Justice sector reforms implemented over the last decade have made Jordan a regional leader in improving service delivery. The Ministry of Justice made improving access to justice a priority under its 2010-2012 Judicial Reform Strategy. However, activities aimed at implementing this policy remained minimal. Poor persons often face unique obstacles in accessing justice, which include lack of awareness of their rights and how to enforce them, and limited resources to access courts and lawyers when needed. Legal aid services - which involve public information, counseling and legal representation - can help the poor overcome these obstacles. These services also allow beneficiaries to access public benefits, such as social assistance programs, and enforce rights to assets such as alimony, child support and employment benefits.

In Jordan, the right to state-sponsored legal aid is limited to serious criminal cases. Yet according to a survey conducted in 2011, poor persons demonstrate the most need for cases involving personal status issues, which include marriage, divorce, alimony, child custody and support.

Legal aid had also been limited primarily to urban areas around Amman. The lack of legal aid services available for civil and family law cases, especially in more rural areas, highlights the need for a more comprehensive approach to delivering services. This assistance will complement the services provided by the Government of Jordan in serious criminal cases.

The “Enhancing Community-Driven Legal Aid Services to the Poor” program, funded by the Japan Social Development Fund (JSDF) with $2.6 million, addresses the need to provide legal aid services more comprehensively, and in greater cooperation with poor communities. The development objective of the program is to support access to justice for the poor and other vulnerable persons by improving justice sector services based on demand-side priorities of poor communities and
supported by community-driven implementation. As civil society has been the primary provider of legal aid services in Jordan to date, the JSDF grant has been made to the Justice Center for Legal Aid (JCLA), a Jordanian civil society organization. (Refer to Box 1)

During the period of the grant, the World Bank will assist JCLA with improving the effectiveness and sustainability of services, which will include experimenting with different types of service delivery mechanisms, including training and use of lawyer apprentices, developing pro bono lawyer networks, use of community leaders to provide public information, and self-help mechanisms (phone hotlines, online assistance).

The Project

The World Bank, with JSDF funding, is supporting the piloting of legal aid centers (LACs) administered by JCLA. These LACs will provide public information, counseling and legal representation in cases involving personal status, civil and minor criminal cases. They will also extend services throughout all governorates of Jordan, including rural areas.

The program involves two core components:

Component 1:

This component covers capacity-building to JCLA to effectively deliver legal aid services in a more sustainable manner. The project aims to develop new service delivery procedures, improve case management practices, develop data and analysis, and integrate elements of sustainability into legal aid services.

Component 2:

This component covers the provision of legal aid services to the poor and enhancing accessibility to justice at the community level. It involves the establishment of LACs located in areas of high poverty throughout Jordan. Each governorate of Jordan will be covered either through establishment of six new LACs, co-location of JCLA staff in existing offices of local civil society organizations (CSOs), or by mobile services involving regular visits of LAC staff to more remote areas.

The program aims to serve 14,900 beneficiaries over a four-year period, including:

- 7,500 beneficiaries through public awareness
- 9,500 beneficiaries through individual and group counseling, and
- 6,400 beneficiaries through legal representation by a lawyer

The activities included in the two program components are based on lessons-learned from JSDF Seed Fund grants (Refer to the section Taking Stock -Lessons Learned from the JSDF Seed Fund Grants).

Through these Seed Fund grants the project is targeting the following beneficiaries: Poor and vulnerable persons, primarily women (68% of beneficiaries), and the vast majority of beneficiaries (1008 of the 1419 consultations and 719 of the 1014 legal representations) are related to personal status issues (access to alimony child support and dowries, and divorce cases).

Ensuring the Project is reaching the most vulnerable in Jordan

Two steps were taken to ensure the main beneficiaries of the program are the poorest and most vulnerable. Firstly, LACs and services are being located in areas identified as poverty pockets by the Government of Jordan, and referrals will be made from other local CSOs working with the poorest and most vulnerable persons. Secondly, a means-test is being administered to potential beneficiaries. The means-test is based on income of the beneficiary and his/her family, size of the family, and a socio-economic assessment. Based on the means test, a sliding scale of payments will be applied, so that services are free for the most poor, and those able to will be asked to pay small amounts for services. This ensures free legal aid services are reserved for the most poor and vulnerable.

Photo: Almost 70% of beneficiaries of this project are women, which highlights the intersection of the justice sector and poverty in Jordan. Women overwhelmingly seek assistance in personal status matters such as child support and alimony.
Progress results

LACs have been established in Amman, Irbid, Zarqa and Aqaba. Plans are underway to extend services to Mafraq, Jerash, Ajloun, Karak and Ma’an. JCLA held 125 awareness sessions which took place in Amman, Zarqa, Rusafiah and Madaba and were attended by nearly 4,000 beneficiaries including more than six hundred Palestinian, Iraqi and Syrian refugees. The topics included women’s and children's rights, child abuse and protection, sexual harassment, labor law, social security law and landlord-tenant law.

In 2012, JCLA provided consultations to more than one thousand beneficiaries, and legal representation to roughly eight hundred beneficiaries. The case type and gender of beneficiaries is highlighted on table 1. The statistics are demonstrating the common intersection of the justice sector and poverty - poor women needing assistance in accessing economic assets such as alimony, child support and dowries. (Refer to Box 2 to read Salma’s case).

Taking Stock - Lessons Learned from the JSDF Seed Fund Grants

This project is piloting a different approach and taking stock from previous projects, lessons learned and innovations based on data collected from the implementation of two JSDF Seed Fund grants.

Previous projects implemented by CSOs

<table>
<thead>
<tr>
<th>TABLE 1: Case Type, Most Frequent Issues and Gender of Beneficiaries</th>
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</thead>
<tbody>
<tr>
<td>Case Type</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Civil</td>
</tr>
<tr>
<td>Criminal</td>
</tr>
<tr>
<td>Personal Status</td>
</tr>
<tr>
<td>Administrative</td>
</tr>
</tbody>
</table>

Box 2- Salma: A Cry for Help

Salma (not her real name) suffered from years of continuous verbal and physical abuse by her husband. When she left this abusive relationship, Salma’s husband took legal custody of her six daughters. Unable to pay for a lawyer to help her, Salma sought assistance from a LAC run by JCLA. With their assistance, she won custody of her six daughters and received an award for and child support from her husband. “Justice was made and I’m very grateful for this. Thank you to JCLA and JSDF that made this possible” she gratefully concluded.

To tackle these challenges, the project is experimenting with different types of service delivery mechanisms, including:

• Establishment of comprehensive provision of legal aid services through the JCLA network. This is being supported by the referral system implemented with other CSOs; co-location of JCLA legal staff in the offices of other CSOs; and the pro bono lawyers network which will be expanded to include lawyers and other volunteers from poor communities. This coordinated and comprehensive system will replace the ad hoc delivery of services currently in place in Jordan.

• Using mobile legal aid services (part-time offices, regular legal staff visits, cooperation with local CSOs) to bring, for the first time, legal aid services to rural and remote areas of Jordan;

• Development and implementation of eligibility criteria for legal aid, with a sliding scale of payments for those able to pay, thus reserving free services for the most poor and vulnerable. To date, assessments of eligibility of clients were encountered the following challenges with respect to access to justice and legal empowerment for the poorest communities: lack of awareness and understanding of rights and the mechanisms to enforce them; lack of assessing the demand-side priorities of poor communities; limited local community involvement in developing and delivering legal aid services; high costs (lawyer and court fees) associated with accessing justice; a fractured legal aid system that does not provide comprehensive or sustainable services; and poor targeting of services so that services are not provided in priority cases.
done on an individual basis, taking large amounts of time and resources. Once implemented, the eligibility criteria will free resources for counseling and representation services.

• Introduction of an automated case management system for legal counseling and representation cases, which allow for monitoring and evaluation of legal aid services, and allow for the compilation of data and statistics on demand-side of services for poor communities, which can in turn be used for advocacy purposes to advise reform of public sector services.

Ensuring Sustainability

The project is instituting a series of measures through JCLA that will help sustain its services beyond the life of the project. Following is a brief description of each measure:

• Leveraging resources through partnerships and expansion of the pro bono lawyers’ network: This JSDF project’s model is built on that of JCLA’s partnerships with CSOs that involves placement of JCLA lawyers within the offices of NGO partners, which is leveraging the resources and knowledge of these organizations, avoiding duplication of resources and maintaining costs at a minimum level. Through partnerships with the Bar Association and private law firms, this project is building a strong network of pro bono lawyers. In addition, partnerships with law faculties will be established to integrate law students and newly-graduated lawyers into the network, and discussions are already underway with University of Jordan, the largest law faculty.

• Income generation and financial sustainability: The legal services provided to the poor are based on a payment schedule commensurate with the financial capability of the applicant. The project is establishing financial contribution requirements based on the ability of clients to pay. These contributions will be used to support ongoing costs and to finance more cases.

• Community Participation: The participation of poor communities, through measuring the demand-side of services and implementing services at the community level (legal awareness and counseling), will provide community members with a stake in continuation and expansion of legal aid services, thus providing program sustainability.

Next Steps

The project is launching a series of policy advocacy activities to secure government support and to develop strategies to expand the provision of legal aid through the state. While a state-funded legal aid model might not be attainable in the near future due to the financial constraints currently being faced by the government and the global economic climate, some measures can be adopted in the medium term that would increase the support of the government for integrating services provided by civil society organizations. Such measures will be defined through a consultative process, the output of which will include concrete steps and recommendations for legislative amendments to support increased government support and funding for legal aid.

Legal aid services – comprising public information, counseling and legal representation by a lawyer – are an important means to promote greater access to justice for poor persons. When designed and implemented effectively, legal aid can also play a key role in promoting equality and inclusion of poor communities and give them new hope. (Refer to Box 3 to read Nasser’s case).

Box 3- Nasser: Seeking Justice

Nasser (name has been changed to protect the beneficiary), an accountant living in a small province in Jordan, arrived to work one day to find someone had illegally taken out a loan in his name, which could result in his imprisonment. Unable to afford a lawyer, Nasser was referred by another CSO to JCLA, which provided him legal representation. Nasser was able to clear his name of all charges and bring the perpetrators to justice.