



JUPITER

Methodological Note

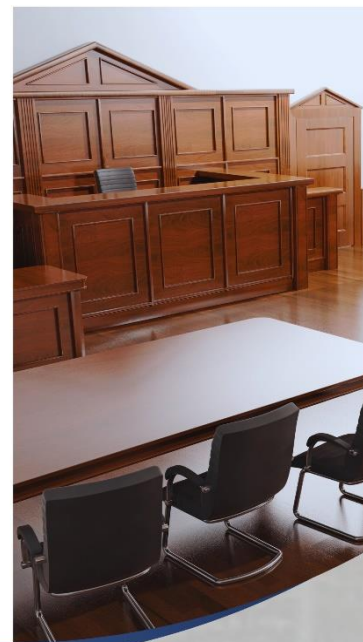


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Introduction

JUPITER is an initiative of the [Global Program on Justice and the Rule of Law](#) of the World Bank Group (WBG). It is designed to be a universally applicable country-based framework for measuring the effectiveness of a country's judiciary. Its goal is to use data to identify strengths and weaknesses around key pillars of judicial effectiveness and to serve as an entry point for operational teams to develop a practical sequence of reform and capacity development actions in WBG operations. The output of the assessment is a study that provides the analytical underpinning for dialogue on justice reform and helps prioritizing efforts according to a country's needs.

JUPITER benchmarks effectiveness in service delivery in three areas: access to justice, efficiency, and quality. Effectiveness refers to the ability of a judicial system to qualitatively match the demands of justice in a timely and cost-effective manner. These areas were selected based on an extensive [literature review](#) covering more than 200 peer-reviewed academic papers in leading legal and economics journals (Section 3).

One of the innovations of JUPITER is its attempt to distinguish between the legal framework and its application in practice. Throughout this data collection tool, questions about the law are matched with questions about its application.

The data used for a JUPITER assessment is collected through a combination of desk research (readings of the law and existing research), administrative data, and data collected by staff of the WBG through interviews with government officials, judges, lawyers, and court users. Data is further collected through desk research, mission travel, in-person interviews, and phone interviews.

The methodology can be replicated in successive assessments, giving a summary of changes over time, as well as providing a pool of information that contributes more broadly to research and analysis on judicial effectiveness at the country level. Beyond WBG operational teams, the primary audience for the JUPITER Report comprises policy makers, government officials, heads of key agencies, civil society organizations, researchers, and development partners.

This document provides an in-depth overview of the JUPITER methodology (Section 1) and details how this methodology may be deployed in a specific country (Section 2). It also provides a literature review that discusses the motivation for the selection of JUPITER indicators, which is based on a revision of empirical academic literature evaluating the measures of effectiveness of the judiciary (Section 3). For recent examples of JUPITER Reports, please refer to [Liberia](#) and South Sudan.

1. JUPITER Methodology

This section provides details on five aspects of the JUPITER methodology: questionnaire design (Section 1.1), data sources and data collection process (Section 1.2), variable categories (Section 1.3), variables description (Section 1.4), and data management and review (Section 1.5).

1.1 Questionnaire Design

To collect the data, the team uses a questionnaire with 152 questions and 81 sub questions, for a total of 233 questions. The questionnaire is divided into three parts, following the main determinants of judicial effectiveness: access, efficiency, and quality (see Section 3 for the literature review motivating the selection of these categories). The total universe of questions is referred to as the “Master Survey.” Between November 2022 and February 2023, the Master Survey was thoroughly peer-reviewed by 15 experts from the WBG and academia.

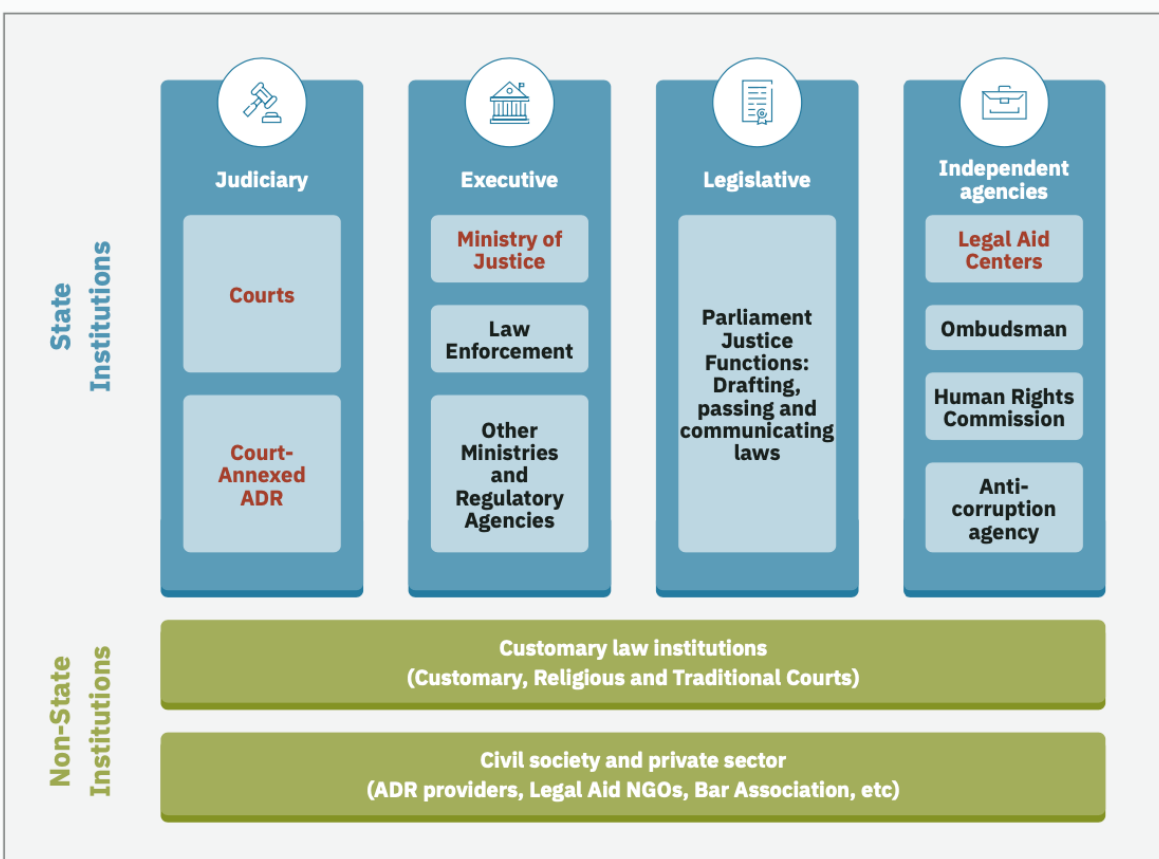
Throughout the questionnaire, questions on the legal framework are matched with questions on its practical application. For example, Q.4 tests whether there is a legal requirement to make all judgments public, while Q. 6 tests what share of the court(s)’ judgments are in fact made public. For the purposes of this methodology, the term “legal framework” refers to the body of instruments (laws, acts, regulations, etc.) that are mandatory in application. Guidelines, court circulars and internal court documents are not included if they are self-imposed by the courts or are for “recommended” use only. Questions by law are binary yes/no, with an additional field to provide a reference to the exact legal basis.

Questions in practice are of three types: yes/no, multiple choice, and quantitative. Multiple choice questions elicit the respondent’s opinion on how frequently an event takes place and provide respondents with 4 answer options: (1) less than 25 percent of cases; (2) between 25 percent-50 percent of cases; (3) between 50 percent-75 percent of cases; and (4) more than 75 percent of cases. Q.25, for example, tests the level of implementation of policies facilitating equal access to justice for persons with disabilities and provides four answer options: less than 25 percent of courts; between 25 percent-50 percent of courts; between 50 percent-75 percent of courts; and more than 75 percent of courts have such policies in place. Quantitative questions are filled with administrative data provided by the court administrators. Administrative data is the preferred source of practice data, whenever feasible. Q.68 and Q.69, for example, indicate the number of incoming cases in first and second instance civil courts.

JUPITER focuses on civil, commercial, and administrative justice, not on criminal justice and prosecution offices. In terms of institutional coverage, there are numerous state and non-state actors involved in the provision of justice, and their functions vary widely across countries. To simplify matters, initial versions of JUPITER have focused on three institutions – the Judiciary, the MOJ, and Legal Aid Services (highlighted in red in Figure 1). Other institutions and services,

such as ADR or legal aid offered by nongovernmental organizations (NGOs) and other organizations, are captured only for their effects on the key institutions’ performance.

Figure 1: Institutional focus of JUPITER (highlighted in red)



Source: JUPITER Concept note, World Bank.

Note: This diagram provides a simplified and generalized overview of justice institutions, without accounting for local nuances that may vary between countries.

Given the importance of customary and informal justice systems in providing access to justice, JUPITER additionally reflects customary law and institutions whenever these are prominent justice providers. In many instances, such as in the case of Liberia—where JUPITER was initially piloted—focusing only on improvements to the formal system would lead to excluding nearly 70 percent of the justice users, as customary actors remain the preferred venue for solving disputes in the country. To evaluate this, the team relies on an extensive body of data from various sources on the effectiveness of the customary system. In the future, the JUPITER questionnaire may include a module on customary justice.

WBG work on justice shows large variations in the structures, internal processes, resource endowments, and country contexts shaping each system’s effectiveness and the needs of the population it serves. Some differences are reflected in the traditional civil law vs. common law dichotomy, but other national characteristics of relevance include the relationship between the

judiciary and other branches of government, or whether judicial processes are based on an adversarial or inquisitorial system. The purpose of JUPITER metrics is to establish ways for the government to improve effectiveness within the existing system, regardless of its tradition. In that sense, the focus on actual service delivery and implementation is an important factor when comparing different legal systems.

From a technical standpoint, the questionnaire was first generated through Microsoft Word. This was the initially preferred option due to its simplicity and ease of use in countries with issues related to internet connectivity and technological literacy. A Microsoft Word questionnaire allows for printing and collecting data on paper. The Developer Option of Microsoft Word allows for the extraction of data directly into Excel, minimizing the opportunity for human error.

1.2 Data Sources and Data Collection Process

Data collection is done through a combination of readings of the law, administrative data, and interviews with government officials, judges, lawyers, and court users. The questions in the JUPITER questionnaire cannot be answered in their entirety by one category of legal professionals. Most questions are designed for lawyers with expertise in civil law, commercial law, administrative law, civil procedure, administrative procedure, and civil litigation. The remaining questions require the input of government officials, judges, and court users. Questions requiring the input of the government include questions related to the Judiciary’s budget, for example. Questions requiring the input of judges relate to internal court processes, such as the availability of a case management system. Questions requiring the input of users include those related to the individual’s perception of the access, efficiency, and quality of the system.

For this reason, questions from the Master Survey were divided into four shorter questionnaires, one per group of respondents—lawyers, government officials, judges, and users. Whenever possible, special care was placed on having at least two types of respondents for each question. Table 1 shows the total number of questions per respondent.

Table 1: Number of questions per respondent type

Respondent Type	Number of Questions
Lawyers	137
Government (i.e., MOJ and MOF)	85
Judges and the Judiciary (e.g., Office of the Chief Justice)	127
Users	53

Information provided by the respondents is complemented with administrative data and an in-depth study of laws, regulations, and publicly available information. If answers by local experts differ, inquiries continue until the data are reconciled, including through locally based WBG staff conducting interviews on the ground. The median is used to aggregate numeric answers. Datasets

produced by other organizations may also be used to corroborate respondents' answers and for analysis.

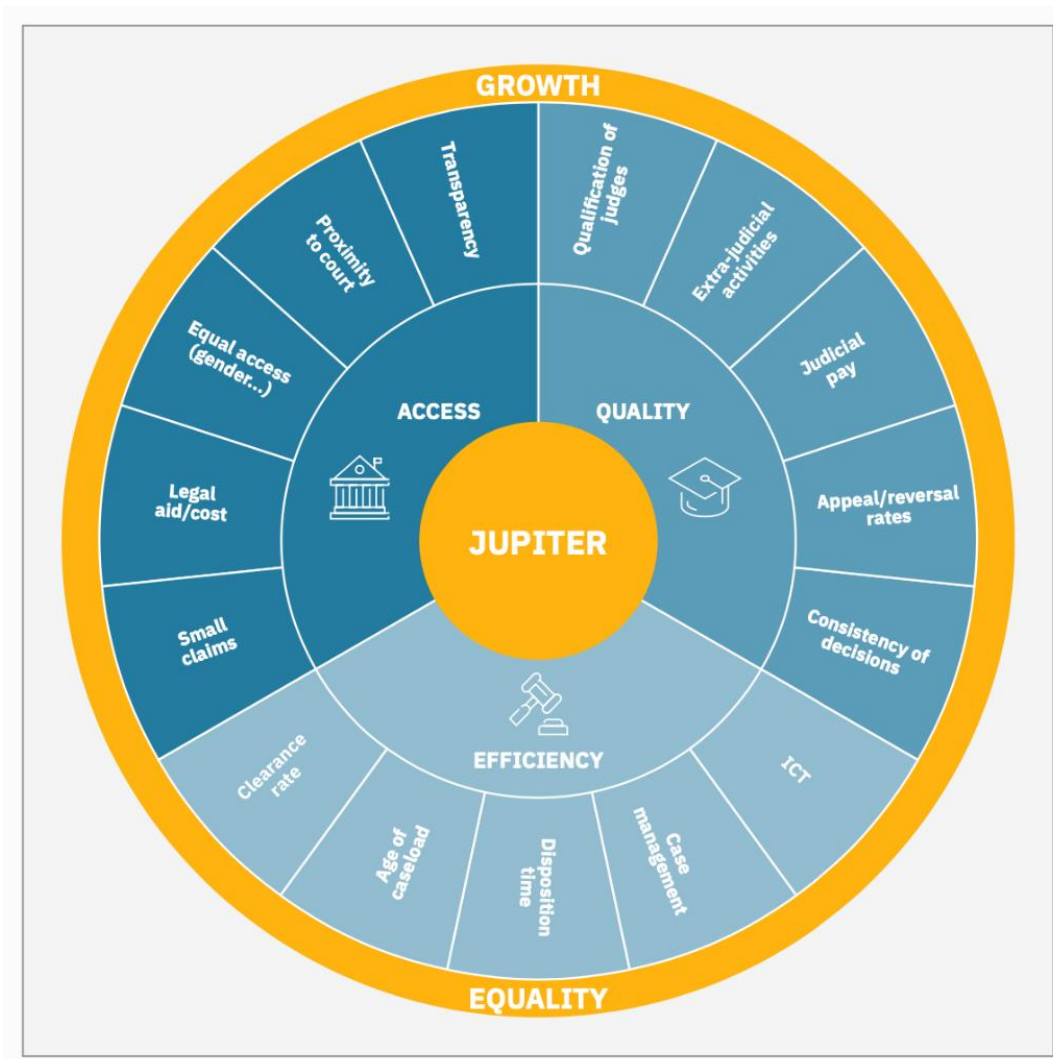
The user questionnaire is complemented by five questions that are asked to randomly selected users during field visits to the courts. These questions include:

1. How long did it take you to come to court today, *i.e.*, how far did you have to travel?
2. How many hours did you spend at the court today (or last time there if they had just arrived)?
3. What has been the most frustrating part of your interactions with the court?
4. How much money do you think other people offer clerks, bailiffs, and court officers to move the case along (nominal value)?
5. How much money do you think other people give judges to win a case (nominal value)?

1.3 Variables Categories

JUPITER has 373 datapoints, grouped in three pillars: access, efficiency, and quality (Figure 2). The *Access to Justice Pillar* measures whether individuals have equal access to the legal system. The *Efficiency Pillar* benchmarks the ability of courts to deliver justice in a timely and cost-effective manner. The *Quality Pillar* examines the quality of decisions in terms of inputs, such as the selection process of judges, and outputs, such as appeal rates and the consistency of decisions. Each pillar has five sub-pillars. The pillars and sub-pillars were determined based on the literature review in Section 3.

Figure 2: JUPITER's Substantive Focus



Source: JUPITER Concept note, World Bank.

1.4 Variables Description

The *Access to Justice Pillar* contains 103 questions, equivalent to 185 datapoints, and comprises five sub-pillars: (1) transparency; (2) proximity to court; (3) equal access; (4) legal aid and cost; and (5) small claims court and procedure (Table 2). Verbatim questions can be found in Section 2.

Table 2: Access to Justice sub-pillars

Sub-pillar	Questions (#)	Datapoints (#)
Transparency	42	81
Proximity to court	3	4
Equal access	20	40
Legal aid and cost	28	42
Small claims court and procedure	10	18

<i>TOTAL</i>	<i>103</i>	<i>185</i>
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The transparency sub-pillar measures the level of public knowledge about the judicial system and, specifically, the legal framework, previous judgments, and general information about the courts. For the purposes of this pillar, “public” means that documents can be accessed without a fee and not upon request, while “publicly available” means that documents are made public with an additional step such as a request to an office, payment of a fee, etc.

Transparency of the legal framework is benchmarked through practice questions on the availability of a centralized—operated, managed, and administered by a single government unit—and comprehensive website of all national laws and regulations in the country’s official language. If such a website exists, information is solicited on the percentage of laws and regulations available, the presence of draft bills, the integration of amendments and repeals, the timeliness of changes, the openness of the website, and its searchability. If such a website does not exist, information is solicited on whether laws and regulations are published in a manner that makes it possible to consult the latest consolidated version for free – for example, in a gazette, newspaper, ministries’ webpages, or private providers. Respondents are also asked how difficult it is to stay abreast of the legal framework—it is considered difficult whenever consolidated versions of updated laws and regulations are either not available or very delayed, and easy when they are immediately available in most cases. They are also asked how consistent and precise the legal framework is—it is considered consistent and precise if laws are well drafted, do not create ambiguity that can be exploited by the parties, and conflicting laws are repealed in a timely manner.

Transparency of court judgments has two questions by law, benchmarking whether there is a legal requirement to make all judgments public and who is responsible for the publication. The first mirroring practice question tests what share of all judgments is in fact public—online, or in a manner where anyone can access them without submitting a request or paying a fee—for first instance courts, appellate courts, the highest court, first instance administrative courts, and second instance administrative courts. The second mirroring practice question tests, for the same courts, what share of judgments is publicly available—online, or otherwise, but access must be requested and/or paid, for example through the purchase of the official gazette or by requesting a copy at the court—if judgments are not public. The last practice question tests whether judgments are made public or are made publicly available in a timely manner.

Transparency of court information tests how easy it is to find information about the courts and their functioning—answer options are “mostly available” and “mostly unavailable”—and how accurate that information is, with answer options as “mostly accurate” and “mostly inaccurate.” Answers are sought for the following categories of court information: court location, court hours and days of operation, basic information on how to file a claim, basic information on common types of cases, lay documents and guides to enable self-representation, information on court fees, and information on legal aid.

The proximity of courts sub-pillar benchmarks the availability and geographical distribution of first instance civil courts, including courts of general jurisdiction, specialized courts, and small claims courts, if different. Respondents are asked to confirm a list of courts prepared by the team through publicly available information and Google Maps. Further, the questionnaire investigates the perceived accessibility of these courts in terms of urban and rural divides. The respondents are asked to characterize the accessibility of the courts in their country to people in urban regions as compared to those in rural regions. This aspect is measured on a four-point scale, ranging from “equally accessible to people in all regions” to “much more accessible to people in urban regions than those in rural regions.” If the courts are found to be more accessible in urban regions than in rural regions, this could indicate a potential barrier to justice for rural populations, which may lack the same level of access to legal services. Respondents are encouraged to provide additional comments to elaborate on their selection, allowing for a more nuanced understanding of accessibility issues.

The equal access sub-pillar measures the ability of all to have access to court services, including women, persons with disabilities, non-native speakers facing linguistic barriers, and individuals from varying socio-economic classes. For women, the questionnaire focuses on both the legal rights granted to them and their real-world implementation. Respondents are asked to confirm whether women have the same rights as men to file a claim with the court and whether their testimony carries the same evidentiary weight. The questionnaire also explores the practical realities of these legal provisions, such as potential societal stigma and the likelihood of women bringing forward and winning civil cases for sexual harassment. Respondents are also asked to rate the overall accessibility of courts for women.

For persons with disabilities, the questionnaire examines their legal recognition and treatment within the court system. Respondents are asked about the legal provisions in terms of their right to legal capacity, equal standing in courts and tribunals, and equal opportunities to testify. The questionnaire also investigates whether courts are legally required to facilitate equal access for persons with disabilities and the level of implementation of such policies in practice. Respondents rate the overall accessibility of courts for persons with disabilities.

For individuals who do not speak the official language, the questionnaire investigates legal requirements for translation and interpretation services in civil cases. Respondents are asked about the availability of these services for hearings and documents, the likelihood of people receiving these services, and whether they are provided free of charge for indigent people. Respondents rate the overall accessibility of courts for persons with linguistic barriers.

In each of the above areas, the questions in the sub-pillar probe both the legal framework and its practical application, recognizing that equal access to justice is determined not only by law but also by other factors, such as the availability of resources. Finally, for people of different socio-

economic classes, the questionnaire asks respondents to characterize the accessibility of courts. This question aims to identify whether there are barriers in place that might disproportionately affect the poor, potentially compromising their ability to access justice.

The legal aid and cost sub-pillar measures the availability of legal aid—defined as the free provision of assistance by the government in non-criminal cases to people who are unable to afford legal representation—and rules related to court fees.

For the legal aid segment, the questionnaire looks at whether a dedicated law on legal aid exists and if government-funded legal aid is available. Other providers of legal aid—such as NGOs, bar associations, or universities—are also taken into consideration. The questionnaire seeks information about the regulation of legal aid, including criteria for eligibility, processes for securing it, and the duties of providers. Respondents are also asked about the authorities in charge of administering and monitoring legal aid services.

The segment further explores the applications of government-funded legal aid, such as representation in court, legal advice before proceedings, and payment of court fees. It investigates the approval process for legal aid requests and the number of requests received and approved. It also investigates the evidentiary burden on those seeking legal aid, the availability of providers, and the likelihood of obtaining legal aid when eligible. Additionally, it probes the time standards and actual decision times for legal aid requests and the budget allocation for government-funded legal aid.

The court fees segment of the questionnaire investigates whether court fees are set by law and if detailed information about these fees is readily available to the public. It asks whether court fees are retained by the Judiciary and if litigants are generally required to pay a court fee to initiate a proceeding. The questionnaire explores the likelihood of the winning party receiving full reimbursement of court fees and attorney fees, and whether court fees are set at a level that deters individuals and businesses from filing a claim. It also investigates the existence of a court fee waiver program with clear eligibility criteria and the likelihood of an eligible candidate obtaining such a waiver. Finally, it asks for the total number of fee waiver requests received and approved.

The small claims court and procedure sub-pillar measures the process by which the judicial system handles claims below a legally established monetary value. The sub-pillar starts by inquiring whether there are small claims courts or divisions and/or a fast-track procedure for small claims. If such a system exists, it asks for the types of cases that fall under this court or procedure's jurisdiction. To understand the accessibility of the small claims system, further investigation is done on whether it is legally possible to file small claims orally or without legal representation. It also seeks to gauge the practical difficulty of using the small claims court or procedure without legal representation, asking respondents to rate the ease of use based on the average citizen's background and education level.

The availability of standardized templates to file small claims is also sought. To evaluate the efficiency of the small claims system, the sub-pillar inquires whether there is a legally established time standard for resolving small claims and what the average resolution time is in practice. The sub-pillar also addresses the cost-effectiveness of the small claims system. It asks if there is a dedicated fee schedule for small claims and whether the court fees are set at a level that might deter individuals and businesses from filing a claim.

The *Efficiency Pillar* benchmarks 74 questions, equivalent to 99 datapoints, and comprises five sub-pillars: (1) clearance rates; (2) age of caseload; (3) disposition times; (4) case processing and case management; and (5) information and communications technology (ICT) (Table 3). Verbatim questions can be found in Section 2.

Table 3: *Efficiency Sub-pillars*

Sub-pillar	Questions (#)	Datapoints (#)
Clearance rate	30	30
Age of caseload	6	6
Disposition time	12	12
Case processing and case management	8	15
ICT	18	36
<i>TOTAL</i>	<i>74</i>	<i>99</i>

The clearance rate sub-pillar seeks administrative data on the number of incoming and resolved cases for the past three years, allowing for trend analysis and the identification of any significant changes or anomalies. The number of judges is also sought to understand the resources available to the judiciary and provides context for the rest of the information collected. It also asks for the number of female judges to capture insights into gender representation within the judiciary.

The age of caseload sub-pillar seeks administrative data on the number of cases pending before the court for more than three years. Data is sought for the first instance civil courts, which are often the first point of contact for individuals seeking redress in civil matters; second instance civil courts, which are appellate courts for civil matters; highest court of general jurisdiction, typically the supreme court or the highest appellate court; first instance administrative courts, which deal with disputes involving public authorities or administrative acts; second instance administrative courts; and the highest court of administrative jurisdiction.

The disposition time sub-pillar seeks administrative data on the number of pending cases at end of each of the past three years for both civil and administrative courts at the first and second instances.

Based on the data collected under the previous three pillars, the team calculates the following

metrics, using the methodology set forth by the European Commission for the Efficiency of Justice – CEPEJ (Table 4).

Table 4: Metrics on court efficiency

Term	Definition	Formula
Clearance Rate (CR)	Relationship between the new cases and completed cases within a period.	$CR(\%) = \frac{\text{Resolved Cases}}{\text{Incoming Cases}} \times 100$
Case Turnover Ratio (CTR)	Relationship between the number of resolved cases and the number of unresolved cases at the end of a period.	$CTR = \frac{\text{Resolved Cases}}{\text{Unresolved Cases at the end}}$
Disposition Time (DT)	Measure of how quickly the judicial system (of the court) turns over received cases.	$DT \text{ (days)} = \frac{365}{CTR}$

Source: European Commission for the Efficiency of Justice, 2018.

The case processing and case management sub-pillar measures case processing by referring to the handling of individual cases, while case management refers to the overall effort to control how cases in the aggregate move through the court system. Both can be accomplished manually, automatically, or with a combination of the two.

The assignment of cases within the courts is a key aspect of case management, and its transparency is benchmarked through questions on legal provisions for the random assignment of cases, and on rules in place to prevent potential abuses of the system. The practice is also tested by trying to understand how the process is carried out, with a focus on how often the assignment process is abused, as reported by users and NGOs, among others. The questionnaire also inquires on how easy it is for parties to influence the assignment of their cases.

The Case Management Information System (CMIS) sub-pillar examines whether there is a single electronic CMIS used in all courts, or if multiple systems exist, and to what extent they are interoperable. In cases where no electronic system exists, the questionnaire seeks to understand if manual data collection at the court level tracks incoming and disposed cases. Also probed is the extent of functionalities available to judges and lawyers through the CMIS. For judges, the questionnaire assesses the system’s capacity to automatically generate hearing schedules, send and receive notifications, track case status, manage case documents, view court orders and decisions, and assist in writing judgments. For lawyers, it assesses whether they can access forms, send and receive notifications, track case status, manage case documents, view court orders and decisions, and file documents with the court through the CMIS.

The ICT sub-pillar refers to the use of information and communications technology during court proceedings. The questions in the sub-pillar explore the level of access to and use of technology among judges and court staff, the digital infrastructure available in courts, and the scope of

electronic procedures permitted by law and practice. One of the key areas this sub-pillar examines is the percentage of judges and court staff who have and use computers for drafting documents and entering case data. It also evaluates the extent to which courts are equipped with internet and intranet facilities, highlighting the level of connectivity within and between courts' systems.

The sub-pillar delves into the legal provisions and practical utilization of electronic procedures. These include the electronic filing and service of initial complaints and the filing of requests for legal aid. For each of these procedures, the questionnaire identifies whether there is a legal requirement to follow-up with a paper copy, and it assesses the percentage of cases or requests that are filed electronically in practice.

The questionnaire also examines the treatment of small claim procedures and the admissibility of evidence filed electronically. It assesses whether small claims can be filed electronically by law and what percentage of small claims are filed electronically in practice. It further investigates whether evidence filed electronically is legally admissible and the percentage of evidence filed electronically in practice.

The potential usage of remote or virtual hearings is another important element of the ICT sub-pillar. The questionnaire identifies whether hearings can be conducted remotely by law and what percentage of hearings are conducted remotely in practice.

The *Quality Pillar* contains 56 questions, equivalent to 89 datapoints, and comprises five sub-pillars: (1) qualification of judges; (2) extra-judicial activities; (3) judicial pay; (4) appeal rates and reversal rates; and (5) consistency of decisions (Table 5). Verbatim questions can be found in Section 2, Table B3.

Table 5: *Quality Sub-pillars*

Sub-pillar	Questions (#)	Data points (#)
Qualification of judges	17	21
Extra-judicial activities	11	25
Judicial pay	16	23
Appeal rates and reversal rates	4	4
Consistency of decisions	8	16
TOTAL	56	89

The sub-pillar on the qualification of judges examines the requirements to become a judge, as well as how these reflect on the quality of decisions. First, the sub-pillar considers the legal requirements for the appointment of judges. This can encompass a range of qualifications, such as the necessity of a law degree, a minimum number of years of experience in the legal field, and passing a bar exam or a judge-specific examination. The questionnaire also identifies whether

these legally established criteria are consistently followed in practice. To gauge the competence and integrity of judges, the sub-pillar asks respondents to evaluate the knowledgeability and honesty of judges across various courts. This includes first instance courts, appellate courts, the highest court, and first and second instance administrative courts. The responses provide insights into the perceived ability of judges to correctly apply the law and resist taking bribes or other incentives. This sub-pillar's questions also focus on the quality of judge-rendered decisions. Respondents are asked to assess the quality of judgments across different court instances, considering factors such as grammatical errors, precise and consistent application of the legal framework, technical errors, assessment of evidence, and whether they address essential arguments.

The extra-judicial activities sub-pillar refers to employment of judges outside of the judiciary, which can be of political or non-political nature. Political activity refers to any activity that is directed towards the success or failure of a political party, candidate for political office, or partisan political group. This may include employment in political offices, participating in political campaigns, volunteering on a political campaign, manifesting political opinions, and serving on an electoral commission.

The sub-pillar addresses a range of concerns including ethical oversight, temporary political employment, and other non-judicial work activities. The questionnaire starts by ascertaining if an institution or body exists to provide opinions on ethical questions related to judges' extra-judicial conduct. If such an institution exists, its composition is investigated to understand the diversity of perspectives within the body.

A significant concern for judicial quality is the temporary employment of judges in political offices, and the questionnaire explores the safeguards in place to manage such situations. Beyond political offices, the sub-pillar investigates whether judges can combine their judicial work with other activities such as teaching, research and publication, non-remunerated membership in organizations, remunerated service on boards, and roles as arbitrators or mediators. If these activities are permitted, the questionnaire further investigates whether any safeguards are in place during such employment. Respondents are asked to evaluate how often judges engage in these activities and whether such engagement interferes with their judicial duties or undermines their independence, integrity, or impartiality.

The judicial pay sub-pillar examines how the pay of judges compares to that of other professionals with comparable qualifications. It begins by asking if the law regulates judges' remuneration by position or grade. If remuneration is not regulated by law, the questionnaire inquires who decides on it and what criteria are used. Next, transparency of judicial salaries is explored. The questionnaire asks if the law mandates the publication of judicial salary schedules and if these schedules are in fact published in practice. To gather more detailed information on salary levels, the sub-pillar requests the yearly salary of a first-instance judge with 10 years of experience, the

Minister of Justice, and a partner in a local law firm in the last year. These data points can provide a comparative perspective on judicial salaries within the wider context of professional compensation in the country. Furthermore, respondents are asked about variations in salary among judges in comparable positions. The sub-pillar concludes with questions about the budget of the largest first-instance civil court and the number of judges serving in it. Additionally, it requests specific salary figures for both male and female judges at the beginning of their career in first-instance courts, and for judges of the Supreme Court or highest appellate court.

The appeal and reversal rates sub-pillar measures the percentage of first instance decisions that is appealed to a second instance court in both civil and administrative cases, and the percentage of decisions that is reversed on appeal (sometimes also referred to as abolishment rate), respectively. This rate could indicate the accuracy and quality of first-instance court decisions.

The consistency of decisions sub-pillar measures to what extent similar cases are treated consistently. The first question investigates whether judicial decisions are a source of law. If they are, the subsequent question probes deeper into the mechanisms in place to maintain consistency in case law by asking whether only decisions from the highest court constitute such a source, to assess the role of the highest court in shaping the jurisprudence of the country. Whether there is a requirement for courts to state and motivate departures from previous case law, and how often this happens in practice, is sought next to reveal how much weight is given to previous decisions and the degree to which judges are required to justify deviations from established case law. The sub-pillar also explores the mechanisms available for the highest court to ensure consistency in case law across lower courts. These can vary from advisory opinions of general application to obligatory decisions relevant only to a specific case or to all courts.

The questionnaire concludes with exploring whether there are legal sanctions for lower courts that do not decide consistently with case law and, if so, how frequently these sanctions are imposed. This provides an indication of the measures in place to ensure judicial consistency and the extent of their enforcement in practice.

1.5 Data Management and Review

Questionnaires are emailed to potential respondents from all categories. Once these are filled out by the respondent and sent back to the team, they are stored in a WBG shared folder. Personal respondent information includes first and last name, place of business and contact information. For users approached at the courts, the team records only their first name, age, and gender. Personal data is treated in compliance with WBG policies.

Extensive follow-ups through email and phone calls are done once questionnaires are received, and a record of these follow-ups is saved in the shared folder. The team also saves a copy of all laws and regulations that are relevant to the questionnaire. The team follows the same protocol for

storing data received from government officials (regarding administrative data, budgets, etc.), other development partners, if applicable, and desk research. When data is collected through in-person interviews, the team drafts meeting minutes. Records are kept of every piece of information received by respondents or collected independently by the team through desk research.

Once all the data is received, each questionnaire is exported directly to Excel for data coding (“Master Coding Sheet”). Data coding is the process whereby the JUPITER team (i) compiles information received from experts, interviewees, laws, and other valid sources, (ii) files it in the Master Coding Sheet, (iii) verifies to validate information received, and (iv) processes it into a median answer. Follow-ups and information collected during in-person interviews are also incorporated in the Master Coding Sheet, alongside the relevant legal provisions and pertinent desk research.

Numerical and practice estimates are coded through Excel formulas calculating the median of all valid contributor responses. Legal or regulatory estimates are coded by the team’s review of the applicable legal instruments supported by the interpretation of local experts. The team has taken rigorous and systematic steps to ensure that coding is based on the composite review of multiple perspectives. Thus, the median answer to any question is not merely a matter of reporting what officials convey but relies on a juxtaposition of such claims with the accounts of many key witnesses and parties based on their viewpoints and roles as stakeholders within the system. Data is first coded by a WBG staff in the field, then validated by a WBG staff at headquarters (HQ) in Washington, DC, before it is finalized through a third round of review by the JUPITER Task Team Leader (TTL). This is an iterative process, where clarifications are requested at each level of review, requiring the relevant staff to provide additional information or further support a coding decision.

2. JUPITER Questionnaire

This subsection presents the JUPITER Questionnaire, designed to gather information on three key pillars: access, efficiency, and quality of justice. To aid in the identification of each pillar and its respective subpillars, an index of the entire JUPITER Questionnaire is provided below.

Pillar 1: Access to Justice

- 1.1 – Transparency
- 1.2 – Proximity to court
- 1.3 – Equal access
- 1.4 – Legal aid and cost
- 1.5 – Small claims court or procedure

Pillar 2: Efficiency

- 2.1 – Clearance rate
- 2.2 – Age of caseload
- 2.3 – Disposition time
- 2.4 – Case processing and case management
- 2.5 – ICT

Pillar 3: Quality

- 3.1 – Qualification of judges
- 3.2 – Extra-judicial activities
- 3.3 – Judicial pay
- 3.4 – Appeal rates and reversal rates
- 3.5 – Consistency of decisions

2.1 Pillar 1: Access to Justice

The Access to Justice Pillar measures the ability of the justice system to deliver outcomes that are accessible to all, irrespective of location, wealth, status, gender or disability. This includes eliminating barriers that prevent people from understanding and exercising their rights and delivering services to all parties, including those facing financial and other disadvantages. Access to justice starts with the ability of any party to access and understand the most updated legal framework and case law.

1.1 – Transparency

Definition: the level of public knowledge about the judicial system, and specifically the legal framework, previous judgments, and general information about the courts. “Legal framework” refers to the body of instruments (laws, acts, regulations, etc.) that are of mandatory application. Internal court circulars or guidelines that are self-imposed by the courts are not be considered part of the legal framework if they are for “recommended” use. “Public” means that documents can be accessed without a fee, and not upon request. “Publicly available” means that documents are made public upon an additional step (a request to an office, the payment of a fee, etc.).

Labels:

- L Question on the legal framework.
- P Question on the application of the legal framework in practice.

Transparency of Legal Framework					
					Answer
1. P Does a centralized and comprehensive website of all national laws and regulations (<i>i.e.</i> , operated, managed, and administered by a single government unit) exist in the country's official language(s)? <i>Please mark "No" if a public source exists but is not managed by the government (private sector, NGO, etc.).</i>					-Click to select- If "Yes", link: If "Other", please explain:
1.1. P If "Yes" to Q.1, what percentage of laws and regulations is available on the website?					-Click to select-
1.2. P Does the website in Q.1 also contain draft laws/bills?					-Click to select- Comment:
1.3. P Are amendments and repeals integrated into corresponding laws and regulations so that the version of every law and regulation is reliably the latest version?					-Click to select- Comment:
1.4. P Is the website in Q.1 public and openly accessible for all?					-Click to select- Comment:
1.5. P Is the website in Q.1 publicly accessible for free?					-Click to select- Comment:
1.6. P Is the website in Q.1 updated in a timely manner when changes occur?					-Click to select- Comment:
1.7. P Does the website in Q.1 allow searches of key words and phrases across all available laws and regulations?					-Click to select- Comment:
1.8. P If "No" to Q.1, are laws and regulations published in a manner that makes it possible to consult the latest consolidated version for free?					-Click to select- Please provide any details on the frequency and type of publication (<i>e.g.</i> , gazette, newspaper, ministries' webpages, private providers, NGOs, etc.):
2. P How difficult is it to stay abreast of the legal framework? <i>Select only one answer.</i>					
<input type="checkbox"/> Difficult (consolidated versions of updated laws and regulations are either not available or very delayed; timely updates occur in less than 25% of cases)					
<input type="checkbox"/> Somewhat difficult (consolidated versions of updated laws and regulations are only occasionally available; timely updates occur in more than 25%, but less than 50% of cases)					
<input type="checkbox"/> Somewhat easy (consolidated versions of updated laws and regulations are available in a timely manner; timely updates occur in more than 50%, but less than 75% of cases)					
<input type="checkbox"/> Easy (consolidated versions of updated laws and regulations are immediately available in most cases; timely updates occur in more than 75% of cases)					
3. P How consistent and precise is the legal framework? <i>Select only one answer.</i>					
<input type="checkbox"/> Consistent and precise (in most cases, laws are well drafted, do not create ambiguity that can be exploited by the parties, and conflicting laws are repealed in a timely manner)					
<input type="checkbox"/> Somewhat consistent and precise (the above conditions are met in more cases than not)					
<input type="checkbox"/> Somewhat inconsistent and imprecise (the above conditions are not met in most cases)					
<input type="checkbox"/> Not consistent and precise					
Transparency of Court Judgments					
4. L Is there a legal requirement to make all judgments public?					-Click to select- Legal basis:
5. L Who is responsible for the publication of judgments (including online, if applicable)?					
	First instance court(s)	Appellate court(s)	Highest court	First instance administrative court(s)	Second instance administrative court(s)
6. P What share of the court(s)' judgments is public (<i>i.e.</i> , online, or in a manner	-Click to select- Link:	-Click to select- Link:	-Click to select- Link:	-Click to select- Link:	-Click to select- Link:

where anyone can access them without submitting a request or paying a fee)? <i>Please exclude judgments that are confidential by law.</i>					
7. <input type="checkbox"/> P If judgments are not public, what share is publicly available (<i>i.e.</i> , online or otherwise, but access must be requested and/or paid, for example through purchase of the official gazette or by requesting a copy at the court)?	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:
8. <input type="checkbox"/> P Are judgments made public or publicly available in a timely manner?	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:	-Click to select- Comment:

Transparency of Court Information

	9. <input type="checkbox"/> P How easy is it to find the following information?	10. <input type="checkbox"/> P How accurate and up to date is the information?
Court location	-Click to select- Comment:	-Click to select- Comment:
Court hours and days of operations	-Click to select- Comment:	-Click to select- Comment:
Basic information on how to file a claim	-Click to select- Comment:	-Click to select- Comment:
Basic information on common types of cases	-Click to select- Comment:	-Click to select- Comment:
Lay documents and guides to enable self-representation	-Click to select- Comment:	-Click to select- Comment:
Information on court fees	-Click to select- Comment:	-Click to select- Comment:
Information on legal aid	-Click to select- Comment:	-Click to select- Comment:

1.2 – Proximity to court

Definition: how time consuming and costly it is for the average person to reach the closest court.

	Answer
11. <input type="checkbox"/> P Confirm list of first instance civil courts (of general jurisdiction and specialized)	<i>[Prepopulate list of courts]</i>
12. <input type="checkbox"/> P Confirm list of small claim courts (if different from first instance courts)	<i>[Prepopulate list of courts]</i>

13. **P** How would you characterize the accessibility of the courts of your country to people in urban regions as compared to those in rural regions? *Select only one answer.*

Equally accessible to people in all regions

A little more accessible to people in urban regions than those in rural regions

A little less accessible to people in urban regions than those in rural regions

Much more accessible to people in urban regions than those in rural regions

Comment:

1.3 – Equal access

Definition: the ability of all to have access to court services, including women, persons with disabilities and individuals with language barriers.

Women	
	Answer
14. L By law, do women have the same rights as men to file a claim with the court?	-Click to select- Legal basis:
15. P In practice, are women able to file a claim with the court in the same way as a man (consider, for example, the stigma of being seen entering a court)?	-Click to select- Comment:
16. L By law, does a woman’s testimony carry the same evidentiary weight in court as a man’s?	-Click to select- Legal basis:
17. P In practice, does a woman’s testimony carry the same evidentiary weight in court as a man’s?	-Click to select- Comment:
18. P By law, [<i>there are/there are no WBL data prepopulation</i>] civil remedies for sexual harassment in employment. In practice, how likely is a woman to bring a civil case for sexual harassment against her employer?	-Click to select- Comment:
19. P In practice, how likely is the woman to win the case once it is established that she was indeed harassed beyond reasonable doubt?	-Click to select- Comment:
20. P How would you characterize the accessibility of the courts of your country for women? <i>Select only one answer.</i>	
<input type="checkbox"/> Equally accessible <input type="checkbox"/> A little more accessible to men than women <input type="checkbox"/> A lot more accessible to men than women <input type="checkbox"/> A little more accessible to women than men <input type="checkbox"/> A lot more accessible to women than men Comment:	
Persons with Disabilities	
21. L By law, are persons with disabilities (including intellectual disabilities) recognized the right to legal capacity (<i>i.e., the power to engage in transactions and create, modify or end legal relationships</i>)?	-Click to select- Legal basis:
22. L By law, are persons with disabilities (including intellectual disabilities) recognized equal standing in courts and tribunals?	-Click to select- Legal basis:
23. L By law, are persons with disabilities granted legal capacity to testify on an equal basis in court?	-Click to select- Legal basis:
24. L By law, are courts required to have policies in place facilitating equal access to justice for persons with disabilities allowing them to participate on an equal footing in court proceedings as parties, witnesses, victims, etc.?	-Click to select- Legal basis:
25. P In practice, if such policies exist, what is their level of implementation? (<i>i.e., wheelchair accessibility; elevators accessibility; washrooms accessibility, alternative seating arrangements in courtrooms; sign language interpretation; tactile language</i>)	-Click to select- Comment:

<i>interpretation; allowing guide dogs into courtrooms; screen readers; etc.)</i>	
26. P How would you characterize the accessibility of the courts of your country for persons with disabilities? <i>Select only one answer.</i>	
<input type="checkbox"/> Equally accessible <input type="checkbox"/> A little more accessible to persons without disabilities <input type="checkbox"/> A lot more accessible to persons without disabilities <input type="checkbox"/> A little more accessible to persons with disabilities <input type="checkbox"/> A lot more accessible to persons with disabilities	
Comment:	

Linguistic Barriers of Non-Native Speakers

27. L By law, is there a requirement to provide translation and interpretation services in civil cases for:	
<ul style="list-style-type: none"> - Hearings? -Click to select- - Legal basis: - Documents? -Click to select- - Legal basis: If “No” to both options, skip to Q.28.	
27.1. P If “Yes” to Q.27, is this service free of charge for indigent people?	-Click to select- Comment:
27.2. P How likely are people to receive such services?	-Click to select- Comment:
27.3. P How likely are indigent people to receive such services?	-Click to select- Comment:

28. P How would you characterize the accessibility of the courts of your country for persons with linguistic barriers? <i>Select only one answer.</i>	
<input type="checkbox"/> Equally accessible <input type="checkbox"/> A little more accessible to persons without linguistic barriers <input type="checkbox"/> A lot more accessible to persons without linguistic barriers <input type="checkbox"/> A little more accessible to persons with linguistic barriers <input type="checkbox"/> A lot more accessible to persons with linguistic barriers	
Comment:	

Different socio-economic classes

29. P How would you characterize the accessibility of the courts of your country for persons of different socio-economic classes? <i>Select only one answer.</i>	
<input type="checkbox"/> Equally accessible <input type="checkbox"/> A little more accessible to persons of higher socioeconomic classes <input type="checkbox"/> A lot more accessible to persons of higher socioeconomic classes <input type="checkbox"/> A little more accessible to persons of lower socioeconomic classes <input type="checkbox"/> A lot more accessible to persons of lower socioeconomic classes	
Comment:	

1.4 – Legal aid and cost

Definition: legal aid is the free provision of assistance to people who are unable to afford legal representation. In this section, reference is made only to legal aid provided **by the government in non-criminal cases.**

Legal Aid	
	Answer
30. L Is there a dedicated law on legal aid? <i>If “No”, please list provisions on legal aid in other laws, if any (for example, code of civil procedure).</i>	-Click to select- Legal basis:
31. P Is government-funded legal aid available in your country?	-Click to select- Comment:
32. P Are there other providers of legal aid (<i>i.e., NGOs, bar associations, universities, etc.</i>)?	-Click to select- Please list:

33. L Which of the following aspects of legal aid are regulated by law? <i>Select all that apply.</i>	
<input type="checkbox"/> Eligibility criteria <input type="checkbox"/> Duty to inform eligible individuals of their right to legal aid <input type="checkbox"/> Process for securing legal aid <input type="checkbox"/> Roles and duties of legal aid providers <input type="checkbox"/> Remedies for lack of effective defense <input type="checkbox"/> Other, please list: <input type="checkbox"/> N/A (legal aid is not regulated by law)	
Legal basis:	
34. P Is there a body or authority in charge of providing, administering, coordinating, and monitoring the quality of legal aid services?	-Click to select- Authorities and functions:
35. L By law, for which of the following actions can government-funded legal aid (vs. legal aid provided, for example, by NGOs) be used? <i>Select all that apply.</i>	
<input type="checkbox"/> Representation in court <input type="checkbox"/> Legal Advice before the proceedings <input type="checkbox"/> Payment of court fees <input type="checkbox"/> ADR <input type="checkbox"/> Technical experts <input type="checkbox"/> Notaries <input type="checkbox"/> Enforcement fees <input type="checkbox"/> Other costs (travel, etc.), please list: <input type="checkbox"/> N/A (government-funded legal aid is not available)	
Legal basis:	
36. L By law, who approves a request for legal aid?	-Click to select- Legal basis: If “Other”, please explain:
37. P What is the total number of:	
<ul style="list-style-type: none"> - Requests received for government-funded legal aid: - Requests approved for government-funded legal aid: 	
38. P Which of the following best describes the legal requirement on the evidentiary burden over eligibility criteria?	
<input type="checkbox"/> The party trying to obtain legal aid must provide a self-declaration that <i>may</i> be rebutted by the judge or counterpart <input type="checkbox"/> The party trying to obtain legal aid must produce evidence of the lack of resources before the request is granted <input type="checkbox"/> Other, please explain: <input type="checkbox"/> N/A (legal aid is not regulated by law)	
39. P Are there enough providers of government-funded legal aid?	-Click to select- Comment:
40. P What are the chances of obtaining government-funded legal aid when eligible?	-Click to select- Comment:
41. L By law, is there a time standard for deciding on a legal aid request?	-Click to select- Legal basis:
42. P In practice, what is the average decision time for government-funded legal aid requests (calendar days)?	
43. L What is the total budget (in local currency) allocated to government-funded legal aid as a percentage of the national/judiciary/justice sector budget?	
44. P What is the total amount (in local currency) spent on government-funded legal aid?	
45. L What is the annual income value (in local currency) to be eligible for full legal aid?	Legal basis:
Court Fees	
46. L Are court fees set by law?	-Click to select- Legal basis:

47. <input type="checkbox"/> P Is clear and detailed information about the court fees applicable to various types of cases publicized widely? <i>Select only one answer.</i> <input type="checkbox"/> Yes, information is published widely including online and in court buildings <input type="checkbox"/> Yes, information is publicized but not online <input type="checkbox"/> No, information is hard to find or understand	
48. <input type="checkbox"/> P Are court fees collected by the courts retained by the judiciary?	-Click to select- If “Other”, please explain: Comment:
49. <input type="checkbox"/> L By law, are litigants in general required to pay a court fee to initiate a proceeding at a court of first instance?	-Click to select- Legal basis:
50. <input type="checkbox"/> P How likely is the winning party to get full reimbursement of court fees?	-Click to select- Comment:
51. <input type="checkbox"/> P How likely is the winning party to get full reimbursement of attorney fees?	-Click to select- Comment:
52. <input type="checkbox"/> P Are court fees set at a level that deters individuals and businesses from filing a claim?	-Click to select- Comment:
53. <input type="checkbox"/> L Does the law establish a court fee waiver program with clear eligibility criteria?	-Click to select- Legal basis:
54. <input type="checkbox"/> P How likely is it for an eligible candidate to obtain a fee waiver?	-Click to select- Comment:
55. <input type="checkbox"/> P What is the total number of fee waiver requests? - Requests received: - Requests approved:	

1.5 – Small claims court or procedure

Definition: the process by which the judicial system handles claims below a legally established monetary value.

	Answer
56. <input type="checkbox"/> L In your country, are there small claims courts/divisions and/or a fast-track procedure for small claims?	-Click to select- Legal basis:
57. <input type="checkbox"/> L If “Yes” to Q. 56, what type of cases fall under the jurisdiction of this court/procedure?	Legal basis:
58. <input type="checkbox"/> L By law, is it possible to file small claims orally?	-Click to select- Legal basis:
59. <input type="checkbox"/> L By law, is it possible to file small claims without legal representation?	-Click to select- Legal basis:
60. <input type="checkbox"/> P In practice, how easy is it to use the small claims court/procedure without legal representation? <i>Select only one answer.</i> <input type="checkbox"/> Easy (people of all backgrounds and education levels can use it) <input type="checkbox"/> Somewhat easy (people of most backgrounds can use it, but it would take some effort) <input type="checkbox"/> Somewhat difficult (only people with higher education can use it) <input type="checkbox"/> Difficult (only people with knowledge of the process or a legal background can use it) <input type="checkbox"/> N/A (the law does not allow to use the small claims court/procedure without legal representation)	
61. <input type="checkbox"/> L Are there standardized templates available to file small claims?	-Click to select- Legal basis:
62. <input type="checkbox"/> L By law, is there a time standard for resolving small claims (calendar days)?	-Click to select- Legal basis:
63. <input type="checkbox"/> P What is the average resolution time for small claims (calendar days)?	
64. <input type="checkbox"/> L Is there a dedicated fee schedule for small claims?	-Click to select- Legal basis:
65. <input type="checkbox"/> P Are court fees in small claims set at a level that deters individuals and businesses from filing a claim?	-Click to select- Comment:

2.2 Pillar 2: Efficiency

The Efficiency Pillar measures the ability of courts to deliver justice in a timely and cost-effective manner, including by maximizing the use of case management and electronic tools.

2.1 – Clearance rate

Definition: the number of resolved cases for a given year divided by the number of incoming cases for the same year, often expressed as a percentage.

Number of judges		2023	2022	2021
66.	Number of judges in [Country Name]			
67.	Of which, female			
Number of incoming cases		2023	2022	2021
68.	First instance civil courts			
69.	Second instance civil courts			
70.	First instance administrative courts			
71.	Second instance administrative courts			
Number of resolved cases		2023	2022	2021
72.	First instance civil courts			
73.	Second instance civil courts			
74.	First instance administrative courts			
75.	Second instance administrative courts			

2.2 – Age of caseload

Definition: number of cases that has been pending before the court for more than 3 years.

Active cases older than 3 years	
76.	First instance civil courts
77.	Second instance civil courts
78.	Highest court of general jurisdiction
79.	First instance administrative courts
80.	Second instance administrative courts
81.	Highest court of administrative jurisdiction

2.3 – Disposition time

Definition: the theoretical time necessary for a pending case to be resolved, calculated as the number of pending cases at end of the year divided by the number of cases resolved in that year, multiplied by 365.

Number of pending cases		2023	2022	2021
82.	First instance civil courts			
83.	Second instance civil courts			
84.	First instance administrative courts			
85.	Second instance administrative courts			

2.4 – Case processing and case management

Definition: Case processing refers to the handling of individual cases, while case management refers to the overall effort to control how cases in the aggregate move through the court system. Both can be accomplished manually, automatically, or

with a combination of the two.

Assignment of Cases	
	Answer
86. L By law, how are cases assigned within courts? <input type="checkbox"/> Random assignment of cases is in place with algorithms/rules that prevent possibility of abuse <input type="checkbox"/> Random assignment of cases is in place without rules that prevent possibility of abuse <input type="checkbox"/> There is no random assignment of cases Legal basis:	
87. P If assignment of cases is not random, how is it carried out?	
88. P How often is the assignment process abused (as reported, for example, by users, NGOs, etc.)?	-Click to select- Comment:
89. P How easy is it for the parties to influence the assignment?	-Click to select- Comment:
Case Management Information system (CMIS)	
90. P Is there a single electronic CMIS system used in all courts? <i>Select only one answer.</i> <input type="checkbox"/> Yes, there is a single electronic CMIS system used in all courts. <input type="checkbox"/> No, an electronic CMIS system exists, but is not used in every court. <input type="checkbox"/> No, several electronic CMIS systems co-exist with limited interoperability. <input type="checkbox"/> No electronic system exists, but manual data collection at the court level tracks incoming and disposed cases. <input type="checkbox"/> No systemwide electronic or manual system exists. <input type="checkbox"/> Other, please explain:	
91. P Which of the following functionalities are available to judges through the CMIS system? <i>Select all that apply.</i> <input type="checkbox"/> Automatically generate a hearing schedule for all cases on their docket or check a hearing schedule generated by a central office <input type="checkbox"/> Send notifications to lawyers <input type="checkbox"/> Receive notifications (e.g., emails) <input type="checkbox"/> Track the status of a given case (future hearings, deadlines, etc.) and receive automatic alerts <input type="checkbox"/> View and manage case documents (briefs, motions, etc.) <input type="checkbox"/> View court orders and decisions in a particular case <input type="checkbox"/> Semi-automatically generate court order <input type="checkbox"/> Assist in writing judgments <input type="checkbox"/> Other, please explain:	
92. P Which of the following functionalities are available to lawyers through the CMIS system? <i>Select all that apply.</i> <input type="checkbox"/> Access forms to be submitted to the court <input type="checkbox"/> Send notifications to parties <input type="checkbox"/> Receive notifications (e.g., emails) <input type="checkbox"/> Track the status of a given case (future hearings, deadlines, etc.) and receive automatic alerts <input type="checkbox"/> View and manage case documents (briefs, motions, etc.) <input type="checkbox"/> View court orders and decisions in a particular case <input type="checkbox"/> File briefs and documents with the court <input type="checkbox"/> Other, please explain:	
93. P What is the CMIS deployment rate (in civil and/or commercial cases)?	-Click to select- Comment:

2.5 – ICT

Definition: ICT refers to the use of information and communication technology during court proceedings.

	Answer
94. P What percentage of judges and staff drafting documents and entering case data has and uses computers?	-Click to select- Comment:
95. P What percentage of courts has internet installed?	-Click to select- Comment:
96. P What percentage of courts has intranet installed?	-Click to select- Comment:
97. L By law, can the initial complaint be filed electronically through a dedicated platform? <i>Please mark "No" if it can be filed only through email or fax.</i>	-Click to select- Legal basis:
98. L If "Yes" to Q.97, is the plaintiff required to follow-up with a paper copy?	-Click to select- Legal basis:
99. P In practice, what is the percentage of cases filed electronically?	-Click to select- Comment:
100. L By law, can the initial complaint be served electronically through a dedicated platform?	-Click to select- Legal basis:
101. P In practice, what is the percentage of cases served electronically?	-Click to select- Comment:
102. L By law, can a request for legal aid be filed electronically? <i>Please mark "No" if it can be filed only through email or fax.</i>	-Click to select- Legal basis:
103. L If "Yes" to Q.102, is the applicant required to follow-up with a paper copy?	-Click to select- Legal basis:
104. P In practice, what is the percentage of legal aid requests filed electronically?	-Click to select- Comment:
105. L By law, can the initial complaint in a small claim procedure be filed electronically through a dedicated platform? <i>Please mark "No" if it can be filed only through email or fax.</i>	-Click to select- Legal basis:
106. L If "Yes" to Q.105, is the plaintiff required to follow-up with a paper copy?	-Click to select- Legal basis:
107. P In practice, what is the percentage of small claims filed electronically?	-Click to select- Comment:
108. L By law, is evidence filed only electronically admissible?	-Click to select- Legal basis:
109. P In practice, what is the percentage of evidence filed electronically?	-Click to select- Comment:
110. L By law, can hearings be conducted remote/virtually?	-Click to select- Legal basis:
111. P In practice, what is the percentage of hearings conducted remotely?	-Click to select- Comment:

2.3 Pillar 3: Quality

The Quality Pillar benchmarks the determinants of the quality of decisions, including the qualification of judges, their salaries, the consistency of their decisions with case law and the consequent rate of reversal in appeal.

3.1 – Qualification of judges

Definition: Examines the requirements to become a judge, as well as how these reflect on the quality of decisions.

Selection criteria for judges

112. L By law, which of the following criteria is used for the appointment of judges? *Select all that apply.*

- Education requirements (*i.e.*, law degree)
- Years of experience in the legal field. Provide number of years:
- Bar exam
- Exam/competition specific to becoming a judge
- Other, please explain:
- N/A (criteria is not established by law)

Legal basis:

113. P How often are the criteria mandated by law for the appointment of judges followed in practice?

-Click to select-
Comment:

	First instance court(s)	Appellate court(s)	Highest court	First instance administrative court(s)	Second instance administrative court(s)
114. P In your view, are judges competent (<i>i.e.</i> , knowledgeable of the law and able to apply it correctly)?	-Click to select-	-Click to select-	-Click to select-	-Click to select-	-Click to select-
115. P In your view, are judges honest (<i>i.e.</i> , ability to resist taking bribes or other incentives in individual cases)?	-Click to select-	-Click to select-	-Click to select-	-Click to select-	-Click to select-
116. P In your view, are judge-rendered decisions of high quality? <i>Judgments of bad quality are those that contain grammatical errors, imprecise or inconsistent application of the legal framework, technical errors requiring the parties' rectification before enforcement, wrong assessment of the evidence, failure to address the most essential arguments, etc.</i>	-Click to select-	-Click to select-	-Click to select-	-Click to select-	-Click to select-

3.2 – Extra-judicial activities

Definition: refers to employment outside of the judiciary, which can be of political or non-political nature. Political activity refers to any activity that is directed towards the success or failure of a political party, candidate for political office or partisan political group. This may include employment in political offices, participating in political campaigns, volunteering on a political campaign, manifesting political opinions, serving on an electoral commission, etc.

	Answer
117. L Does an institution/body exist to give opinion on ethical questions on the conduct of judges during extra-judicial activities?	-Click to select- Legal basis:
117.1. L If “Yes” to Q.117 what is the composition of this institution/body?	-Click to select- Legal basis: If “Others”, please explain:

118. L Are any of the following safeguards relating to temporary employment of judges in political offices (<i>i.e.</i> , politicians, ministers, government officials, cabinet members, etc.) in place? <i>Select all that apply.</i>	
<input type="checkbox"/> Authorization from a body needed for the judge to leave their position temporarily <input type="checkbox"/> Cooling-off period required before the person can return to their position as a judge <input type="checkbox"/> Notification/declaration of the new temporary employment to a specific body by the judge <input type="checkbox"/> No specific rules in place, but the general ethical norms apply <input type="checkbox"/> Temporary employment not allowed <input type="checkbox"/> Other, please list:	
Legal basis:	
119. P How often do judges gain temporary employment in political offices?	-Click to select- Comment:
120. P How often does such temporary employment in political offices interfere with the judge’s present or future performance of judicial duties?	-Click to select- Comment:
121. P How often does such temporary employment in political offices undermine the judge’s present or future independence, integrity, or impartiality?	-Click to select- Comment:
122. L By law, can judges combine their work with any of the following?	
<input type="checkbox"/> Teaching <input type="checkbox"/> Research and publication <input type="checkbox"/> Non-remunerated membership of a club/organization (for example, religious, charitable, or educational) <input type="checkbox"/> Remunerated service on the board of a charity, hospital, civic, or educational institution <input type="checkbox"/> Arbitrator <input type="checkbox"/> Mediator <input type="checkbox"/> Other function, please explain:	
Legal basis:	
123. L By law, are there safeguards in place during contemporaneous employment for the activities listed in Q.122?	-Click to select- If “Yes”, please list:
124. P How often do judges combine their work with any of the activities listed in Q.122?	-Click to select- Comment:
125. P How often do such activities interfere with the judge’s present or future performance of judicial duties?	-Click to select- Comment:
126. P How often do such activities undermine the judge’s present or future independence, integrity or impartiality?	-Click to select- Comment:

3.3 – Judicial pay

Definition: examines how the pay of judges compares to that of other professionals with comparable qualifications.

Salaries for judges	
	Answer
127. L Does the law regulate the remuneration of judges by position/grade?	-Click to select- Legal basis:
127.1. L If “No” to Q.127, who decides on judicial remuneration?	Legal basis:
127.2. L Which criteria are used to decide on remuneration?	Legal basis:
128. L By law, must judicial salary schedules be published?	-Click to select- Legal basis:
129. P In practice, are judicial salary schedules published?	-Click to select- Link:
130. L By law, does remuneration depend on performance?	-Click to select- Legal basis:
131. P In 2023, what was the yearly salary (in local currency) of a first-instance judge with 10 years of experience (including, as applicable, 13 th salary, bonuses, etc.)?	
132. P In 2023, what was the yearly salary (in local currency) of the Minister of	

Justice (including, as applicable, 13 th salary, bonuses, etc.)?	
133. P In 2023, what was the yearly salary (in local currency) of a partner in a local law-firm (including bonuses, as applicable)?	
134. P Are there significant variations in salary among judges in comparable positions?	-Click to select- Comment:
135. L In 2023, what was the budget (in local currency) of the largest first instance civil court?	
136. P In 2023, how many judges did the court referred to in Q.135 have?	

	Salary (in local currency)
137. P First instance professional judge at the beginning of his career	
138. P First instance professional judge at the beginning of her career – Women	
139. P Judge of Supreme Court or Highest Appellate Court	
140. P Judge of Supreme Court or Highest Appellate Court – Women	

3.4 – Appeal rates and reversal rates

Definitions: the “appeal rate” is the percentage of first instance decisions that is appealed to a second instance court. The “reversal rate” is the percentage of cases that is reversed in appeal (sometimes also referred to as abolishment rate).

	Answer
141. P % of first instance decisions (civil cases) subject to appeal	
142. P % of first instance decisions (administrative cases) subject to appeal	
143. P % of first instance decisions (civil cases) overturned in appeal	
144. P % of first instance decisions (administrative cases) overturned in appeal	

3.5 – Consistency of decisions

Definition: measures to what extent like cases are treated consistently.

	Answer
145. L Are judicial decisions a source of law?	-Click to select- Legal basis:
146. L If “Yes” to Q.145, are decisions from the highest/supreme court the only source of law?	-Click to select- Legal basis:
147. L If “Yes” to Q.145, does departure from previous case law need to be stated and motivated?	-Click to select- Legal basis:
148. P In practice, how often is this departure stated and explained?	-Click to select- Comment:
149. L Can the highest/supreme court take decisions on the consistency of case-law of lower courts on its own initiative? <input type="checkbox"/> Yes, in the form of an advisory opinion of general application (for all courts/judges) <input type="checkbox"/> Yes, in the form of an obligatory decision of concrete application (only relevant to the specific case) <input type="checkbox"/> Yes, in the form of an obligatory decision of general application (relevant for all courts/judges) <input type="checkbox"/> No Legal basis:	
150. L Are there other mechanisms in place for the highest/supreme court to ensure consistency of case-law?	-Click to select- Legal basis:
151. L By law, are there sanctions when a lower court does not decide consistently with case law?	-Click to select- Legal basis:
152. P If so, in practice, how often are these sanctions imposed?	-Click to select- Comment:

3. Literature Review Motivating the Selection of Indicators

Justice matters for development, and empirical studies demonstrate its critical role in fostering a healthy business environment, enhancing sustainable and equitable growth, improving access to public services particularly for the poor, curbing corruption, enhancing public trust in the government, and restraining abuse of power. Cross-country and within-country evidence shows that efficiency of the courts, in the form of higher speed and lower procedural formalism, is a strong correlate of economic development and market performance, as backlogs and slow justice constrain entrepreneurship, innovation, and investment.¹ An efficient judiciary is critical to encouraging the entry of new firms and providing them the confidence to invest.

Justice institutions are therefore vital to the achievement of the WBG's twin goals to end extreme poverty and boosting shared prosperity. An effective judiciary is a means of ensuring the rule of law, and the rule of law is the basis of the good governance needed to realize the full social and economic potential of developing societies. When justice institutions operate effectively, accountability increases, trust in the government grows, and citizens and businesses can invest with confidence that their rights will be protected. Justice underpins the political process by protecting individuals' rights, facilitating collective action, and enabling credible commitment.²

Lack of access to justice often leads to violence and societal conflict. At the extreme, such conflict results in civil war, increasing poverty and limiting the potential of a nation for shared prosperity.³ Access to justice is an important dimension of inclusive growth and can facilitate tackling inequality. Research shows that the inability to access legal and judicial services can be both a result and a cause of poverty and inequality, often perpetuating existing inequalities in other areas, such as educational attainment, health conditions, and employment opportunities. Inability to obtain legal and justice services is often found to have a disproportionate impact on low-income and other disadvantaged groups. As such, effective judicial institutions can contribute to helping people transition out of social exclusion and societal conflict. The WBG recognizes that justice and the rule of law are the foundations for peace and provide a critical underpinning of post-conflict reconstruction. For this reason, they are listed as one of six high-priority issues in FCV settings on which the WBG committed to placing special emphasis in its FCV Strategy. Beyond

¹ Chemin, M. 2009a. "Do judiciaries matter for development? Evidence from India." *Journal of Comparative Economics* 37(2): 230–250.

² World Bank. 2017. *World Development Report 2017: Governance and the Law*. Washington, DC: World Bank.

³ Ndulu, B. J., Stephen A. O'Connell, Paul Collier, Robert H. Bates, and Chukwuma C. Soludo. 2007. *The Political Economy of Economic Growth in Africa, 1960-2000*. Cambridge: Cambridge University Press; and Collier, P. 2007. *The Bottom Billion: why the poorest countries are failing and what can be done about it*. Oxford: Oxford University Press.

this strategy, the WBG has strengthened its commitment to this agenda through the Anticorruption Approach, where justice and the rule of law are identified as one of four priority themes for reform.

Certain characteristics of the judicial system need to be in place for effective and low-cost enforcement of contracts:⁴ court procedures need to be accessible, efficient, and produce high-quality judgments, and judges need to be independent.⁵ When justice institutions operate effectively, accountability increases, trust in the government grows, and businesses can invest with confidence that their rights will be protected.

3.1 Access

Access to justice is associated with lower poverty levels and higher rates of entrepreneurship.⁶ Evidence from debt recovery tribunals in India shows that the speed and affordability of justice greatly increase the use of formal courts.⁷ Lower court fees in the resolution of commercial disputes are also associated with a smaller size of the informal sector,⁸ another proxy for access. Empirical evidence on the effect of access to justice on GDP per capita growth in a panel of 83 countries from 1970 to 2014 shows that increasing access to justice by one percent increases the five-year growth rate of GDP per capita by 0.86 p.p.⁹

An issue that comes up frequently when studying access to justice is legal pluralism.¹⁰ In many developing countries the judicial system can be divided into formal and informal, where the formal is under the state (official) and the informal may or may not be under the domain of the state (informal justice system). Informal systems can play a positive role in society by increasing fair

⁴ *Supra* World Bank, 2017, *World Development Report 2017*.

⁵ Messick, R.E. 1999. “Judicial Reform and Economic Development: A Survey of the Issues.” *World Bank Research Observer* 14(1): 117–136; and Posner, R. 1998. “Creating a Legal Framework for Economic Development.” *World Bank Research Observer* 13(1): 1-13.

⁶ Sen, A. 2009. *The Idea of Justice*. Boston: Harvard University Press; and Lichand, G. and Rodrigo R. Soares. 2014. “Access to justice and entrepreneurship: Evidence from Brazil’s special civil tribunals.” *The Journal of Law and Economics* 57(2): 459–499.

⁷ Visaria, S. 2009. “Legal reform and loan repayment: The microeconomic impact of debt recovery tribunals in India.” *American Economic Journal: Applied Economics* 1(3): 59–81; and Lilienfeld-Toal, U. V., Dilip Mookherjee, and Sujata Visaria. 2012. “The distributive impact of reforms in credit enforcement: Evidence from Indian debt recovery tribunals.” *Econometrica* 80(2): 497–558.

⁸ Djankov, S., Rafael La Porta, Florencio Lopez-de Silanes, and Andrei Shleifer. 2003. “Courts.” *The Quarterly Journal of Economics* 118(2): 453–517.

⁹ Deseau, A., Adam Levai, and Michèle Schmiegelow. 2019. *Access to Justice and Economic Development: Evidence from an International Panel Dataset*. LIDAM Discussion Papers IRES 2019009. Brussels: Université Catholique de Louvain, Institut de Recherches Economiques et Sociales (IRES).

¹⁰ Djurfeldt, A.A. 2020. “Gendered land rights, legal reform and social norms in the context of land fragmentation-A review of the literature for Kenya, Rwanda and Uganda.” *Land Use Policy* 90: 104-305.

justice due to its accessibility.¹¹ In all cases, however, they are buttressed by a functioning formal system. Ali, Deininger, and Goldstein note that the coexistence of different types of customary and formal laws can lead to a situation in which formal laws are disregarded if informal codes are less costly to execute—as is often the case.¹² Reversion to informal courts, headed by village elders, leads to resolutions that favor men.

Equal access to justice for women is a major concern in dozens of economies. Discrimination in the law is only one of many sources of gender imbalance. A common finding in academic research is that entrenched social norms often render legal access ineffective. Equal opportunities for women depend on a complex interplay of social, cultural, and economic factors. Although laws may be equal, prevailing discriminatory social norms, deeply rooted stereotypes, unconscious bias, and even ignorance or reluctance by institutions responsible for enforcing rights can be a major stumbling block to the implementation of legislation.¹³ In Pakistan, for example, Holden and Chaudhary¹⁴ and Ahmad et al¹⁵ find that despite a legal change, women were not able to access justice due to factors such as lack of education and forced marriages. Gedzi highlights a similar result in Ghana, where reforms to inheritance laws led to few positive changes in terms of women's inheritance.¹⁶

The enforcement of rights and women's ability to seek redress is therefore critical to translating formal laws into real outcomes. There is some evidence linking the enforcement by courts of specific laws to better outcomes for women. Agarwal documents a link between women's land rights enforcement and their possibility of leaving a violent spouse.¹⁷ Deininger et al¹⁸ show that the reform of India's Hindu Succession Act increased the likelihood of daughters inheriting land. Similarly, reforms to the Succession Law in Rwanda made it more likely for women to leave their marriages while still receiving permanent rights to land, and increased women's ability to resist

¹¹ Ahmad, J., and Georg von Wangenheim. 2021. "Access to justice: An evaluation of the informal justice systems." *Liberal Arts and Social Sciences International Journal* 5(1): 228-244.

¹² Ali, D., Klaus Deininger, and Markus Goldstein. 2014. "Environmental and gender impacts of land tenure regularization in Africa: Pilot evidence from Rwanda." *Journal of Development Economics* 110(3): 262-275.

¹³ Hyland, M., Simeon Djankov, and Pinelopi K. Goldberg. 2020. "Gendered Laws and Women in the Workforce." *American Economic Review: Insights* 2(4): 475-90.

¹⁴ Holden, L., and Azam Chaudhary. 2013. "Daughters' inheritance, legal pluralism, and governance in Pakistan." *The Journal of Legal Pluralism and Unofficial Law* 45(1): 104-123.

¹⁵ Ahmad, M., Moazma Batool, and Sophia F. Dziegielewski. 2016. "State of Inheritance Rights: Women in a Rural District in Pakistan." *Journal of Social Service Research* 42(5): 622-629.

¹⁶ Gedzi, V.S. 2012. "Women's property relations after intestate succession PNDC law 111 in Ghana." *Research on Humanities and Social Sciences* 2(9): 211-219.

¹⁷ Agarwal, B. 2003. "Gender and land rights revisited: exploring new prospects via the state, family and market." *Journal of Agrarian Change* 3(1-2): 184-224.

¹⁸ Deininger, K., Aparajita Goyal, and Hari Nagarajan. 2013. "Women's inheritance rights and intergenerational transmission of resources in India." *Journal of Human Resources* 48(1): 114-141.

the customary practice of polygamy.¹⁹

JUPITER's Access Pillar measures the ability of the justice system to deliver outcomes that are accessible to all, irrespective of location, wealth, status, gender, or disability. This includes eliminating barriers that prevent people from understanding and exercising their rights, and delivering services to all parties, including those facing financial and other disadvantages. Access to justice starts with the ability of any party to access and understand the most updated legal framework and case law.

Several research articles aided the selection of areas to measure and question design. On proximity, a study in Peru finds that interventions designed to improve judicial coverage for populations located far from important urban centers significantly shift the resolution of conflicts away from informal mechanisms and toward the newly provided formal mechanisms; increase the use of complementary services, such as the use of lawyers; improve the perception of residents regarding social mores and the law; and ultimately marginally reduce the incidence of self-reported conflicts. Proximity to justice also improves outcomes for residents in the area of child support conflicts, although, in other types of conflicts, we find no impact on outcomes.²⁰ These interventions included the construction and staffing of justice modules—physical structures which housed courts, prosecutors, and public defenders. Similar results were found in Bangladesh, where the government focused on establishing Village Courts to ensure justice locally without high costs due to travel. For many in Bangladesh, village courts remain the only legal institution that exists at the doorstep of the rural poor people for the privilege of justice.²¹

Research on proximity in high-income countries finds similar results. A study in France emphasizes the central role of court proximity for the good functioning of the labor market. In 2008, when the French government enacted a reform that reduced the number of labor courts by one quarter, many workers and employers had to travel further to proceed with conflict litigation. This had a measurable effect: cities that experienced an increase in the distance to their associated labor court suffered from a lower growth rate of job creation (−4 percentage points), job destruction (−4.6 pp) and firm creation (−6.3 pp) between 2007 and 2012 compared to unaffected

¹⁹ Daley, E., Rachel Dore-Weeks, R., and Claudine Umuhoza. 2010. "Ahead of the game: land tenure reform in Rwanda and the process of securing women's land rights." *Journal of Eastern African Studies* 4(1): 131-152.

²⁰ Soares, Y, Maria M. Sviatschi, Raul Andrade, and Jimena Montenegro. 2010. "The Impact of Improving Access to Justice on Conflict Resolution: Evidence from Peru." *OVE Working Papers* 0810. Washington, DC: Inter-American Development Bank, Office of Evaluation and Oversight (OVE).

²¹ Bhuiyan, M., Mohammad S. Islam, and Mohammad F. Salam. 2019. "Access to Justice through Village Court for Rural Poor: The Case of Bangladesh." *International Journal of Publication and Social Studies* 4(1): 1-10.

cities.²²

Equal access by women, ethnic minorities, people with disabilities, and the indigent is also benchmarked. This includes legal aid, which is a necessary part of any legal system.²³ Access to justice for disadvantaged groups should contribute to increasing inclusion and socio-economic integration, but barriers in the way of access to justice, such as lack of education, information, identity documents, and material resources are sometimes too extended for these people. The inability of disadvantaged people to access legal services is both a result and a cause of the low degree of inclusion and development, as well as the high degree of vulnerability.²⁴ Persons with disabilities often find themselves marginalized by the justice systems. Legal aid workers not only must be knowledgeable concerning relevant laws and regulations, but must also be able to interact effectively on a personal, professional level with persons who have disabilities. Improving access will require well-prepared legal aid workers to answer the call.²⁵ Similar results were found in the study of legal aid and access to justice for women victims of domestic violence in India.²⁶

3.2 Efficiency

An efficient judicial system, which resolves disputes in a timely manner, supports economic growth through several channels.²⁷ Where judicial systems guarantee the enforcement of rights, creditors are more likely to lend at better rates,²⁸ businesses are more productive,²⁹ firm size increases,³⁰ and investment rises.³¹

²² Espinosa, R., Claudine Desrieux, and Marc Ferracci. 2018. "Labor market and access to justice." *International Review of Law and Economics* 54(1): 1-16.

²³ Gradinaru, N. 2017. "The Right to A Fair Trial Free Access to Justice." *Management Strategies Journal*, Constantine Brancoveanu University 35(1): 68-75.

²⁴ Petre, G. 2021. "Access to justice - Trust and perceptions of the Roma minority." *Journal of Community Positive Practices* 17(2): 31-45.

²⁵ Larson, D. 2014. "Access to Justice for Persons with Disabilities: An Emerging Strategy." *Laws* 3(2): 1-19.

²⁶ Hartanto, R, Siany I. Liestyasari, and Atik C. Budiati. 2018. "Paralegals and Women Access to Justice: Making Access to Justice of Women Victims of Violence Effective." *The Journal of Social Sciences Research* 47(2): 807-813.

²⁷ Esposito, G., Sergi Lanau, and Sebastiaan Pompe. 2014. *Judicial System Reform in Italy – A Key to Growth*. IMF Working Paper WP/14/32. Washington, DC: International Monetary Fund.

²⁸ Bae, K., and Vidhan Goyal. 2009. "Creditor Rights, Enforcement, and Bank Loans." *Journal of Finance* 64(2): 823-860.

²⁹ Chemin, M. 2020. "Judicial efficiency and firm productivity: Evidence from a world database of judicial reforms." *Review of Economics and Statistics* 102(1): 49–64.

³⁰ Giacomelli, S. and Carlo Menon. 2012. "Firm Size and Judicial Efficiency in Italy: Evidence from the Neighbour's Tribunal." SERC Discussion Papers 0108. London: Spatial Economic Research Centre; and Chemin, M. 2009b. "The Impact of the Judiciary on Entrepreneurship: Evaluation of Pakistan's Access to Justice Programme." *Journal of Public Economics* 93(1-2): 114–125.

³¹ Djankov, S., Olive Hart, Caralee McLiesh, and Andrei Shleifer. 2008. "Debt enforcement around the world." *Journal of Political Economy* 116(6): 1105–1149; and Aboal, D., Nelson Noya, and Andrés Rius. 2014. "Contract enforcement and investment: A systematic review of the evidence." *World Development* 64(3): 322–338.

Some sectors rely on the judiciary more than others because of the need for relationship-specific investments.³² An economy without an effective judiciary is trapped in the production of generic goods to avoid such investments. Such economies cannot rise on the value-chain of exports.³³ Because of the relation with the ladder of value enhancement, foreign direct investment is positively correlated with the efficiency of legal institutions which, in turn, is linked to better growth outcome.³⁴ Survey evidence from Senegal shows that firms are willing to pay higher legal fees to achieve post-reform speed, suggesting positive benefits of judicial reform.³⁵ Several studies have shown a link between entrepreneurship rates and the efficiency of the judicial system, suggesting that an efficient judiciary promotes entrepreneurial activity.³⁶

JUPITER's Efficiency Pillar measures the ability of courts to deliver justice in a timely and cost-effective manner, including by maximizing the use of case management and electronic tools. Several research pieces aided the selection of areas to measure and question design. Active case management has been consistently highlighted as a necessary tool in the pursuit of court efficiency. The Indian judicial system is plagued by high disposition times across all levels. Gupta and Bolia use simple measures of judicial resources, namely, number of judges and staff members as inputs, and two outputs, number of civil and criminal cases disposed.³⁷ The results identify courts that are efficient in disposing cases, specifically courts that use active case management. A study using data on disposition times in Italy shows that three supply policies can make a significant contribution to the efficiency of the system: active case management, break-ups of large courts of justice into smaller ones (to exploit economies of scale), and the use of offsite technologies. According to this research, these three measures can reduce the disposition time by around 30

³² Nunn, N. 2007. "Relationship-specificity, incomplete contracts, and the pattern of trade." *The Quarterly Journal of Economics* 122(2): 569–600.

³³ Levchenko, A. 2007. "Institutional quality and international trade." *The Review of Economic Studies* 74(3): 791–819; and Amirapu, A. 2021. "Justice delayed is growth denied: The effect of slow courts on relationship-specific industries in India." *Economic Development and Cultural Change* 70(1): 415-451.

³⁴ Sabir, S., Anum Rafique, and Kamran Abbas. 2019. "Institutions and FDI: evidence from developed and developing countries." *Financial Innovation* 17(5): 8-28; and Bénassy-Quéré, A., Maylis Coupet, and Thierry Mayer. 2007. "Institutional Determinants of Foreign Direct Investment." *World Economy* 30(5): 764-782.

³⁵ Kondylis, F. and Mattea Stein. 2018. "The Speed of Justice." *Policy Research Working Paper 8372*: 1-64. Washington, DC: World Bank.

³⁶ Ippoliti, R., Alessandro Melcarne, and Giovanni B. Ramello. 2015. "Judicial Efficiency and Entrepreneurs' Expectations on the Reliability of European Legal Systems." *European Journal of Law and Economics* 40 (1): 75–94; and Ardagna, S., and Annamaria Lusardi. 2009. "Explaining International Differences in Entrepreneurship: The Role of Individual Characteristics and Regulatory Constraints." In Joshua Lerner and Antoinette Schoar (eds.). *International Differences in Entrepreneurship*. Chicago: University of Chicago Press.

³⁷ Gupta, M., and Nomesh B. Bolia. 2020. "Efficiency measurement of Indian high courts using DEA: A policy perspective." *Journal of Policy Modeling* 42(6): 1372-1393.

percent.³⁸

Clearance rates are also used as a measure of efficiency in the literature, as shown by a study using these rates as an indirect measure of the time needed to dispose of cases in Greek courts.³⁹ The data suggest that the ratio of staff to total number of cases affects the time needed to dispose of cases in appeals courts and higher civil trial courts, but not in lower civil trial courts or administrative courts. In these courts, lower clearance rates appear instead to be connected to increased emphasis on case management. Similar results were found in a study focusing on the performance of 223 Portuguese first instance courts during the period of 2007–2011. The study shows that only 15 percent of the 223 courts make an efficient use of their resources in each year, and that improvement can be achieved with better case management and more adequate staffing.⁴⁰

Clearance rate and the age of active pending caseload are both measures of backlog. Backlogs can result from inefficiencies, but occasionally can also be the product of short-sighted judicial reform. Brazil's 1988 Constitution, for example, so expanded the range of constitutional rights, including new social and economic guarantees, and the kinds of plaintiffs entitled to bring constitutional actions, that backlogs multiplied many times over.⁴¹ This suggests that the expansion of enforceable rights needs to be accompanied by the introduction of appropriate resources and case management tools.

Appropriate resources, both in terms of court staffing and in terms of budgets, are often mentioned as determinants of court efficiency, as highlighted by all the previously mentioned research. In this context, several studies explore the impact on outcomes by an increase in the number of judges. A recent analysis of the determinants of the performance of commercial district courts in Poland in the period 2009–2016 in terms of the number of resolved cases, indicates that an increase in the number of judges can significantly enhance the number of resolved cases.⁴²

3.3 Quality

³⁸ Peyrache, A and Angelo Zago. 2020. "The (in)efficiency of Justice. An equilibrium analysis of supply policies." *CEPA Working Papers Series WP042/020*. Australia: School of Economics, University of Queensland.

³⁹ Mitsopoulos, M and Theodore Pelagidis. 2007. "Does staffing affect the time to dispose cases in Greek courts?" *International Review of Law and Economics* 27(2): 219-244.

⁴⁰ Santos, S and Carla A.F. Amado. 2014, "On the need for reform of the Portuguese judicial system – Does Data Envelopment Analysis assessment support it?" *Omega* 47(3): 1-16.

⁴¹ Prillaman, W. C. 2000. *The Judiciary and Democratic Decay in Latin America: Declining Confidence in the Rule of Law*. Westport: Praeger; and Rosenn Keith, S. 2000. "Judicial Review in Brazil: Developments Under the 1988 Constitution." *Southwestern Journal of Law and Trade in the Americas* 7(3): 291–319.

⁴² Bełdowski, J, Łukasz Dąbroś, and Wiktor Wojciechowski. 2020. "Judges and court performance: a case study of district commercial courts in Poland." *European Journal of Law and Economics* 50(1): 171-201.

Academic studies suggest that quality is predicated to a large extent on judicial independence. The literature utilizes two ways of measuring the degree of quality of court judgments. First, by measuring the extent to which the judgment meets a certain number of features and predefined indicators (conformity with requirements); and second, by measuring the gap between the expectations that court users had before using the courts and the assessment made following their use (conformity with expectations). The usual indicator on the former is the consistency and predictability of judgments, whether judgments follow precedents.⁴³ The most often-used empirical measure of the latter is the probability that the first-instance judgment gets overturned on appeal.⁴⁴ Increasingly, however, surveys of user experience are also the basis for judicial quality assessments.⁴⁵

JUPITER's Quality Pillar benchmarks the determinants of the quality of decisions, including the qualification of judges, their salaries, the consistency of their decisions with case law and the consequent rate of reversal in appeal. Several research pieces supported the selection of the areas to measure and question design. A recent study using data from Nepal assessed the determinants of disposition time and the presence of the quantity–quality tradeoff. It found that in Nepal judicial staffing exhibits a robustly positive effect on court output. Quality increases with the qualification of judges and can be seen in fewer reversals on appeal. The study did not find evidence implying that increasing court output would decrease adjudicatory quality.⁴⁶ Similar results showing the importance of the quality of first instance rulings on reducing appeal rates were found in a study using Greek data.⁴⁷

The use of reversal in appeal as a measure of quality is frequent in the literature. A study based on data from the US's Fifth Circuit Court shows that the probability of being promoted is significantly and negatively correlated with the reversal rate, leaving judges to focus on the quality of the judgments they write to avoid reversal and increase the chances of promotion.⁴⁸ Evidence from the United Kingdom is more supportive of the view that reversals on appeal are a good measure of judicial quality. The chance of promotion from the Court of Appeal to the House of Lords was

⁴³ Contini, F., and Davide Carnevali. 2010. *The quality of justice in Europe: Conflicts, dialogue and politics*. Rome: Research Institute on Judicial Systems of the Italian National Research Council.

⁴⁴ Calabrese, R. 2013. *La giustizia vista dall'utente. Un'indagine di customer satisfaction presso il Palazzo di Giustizia di Torino*. Torino: University of Torino; and Coviello, D., Andrea Ichino, and Nicola Persico. 2014. "Time allocation and task juggling." *American Economic Review* 104(2): 609–623.

⁴⁵ Mbassi, J. C., Axel D. Mbarga, and Richard N. Ndeme. 2019. "Public Service Quality and Citizen-Client's Satisfaction in Local Municipalities." *Journal of Markets, Development and Competition* 13(4): 110–123.

⁴⁶ Grajzl, P. and Shikha Silwal. 2020, "The functioning of courts in a developing economy: evidence from Nepal." *European Journal of Law and Economics* 9(1): 101-129.

⁴⁷ *Supra* Mitsopoulos and Pelagidis, 2007.

⁴⁸ Higgins, R.S., and Paul H. Rubin. 1980. "Judicial Discretion." *Journal of Legal Studies* 9(1): 129-138; and Posner, R. 1977. *Economic Analysis of Law*. Second Edition. Boston: Little Brown and Company.

significantly determined by a lower reversal rate of the judge's decisions in the House of Lords.⁴⁹

Research using data for a set of European nations focuses on the most effective way to use national resources to enhance judicial quality. It considers the effect of different uses of government resources on measures of judicial quality, including higher education and qualification of judges. The study finds that the most straightforward way for a nation to improve its judiciary involves the dedication of additional resources, and that these resources would best be devoted to increasing judicial pay.⁵⁰ The pivotal role of judicial pay on the quality also emerges from an analysis of the Mexican judiciary, which found that low judicial salaries left the best-trained and most capable young law graduates inclined to pursue careers in private practice. Consequently, lawyers with uncompetitive institutional pedigrees, undistinguished records of professional experience, and/or modest socio-economic backgrounds tended to pursue careers on the bench. This observation is corroborated, in part, by the findings of 1985 and 1993 judicial surveys that an average of 93.15 percent of Mexico's federal judges and magistrates graduated from what are generally considered to be inferior quality law programs.⁵¹

Two key French judicial officials, the advocate general and the reporting judge, “pay extremely close attention to past judicial decisions. (...) A complete conclusion or rapport always cites and analyzes relevant case law.” This fact is disguised by the form of French judicial decisions, which by tradition are very brief and do not cite case law. These decisions are written in a single run-on sentence, usually with a cascade of “whereas” clauses.⁵²

4. Conclusion

JUPITER is a standardized, country-based assessment tool designed to evaluate judicial effectiveness both within and across countries. Its methodology is grounded in a comprehensive set of rigorously validated indicators that measure judicial performance across three key dimensions: access, efficiency, and quality of justice. JUPITER assesses both de jure factors—such as the strength of the legal framework—and de facto realities, capturing how judicial services are implemented and delivered in practice. This dual approach provides a nuanced understanding

⁴⁹ Salzberger, E. M. 1993. “A positive analysis of the doctrine of separation of powers, or: Why do we have an independent judiciary?” *International Review of Law and Economics* 13(4): 349-379; and Salzberger, E.M., and Paul Fenn. 1999. “Judicial Independence: Some Evidence from the English Court of Appeal.” *Journal of Law and Economics* 42(2): 831-47.

⁵⁰ Cross F.B., and Dain C. Donelson. 2010. “Creating Quality Courts.” *Journal of Empirical Legal Studies* 7(3): 490-510.

⁵¹ Kossick, R. 2004. “The Rule of Law and Development in Mexico.” *Arizona Journal of International and Comparative Law* 21(3): 715–834.

⁵² Lasser, M. 2004. *Judicial Deliberations: A comparative analysis of judicial transparency and legitimacy*. Oxford: Oxford University Press.

of gaps between legal frameworks and their real-world application. Furthermore, the assessment is designed to keep into consideration the broader political economy, recognizing the complex factors that shape judicial systems and the administration of justice.

JUPITER aims to serve both operational and analytical purposes, providing a robust foundation for evidence-based justice reforms. By identifying challenges and offering targeted recommendations, it supports the World Bank and country policymakers in designing context-specific interventions to enhance the delivery of justice. Its standardized methodology enable practitioners, researchers, and civil society to better understand the barriers and opportunities for justice system reform. As data accumulates across diverse country contexts, JUPITER's rigorous and universal methodology facilitates cross-country comparisons and progress tracking. Ultimately, JUPITER aims to be a useful tool for governments and researchers alike, helping to diagnose challenges, evaluate reforms, and guide the implementation of effective justice policies.

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