group participants and interviewees were largely unaware of the role of the Judges' Association of Georgia. "Does it still exist?" asked one defense lawyer, while another said it was the first time he had heard about it. Even government members had difficulty describing the role of JAG.

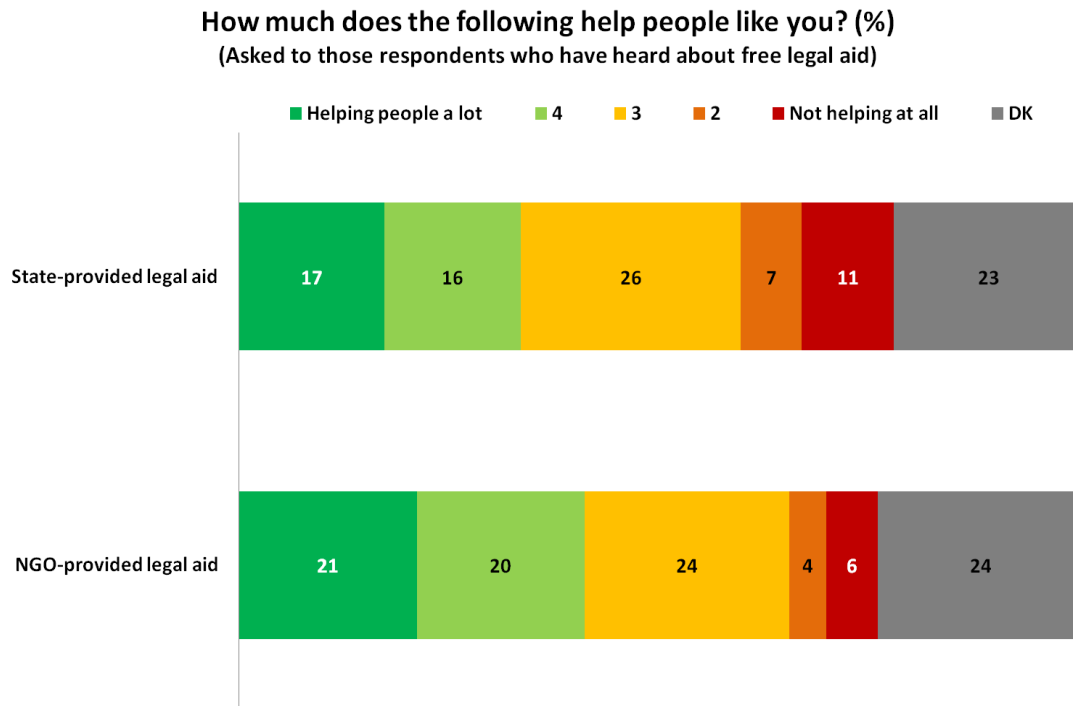
Georgians are better informed about legal aid providers, but awareness could still be improved. Fifty-three percent of Georgians have heard of the state-

⁵⁵ See Table 57 on p. 39

⁵⁶ See Table 58 on p. 40

⁵⁷ See Table 59 on p. 40

provided free legal aid service, and 30 percent have heard that NGOs provide free legal aid.⁵⁸ Court users are better informed. Seventy-five percent of court users have heard of state legal aid, 43 percent have heard of NGO-provided legal aid.⁵⁹ Of those that have heard of state legal aid, a third say it is helpful; of those that have heard of NGO provided legal aid, 41 percent say it is helpful.



Focus group participants expressed skepticism regarding state provided legal aid. Focus groups and interviews also show that many people are suspicious of state provided legal aid precisely because it is state provided. “How can state legal aid be independent when it is provided by the Corrections Ministry?” asked one focus group participant. Among legal professionals, opinions were split regarding the effectiveness of the state legal aid system. While focus group members saw NGOs as more helpful than the state in providing free legal aid, court users were more critical. According to the survey, people with court experience over the last two years were less trusting of NGO legal aid, with 33 percent saying it was helpful⁶⁰ compared to 41 percent of the general population.⁶¹

The one aspect of judicial reform that has garnered significant attention is the planned introduction of jury trials. Fifty-six percent of the population has heard that jury trials will be introduced,⁶² and 65 percent of the population think that they will contribute to increasing the number of fair rulings.⁶³ The introduction of jury trials was also the only part of judicial reform readily identified by focus

⁵⁸ See Tables 60 and 61 on p. 40

⁵⁹ See Tables 62 and 63 on p. 41

⁶⁰ See Table 64 on p. 41

⁶¹ See Table 65 on p. 41

⁶² See Table 66 on p. 42

⁶³ See Table 67 on p. 42

group participants from the general public. Most were positive in their observations, although some dismissed the move as PR, while others expressed their belief that the jury system would not work in Georgia because everybody knows everybody, an attitude reflected in interviews as well.

Perhaps accounting for some of the lack of awareness of key aspects of the justice system is the fact that most people have never experienced or directly observed any part of the system functioning. Only 14 percent of Georgians have had even indirect experience with the courts in the last two years, meaning that only 14 percent have been involved in a case, or had a friend or relative involved in a case. An overwhelming 93 percent of Georgians have never called the police,⁶⁴ an institution that is trusted by 61 percent of people (the patrol police is trusted by three quarters of people).⁶⁵

This lack of awareness and engagement regarding the justice system is likely related to a pronounced lack of interest. Thirty-two percent of Georgians say they are interested in the courts, another 33 percent say they are not interested, 28 percent are neither interested nor uninterested.⁶⁶ People who have had experience of the courts are much more interested, with 49 percent expressing interest in the courts.⁶⁷ Furthermore, problems relating to the judicial system are not seen as pressing personal issues for everyday life. When asked what the most important problem facing the country was, 78 percent said unemployment, 47 percent said poverty, and just three percent mentioned the independence of the courts.⁶⁸

However, focus groups suggest that the public are more willing to become engaged. When participants were asked what they would like to know better about the courts, respondents seemed much more interested. “We would like to know everything,” one participant from Tbilisi said, while others wanted to know how verdicts were arrived at, and some said they would like to attend a trial to observe the process more closely. Participants also stressed that part of the reason they lack awareness about the judiciary is because there is little information available to them. Nearly all participants said that information on judicial reform should be available on television, while several suggested public seminars, or “hour long lessons in every court district.” This shows that while general interest in the judiciary is low, Georgians do appear to have an appetite for greater awareness about how the process works. Some sort of awareness building program could prove a useful means to boost public understanding of and engagement with the judiciary.

⁶⁴ See Table 68 on p. 42

⁶⁵ See Table 69 on p. 42

⁶⁶ See Table 70 on p. 43

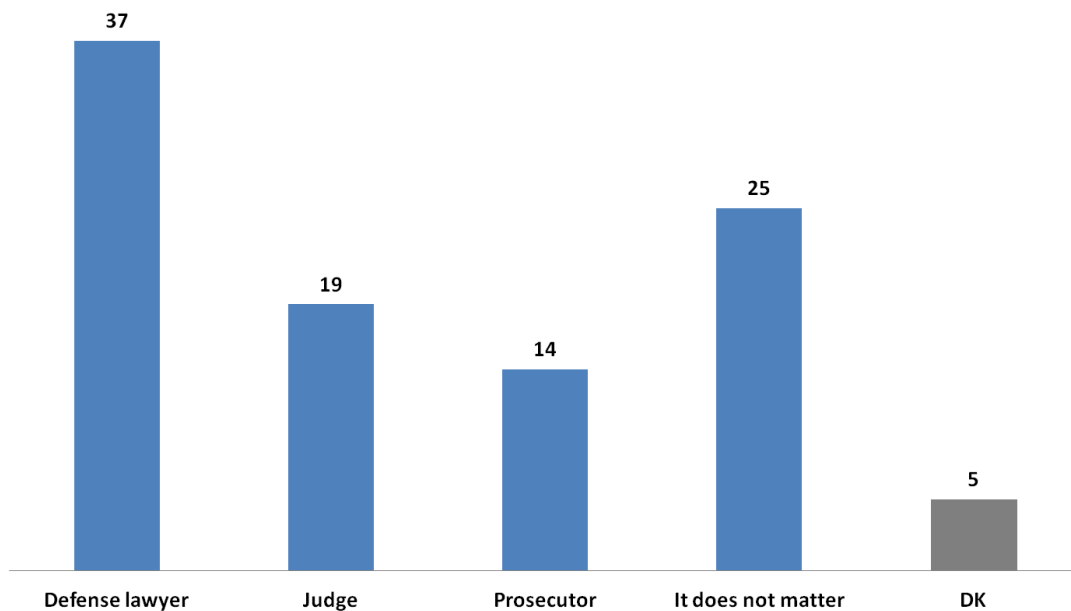
⁶⁷ See Table 71 on p. 43

⁶⁸ See Table 72 on p. 43

Perceptions of legal professionals: trustworthy but weak defense lawyers, too powerful prosecutors and competent but timid judges

The public holds very different attitudes towards the professions of defense lawyer, prosecutor, and judge, with people being noticeably more sympathetic towards defense lawyers. Of the people who said they would be happy with their child entering the legal profession (67 percent of the total population);⁶⁹ the bulk (37 percent) said they would want their child to be a defense lawyer, while 19 percent said judge and 14 percent prosecutor.

Which would you prefer as a future profession for your child?
(Asked to those who would approve of their children entering the legal profession - 67%)



Focus groups and interviews show that defense lawyers are seen as trustworthy but weak. Most focus group participants said they would rather their child became a defense lawyer than a judge or prosecutor. People maintained this preference for defense lawyers in spite of the fact that many people also appeared to question their competence as a group. The good will felt towards defense lawyers may stem from a perception that the profession is less open to political pressure than that of a judge or prosecutor. It may also stem from a perception that the defense lawyer's job is to help ordinary people.

In spite of the relatively high level of public good will towards defense lawyers, they are seen as lacking institutional strength and professional standards by some interviewees and focus group participants. Some defense lawyers themselves shared this perspective. "There are lawyers, who, I am sorry to say, don't even have the CODEX [a legislation database] system and don't read amendments . . . There are people that walk around with books from 2003 and

⁶⁹ See Table 73 on p. 44

have no idea about changes.” Many legal professionals remarked that it was too easy to qualify as a defense lawyer, and that standards should be more robust, while one legal professional called for disciplinary proceedings against defense lawyers who fail to meet professional and ethical standards. The qualification exams for entry into the Georgian Bar Association (GBA) were seen as “too easy” by a number of participants, thus diminishing the reputation of defense lawyers. Some participants suggested more rigorous, specialized testing, and one interviewee said everyone seeking to become a lawyer should have to learn the ethics code before qualifying. One senior official stressed the importance of improving the professional standards of defense lawyers, linking it to strengthening the judiciary overall. “It has to be more difficult to join this profession. This will be the key to improving the court system,” the official remarked.

The lack of continuing legal education and training was also highlighted as a problem affecting the profession. One interviewee said that the continued education that was available was not systematic. Other legal professionals said the rapid pace of legislative change made continued training a necessity, and called on the GBA to implement a program aimed at addressing this problem, and to change its entrance exams to reflect new legislation.

Legal professionals had mixed views of the GBA, with several noting the rapid pace of improvements it was making. “It has done so much in such a short time,” said one legal professional, while others claimed that it exists only to collect membership fees. Most legal professionals were confident of the independence of the GBA but concerns exist as to its capacity and organizational strength. Recent reforms carried out by the GBA were generally well received, with the construction of a ‘lawyers’ house’ in Kutaisi, as well as a free insurance scheme being mentioned by several focus group participants. The GBA’s chairman also received high praise from a number of participants and interviewees. He was described as “doing his best” to improve the organization, and as “doing everything for defense lawyers.” However, a number of interviewees criticized the leadership of the GBA for making political statements, and warned that this risked turning the GBA into a rights protection organization rather than a professional union.

In contrast, prosecutors, are seen as highly trained and very well organized, yet the perception that they exercise too much power in the system as compared to judge and defense counsel may contribute to their lower levels of public support. The few focus group participants who said they would approve of their child becoming a prosecutor said they would choose this profession because “it is the highest position” or because “they are the most influential, they influence judges.” People with experience of the courts are especially negative about prosecutors, 43 percent of court users distrust them compared to 25 percent of the general public.⁷⁰ Focus groups show that there is an extremely widespread belief that prosecutors, rather than judges, essentially control proceedings in court, with one member of the public labeling judges as no more than “the notaries of the prosecution.”

⁷⁰ See Table 74 on p. 44

The high quality of the training prosecutors receive, and the stringent criteria by which they are selected, is seen as putting defense lawyers, and by extension defendants, at a disadvantage.

Georgians possess widely conflicting opinions regarding the professionalism of judges. As noted above, almost half of Georgians consider them competent, but much fewer are confident of their independence and trustworthiness. Many participants felt that judges made unjust decisions out of fear, and that the desire to keep their job was their main motivating factor when it came to handing out verdicts and sentences. One lawyer spoke of “unidentified fear” rather than any sort of political pressure or influence as resulting in unjust decisions being made. He said this was unidentified because “nobody knows what it is that they are afraid of. They are just scared.” A number of interviewees, however, completely rejected the idea that judges were in any way compromised, “Judges are not pressured by anything. They act in accordance with their morals and their intellect... judges are very independent and very bold. They are very sure in their decisions,” said one Supreme Court judge.

Legal professionals’ opinion were split regarding the level of qualification of judges, with some remarking on their lack of necessary experience, and others saying that judges were perfectly well qualified for their jobs. The HSOJ was seen by most professionals as doing a good job, but some interviewees said that the results of its work would only become apparent further down the line, as its alumni take to the bench in greater numbers, and as its continued training program takes effect. A senior judge and a government member both said that judges reputations and professional standards would improve once the bench had been renewed, but that this was something that necessarily would take years.

The low age necessary to qualify as a judge was highlighted as a problem by a number of legal professionals. “How can a boy of 28 be a judge?” asked one lawyer. This was reiterated by a founder member of the GBA, who said “A 28 year old person does not have enough life experience to make decisions on someone else’s fate, no matter how good a legal professional they are.”

Members of the public, while expressing uncertainty about the judiciary as a group spoke with affection of judges they actually knew, calling them “indescribably good”, “wonderful” and “a good person.” Similarly, several said that they would like their children to become judges because, if independent, judges can serve the public good and be “honest brave and proud”.

3) Conclusion

While Georgians are confident that their judicial system has improved considerably over recent years, it is also clear that there is still substantial work to be done to improve it further. Most Georgians point to the elimination of bribery, as well as an improvement in the competence of judges as successes, but there is also a perception that courts are influenced by the government, and are too routinely strict when handing out punishments.

Opinions regarding the fairness of the court system, its trustworthiness and independence are characterized by uncertainty and division. About a third of Georgians trust judges and the courts, and believe them to be fair and independent. While this is more than the amount who distrust the courts, or think them unfair or not independent, the bulk of Georgians either do not know or cannot answer either way. Emphasizing this point is the fact that Georgians are unsure as to whether the courts offer a remedy; most would never take a case to court, and most see verdicts as no more fair or unfair than informal means of dispute resolution.

This uncertainty is underlined by a lack of awareness about the system. Most Georgians don't know how crucial aspects of it work, and large numbers say they are uninterested in finding out, factors which are likely to contribute to the overall sense of indifference many Georgians feel about the courts.

Opinions are split too, when it comes to legal professionals, with defense lawyers being well regarded, in spite of doubts about their effectiveness. Prosecutors are seen as too powerful, exerting undue influence over the judicial process. Judges, although seen as prestigious, are also regarded as unwilling to take decisions that go against the government.

In all, Georgians appear to have a nuanced and complicated picture of their judicial system, pointing to its strengths and weaknesses, to the areas where reforms have been successful and to the areas where they need to go further. In order to be effective, reforms to the system should take into account the large level of uncertainty and divided opinion in Georgian society.

4) Appendices

Detailed Methodology: Survey Composition and Focus Group Recruitment

The survey was designed so that conclusions could be drawn independently for Tbilisi, for Kutaisi, for Batumi, for all other urban areas combined, and for all rural areas combined, with an average margin of error of 4% in each.

To ensure that all regions of the country had an equal chance to be included, the following standard sampling procedure was applied: "other urban" and rural populations were further subdivided by geographic quadrant (NE, NW, SE, SW). The total "other urban" and rural samples were allocated amongst these geographic quadrants in proportion to population size, and samples were drawn independently from each.

First, voting precincts were randomly selected from lists provided by the Central Election Commission. Then within each randomly selected voting precinct, households were randomly selected using CRRC's random walk protocol. Within each randomly selected household, respondents were randomly selected using the Kish selection method. In the event that no contact was made with a household or that contact was made but the selected respondent was not available, the interviewer made three attempts at contact before classifying the interview as non-response.

Forty-six percent of the survey respondents were male, 54 percent female, 65 percent were married and 32 percent reported having a job. Twenty-eight percent of respondents were under 35, 36.5 percent were between 35 and 55, while 35.5 were 55 or older. Thirty-six percent of respondents had completed secondary education, a further 30 percent had completed higher education—just 9 percent reported having incomplete secondary education or less. Thirty-nine percent reported having no income, 27 percent reported earning up to GEL 100, 12 percent between GEL 101 and 200, and 17 percent reported earning more than GEL 201. In addition, 14 percent of respondents had themselves, or had a close friend or family member, been involved with the court system over the past two years

A total of 25 focus groups were held in Tbilisi, Kutaisi and Batumi between March 16 and April 3, 2011. In each city four focus groups were conducted with members of the general public, two were conducted with people who had recent experience of the court system, and two were held with people working in the legal sphere in a professional capacity, in Tbilisi, a further focus group was carried out with law students. Participants in the general public focus groups were recruited from different locations within each city, both in the center and on the outskirts. The recruiter asked each participant two test questions to assess their level of knowledge of the judicial system: who is the head of the Supreme Court, and where is the Constitutional Court located. Each focus group was comprised of a total of ten people: four members of the public who answered both questions correctly, four people who got one question right, and two people who could not answer either question. Additionally, gender and age balance was observed while recruiting focus groups. Focus groups with court users ranged in

size between eight and twelve people, the average size of the focus group was ten. Participants were recruited at the city courts and from lists of free legal service beneficiaries provided by the Georgian Young Lawyers Association and Transparency International Georgia. Participants in the legal professionals' focus groups comprised of lawyers working in law firms, defense lawyers, NGO representatives with legal backgrounds and law professors and PhD students. The focus group with law students was composed of undergraduate students from three Tbilisi universities. Each of these focus groups had between eight and ten participants.

Tables of Survey Findings

Table 1

Would you say that, compared to the situation before the “Rose Revolution” in 2003, now the Georgian Courts work ... (%)	
5 Much better	18
4 Somewhat better	46
3 Like they used to work before	13
2 Somewhat worse	5
1 Much worse	2
DK	17
RA	0

Table 2

In your opinion, is Georgia currently a democracy now, or not? (%)	
1 Yes	46
0 No	37
DK	16
RA	1

Table 3

Would you say that, compared to the situation before the “Rose Revolution” in 2003, now the Georgian Courts work ... BY In your opinion, is Georgia a democracy now, or not? (%)		
	Yes	No
5 Much better	28	7
4 Somewhat better	53	40
3 Like they used to work before	5	23
2 Somewhat worse	1	11
1 Much worse	1	4
DK	11	15
RA	0	0

Table 4

Would you say that, compared to the situation before the “Rose Revolution” in 2003, now the Georgian Courts work . . . BY Which Georgian TV channel’s information do you trust most when it comes to politics and information about current events in Georgia? (%)		
	Trust to Rustavi2 or Imedi	Trust to none
5 Much better	21	8
4 Somewhat better	52	39
3 Like they used to work before	9	20
2 Somewhat worse	3	8
1 Much worse	1	3
DK	14	22
RA	0	0

Table 5

To what extent do you agree or disagree with the opinion that judges in Georgia take bribes? (%)	
5 Completely agree	7
4	6
3	10
2	8
1 Completely disagree	32
DK	37
RA	1

Table 6

What comes to your mind first, when you hear “judiciary in Georgia”? (%)	
1 Courts, judges	19
2 Crime	9
3 Justice, truth	20
4 Prosecutor's office	3
5 Injustice	9
6 Protection of human rights	4
7 Life without crime	1
8 Police, law-enforcement bodies	4
9 Punishment of offenders	4
10 Rule of law	6
11 Prison	4
12 Other	2
DK	14
RA	1

Table 7

Would you say that, compared to the situation before the “Rose Revolution” in 2003, now the Georgian Courts work . . . BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Much better	15	18
4 Somewhat better	45	46
3 Like they used to work before	15	12
2 Somewhat worse	8	4
1 Much worse	5	1
DK	12	17
RA	0	0

Table 8

In your opinion, is Georgia currently a democracy now, or not? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
1 Yes	38	47
0 No	48	36
DK	13	16
RA	1	1

Table 9

There are different opinions regarding the direction in which Georgia’s domestic politics is going. Which of the following would you personally agree with? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Definitely in the right direction	7	10
4 Mainly in the right direction	34	37
3 Does not change at all	19	16
2 Mainly in the wrong direction	21	15
1 Definitely in the wrong direction	5	2
DK	12	18
RA	2	1

Table 10

To what extent do you agree or disagree with the opinion that judges in Georgia take bribes? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Completely agree	9	6
4	5	6
3	12	9
2	6	8
1 Completely disagree	37	31
DK	28	38
RA	1	1

Table 11

Please tell me which of the following statements you agree with? (%)	
Statement 1: Court should always strictly punish the offenders according to the law, in order to protect the society.	
Statement 2: Court should sometimes take into consideration the circumstances of the committed crime and evade very strict rulings, in order to give the offenders a chance to rehabilitate.	
1 Agree very strongly: Statement 1	12
2 Agree: Statement 1	15
3 Agree: Statement 2	40
4 Agree very strongly: Statement 2	25
5 Agree with neither	2
DK	5
RA	0

Table 12

Please tell me which of the following statements you agree with? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
Statement 1: Court should always strictly punish the offenders according to the law, in order to protect the society.		
Statement 2: Court should sometimes take into consideration the circumstances of the committed crime and evade very strict rulings, in order to give the offenders a chance to rehabilitate.		
	Yes	No
1 Agree very strongly: Statement 1	10	12
2 Agree: Statement 1	10	16
3 Agree: Statement 2	42	40
4 Agree very strongly: Statement 2	35	24
5 Agree with neither	1	2
DK	1	6
RA	1	0

Table 13

Level of trust in Patrol Police (%)	
5 Completely trust	54
4	22
3	13
2	3
1 Completely distrust	5
DK	3
RA	0

Table 14

Level of trust in Teachers (%)	
5 Completely trust	50
4	22
3	17
2	4
1 Completely distrust	4
DK	4
RA	0

Table 15

Level of trust in Judges (%)	
5 Completely trust	17
4	15
3	22
2	7
1 Completely distrust	17
DK	20
RA	1

Table 16

Level of trust in Courts (%)	
5 Completely trust	17
4	15
3	24
2	8
1 Completely distrust	17
DK	18
RA	2

Table 17

Level of trust in Doctors (%)	
5 Completely trust	33
4	22
3	26
2	7
1 Completely distrust	9
DK	3
RA	0

Table 18

Level of trust in Judges BY In your opinion, is Georgia currently a democracy now, or not? (%)		
	Yes	No
5 Completely trust	27	7
4	20	11
3	21	25
2	4	11
1 Completely distrust	7	31
DK	20	14
RA	1	0

Table 19

Level of trust in Courts BY In your opinion, is Georgia currently a democracy now, or not? (%)		
	Yes	No
5 Completely trust	27	7
4	21	11
3	23	25
2	4	13
1 Completely distrust	6	32
DK	18	11
RA	1	1

Table 20

Level of trust in Judges BY There are different opinions regarding the direction in which Georgia's domestic politics is going. Which of the following would you personally agree with? (%)		
	Right	Wrong
5 Completely trust	26	5
4	22	8
3	21	23
2	5	12
1 Completely distrust	6	41
DK	19	11
RA	1	0

Table 21

Level of trust in Courts BY There are different opinions regarding the direction in which Georgia's domestic politics is going. Which of the following would you personally agree with? (%)		
	Right	Wrong
5 Completely trust	26	5
4	22	7
3	25	21
2	5	12
1 Completely distrust	6	43
DK	16	10
RA	1	2

Table 22

There are different opinions regarding the direction in which Georgia's domestic politics is going. Which of the following would you personally agree with? BY In your opinion, is Georgia currently a democracy now, or not? (%)		
	Yes	No
5 Definitely in the right direction	21	2
4 Mainly in the right direction	61	24
3 Does not change at all	12	32
2 Mainly in the wrong direction	6	35
1 Definitely in the wrong direction	0	7

Table 23

Level of trust in Prosecutor's office BY Which Georgian TV channel's information do you trust most when it comes to politics and information about current events in Georgia? (%)		
	Trust to Rustavi 2 or Imedi	Trust to none
5 Completely trust	21	6
4	16	9
3	25	21
2	7	11
1 Completely distrust	10	30
DK	20	20
RA	1	3

Table 24

Level of trust in Parliament BY Which Georgian TV channel's information do you trust most when it comes to politics and information about current events in Georgia? (%)		
	Trust to Rustavi 2 or Imedi	Trust to none
5 Completely trust	22	3
4	17	8
3	27	27
2	8	13
1 Completely distrust	13	34
DK	11	12
RA	1	3

Table 25

Level of trust in Judges BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Completely trust	16	18
4	13	16
3	23	23
2	8	7
1 Completely distrust	29	15
DK	11	20
RA	1	1

Table 26

Level of trust in Courts BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Completely trust	16	17
4	13	15
3	20	25
2	11	7
1 Completely distrust	29	15
DK	8	19
RA	2	1

Table 27

To what extent do you agree or disagree with the opinion that the judges in Georgia serve the government's interests? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Completely agree	32	20
4	18	17
3	21	21
2	5	6
1 Completely disagree	8	8
DK	15	26
RA	1	1

Table 28

To what extent do you agree or disagree with the opinion that, overall, the judges are independent in Georgia? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
	Yes	No
5 Completely agree	10	11
4	13	18
3	22	21
2	14	9
1 Completely disagree	29	15
DK	11	25
RA	1	0

Table 29

Level of trust in Judges BY Settlement type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
5 Completely trust	12	18	19	17	21
4	14	17	19	16	16
3	23	19	30	22	22
2	11	6	6	8	5
1 Completely distrust	25	22	13	17	12
DK	15	16	12	19	24
RA	0	3	0	2	1

Table 30

Level of trust in Courts BY Settlement type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
5 Completely trust	13	17	20	15	20
4	13	17	22	15	15
3	25	20	29	24	24
2	10	7	6	8	6
1 Completely distrust	25	22	12	16	12
DK	13	14	11	18	21
RA	0	3	0	4	1

Table 31

To what extent do you agree or disagree with the opinion that, overall, the judges are independent in Georgia? BY Settlement type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
5 Completely trust	12	11	16	9	11
4	14	19	23	20	17
3	23	19	26	22	20
2	12	9	8	12	8
1 Completely distrust	28	21	15	15	10
DK	10	19	12	21	33
RA	0	1	0	2	1

Table 32

In your opinion, is Georgia currently a democracy now, or not? BY Settlement type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
1 Yes	40	41	61	44	50
0 No	46	39	34	43	29
DK	13	18	5	12	20
RA	1	2	1	1	1

Table 33

There are different opinions regarding the direction in which Georgia's domestic politics is going. Which of the following would you personally agree with? BY Settlement type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
5 Definitely in the right direction	6	7	11	8	14
4 Mainly in the right direction	34	40	56	41	35
3 Does not change at all	20	14	17	15	16
2 Mainly in the wrong direction	22	13	9	15	13
1 Definitely in the wrong direction	6	2	1	3	1
DK	12	21	7	18	20
RA	1	4	1	2	2

Table 34

Level of trust in President BY Settlement Type (%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
5 Completely trust	27	44	51	39	52
4	18	15	17	18	14
3	23	15	16	17	17
2	6	2	3	4	3
1 Completely distrust	20	13	10	13	9
DK	6	7	2	6	3
RA	0	4	1	3	1

Table 35

Level of trust in President (%)	
5 Completely trust	42
4	16
3	19
2	4
1 Completely distrust	13
DK	4
RA	1

Table 36

To what extent do you agree or disagree with the opinion that the judges in Georgia serve the government's interests? (%)	
5 Completely agree	22
4	17
3	21
2	6
1 Completely disagree	8
DK	24
RA	1

Table 37

To what extent do you agree or disagree with the following statement: "When a person sues a state body, the judge will generally favor the state body over the person"? (%)	
5 Completely agree	19
4	17
3	21
2	5
1 Completely disagree	8
DK	29
RA	2

Table 38

In your opinion, whom or what do the Georgian judges depend on most? (%)	
This question was only asked to those respondents who tend to think that judges are not independent (40%)	
1 High Council of Justice	1
2 Members of the Parliament	1
3 Higher ranking judges	5
4 Prosecutors	7
5 Ministry of Internal Affairs	5
6 Ministry of Justice	1
7 Other Ministries	0
8 President	14
9 Prime Minister	0
10 Supreme Court	3
11 European Union	0
12 Large-scale business	0
13 Government	27
14 Ruling political party	2
15 Other	1
DK	30
RA	2

Table 39

In your opinion, whom or what do the Georgian judges depend on most? BY Have you, your family member, your close relative or close friend had any court experience during the last 2 years? (%)		
This question was only asked to those respondents who tend to think that judges are not independent (40%)		
	Yes	No
1 High Council of Justice	2	1
2 Members of the Parliament	1	0
3 Higher ranking judges	7	4
4 Prosecutors	15	5
5 Ministry of Internal Affairs	4	5
6 Ministry of Justice	1	1
7 Other Ministries	0	0
8 President	14	13
9 Prime Minister	0	0
10 Supreme Court	2	3
11 European Union	0	0
12 Large-scale business	0	0
13 Government	30	27
14 Ruling political party	2	2
15 Other	1	1
DK	18	33
RA	2	2

Table 40

In your opinion, whom or what do the Georgian judges depend on most? BY Settlement type (%)					
This question was only asked to those respondents who tend to think that judges are not independent (40%)					
	Tbilisi	Batumi	Kutaisi	Urban	Rural
1 High Council of Justice	1	1	6	1	2
2 Members of the Parliament	0	1		2	1
3 Higher ranking judges	4	3	4	5	6
4 Prosecutors	13	9	10	7	3
5 Ministry of Internal Affairs	4	2	5	5	5
6 Ministry of Justice	2	1	1	1	1
7 Other Ministries	0		1	0	
8 President	12	15	17	11	16
9 Prime Minister				1	
10 Supreme Court	2	2	4	2	4
11 European Union		0	0		0
12 Large-scale business		0	0		
13 Government	36	39	26	27	21
14 Ruling political party	2	2	2	2	2
15 Other	2	1	1	1	1
DK	20	22	22	34	37
RA	1	2	0	3	2

Table 41

How often do the judges make mistakes that lead to non-guilty people's conviction? (%)	
5 Always	9
4	15
3	28
2	12
1 Never	9
DK	25
RA	1

Table 42

To what extent do you agree or disagree with the opinion that Georgian judges are competent? (%)	
5 Completely agree	25
4	24
3	23
2	4
1 Completely disagree	5
DK	17
RA	0

Table 43

Suppose two neighbors have a dispute over land plot. How independent do you think the judge will be while deciding this case? (%)	
10 Completely independent	29
4	17
3	20
2	3
1 Not at all independent	4
DK	26
RA	2

Table 44

Suppose two neighbors have a dispute over land plot. How fair do you think the judge will be in this case? (%)	
5 Completely fair	30
4	18
3	20
2	3
1 Not fair at all	3
DK	24
RA	2

Table 45

Suppose you have a dispute with a state body over a fine that you think you did not deserve. How fair do you think the judge will be in this case? (%)	
5 Completely fair	15
4	15
3	19
2	9
1 Not fair at all	11
DK	28
RA	2

Table 46

Have you heard about 'plea bargaining'? (%)	
1 Yes	59
0 No	34
DK	7
RA	1

Table 47

To what extent do you agree or disagree with the opinion that plea bargaining contributes to more fair court rulings? (%)	
This question was only asked to those respondents who said they have heard about plea bargaining - 59%.	
5 Completely agree	22
4	20
3	20
2	6
1 Completely disagree	16
DK	16
RA	0

Table 48

To what extent do you agree or disagree with the opinion that plea bargaining lets the defendant pay money and avoid imprisonment? (%)	
This question was only asked to those respondents who said they have heard about plea bargaining - 59%.	
5 Completely agree	38
4	25
3	17
2	4
1 Completely disagree	8
DK	8
RA	0

Table 49

To what extent do you agree or disagree with the opinion that plea bargaining helps to ensure sufficient income in the budget? (%)	
This question was only asked to those respondents who said they have heard about plea bargaining - 59%.	
5 Completely agree	58
4	19
3	10
2	2
1 Completely disagree	3
DK	7
RA	0

Table 50

To what extent do you agree or disagree with the opinion: "Bringing a case to the court will make the problem worse" (%)	
5 Completely agree	13
4	14
3	23
2	7
1 Completely disagree	17
DK	24
RA	1

Table 51

Please tell me which of the following statements you agree with?	
Statement 1: The best way to solve a dispute between two neighbors is to take the case to the courts.	
Statement 2: The best way to solve a dispute between two neighbors is to come to an agreement without court intervention. (%)	
1 Agree very strongly: Statement 1	6
2 Agree: Statement 1	8
3 Agree: Statement 2	47
4 Agree very strongly: Statement 2	33
5 Agree with neither	2
DK	4
RA	0

Table 52

How fair do you think the judge will be in case of a neighbor dispute? (%)	
5 Completely fair	30
4	18
3	20
2	3
1 Not fair at all	3
DK	24
RA	2

Table 53

In your opinion, how fairly will the dispute between the neighbors be resolved if they do not take the case to courts and bring in a mutual acquaintance to resolve the dispute? (%)	
5 Dispute will be resolved completely fairly	35
4	20
3	17
2	4
1 Fair outcome will be impossible	5
DK	19
RA	1

Table 54

No court experience over past two years (%)	
1 Mentioned	84
0 Not mentioned	14
DK	2
RA	0

Table 55

In whose favor was the decision made? (%)	
This question was only asked to those respondents who had any court experience during the last 2 years and whose court case is already finished	
1 In favor of the respondent's side	34
2 In favor of the opposed side	46
3 Agreement between the sides was reached	9
4 There was no court ruling	3
5 Other	5
DK	2
RA	2

Table 56

How fair do you think the decision of the court was? (%)	
This question was only asked to those respondents who had any court experience during the last 2 years and whose court case is already finished	
5 Completely fair	40
4	9
3	10
2	6
1 Not fair at all	27
DK	5
RA	3

Table 57

The President of Georgia is legally allowed to dismiss the Supreme Court of Georgia. (%) (False)	
1 True	36
0 False	26
DK	38
RA	1

Table 58

The Head of the Supreme Court of Georgia is legally allowed to alter decisions of all Georgian courts. (True)	
1 True	42
0 False	20
DK	37
RA	0

Table 59

When you think of the Georgian judiciary, which of the following institutions comes to your mind most often? (%)	
1 Ministry of Justice	8
2 Ombudsmen	13
3 Bar Association	12
4 Police	41
5 Supreme court	14
6 Human Rights Center	9
7 Young Lawyers' Association	5
8 High Council of Justice	2
9 Prosecutor's Office	25
10 Parliament	4
11 Ministry of Internal Affairs	10
12 President	6
13 Court	44
14 Constitutional Court	3
15 Patrol Police	21
16 Other	1
DK	12
RA	1

Table 60

Have you heard about free legal aid provided by the state? (%)	
1 Yes	53
0 No	41
DK	5
RA	1

Table 61

Have you heard about free legal aid provided by NGOs? (%)	
1 Yes	30
0 No	63
DK	6
RA	1

Table 62

Have you heard about free legal aid provided by the state? (%)	
Data of those respondents who said that they, their close relative or close friend had any court experience during the last 2 years (14%)	
1 Yes	75
0 No	23
DK	2
RA	0

Table 63

Have you heard about free legal aid provided by NGOs? (%)	
Data of those respondents who said that they, their close relative or close friend had any court experience during the last 2 years (14%)	
1 Yes	43
0 No	53
DK	4
RA	0

Table 64

How much do these NGO services help people like you? (%)	
Data of those respondents who said that they, their close relative or close friend had any court experience during the last 2 years (14%)	
5 Helping people a lot	15
4	17
3	26
2	6
1 Not helping people at all	10
DK	26
RA	0

Table 65

How much do these NGO services help people like you? (%)	
5 Helping people a lot	21
4	20
3	24
2	4
1 Not helping people at all	6
DK	24
RA	0

Table 66

Have you heard about introduction of jury in Georgia? (%)	
1 Yes	56
0 No	39
DK	5
RA	0

Table 67

What, do you think, will be the result of introduction of jury in Georgia? (%)	
This question was only asked to those respondents who said they have heard about introduction of jury in Georgia - 56%	
1 Will contribute to more fair court rulings	65
2 Will not contribute to more fair court rulings	7
3 Nothing will change	15
DK	13
RA	0

Table 68

Have you ever called the patrol police? (%)	
1 Yes	7
0 No	93
Have tried but could not contact	0
DK	0
RA	0

Table 69

Level of trust in... (%)		
	Police	Patrol Police (responsible for policing city streets, roads and highways)
5 Completely trust	43	54
4	18	22
3	20	13
2	4	3
1 Completely distrust	9	5
DK	5	3
RA	1	0

Table 70

To what extent are you interested in what is happening in Georgian courts? (%)	
5 Very interested	18
4	14
3	28
2	11
1 Not interested at all	22
DK	6
RA	0

Table 71

To what extent are you interested in what is happening in Georgian courts? (%)	
Data of those respondents who said that they, their close relative or close friend had any court experience during the last 2 years (14%)	
5 Very interested	31
4	18
3	29
2	6
1 Not interested at all	15
DK	1
RA	0

Table 72

Which problem do you think is currently the most important in Georgia? (%)	
1 NATO membership	5
2 Corruption	2
3 Low pensions	18
4 Relations with Russia	11
5 Protection of property rights	1
6 Fairness of elections	3
7 Unemployment	78
8 Independence of courts	3
9 Freedom of speech	2
10 Protection of human rights	6
11 Poverty	47
12 Territorial integrity	28
13 Rising prices	38
14 Affordability of healthcare	14
15 Low wages	11
16 Independence of journalists	0
17 Quality of education	6
18 EU Membership	0
19 Political stability in Georgia	6
20 Other	4

Table 73

Imagine your child wants to enter the legal profession. Would you approve or disapprove his/her decision? (%)	
1 Approve	67
0 Disapprove	12
Not applicable/no children	11
DK	10
RA	1

Table 74

Level of trust in Prosecutors (%)		
	Court users	General public
5 Completely trust	13	17
4	10	13
3	21	23
2	12	8
1 Completely distrust	31	17
DK	10	20
RA	3	2