



Evaluating the Effectiveness of Government-Sponsored Free Legal Aid Programs from the Perspectives of Beneficiaries and the Need of Social Workers in Cases Transferred to Licensed Lawyers by the Ministry of Justice in Addis Ababa

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Evaluating the Effectiveness of Government-Sponsored Free Legal Aid Programs from the Perspectives of Beneficiaries and the Need of Social Workers in Cases Transferred to Licensed Lawyers by the Ministry of Justice in Addis Ababa

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This is to certify that the thesis prepared by Beakal Ketema, entitled Evaluating the Effectiveness of Government-Sponsored Free Legal Aid Programs from the Perspectives of Beneficiaries and the Need of Social Workers in Cases Transferred to Licensed Lawyers by the Ministry of Justice in Addis Ababa ,submitted in partial fulfillment of the requirements for the Degree of Master of Arts (Social work) complies with the regulations of the university and meets the accepted standards.

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DECLARATION

I, Beakal Ketema , hereby declare that " Evaluating the Effectiveness of Government-Sponsored Free Legal Aid Programs from the Perspectives of Beneficiaries and the Need of Social Workers in Cases Transferred to Licensed Lawyers by the Ministry of Justice in Addis Ababa" is entirely original to me, that all sources used are acknowledged, and that this work has not been submitted to any institution by another person.

Beakal Ketema

Signature

ACRONYMS

AAU: Addis Ababa University

ADR: Alternative Dispute Resolution

EWLA: Ethiopian Women Lawyers Association

FDRE: Federal Democratic Republic Ethiopia

GSLA: Government Sponsored Legal Aid

KI: Key Informant

MOJ: Ministry of Justice

NGO: Non-Government organization

PDO: Public Defender Office

PDRE: Peoples Democratic Republic Ethiopia

TPLF: Tigray Peoples Liberation Front

UNDP: United Nations Development Program

UNODC: United Nations Office on Drugs and Crime

ICCPR: International Covenants for Civil and Political Rights

UNPG: The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems

Abstract

This study investigates the efficacy of government-sponsored free legal aid programs in Addis Ababa, focusing on the perspectives of beneficiaries whose cases have been referred to licensed lawyers through the Ministry of Justice and the need of social workers for its effectiveness. By analyzing the experiences of individuals accessing legal aid services, the research aims to highlight both the strengths and weaknesses of the program. Utilizing qualitative methodologies, the study includes thirty seven participants. Among them, in-depth interviews with fifteen beneficiaries and fifteen lawyers among the list received from FDRE Ministry of Justice and seven key informants capturing rich narratives that reflect the experiences and barriers faced by beneficiaries. Data collected using face-to-face interview to observe respondents body language at the place of their choice. Key themes identified to include the accessibility of legal services, the quality of communication between beneficiaries and legal aid providers and overall satisfaction with legal outcomes. Preliminary findings suggest that while the legal aid program is a vital resource for marginalized populations, significant challenges persist. Many beneficiaries report difficulties in navigating the system, feelings of disconnection from their lawyers and disparities in service quality. These insights emphasize the need for a deeper understanding of beneficiaries' needs and expectations. By amplifying the voices of those directly affected by the legal aid program, this research contributes valuable knowledge to ongoing discussions about legal access and justice in Ethiopia. Ultimately, the study seeks how social worker inclusion assist to inform policy improvements that enhance the effectiveness of free legal aid services and ensuring serving better the communities intended to benefit.

Key Words: *Legal Aid, Beneficiaries, Lawyers*

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CHAPTER ONE

1.1. Introduction

In Ethiopia, the importance of fair justice expressed in different tales and proverbs.

“በፍርድ ከሄደች በቅሎዬ ያለፍርድ የሄደች ጭብጦዬ ”

“One can accept the decision of a judge through litigation in court awarding his/her valuable asset than arbitrarily losing a small portion of food”

It is a proverb with direct meaning to explain the value of having a fair trial. The saying indicates the upper limit of respect our society has for the justice system.

It is conceivable that people are not living at the same economic status. Such inequality shed light on representation at the court of law, where weight of evidence and presentation matters. The rich can hire professionals while the poor unable to afford and surrender the right. It is a major social justice issue led lack of equal right and opportunity for the poor and vulnerable members; beneficiaries (The San Diego Foundation, 2022) To keep the momentum of access to justice, government sponsored free legal aid designed and being implemented in Ethiopia based on economic status. The program encompasses lawyers and beneficiaries in the legal aid spectrum.

There are two types of legal aid service; statutory and voluntary (Lardent, 1990) and Ethiopia follows statutory system. The loopholes in different places filled by alternative dispute resolution mechanisms with their adverse consequences.

The Ethiopian government considering unequal living standard of citizens, (LSMS-Integrated Surveys on Agriculture Ethiopia Socioeconomic Survey (ESS) 2015) and in fulfillment of international laws, recognized the significance of providing free legal aid to those who cannot afford legal representation. By analyzing the experiences of beneficiaries of the government

sponsored free legal aid services, enables to pin point the valuable perceptions into the impact and effectiveness of these programs. Perceiving the challenges faced by individuals in accessing the service, the outcome they achieve and the effectiveness of the service assist in promoting justice and protecting rights.

Beneficiaries of government sponsored free legal aid are women, children, people living with disability, low-income individuals ,returnees and others.

Among the selected NGOs in 2007, the beneficiaries of legal aid were 30,025 (Access to Justice and Legal Aid in Ethiopia –Blog.(n.d.)). EWLA report indicates three in four Ethiopian women are victims of Female Genital Mutilation and the prevalence of physical and sexual violence against women by intimate partner in Ethiopia stands 71% are few to show the limited legal aid coverage comparing the numbers (Ato Ghetnet Mitiku,2015 & Access to Justice and Legal Aid in Ethiopia –Blog.(n.d.)). The recent update by EWLA reveals the beneficiaries reached 300,000 across the country in their 25 years of service (Legal Aid Service – Ethiopian Women Lawyers Association (EWLA), n.d.). According to Addis Ababa Center for Human rights free legal aid office report, in 2023 they entertained 358 cases of different types worth ETB 176,658 (AAU, 2023).

Studies have been conducted about legal aid in Ethiopia. However, more research needed to demonstrate new approaches for statutory legal aid beneficiaries. This research will analyze cases transferred to the registered lawyers assigned by FDRE Ministry of Justice in Addis Ababa and the need of social workers to its effectiveness. Countries allocate budgets for social workers under their justice system to leverage their skill for emotional, psychological and advocacy support in the area (Global Study on Legal Aid Country Profiles, n.d.). The office is the sole assigner of lawyers for the free legal aid service for the licensed lawyers. The power emanates per

Proclamation #1249/2021 mandates every lawyer to provide not more than three cases free of charge per year. So far, cases transferred by the office are civil litigation and few crime cases. Among the cases family, labor and housing litigation topped and followed by compensation. This research will focus on civil matter beneficiaries in allowing their voices to be heard and their experiences to shape the discourse around statutory free legal aid. By stressing the successes, limitations and loopholes, the research target to contribute to the current efforts to strengthen the provision of free legal aid. Understanding the experiences of beneficiaries of the statutory legal aid service has vital role in building inclusive and just society as well as in promoting equal access to justice and safeguarding the rights of citizens.

1.2. Statement of the problem

Statutory legal aid is not a new phenomenon for the contemporary world. Many countries include in their legislations and adopted based on the United Nations legal documents. It is the mixture of the 1st and 2nd generation rights recognized by the United Nations; in 1948 E.C. Universal Declaration of Human rights as freedom of speech, the right to a fair trial, freedom of religion and voting rights and social, economic and cultural rights.

In Ethiopia, under FDRE constitution Article 37, right of access to justice for a justiciable matter is protected. In coordination with ICCPR Article 14 (United Nations, 1966), everyone has a right for a fair trial at court for a justiciable matter in Ethiopia. Subsequently, legal aid is derogated on regulation # 57/1999 Article 49 (Reg No. 57-1999 Federal Court Advocates' Code of Conduct Co, 2012) to provide pro-bono service by lawyers 50 hours per annum for members of the society and governmental or non-governmental organizations who cannot afford a lawyer to be represented. The recent Proclamation # 1249/2021 Federal Advocacy Service Licensing and Administration

Proclamation Article 31(1) amended the regulation to lawyers to entertain up to three cases free of charge.

The provision of legal aid services in Ethiopia appears to take three distinct forms as per Ato Ghetnet Mitiku (2015) These are: mandatory pro-bono services by licensed advocates, legal aid programs run by professional associations or NGOs and legal aid clinics established by law faculties within public universities .(Access to Justice and Legal Aid in Ethiopia –Blog.(n.d.)). In addition to the mandatory service, the legal aid is provided by other actors like Ethiopian Women Lawyers Association, law students and university legal clinics. On the same document, it is indicated that beneficiaries are those vulnerable for socio economic and political problems like women, children, People living with HIV, legally convicted individuals, family cases, land issues, labor cases and others. (Free Legal Aid and Challenges in Civil Cases and Defense Lawyers Office In Ethiopia: Gaps and Solutions ;n.d.)

Access to justice is a fundamental right that ensures fairness, equality, and protection of individuals within a legal system. In Ethiopia, the government has implemented statutory free legal aid programs to provide assistance to individuals who cannot afford legal representation. However, the effectiveness and impact of these government-sponsored initiatives on the beneficiaries' access to justice remain unclear. The Ministry of Justice in Ethiopia set a procedure for lawyers and beneficiaries to follow and report upon completion. However, the office does not have a concrete follow-up how the service is being delivered in addition to the report they receive at time of renewal. Adequacy of the service, unexpected expenses and rejection by the lawyers [witnessed an eligible woman crying at the MOJ saying the lawyer rejected her case and was about to assign another lawyer/ on top of intensity of cases impact towards the beneficiaries did not get enough emphasis.

Studies conducted under Assessment of Legal Aid in Ethiopia: A Research Report By Anchinesh Shiferaw and Ghetnet Mitiku in 2013 about legal aid providers over the country. A subsequent study conducted in 2015 by Ethiopian Lawyers Association and Ethiopian Young Lawyers Association entitled Public Defender's Services in Ethiopia: Assessment of Current Gaps and the Way Forward by a research team. They indicated the shortcomings for providing access to justice and lack of clearly defined criteria to determine beneficiaries for the Public defender office representation. An article wrote by Ghetnet Mitiku entitled Access to Justice and Legal Aid in Ethiopia in 2015 sought the overall legal aid and existing setup.

These studies did not focus about the adequacy and effectiveness of the service in civil matters and the impact on beneficiaries during the process appears overlooked. Beneficiaries surrender their rights and adapt living in the condition of illegality which leads to a conclusion that Justice only serves for those who can afford. On top of this, the lack of social workers in the civil suits that could pacify the relationship among the beneficiaries and legal aid lawyers put the program incomplete. Such irregularities and personal observation of citizens losing interest in the legal issues are the core reasons to conduct this study. The researcher has personal interest in promoting social justice by participating in the sector and ensuring equal access to justice for all individuals. By studying government sponsored free legal aid by lawyers assigned from Ministry of Justice from beneficiaries perspective, contribute to understanding the effectiveness of these program in addressing the legal needs of marginalized and vulnerable members of the society. Such knowledge can help advocate for policies and reforms that enhance access to justice and protect the rights of individuals who cannot afford legal representation.

The research conducted in Addis Ababa, the seat of the Federal Government and a hub of economic and cultural activity, home to a wide range of socioeconomic groups, including vulnerable and

underserved communities. Statutory legal aid serve as a critical mechanism to ensure that these individuals and communities have access to legal representation due to economic barriers that prevented them from navigating the justice system effectively. Therefore, the study try to find to address the gaps of quality of legal representation ; beneficiaries satisfaction with the competence and effectiveness of the legal aid lawyers assigned to their cases; the inequalities in accessing legal aid services based on gender and socioeconomic status; factors contributing for the delay of getting the legal aid assistance for beneficiaries and consequences; the extent of navigating the legal system and exercising rights effectively by beneficiaries ; the need of social workers on filling the gaps in the program; effective monitoring of the service by the Ministry of Justice and out-come of the findings and stake holders collaboration. By addressing these issues, this research provides a comprehensive understanding of the experiences, challenges and outcomes of beneficiaries who are using and have consumed government-sponsored free legal aid in Addis Ababa by lawyers assigned from Ministry of Justice. The findings will contribute to the service by enhancing the effectiveness and inclusivity of legal aid programs and in the end helps to improve access to justice for all individuals, particularly those who are disadvantaged or marginalized within the legal system.

1.3. Research Objective

1.3.1. General objective

To assess the effectiveness and impact of the government-sponsored free legal aid programs in Addis Ababa focusing on cases transferred to licensed lawyers by Ministry of Justice highlighting beneficiaries' perspectives and social worker support.

1.3.2. Specific Objectives

The specific objectives are

- To assess the experience of beneficiaries who have had their cases transferred to licensed lawyers through government-sponsored free legal aid programs in Addis Ababa
- To identify the challenges and barriers faced by beneficiaries in accessing the program and to examine how these challenges influences the effectiveness and efficiency of the government-sponsored free legal aid on cases transferred by MOJ for licensed lawyers
- To evaluate the impact of government-sponsored free legal aid program on beneficiaries' access to justice, the resolution of legal issues, the extent to which beneficiaries' rights protection and how social workers can influence on the overall outcomes achieved through the programs

1.3.3. Research Questions

These research questions aim to explore the awareness, effectiveness, accessibility, quality, outcomes, inclusivity, challenges, and potential improvements of government-sponsored free legal aid programs in Addis Ababa from the perspective of beneficiaries. Addressing these questions can provide valuable insights into the strengths and weaknesses of the programs and inform strategies for enhancing their impact and ensuring equitable access to justice for all individuals in need of legal assistance.

- What is the overall experience of beneficiaries who have had their cases transferred to licensed lawyers through government-sponsored free legal aid programs in Addis Ababa?
- What are the key challenges and barriers faced by beneficiaries in accessing the government-sponsored free legal aid program, and how do these challenges influence the

effectiveness and efficiency of the program in handling cases transferred by the Ministry of Justice (MOJ) for licensed lawyers?

- What is the impact of the government-sponsored free legal aid program on beneficiaries' access to justice, the resolution of legal issues, the protection of beneficiaries' rights, and how social workers influence on the overall outcomes achieved through the program?

1.4. Significance of the Study

Among the reasons to study in this area, my observation of people losing trust on the justice system consists of much weight. Then after , empowering individuals to exercise their rights, resolve legal issues, participate fully in society, its inclusivity from diverse backgrounds such as women, children, persons with disabilities, and those from low-income backgrounds, to identify barriers and challenges they face in accessing legal aid services are the other reason to conduct this study. Afterwards, providing evidence based implications can lead to a positive change in the legal aid system that can attempt to the satisfaction of beneficiaries and promoting a more just and equitable society.

This study benefits individuals with low income, marginalized and vulnerable citizens, victims of human right violations, land dispute victims, laborers and workers and individuals who seeks family law assistance.

Finally this research aims to address relevant issues for

- ✓ Ministry of Justice to formulate policies, regulations and guidelines related to legal aid programs.
- ✓ Ministry of Women, children and Youth Affairs to stress on issues related to gender equality, child welfare and rights vulnerable groups

- ✓ Ministry of Labor and Social Affairs in promoting work place rights, mitigate disputable issues and social issues
- ✓ Ministry of Finance in prioritizing and sustainability of allocating budgets for government sponsored legal aid programs.

CHAPTER TWO

2.1. Literature Review

This literature review framed to analyze the foundation of legal aid and combine existing literature on evaluating the effectiveness of government-sponsored free legal aid programs from the perspectives of beneficiaries and the need of social workers in cases transferred to licensed lawyers by the Ministry of Justice in Addis Ababa. Even though there are researches made on overall legal aid scheme and supplement issues of beneficiaries in a some coverage, further exploring relevant research, scholarly articles, theories and reports review seeks to shed light on the strengths, weaknesses and opportunities for improvement within the programs, particularly regarding their social work aspect.

2.2. The Beginning of Legal Aid

From the period of Hammurabi (1755 to 1750 BC), the intention for making law was to establish justice on earth to hold back the strong from oppressing the weak. In history, strong men were oppressing women and children as well as considering them as an object. As an affirmative action, equity in access to legal aid is set as a right for those who need it. (Vance, 1926). In making the New York first Legal Aid society in 1876 (The Legal Aid Society | Encyclopedia.com, n.d.), The fundamental object was no matter how poor or how oppressed a human person is, shall get justice (McGee, L. (1926). Individuals, not limited but with special needs, women, children, elderly, persons with disabilities, persons with mental illnesses, persons living with HIV and other serious contagious diseases, drug users, indigenous and native people, stateless persons, asylum seekers, foreign citizens, migrants and migrant workers, refugees and internally displaced persons are entitled right to accessing a legal aid (McGee, L. (1926).

Kenya illustrate the potential of web-based legal aid platform, the National Legal Aid Service, which allows beneficiaries to access services conveniently online. (Home page/National Legal Aid Service, 2023) These platforms provide a range of services, including legal aid, community legal services, alternative dispute resolution (ADR), and legal awareness initiatives. Since the establishment of relevant legislation in 2016, such programs have continuously evolved to enhance accessibility and effectiveness. (Publications/National Legal Aid Service, 2024). The service is available for an indigent human being residing in Kenya earning below Ksh. 30,000.00 per month for cases except tax, recovery of debts, defamation, bankruptcy and insolvency. The online application will get response in 48hrs to appeal in case of rejection. (Legal Aid | National Legal Aid Service, 2024)

In Ethiopia, the concept of due process was initially established in the 1931 Constitution Article 23, which proclaimed that no Ethiopian subject could be arrested, sentenced, or imprisoned except in accordance with the law (1931 Constitution of Ethiopia | PDF | Constitution | Ethiopia, n.d.). This provision laid the groundwork for safeguarding the rights of the accused. Subsequently, the revised constitution of 1955, in Article 52, introduced a significant development by stipulating that if a defendant couldn't afford legal representation and cover associated expenses, the court would appoint a lawyer. (The Revised Constitution of 1955 | PDF | Constitution | Ethiopia, n.d.). This marked a step toward a more modern legal system. Even in the 1987 PDRE constitution, the right to legal counsel was selectively granted to those accused of serious crimes. (Selassie, 1966)

While progress in this area has been comparatively slow when compared to other African nations, a pivotal advancement in the right to receive free legal aid emerged with the 1995 FDRE constitution (Embassy of Ethiopia – Brussels, Belgium, n.d.). This constitutional document specified that the accused could choose their representative if they lacked the means to pay for

legal services, and failure of the state to cover these costs would result in a miscarriage of justice. The term "miscarriage of justice" remains somewhat ambiguous, subject to interpretation by justice institutions at all stages. Nevertheless, this provision, applicable to both civil and criminal cases, represents a notable step forward. Additionally, Article 9(4) of FDRE constitution emphasized that international legal instruments, to which Ethiopia is a party, form an integral part of the country's laws. This implies that laws pertaining to legal aid, governed by international agreements, hold equal weight as local laws. In complement to the ratified international legislations, various legal provisions and regulation 57/1999 (Reg No. 57-1999 Federal Court Advocates' Code of Conduct Co, 2012) and 1249/2021 (Yohannes, 2022), have been promulgated to establish clear statutory legal aid frameworks, specifically designed to address the needs of indigent and vulnerable members of the state.

2.3. Legal Aid Frame work

Law is the manifestation of the spirit of the people and legal aid is included to the supra-principle to supplement economically weak citizens to pay for litigation in the justice process.

(i & H, 2017). The statutory legal aid is backed by international and local legal instruments.

In Ethiopia, we have FDRE Council of Ministers Regulations No. 57/1999 Federal Court Advocates' Code of Conduct Regulations (Reg No. 57-1999 Federal Court Advocates' Code of Conduct Co, 2012) and Proclamation No. 1249/2021 Federal Advocacy Service Licensing and Administration Proclamation as per Article 100 (1) of the latter, the two shall continue to apply as they are not inconsistent with this proclamation and replaced by other laws. These laws are part of the instruments in providing statutory legal aid according to the UNPG stipulates that states should ensure that legal aid provided to persons living in rural, remote and economically and socially disadvantaged areas and to persons who are members of economically and socially

disadvantaged groups ((UNITED NATIONS: United Nations Office on Drugs and Crime, 2013) (UNPG Principle 10).

2.3.1. Legal Aid

The United Nations Development Program in 2016 defined legal aid as legal advice, assistance and representation for persons detained, arrested and so charged with crime related cases at no cost for those without sufficient means or when the interest of justice so require. (Global study on Legal Aid/ United Nations Development Program, n.d.).

The national legal aid service of Kenya defined Legal aid is the provision of free legal services to persons who cannot afford to pay for legal services of a lawyer to conduct a case. (Legal Aid | National Legal Aid Service, 2024)

Black's law dictionary defines legal aid as a free or inexpensive service for those who cannot afford full price (Legal Aid, n.d.) . The notion 'legal aid' is a social service that provides access to legal assistance for individuals that are experiencing disadvantage and unable to afford private practitioners, helping to ensure access to justice for everyone regardless of their socioeconomic means, background, or capabilities (National Legal Aid, 2023). Hence, the term Legal aid interpreted narrowly to mean state sponsored legal representation. The power to define, modify, interpret and deny the right is left to the State (i & H, 2017). To be specific, State will exercise the power in defining the right emanates for fair trial and infer in different legal documents starting from the constitution. In line with this definition, legal aid needs state's interference to practice in its full capacity.

Legal aid, in its common sense, conveys the assistance provided by the society to its weaker members in their effort to protect their rights and liberties, bestowed upon them by the laws. (Legal Aid in India, n.d.) It refers to the provision of free or low-cost legal assistance and representation

to individuals who cannot afford private legal services. The core purpose is to ensure equal access to justice for all, regardless of socioeconomic status, background, or personal capabilities. This is seen as a critical social service that upholds the principles of equity and equal rights under the law. Legal aid programs are often supported by government initiatives or nonprofit organizations to bridge the access gap to the justice system for disadvantaged and marginalized populations. It is implemented by lawyers either by remuneration or free of charge. The advocacy practice in Indonesia extended for the purpose of humanity and awareness of the society to understand their rights and duties and utility of the legal aid itself. Lawyers who perform such task are considered noble for reaching out for needy (i & H, 2017). Such consideration and recognition motivates lawyers and incentive for their diligence in giving the service to have inclusive margin in working with social workers and counselors to help beneficiaries in need. It is indicated that law universities emphasis found important in preparing students in being lawyer than go to make money (Eva Maria Melis & Victoria Esquivel Korsiak, 2016)

2.3.2. Government Sponsored Legal Aid

In some legal system, the legal aid service funded by either local or external sources. (Does legal aid reduce poverty?(n.d.)) . On the global study by UNODC, it affirms that states allocate in their annual justice budget for children and disadvantaged population and collect support from other local and external donors to cover the cost. (Global Study on Legal Aid Country Profiles, n.d.) The Lilongwe declaration (Topic 7) (The Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa, 2004) government to identify fiscal mechanisms for channeling funds to the legal aid fund. They can extend by recovering costs in civil legal aid cases where the legal aid litigant has been awarded costs in a matter and channeling such recovered costs into the legal aid fund. Taxing any award made in civil legal aid cases and channeling the moneys paid

into the legal aid fund or fixing a percentage of the State's criminal justice budget to be allocated to legal aid services. To guarantee sustainable legal aid throughout Africa, there needs to be government and private funding, infrastructure, long-term plan, community ownership arrangements. The ultimate duty will rest to the government and its institutions (Topic 9).

The Indian legal aid committee in 1949 put the concept of Dharma (Provision of Legal Aid) wherein the state is duty bound and under obligation to take care of the welfare of the individuals in his jurisdiction. As a result the committee gave three suggestions:

- Legal aid is a service and not charity and an obligation on the state
- Legal aid is equally important and
- Legal aid should be given to both the parties in the proceedings.

(Genesis of Legal Aid in India | via Mediation Centre, n.d.)

The UNPG indicates that, States should guarantee the right to legal aid in their national legal systems at the highest possible level, including, where applicable, in the constitution" (Principle 1). In subsequent principle further provides States should consider the provision of legal aid their duty and responsibility. To that end, they should consider, where appropriate, enacting specific legislation and regulations and ensure that a comprehensive legal aid system is in place that is accessible, effective, sustainable and credible. States should allocate the necessary human and financial resources to the legal aid system.

In subsidy of legal aid, the conventional justification for government-provided legal aid is a utilitarian proposition - the state's duty to offer legal assistance exists to the extent it maximizes overall social welfare. Legal aid is seen as an instrumental good, valued for its capacity to achieve desired social outcomes, such as changing laws or redistributing power. However, access to legal

aid itself is viewed as secondary (Breger, 1982). In contrast to utilitarian justifications that focus on the broader societal benefits of legal aid, the non-utilitarian perspective emphasizes the intrinsic value of access to justice as a fundamental entitlement of citizenship. It underlines the state's responsibility to guarantee this right through the provision of comprehensive statutory free legal aid schemes.

2.3.3. Statutory Legal Aid

Mandatory pro bono involves lawyers of good faith on both sides who share the goal of the legal profession meeting its professional obligations.

The rationale for mandatory pro bono rests on three main pillars as per (Lardent,1990):

- The significant unmet need for legal services, especially among the poor as demonstrated by empirical research. This has been exacerbated by factors like rising poverty, societal complexity and stagnant legal aid funding.
- Concerns about the legal profession's increasing commercialization and the need to reaffirm its duty to serve the underserved, both as officers of the court and holders of a privileged monopoly on legal services.
- Disappointment with the legal profession's voluntary pro bono contributions which have fallen short of expectations.

Though these justifications for mandatory pro bono are compelling, it is unclear if mandatory programs are the sole or most effective solution. Assessing the growth of voluntary pro bono and outcomes of mandatory proposals in recent decades is necessary to determine the appropriate path forward (Lardent, 1990).

2.3.4. Statutory Legal Aid in Civil Cases

Legal aid alleged to reduce poverty. (Does Legal Aid Reduce Poverty? n.d.) Its conception in tackling poverty depends on conveying adequate information to beneficiaries about their rights and entitlements and their avenues for a recourse. Strong and fair institutions that collaborate to collect, assess and resolve disputes (Eva Maria Melis & Victoria Esquivel Korsiak, 2016) implementation would justify that the justice system works for both rich and poor (Haider, Maghani, Clara, n.d.) In beating poverty, legal aid ensures citizens have a voice and enroute for redress (Eva Maria Melis & Victoria Esquivel Korsiak, 2016).

UN resolution upholds that, by promoting citizen engagement and strengthening partnerships, this approach aims to empower individuals, especially marginalized groups, to effectively access the legal system and uphold their rights. Member States are encouraged to take concrete steps towards this goal by recognizing the crucial role of an informed and participating public in realizing equal access to justice for all. It includes raising awareness among citizens of their legal rights and entitlements, providing accessible information on the availability of legal aid programs, enabling and supporting the involvement of civil society organizations in the delivery of legal aid services, facilitating dialogue and cooperation between government, the legal community and the public to identify barriers to justice and develop responsive solutions (Resolution 25/2 Promoting Legal Aid, Including through a Network of Legal Aid Providers, n.d.)

Since the service targets vulnerable members of the society, they are exploited for right based violence. Gender bias and discrimination by justice sector officials, (Haider, Maghani, Clara, n.d.), cases on wrongful termination and failure to pay full wages, eviction from housing, debt, family problems like divorce, unresolved legal problems influence people who are already poor and drags those who are near to poor (Prettitore, 2014).

Statutory pro-bono service is important for a country like Ethiopia (Ghetnet unpublished 2018). Even if the voluntary free legal aid services have potential in serving and attempting to fill the existing gap, they are facing challenges among legal aid providers in civil cases like limited accessibility, scattered providers, similar cases and financial constraints. (Anchinesh Shiferaw and Ghetnet Mitiku, 2013)

2.3.5. Legal Aid Provision

UNPG distinguish between 'legal aid provider' and 'legal aid service provider'. The legal aid provider is the individual who provides legal aid, for example, a lawyer or paralegal. The legal aid service provider is the organization that provides legal aid, which may, for example, employ the legal aid provider (UNITED NATIONS: United Nations Office on Drugs and Crime, 2013)

There are four models to provide legal aid services;

1. Public defender schemes: that gives advice, assistance and representation by lawyers and paralegals. It will be funded by federal governments or civil society organization.
2. Private Lawyer Scheme: provided by private lawyers via contract with Public defender office or legal aid authority, **statutory** or assignment by judge to a specific case
3. Paralegal schemes: provide service on behalf of a lawyer by their capacity
4. Specialized legal aid service providers: provide services for targeting certain groups people in attack, detention, pre-trial stage and extension under the facilities by judicial bodies.

(Model Law on Legal Aid in Criminal Justice Systems with Commentaries, n.d.); pp 81 & 82)

The Lilongwe declaration (Topic 7) suggest in diversifying legal aid service providers by maximizing the number to reach for hundred thousand of people in need from students, paralegals and legal assistants. It recognizes the complimentary legal aid provision from assisting in getting

access to justice to giving highlight about the law makes it effective. For this topic, advocates or lawyers are statutory legal aid providers.

2.4. The Free Legal Aid in Ethiopia

Access to justice is a universally recognized element of human right. (United Nations, 1948) Yet, for many individuals, particularly those from disadvantaged backgrounds, the ability to navigate the legal system and secure legal representation remains a significant challenge.

The FDRE constitution recognizes access to justice as a right. Article 37 of the constitution (Embassy of Ethiopia – Brussels, Belgium, n.d.) guarantees access to justice to every Ethiopian citizen. In sub Article 1 it stipulates,

Everyone has the right to bring a justifiable matter to and obtain a decision or judgment by, a court of law or any other competent body with judicial power.

Based on this article, the fundamental premise is that all individuals have the right to bring a legitimate grievance before the law and obtain an appropriate remedy. To uphold this principle, the establishment of effective mechanisms for legal enforcement and rights protection is crucial.

This constitutional guarantee of access to justice can be seen as the underlying rationale for providing statutory free legal aid. By ensuring disadvantaged members of society have the means to utilize the formal dispute resolution processes of the law, legal aid serves to safeguard their fundamental rights and entitlements. From this perspective, the justification for legal aid does not primarily stem from utilitarian considerations of social welfare maximization. Rather, it is grounded in a rights-based approach that views access to legal recourse as an inherent entitlement of citizenship. The state's provision of legal assistance is an obligation required to make this constitutional right to justice truly meaningful and accessible for all. While civil matters legal aid is not expressly mentioned in the constitution, this and subsequent article 37(2) argues that the

constitutional guarantee of access to the law and legal remedies should be the foundational basis for legal aid programs, rather than a more instrumentalist focus on achieving socially beneficial outcomes. The state's duty to provide legal aid flows directly from its responsibility to uphold the fundamental rights and equitable access to justice enshrined in the constitution. In combination of the two sub articles, statutory legal aid can intervene on behalf of indigent individuals in civil matters. This allows the concerns of these vulnerable groups to be voiced and addressed through the legal system, even if individual beneficiaries lack the means.

2.4.1. Implementing Free Legal Aid

Representation at the court of law is one of the rights recognized by various legal instruments. Simon posit the arguments of academicians that says courts were looking beyond fair trial as a source for the right (Simon Rice ,2009). They put the right is derived from State institutions, as it cannot stand by its own(i & H, 2017). This institution in Ethiopia is FDRE MOJ.

FDRE Ministry of Justice as per proclamation # 916/2015(የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ፌዴራል ነጋሪት ጋዜጣ FEDERAL NEGARIT GAZETTE of the FEDERAL DEMOCRATIC REPUBLIC of ETHIOPIA በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ, n.d.) defines powers and duties of the executive organs of FDRE article 16 (11) represent citizens who are unable to institute and pursue their civil suits before federal courts. The power reduced to assign up to three cases per annum to licensed lawyers without equal consideration as paid ones. The lawyers will discharge their professional duties free of charge to get their license renewed.

The statutory free legal aid in Ethiopia provides a comprehensive understanding of challenges, gaps, and potential solutions within the legal aid landscape.

In Ethiopia, under Proclamation No. 199/2000 Federal Court Licensing and Registration , advocates are authorized to provide legal aid service. On Article 2(2) , the lawyer will prepare

- ✓ any type of contracts
- ✓ memorandum of association or dissolution
- ✓ representing the client in need
- ✓ all types of legal consultation and related issues.

Lawyers for legal aid are ethically bound in performing the service. Some of the duties are;

- ✓ no differentiation between clients that pay or pro bono
- ✓ must give the client a chance to explain the issue freely and in correct manner
- ✓ no award or gift is allowed from the client
- ✓ where there is a conflict, the justice office will give final decision.

The regulation set a penalty on those who fail to perform without a valid reason to pay fine up to cancel the license. (Reg No. 57-1999 Federal Court Advocates' Code of Conduct Co, 2012)

The concept in providing legal aid benefit the lawyer; personal satisfaction, enhance his legal skill, broaden contacts, good will and referral.

2.5. Theoretical Framework

In examining the efficacy of government-sponsored free legal aid programs from beneficiaries' perspectives, especially cases transferred to licensed lawyers, various theoretical frameworks and models can be employed to provide a deeper understanding of the dynamics involved. This theoretical framework can help in conceptualizing and analyzing the multifaceted aspects of the

efficacy of government-sponsored free legal aid programs, especially from the beneficiaries' perspectives when cases are transferred to licensed lawyers.

2.5.1. Social Justice Theory

In the context of Social Justice Theory, legal aid plays a crucial role in rectifying social inequalities and ensuring justice for marginalized groups. (Center for Economic and Social Justice, 2012). Social Justice Theory, with its emphasis on the fair distribution of power, resources, and opportunities, provides a relevant lens for examining the role of statutory free legal aid service in the provision of legal aid in Addis Ababa. The Ethiopian government's efforts to mandate pro bono service for legal professionals aim to uphold the principles of fairness, equality, and universal access to justice, which are particularly crucial in the context of the capital city's diverse and often marginalized populations.

Legal professionals working within the free legal aid program in Addis Ababa needs support of professionals that adopt a client-centered, culturally sensitive approach, tailoring their services to the unique circumstances and needs of the beneficiaries. According to Simon Rice, dynamism is expected for a lawyer in solving issues at earliest stage or working in avoiding problems with the society (Rice, 2021). Evaluating licensed lawyers within the social justice context in Addis Ababa highlights their moral duty to contribute to the common good, particularly through compulsory pro bono service. Recognizing the legal profession's pivotal role in promoting equal access and addressing disparities in legal representation, active participation in statutory pro bono programs becomes a professional and ethical imperative for lawyers practicing in the capital city. By fulfilling their pro bono obligations, these lawyers in Addis Ababa not only uphold the values of fairness and equality but also build public trust and advocate for policies that reinforce such

initiatives, further strengthening the connection between the legal system and social justice in the city.

This theory applied to analyze cases for advocating systemic inequalities, empowering vulnerable groups and upholding the ethical responsibilities of the legal profession. These initiatives demonstrate the transformative potential of pro bono service in advancing social justice and ensuring equitable access to the justice system in the capital city. In the experience of pro bono cases transferred to lawyers, social justice identified as a gap by beneficiaries. It requires intervention by non-legal professionals like social workers to advocate right based challenges. The inexistence of social justice poses significant challenge for free legal aid beneficiaries.

2.5.2. Crisis Intervention Model

The crisis intervention model is a proactive, time-limited approach that aims to provide immediate support and stabilization to individuals or families facing acute legal, financial, or social challenges. (Wang & Gupta, 2023, Crisis Intervention and Treatment Approaches | SWTP, n.d.)

This model is particularly relevant for statutory legal aid beneficiaries in Addis Ababa, who may experience a range of crises that require prompt intervention.

The model emphasizes the rapid identification of the presenting problem, assessment of immediate needs, and mobilization of resources to address the crisis. This ensures that beneficiaries receive timely assistance to navigate legal issues, access emergency financial support, or connect with relevant social services (Beaumont, 2024). The approach is designed to provide time-limited support, typically lasting from a few hours to a few weeks. The goal is to stabilize the situation and help the beneficiary regain a sense of control and self-sufficiency, rather than providing long-term, ongoing care. (Roberts & Ottens, 2005) Effective crisis intervention requires coordination and collaboration with various service providers, such as legal aid organizations, social workers,

mental health professionals, and community-based organizations (dennisd3, 2024). This integrated approach ensures that beneficiaries receive comprehensive and holistic support (Amell, 2024).

The model aims to empower beneficiaries by involving them in the decision-making process and helping them develop coping strategies and problem-solving skills (Flarey, 2024). This approach promotes long-term resilience and reduces the likelihood of future crises. After the immediate crisis is addressed, the model involves follow-up support and referrals to longer-term services, such as ongoing legal assistance, counseling, or community-based programs. This ensures that the beneficiary's needs continue to be met and that they have access to sustainable support.

The crisis intervention model recognizes that turning points in people's lives generate significant energy that can be harnessed to tackle problems, resolve difficulties, and move beyond previous barriers (Wang & Gupta, 2023). The role of the crisis intervention team is to help channel this energy positively before it begins to dissipate as the crisis subsides.

This model applied in discussing the case studies by analyzing the experience of the service, the challenge with the lawyers and how they perceive the service. Cases are led to free legal aid lawyers after beneficiaries have exhausted various options and are eager to win. Any rejection due to improper waste of time and inability to explain for less understanding of their cases leads to challenging experience. The absence of crisis intervention model is among the challenges faced by beneficiaries at free legal aid.

2.6. Legal Aid and Social Work

It is presumed that social workers involve in legal aid for the non-legal support (Zajac, n.d.). According to a study conducted on countries profile for legal aid by UNODC, social workers are included in the legal aid scheme with financial support either from the government or from other

sources. Among the 49 countries in the study, 06 African countries of them included the social worker support in their justice budget allocation. (Global Study on Legal Aid Country Profiles, n.d.) Most of beneficiaries are children, disadvantaged population and those who have financial threshold. `

Social workers collaborate with legal professionals to assist clients with legal issues, ensuring access to representation and support. The collaboration is mutually beneficial, with social workers contributing expertise in client needs and legal professionals providing specialized legal knowledge. Together, they develop comprehensive plans integrating social and legal support to empower clients to overcome legal challenges and access justice. This collaboration is essential for providing holistic, client-centered care (dennisd3, 2024). The seven functions on which social workers spent most of their time were advocacy, information, collaboration, referral, problem-solving counseling crisis counseling and community education. (Andrews & Tarver, 2020)

There is a demand for social work for beneficiaries in court setup. In each jurisdiction, social worker services to holistically address the impact of family violence. This service aim to improve justice outcomes for individuals that experience family violence and address the underlying causes to reduce the likelihood and severity of further instances of domestic violence. In the absence of Legal aid, representation to attain legal redress individuals at high risk are vulnerable to the impacts of domestic violence. (National Legal aid, 2023) This raises questions for legal programs without social workers, as crisis counseling and evaluation require clinical expertise. Legal clients are often highly distressed due to major losses or threats. Social workers can help clients manage emotions while attorneys focus on legal issues, providing integrated support (Boys et al., 2014). Without the availability of social work services, the emotional and social aspects of the case may be ignored; more likely, they would be handled or mishandled by an attorney with no training in

crisis intervention (Zajac, n.d.). Clients in crisis are better served if legal as well as psychosocial aspects of their problems are addressed by skilled professionals. Attorneys benefit from the presence of a social worker in that they have more time to concentrate on legal issues and are less likely to experience the frustration that comes with encountering repeated crises for which they have no training. (Andrews & Tarver, 2020, Boys et al., 2014)

2.7. Beneficiaries of Free Legal Aid

Beneficiaries of legal aid face challenges like insufficient protection, courtroom fear, perceived time wastage, fear of punishments for mistakes, limited knowledge, financial constraints, lack of confidence to speak out, cultural norms, fear of future violence and losing the case. (Haider, Maghani, Clara, n.d.). Multiple encounters in a corrupted society make beneficiaries exposed to surrender their rights. However, the government sponsored free legal aid revived their hope and resolve their issues (Eva Maria Melis & Victoria Esquivel Korsiak, 2016). Access to free legal aid is influenced by a variety of factors that shape beneficiaries' experiences and present significant challenges in their pursuit of justice in different places.

Experience

Awareness and understanding: in experiencing civil legal aid by beneficiaries, awareness of the program held much weight to get the service. From the study conducted in the United States, 44% of the respondents do not aware the program and 30% are not certain lawyers could resolve their problem. (Justice Gap Full Report 2022.pdf / Powered by Box, n.d.) Especially elderly people do not ask for legal aid either they do not have money or they don't even realize they have a legal issue. Legal aid program help adults for housing eviction issues, elder abuse and neglect cases for those in need free of cost. (Colorado, 2021). From the client stories, narrated a friend directs them

when they have an issue that is legal and able to resolve. (Justice Gap Full Report 2022.pdf / Powered by Box, n.d.)

Socio economic barriers: People do not tend to seek legal aid because they do not have documents that enable them to litigate for their rights in the court proceedings. Among the issues that has legal in nature, only 25% of the cases sought in the study made (Legal,2024) Besides, on the same study knowledge and attitudinal barriers that persist hostile for people to ask for legal assistance. ((Justice Gap Full Report 2022.pdf / Powered by Box, n.d.) Among the beneficiaries in a study, 35% in South Africa, 20% in Kenya and 11% in Burkina Faso received the service with proper documents for their civil conflicts.(Global Study on Legal Aid Country Profiles, n.d.)

Cultural, gender and geographic factors: the physical distance of the legal aid office, inaccessible transportation and costs complicate to access the service. Stigma around seeking legal help or cultural norms may prevent individuals from reaching out for assistance. In Greece it is not socially encouraged for women to seek legal aid and to the worst in Czech Republic no specialized legal aid service for women (Global Study on Legal Aid Country Profiles, n.d. P 298) Beneficiaries may fear being judged or viewed negatively by their community for seeking external help which can prevent them from accessing necessary services.

Fear of retaliation: Beneficiaries may fear revenge or negative consequences from opposing parties or the community if they pursue legal action and less trust in court system. In Kenya and Burkina Faso less than 5% and in South Africa less than 12% of the respondents have much trust in court system.(Global Study on Legal Aid Country Profiles, n.d. 136,86 & 164)

Outcome of legal aid: Beneficiaries express appreciation for the opportunity to access legal representation that they could not afford otherwise. This access has enabled them to pursue justice

in various legal matters and felt empowered.(Demis, 2022) On the contrary, some frequently mention frustration with delays in the legal process for cases that needs urgent decisions.

Challenges

Economic barriers: for low income individuals, the cost of litigation can be prohibitive for transportation, court costs and other expenses. (Legal, 2024)

Lack of information and resources: navigating the legal system can be complex for those without access to adequate information and resources. (Justice Gap Full Report 2022.pdf / Powered by Box, n.d. P 13-16)Many individuals are unaware of their rights or how to access legal aid, further exacerbating disparities in access to justice (Global Study on Legal Aid Country Profiles, n.d. p 174 and 179).

Systemic Discrimination: Black and other marginalized communities often face systemic discrimination within the legal system, including racial profiling, biased judgments and disparities in legal representation. These injustices undermine trust in the legal system and perpetuate inequalities. (Legal, 2024) bridging the gap. In South Africa, lack of confidence is deterring women to access legal aid service. (Global Study on Legal Aid Country Profiles, n.d. P 174)

Quality of legal representation: The quality of legal aid services vary significantly. While some beneficiaries receive competent representation, others may encounter lawyers who are overworked or lack the necessary experience, leading to inadequate legal support. (Global Study on Legal Aid Country Profiles, n.d. P 174)

Communication Barriers: beneficiaries often struggle to understand the legal processes and their rights which lead to a frustration and lose hope on the legal system. Lawyers on the other side

found it difficult to effectively communicate complex legal concepts to clients who may not have a legal background.(Pro Bono innovation fund, n.d.)

These experiences and challenges are collected and converted as a literature from different data, graphs and statement related with the topic. While there are multiple researches made with regard to access to justice, free legal aid, funding and state funded legal aid services, did not give emphasis the perspective of beneficiaries. Clients' success story was accompanied for the studies made by legal aid providers, researchers and universities. As per the attempt of the researcher, it was difficult to find literatures directly assess from the beneficiaries perspective in general and civil cases in particular in Ethiopia. Thus, this research is found necessary to fill this gap by citing the beneficiaries perspective for the government sponsored free legal aid on cases transferred to licensed lawyers in Addis Ababa.

In conclusion, government-sponsored free legal aid in Addis Ababa reveals the complex and multifaceted nature of the topic. The reviewed articles shed light on the importance of providing accessible and equitable legal aid services to disadvantaged individuals in pursuit of social justice. The findings highlight challenges such as limited resources, inadequate awareness, bureaucratic barriers, and cultural factors that impact the effective implementation of these programs. However, the literature also emphasizes the potential positive impact of legal aid in promoting equal access to justice, empowering marginalized communities, and addressing systemic inequalities. Further research is warranted to explore innovative approaches, evaluate program effectiveness, and identify strategies for overcoming the identified challenges to ensure the realization of social justice through legal aid initiatives.

CHAPTER THREE

3.1. Research Methodology

3.1.1. Research design

This study employed a qualitative research design to explore the experiences, perspectives, and meanings surrounding access to legal aid. Qualitative methods are well-suited to provide in-depth insights into the beneficiary experience, shedding light on their challenges and needs (Creswell & Creswell, 2018). Qualitative inquiry is essential in this context, as it enables the research to uncover unexpected findings and address overlooked aspects of legal aid access. By delving into the nuances of beneficiary experiences and the contextual factors shaping these programs, the study will shed light on gaps and inform policy decisions for improvement (Tenny et al., 2022).

The Advantage of Case Study

The research utilized a case study approach to gain a comprehensive understanding of free legal aid programs, including the experiences and challenges faced by beneficiaries. Case studies enabled an in-depth analysis of the contextual factors and dynamics shaping these programs, as well as an evaluation of their outcomes (Crowe, 2011).

By adopting a single case study design, the research will contribute to evidence-based decision-making; inform policy development and enhancing the effectiveness and equity of legal aid services. The intrinsic case study approach allowed for comparisons and contrasts across the data, ensuring the trustworthiness and validity of the findings through data triangulation (Tenny et al., 2022). This holistic understanding of legal aid as it exists in practice will inform efforts to address program challenges and identify best practices.

3.1.2. Study Area

The study was conducted in Addis Ababa, the vibrant capital city of Ethiopia. This strategic location was purposively chosen to offer the research diverse perspectives and insights. As the seat of the federal government and FDRE MOJ, Addis Ababa provided the researchers with unparalleled access to relevant offices and key informants. This proximity to the center of power facilitated the exploration of the research topic. The vibrant mix of socioeconomic status, advancements and media exposures offers a realistic platform to study the interactions among the city's multicultural audience. The unique characteristics of Addis Ababa, including its diverse population and status as the country's political and administrative center that holds vulnerable and underserved communities made it the preferred location for this exploratory study. This setting enabled the researchers to access a wide range of perspectives and experiences related to the research topic.

3.1.3. Participants of the study

The study aimed to gather a comprehensive understanding of the GSLA (Government Sponsored Legal Aid) program by including three distinct groups of participants:

Free Legal Aid Beneficiaries in Addis Ababa: The first group consisted of GSLA beneficiaries residing in Addis Ababa. This diverse group included individuals of both sexes who had either used the legal aid services in the past or are currently utilizing it. Their experiences, challenges, and observations regarding the gaps in meeting their legal needs were at the core of the research.

Legal Aid Lawyers: The second group comprised lawyers who played a key role in the free legal aid program assigned by the Ministry of Justice (MOJ). These participants were contacted without prior knowledge for their experiences, understandings and perceptions of the program. They were

asked to share their overall experiences, challenges, cooperation and observations about the opportunities and gaps in the program.

Key Informants from MOJ and AAU Legal Aid Office: The third group included key informants working at the MOJ and the AAU (Addis Ababa University) legal aid office. Their insights into the GSLA program, the relationships between beneficiaries and lawyers, cooperation, complaints and areas for improvement were critical to the study.

By including these three diverse groups of participants, the research aimed to gain a comprehensive view of the GSLA program, capturing the experiences and perspectives of the beneficiaries, the lawyers providing the services and the institutional stakeholders overseeing the program. This multi-faceted approach enabled the researchers to uncover a holistic understanding of the program's successes, challenges and opportunities for enhancement.

Inclusion criteria

Beneficiaries with civil cases assigned before a month up to one year that could tell the existing practice and those consumed and living with the outcome ; Civil law lawyers who reports the status of their cases during annual renewal of their license; Officers at MOJ that assign lawyers and monitor the service and AAU legal aid office that can share their best practice to recommend.

Exclusion criteria

Similar narratives and experiences were avoided to reduce the potential redundancy of information and Beneficiaries with criminal cases.

3.2. Sampling

This exploratory research used purposive non-probability sampling to examine the statutory legal aid in the society. Non-probability sampling allows researchers to efficiently target specific groups or communities. This is particularly important in Addis Ababa, given its diverse and dispersed

population requiring legal aid. Non-probability sampling was cost-effective and timely, facilitating a deeper exploration of the experiences, perspectives, and needs of the research participants. Additionally, it provides flexibility in selecting research participants, enabling a more dynamic and responsive research approach.

Purposive sampling was used in this study to accommodate the theoretical focus. The current legal aid coverage at the courts is in thousands across all cases. Consequently, purposive sampling is selective; with the researcher choosing participants aligned with the research objectives.

The target population for the study is government-sponsored legal aid beneficiaries who are transferred to licensed lawyers in Addis Ababa whose age ranges from 18-56. The sample size was determined based on the guidance provided by (Creswell & Creswell, 2018) and the inclusion and exclusion criteria. The age range captures young adults and middle aged individuals that can provide consent independently and encompasses a diverse group with varying experience, challenges and experience. Since data saturation is crucial in qualitative research, diverse age range can lead to a comprehensive understanding of the research topic.

The study exclude criminal cases as it only deals with person charged that have a right to be represented by a lawyer of his own choice.(ICCPR Article 14(3) (d))(United Nations,1966). Also criminal cases are only dealt in court system in Addis Ababa and there is Social Workers office in First Instance courts set-up unlike civil cases.

Purposive sampling enables the selection of participants according to specific criteria that align with the research goals. The method targets individuals with direct experience in legal aid services, legal professionals, and program administrators. It facilitates the customization of data collection methods to meet the study's unique requirements, allowing for a thorough examination of the subject matter.

This exploratory qualitative study also employed critical-case sampling to navigate the experiences, challenges, and gaps. The researcher approaches to 75 civil cases beneficiaries that are available in Addis Ababa at the time of the study from the list received from MOJ. However, 15 were volunteered for the interview who have diverse experience. There were about 30 lawyers contacted by the researcher from the list received from MOJ. Again 15 lawyers chosen for the in-depth interview. Meanwhile, the objective of this study is to examine the experiences of GSLA beneficiaries rather than generalizing about the study respondents. Thus, the study adopted purposive and case sampling to serve a specific need or purpose.

3.3. Data Collection Methods

In-Depth Interviews were used to gather information free from bias. This method allowed interviewees the freedom to tell their story and shape the questions based on their responses. The in-depth interviews also helped introduce the research area of interest from the perspective of the interviewee. (Rutledge & Jerri Lynn Hogg, 2020)

The interviews were conducted using a voice recorder and the semi-structured questionnaires translated into both English and Amharic languages after obtaining respondents' consent. The questionnaires were distributed to researchers, peers and colleagues to have a pre-test before conducting. A face-to-face interview is preferred to observe respondents body language. It took the researcher forty five days in interviewing the participants. Translating the exact terminology found challenging.

The in-depth interviews were conducted with lawyers and legal aid beneficiaries who had direct involvement. The interviews revealed perspectives on service delivery, including the quality of

representation and areas for improvement. The places and times of the interview were chosen by the respondents. Allocating their residences and meeting in time was another challenge.

Key informant interviews made to MOJ officers and AAU legal aid office. They are chosen strategically, considering their ability to provide insight about both the group and phenomenon of study (Tremblay, 1957)

- Ministry of Justice Officers

Interviews with MOJ officers yield insights into policy, guidelines and resource allocation, revealing program decisions and implementation challenges. They evaluate program effectiveness, identify improvement areas and gather systemic feedback through data analysis. Additionally, MOJ officers' perspectives shape program design, guiding policy changes, resource allocation and streamlined delivery.

- AAU legal aid office

Legal clinics specialize in providing legal aid to underserved populations, offering firsthand insights into client challenges and experiences with free legal aid programs and serve as an alternative for beneficiaries. They assess program effectiveness, identify gaps and suggest improvements. Key informants interviews help uncover barriers like bureaucratic hurdles, informing policy changes to enhance access and support for vulnerable individuals that overflow from GSLA program.

- Observation

The researcher informed participants of the research the purpose of his presence. During the time of meeting, the researcher resembled like the community without lessening their value, culture, identity and existing status. Tried to avoid constant reminders of facial expression of why he is with them and used communication skills.

The researcher started by asking beneficiaries the status of their cases and listened to the story in full without interruption. While narrating, they started from the scratch. Especially when they understood someone was listening their story attentively, were happy. The researcher observed the facial expression, gesture and emotion like crying, emotions and fear during the face to face interview. Some of them expect further assistance on their case from the researcher even on a concluded case (Creswell & Creswell, 2018).

The legal aid lawyers were very happy for getting a chance to vent out their feelings and were cooperative.

The officers at the MOJ were welcoming however busy in meetings and was challenging to enter to their office unless they came down to meet at the lobby. The AAU legal aid center was helpful though they were very busy at time of visits.

3.4. Data Analysis Method

In the analysis, the researcher reviewed the transcribed notes taken during the interviews, listened to the recordings, and examined the cases and observations. The contents were then summarized with introductory notes and elaborated on the emerging themes before being broken down into the cases offered and related sub-topics.

The themes were created using axial coding, which highlighted the program's impact on the beneficiaries. Each of the themes was contextualized in the literature, emphasizing access to justice, statutory legal aid, legal instruments and definition of beneficiaries and lawyers. Further analysis focused on the effects of missing court appointments, legislation, interpretation and interventions gaps, countertransference on the researcher, reasons for conflict in work area, non-existence of social workers and the overall effectiveness of the program.

Case analysis for the complex and multifaceted issues , explained how to acknowledge the existence of challenges and experiences and use inductive approaches to explore (Browes 2015). Since the study used narrative approach, verbatim interview extracts from the interviews were used to show the respondent's actual experiences and interpretations of the data in the discussion unit.

3.5. Ethics

The researcher applied utmost caution to avoid harm for parties to the study including self. For every communication, ascertaining informed consent up to the right to withdrawal from the research is mandatory. Keeping confidentiality and anonymity of the participants and refrain from any deceptive activities applied.

3.6. Credibility

Credibility often defined as the degree to which the results of qualitative research are believable and trustworthy, reflecting the true experiences and perspectives of the participants. (Morrow,2005) The research focused on the participants perspective in ensuring the voices of beneficiaries are authentically captured through in depth- interview, key informant interview, observation, case studies and document analysis. Employed rigorous analysis to triangulate and validate the data collected from each participant. This multifaceted approach allowed for cross-verification of data, reinforcing the credibility of the conclusions drawn.

The researcher spent an extended period in the field to engage with participants experience, challenge and overall perception. It facilitated the building of trust with participants, leading to more open and insightful discussions during interviews.

The research utilized detailed narratives to illustrate participants' experiences with GSLA program. Specific cases using pseudo names, challenges faced and the outcomes achieved. These rich descriptions provided a context that enhanced the reader's understanding of the findings and their applicability to similar contexts.

An audit trail was maintained throughout the research process. Keeping detailed notes and coding records conducted on every session. The researcher actively sought out cases and data's that contradicted the prevailing themes. This analysis helped to refine the overall conclusions and ensured that the findings were comprehensive and shaded.

Findings were contextualized within the socio-legal landscape of Addis Ababa, discussing how cultural, economic, and legal factors influence the program. This contextualization enhanced the relevance and applicability of the findings to policymakers and practitioners in the field.

The credibility of the findings regarding the efficacy of government-sponsored free legal aid in civil cases has been rigorously established and discussed considering the previous work to ensure the validity and reliability. This research offers valuable insights into the experiences of beneficiaries and the effectiveness of legal aid services in Addis Ababa, contributing to the broader discourse on access to justice and legal support. However, the data's validity may have been compromised because it was highly dependent on primary data collected from interviews with different respondents and case study tend to uncover the truth (Rooney, 2005). The data collected may not yield reliable or generalization results.

CHAPTER FOUR

4.1. Analysis and Discussions of Findings

General profile of the participants on the study

This study was conducted among different groups of peoples who may have a link to legal aid; beneficiaries, licensed lawyers and key informants. The data was collected in semi-structured in-depth interview, KI and cases analyzed as per the request and permission of the beneficiaries using pseudo names. The demographic description of the participants listed as below,

Table 1- Background information of Beneficiaries

CODE	GENDER	AGE GROUP	LEVEL OF EDUCATION	OCCUPATION	CASE TYPE	MEETING PLACE	SOURCE
B1	FEMALE	18-25	READ & WRITE	DEPENDANT	CHILD SUPPORT	AT CHURCH	MOJ
B2	FEMALE	25-35	READ & WRITE	MERCHANT	HOUSING CASE	AT CHURCH	MOJ
B3	MALE	36-45	READ & WRITE	DEPENDANT	PENDING HOUSING CASE	AT COURT	MOJ
B4	MALE	25-35	BACHELOR OF ARTS	SALES AGENT	PENDING LABOR CASE	AT WORK PLACE	MOJ
B5	MALE	46-55	HIGH SCHOOL GRADUATE	RETURNEE	CLOSED SUCCESSION CASE	AT CHURCH	MOJ
B6	MALE	46-55	READ & WRITE	DEPENDANT	CLOSED LABOR CASE	RESIDENCE	MOJ
B7	FEMALE	25-35	HIGH SCHOOL GRADUATE	HOUSE WIFE	CLOSED FAMILY CASE	CAFETERIA	MOJ
B8	FEMALE	36-45	READ & WRITE	DEPENDANT	TERMINATED HOUSING CASE	OVER THE PHONE	MOJ
B9	FEMALE	25-35	HIGH SCHOOL GRADUATE	MAID	PENDING SUCCESSION CASE	AT COURT	MOJ
B10	FEMALE	36-45	HIGH SCHOOL GRADUATE	HOUSE WIFE	CLOSED SUCCESSION CASE	RESIDENCE	MOJ

B11	FEMALE	36-45	READ & WRITE	GARBAGE COLLECTOR	PENDING FAMILY CASE	AT WOREDA	MOJ
B12	FEMALE	25-35	HIGH SCHOOL GRADUATE	RETURNEE	CLOSED MONETARY CASE	CAFETERIA	MOJ
B13	FEMALE	36-45	HIGH SCHOOL GRADUATE	HOUSE WIFE	PENDING SUCCESSION CASE	CAFETERIA	MOJ
B14	FEMALE	46-55	HIGH SCHOOL GRADUATE	DEPENDANT	PENDING FAMILY CASE	RESIDENCE	MOJ
B15	FEMALE	46-55	READ & WRITE	HOUSE WIFE	PENDING LAND CASE	RESIDENCE	MOJ

Beneficiary/Client

A client [beneficiary] means a person who receives advocacy services (.(Yohannes, 2022 Article 8) for purpose of this topic, beneficiaries are individuals who have economic limitation to hire an advocate to be represented at the court of law and request for a legal aid.

Table 2- Background information of Lawyers

CODE	GENDER	AGE GROUP	LEVEL OF EDUCATION	OCCUPATION	YEARS OF EXPERIENCE	# OF CASES HANDLED	CASE TYPE	MEETING PLACE	SOURCE
L1	MALE	36-45	LLM	LAWYER	06 years	03 CASES	LABOR, LAND & FAMILY	CAFETERIA	MOJ
L2	MALE	25-35	LLB	LAWYER	02 YEARS	01 CASE	FAMILY	CAFETERIA	MOJ
L3	MALE	25-35	LLM	LAWYER	06 YEARS	03 CASES	DAMAGE, FAMILY & SUCCESSION	WORK OFFICE	MOJ
L4	MALE	36-45	LLB	LAWYER	10 YEARS	MORE THAN 10 CASES	ALL CASES	WORK OFFICE	MOJ
L5	FEMALE	36-45	LLM	LAWYER	03 YEARS	02 CASES	FAMILY & PROPERTY	WORK OFFICE	MOJ
L6	MALE	OVER 55	PROFESSOR	LAWYER	40 YEARS	NONE	NONE	WORK OFFICE	MOJ

L7	MALE	36-45	LLB	LAWYER	10 YEARS	06 CASES	LABOR & PROPERTY	LIDETA COURT	MOJ
L8	MALE	25-35	LLB	LAWYER	02 YEARS	01 CASE	HOUSING	YEKA SUBCITY	MOJ
L9	MALE	OVER 55	LLB	LAWYER	14 YEARS	DON'T REMEMBER	ALL CASES	WORK OFFICE	MOJ
L10	MALE	36-45	LLB	LAWYER	06 YEARS	04 CASES	FAMILY, SUCCESSION & LABOR	WORK OFFICE	MOJ
L11	MALE	36-45	LLB	LAWYER	08 YEARS	06 CASES	PROPERTY, LABOR & FAMILY	WORK OFFICE	MOJ
L12	MALE	36-45	LLB	LAWYER	06 YEARS	10 CASES	PROPERTY & SUCCESSION	WORK OFFICE	MOJ
L13	MALE	25-35	LLM	LAWYER	01 YEAR	01 CASE	LABOR	WORK OFFICE	MOJ
L14	MALE	25-35	LLM	LAWYER	02 YEARS	02 CASES	LABOR	WORK OFFICE	MOJ
L15	MALE	36-45	LLM	LAWYER	11 YEARS	04 CASES	LABOR	WORK OFFICE	MOJ

Advocate / Lawyer

An Advocate means a person licensed to provide any kind of legal service for payment of a fee or in expectation of direct or indirect future benefit, or **pro bono**, including providing consultation on legal issues, conducting negotiations except in criminal cases, drafting legal documents or submitting documents on behalf of a client [beneficiaries], representing a client [beneficiaries] and litigating before courts of law, administrative tribunal; quasi-judicial institutions; arbitral bodies and other alternative dispute resolution forums.(Yohannes, 2022 Art 1 and 5)

Table 3- Background information of Key Informants

CODE	GENDER	AGE GROUP	LEVEL OF EDUCATION	OCCUPATION	YEARS OF EXPERIENCE	MEETING PLACE
KI 1	MALE	46-55	LLM	PUBLIC PROSECUTOR COORDINATOR	12 YEARS	MOJ
KI 2	MALE	36-45	LLB	PUBLIC PROSECUTOR	07 YEARS	MOJ
KI 3	MALE	36-45	LLB	PUBLIC PROSECUTOR	15 YEARS	MOJ
KI 4	FEMALE	18-25	LLB	PARALEGAL	01 YEAR	OFFICE
KI 5	MALE	25-35	LLM	LAWYER	02 YEARS	OFFICE
KI 6	FEMALE	18-25	LLB	FREE LEGAL AID PROVIDER	01 YEAR	OFFICE
KI 7	MALE	25-35	LLM	LAWYER	04 YEARS	OFFICE

4.2. The Perception of GSLA Program

The perception of the government-sponsored free legal aid program varies among research participants: beneficiaries and lawyers. While there exist shared perspectives, there are also differing views towards the program. Both groups recognize the program aims to assist individuals who lack the financial means to hire a lawyer for legal representation. However, when it comes to the implementation of the program, beneficiaries often hold certain assumptions. Due to the program's nature, research participants extended their doubt that lawyers may not be fully committed and might be hesitant to provide further assistance. In contrast, the lawyers involved in the study demonstrated a genuine interest in the program and went beyond than mere representation of the cases they received from the Ministry of Justice (MOJ). They displayed enthusiasm and dedication towards the program.

Nonetheless, there is a misunderstanding among beneficiaries regarding the program's scope. They misguidedly perceived that the assigned lawyers are duty bound to conduct investigations, summoning and expect them to go beyond their role of representation. The lawyers assigned to the program face a hard time to explain and come to agreement since the beneficiaries consider them as last resort to rectify their legal issues as they are backed by the government.

4.3. Transferring Cases to Licensed Lawyers

The procedure to transfer a case is transparent and simple. An indigent brought a letter expressing a certificate of poor that s/he cannot afford to hire a lawyer attested by three witnesses from her/his vicinity. Upon submission of the certificate to the officers at MOJ, a lawyer assigned automatically. The officers pick a lawyer that did not take any case in that physical year will be communicated via telephone under the condition if s/he resides near to the beneficiary. The communication will be left to lawyer and beneficiary after exchanging them the contact for the expedited service. The officer prepare an agency letter for the lawyer to present at the court. After registering the case type, explain the terms to the beneficiary.(Annex 1)

The key informant (KI 1) from the MOJ affirms that the program has a legal foundation and expects diligent performance from the lawyers who serve indigent citizens. The participating lawyers are required to submit reports during yearly license renewals to ensure compliance with program standards. KI 4, KI 5 & KI 6 from the AAU Legal Clinic stated that lawyers are required to report for license renewal purposes.

4.4. Access to Justice

Access to justice can be of substantive and procedural. While substantive justice as portrayed by beneficiaries to win their cases; the procedural justice focused on the process by practitioners.

Government-sponsored free legal aid lawyers and officers in Addis Ababa play a crucial role in meeting substantive justice and enhancing procedural justice by providing legal representation. The program ensures that individuals have a voice in legal proceedings. Legal aid providers advocate for their clients rights and interests through complex legal system that requires legal knowledge. Access to justice extended to legal advice and counseling. Informing beneficiaries about their rights and responsibilities, about different options in civil matters like family laws, property and contract issues as well as ADR and mediation.

Enlightening the legal process empowers beneficiaries to make informed decisions. Helping beneficiaries in preparing necessary legal documents, such as petitions, contracts and court filings ensures compliance with legal requirements. As one of the win-win conflict resolution, engaging in mediation to resolve disputes amicably, which can be less intimidating and more accessible than formal court proceedings. Guiding in addressing issues before they escalate into more serious legal conflicts serves both parties with regard to time and cost incurred.

4.5. Observations from Research

Conducting research into the experiences of beneficiaries revealed deeply saddening narratives that highlighted the emotional and psychological struggles individuals face within the legal system. Each day, the researcher met with at least one beneficiary, listening attentively to their stories, which were often presented in brief yet emotional summaries. Many beneficiaries expressed delight at having someone inquire about the status of their cases, as it provided them with a rare opportunity to share their experiences.

During these interactions, beneficiaries often began recounting their stories from the moment of disagreement, using carefully chosen words that conveyed their distress. The researcher found it

challenging to remain neutral while absorbing these accounts, which ranged from tears of sorrow to expressions of excitement about case outcomes. Many individuals displayed a mix of emotions, contending with feelings of regret over past decisions, anger at the injustices they faced and fear regarding their current situations. Some even expressed doubt about the researcher's intentions and hoping for assistance even with cases that had already been concluded.

Listening to these heartbreaking stories was an emotional struggle for the researcher, who had to navigate their feelings while adhering to the ethics of social work. It was crucial to avoid countertransference, which could exacerbate the beneficiaries' problems. Instead, the researcher aimed to provide a supportive environment, allowing individuals to share their narratives fully and recognizing the strengths that emerged from their stories.

On a positive note, the researcher found these encounters to be invaluable learning experiences. The resilience and insight displayed by beneficiaries in identifying potential solutions to their problems were particularly impressive. Their ability to articulate challenges and propose strategies for overcoming them underscored the importance of including beneficiaries' voices in discussions about legal aid and support services. This aspect of the research not only highlighted the need for compassionate engagement but also reinforced the potential for collaborative problem-solving within the community.

4.6. Experience of GSLA program

4.6.1. Beneficiaries perspective

The beneficiaries expressed their satisfaction and discontent during the study. Few beneficiaries come to the program after trying Alternative Dispute Resolution, Women and Children office at Woreda level, formal court and administrative tribunals. Seven of the respondent come to this

program as a last resort. (B1, B2, B6, B8, B9, B10, and B12). Five of the respondent were confident that the lawyer assigned by government official is capable of winning their opponent. According to their expression, government stands for vulnerable peoples whose rights are transgressed(B3, B4, B5,B7& B13). Their emotions transcends the fact in issue to high demand to win through the program. As per the researcher observation, their hope is big when they join the GSLA program and does not have a reservation for losing the case.

Beneficiaries' satisfaction perceived as the success of the program. As per the understanding of the researcher from the respondents, beneficiaries went to MOJ to express their delight when they win their case or to request for change of lawyer save as they do not have any experience for monitoring by the office. Among the responses, they do not expect anyone to check-on them since it is free service and felt demanding. Besides, they came to the program after tedious administrative and quasi-judicial organs, expect lesser treatment and very much grateful for anything extended to them.

During the interview, beneficiaries were asked what their experience about the program and three of them exclaimed their happiness as, “ *I was able to find myself. My partner confessed he is the father of my child through the program. The program stopped the insult, threat, denial and disrespect by my former partner (B2)* ” said the beneficiary who had a child support case rejected by her former partner.

Similarly, B5 said; “*The program protects my human right and learned many things. My attitude is changed towards the legal system that serves only those who can afford lawyers. The program will coin citizen to live under the rule of law*” the beneficiary who was hostile for the housing case between his siblings. He added the diligent lawyer covered his cost, consult and convinced him to finalize in settlement and now the family is reintegrated.

B12; said *“the program helped me to behave the opponent. The lawyer was very diligent, identified a fraudulent document, and ascertained a quality service”* a beneficiary who had a monetary conflict between her siblings.

B12: asserted the following:

The lawyer strived and identified a fraudulent document prepared by my brother to buy me out our family house. The lawyer was attentive and focused without considering it is a free service and assures the significance of the program.

The expressions truly meant and were grateful by the program. However, there are unpleasant experiences encountered, as their expectation was huge. They forward their points regarding the program lose control.

B10; explained her experience as *“ The lawyer was not sincere and candor. The service delivered has no quality. The lawyer have knowledge gap and I had no idea where to go. I was waiting for someone to vent out this issue and happy to meet the researcher (B 10) said a beneficiary who has a succession case perform all the duties by herself while expecting an assistance from her lawyer. She added, never stands for her at the court except guiding her over the phone.*

B9; expressed her concern about the process as *” The judge meddled and give advice for the other litigant to open another file, which purport for a significant extension of the case. Due to lag of the case, another relative decided to forfeit her right and to settle than using the GSLA program”* (B 9) told by a beneficiary for a succession case that lasted over a year. She added, the judge mistreated the lawyer and do not know where to report. In her assumption, the reason for maltreatment is because the service is free of charge.

B6; forward his view as “ *The program is very good if the lawyers give enough emphasis*” (B 6) a labor case beneficiary who have got expedited decision through the program while not happy about the outcome due to the lawyer. The beneficiary expressed the lawyer did not argue for winning but was only to discharge the requirement. He observed the lawyer was not ready at court appearance and makes him lose.

B2; share his experience as “*The program was very good. However, the MOJ officers are not available for further assistance as their office blocked by securities that send me away*”’. (B 2) A beneficiary that tried to report her disagreement with her lawyer. She mentioned the names of one of KI’s that told her the office cannot extend anything except to agree to the terms the assigned lawyer suggest.

Overall, the selected beneficiaries’ experiences shed light for further exploration that are covered in the veil of extending free legal aid service.

4.6.2. Lawyers Perspective

According to Dr. Mesenbet, the lawyers in Ethiopia do not have enough practice with regard to human rights issues. In the history of the country, a human right defender have been detained by the government and lawyers discouraged to handle cases that has connection to such right. Instead, they are inclined to do family, labor and land issues (Endale, 2024). Considering GSLA has a human right aspect, their experiences found vivid and illustrative.

The lawyers in the study are from one to more than forty years of experience in practicing law, free legal aids and human rights law. They express the service is being delivered at its best quality. In experiencing the GSLA program, they encountered various constructive points and grooves that needs additional work.

The respondent lawyer replied for how his experience about the program was; “ *Seeing beneficiaries’ satisfaction is priceless*”(L1). He extended with sentiment that would not compare with a case in remuneration. For this reason he never missed any court appointment under the program.

L7; said “*Beneficiaries happiness extended up to offering money as a gesture of satisfaction*” He express how beneficiaries respond after winning their case through the program. Four of respondents said “*It is natural to express happiness at time of winning*” according to (L8, L9, L11 & L12), beneficiaries are satisfied and happy if they only win.

L1, sought the overall program as :

I understand the GSLA program contribute a lot for people that are unable to afford and forced to stand for themselves, commit genuine mistake. While observing at courtroom from the other side of litigants, individuals standing for themselves when requested to explain the subject matter, start from the point of the disagreement, which resulted the rejection of their case that ultimately dissatisfied them.

Thirteen of the respondent lawyer replied that cases are transferred by MOJ over the phone and give letter of agency to the lawyers closer the date for court appointment. (L1-L13). Respondent lawyer shared a that they do not have a chance to choose case. *The legal knowledge, specialization and diligence matters for the quality of service* L4 forward his concern as such experience shed light for the quality of the service.

Three of respondents told how the program faced misunderstanding despite the fact that it is effective in its current condition (L5). The lawyers are expected to represent beneficiaries at the

court only. While beneficiaries have to bear the cost of transportation, summoning, collecting evidence, writing and other issues, found challenging for them in the program.

Two of lawyer respondents share their experience as “*Most of the time, beneficiaries expect costs will be covered by the lawyers (L 2) and do not follow-up their cases*” (L14) There are lawyers who cover some costs of the beneficiaries like transportation and printing expenses to assist them to follow-up their case. It was evident by the beneficiaries that witnessed the same (B5)

The effectiveness and impact of the program was criticized as it only consider economic issue. As a human, everyone wants to be in control of things and to be treated fairly. In addition to the stress from their case, standing before a lawyer as economically down person and removing the veil of pride pinned as sad experience (L14). Fighting to accept and express as a poor person was coated with another personality for a family case beneficiary which makes her emotional and expect better treatment.

Three of respondents forwarded their concern for the fact that the program perceived as a favor than it is right-based emanated from the legal instrument; the lawyers sometimes miss the court appointment (L1, L3 and L8). The non-appearance will push cases for a longer appointment up to dismissal. Another three lawyers told, portraying the court system as punishable for missing a step holds back beneficiaries from explaining the situation during non-appearance. When the court began hearing the case and decide in favor of their litigants, automatically decide the justice system is taking side as they are being served by the free legal aid. Such influence exacerbate the conclusion of justice will not serve the poor (L1, L4 & L7).

L5; express her experience as;

In her three years' time, cases transferred found res judicata, cases lapsed period of

limitation, incomplete cases and genuinely mistaken issues transferred to the lawyers (L5) without thorough investigation by MOJ that are found difficult to explain to the beneficiaries resulted to dissatisfaction.

The analysis of experiences reveals several common challenges faced by both beneficiaries and lawyers including the dissatisfaction with the service. Insufficient promotion of the program, lack of rigorous monitoring and guidance from MOJ, limitations in the legal framework beyond economic issues, unable to choose cases and intentional non-appearances are shares by both.

Beneficiaries often mistakenly rely entirely on their lawyers, felt unsupported due to lack of action on the lawyers' part regarding evidence collection and paperwork costs. Conversely, lawyers are expected to represent beneficiaries effectively in front of court without additional duty.

The experience indicates a significant gap in monitoring and promotion of GSLA program suggesting the need for a mechanism to enhance its effectiveness by addressing various vulnerabilities. Furthermore, there is a pressing need for clearer guidance on the responsibilities of both beneficiaries and lawyers to enshrine mutual understanding.

4.7. Challenges of the GSLA program

4.7.1. Beneficiaries aspect

The program encounters significant challenges from its participants. Beneficiaries, while attempting to empathize with the pressures faced by service providers, have expressed concerns regarding the fairness of the program.

Specifically, four of beneficiaries responded that their primary frustration stemmed from their lawyers pressuring them to accept decisions without adequately considering their perspectives.

Beneficiaries felt their concerns were often overlooked as lawyers did not recognize them as clients with vested interest(B1, B2, B3, and B15). B2 highlighted that a lack of understanding the legal procedures, compounded by communication failures, ultimately led to the termination of the service. This is an indicator for improved client-lawyer interactions and attention to beneficiaries to navigate the legal landscape to mitigate further challenge.

The effectiveness of the program challenged as the beneficiary said “*The program discriminated women, prioritizing economic situations over individual choices and found it challenging*” (B1). She found the program difficult to implement, citing a child support case that took four months to resolve as a weakness. She was forced to take a loan to support her infant, as the father was hiding his income. The assigned lawyer pressured her to terminate the case for lack of sufficient evidence to prove her claims.

While acknowledging the program's importance, another beneficiary (B10) said it did not alleviate the difficulties[the up and downs] she faced. She found it challenging to identify the court procedures and was seeking people to conclude her case. She had few communication with her lawyer and did not know if it was possible to request a change.

B7; expressed her challenge as below:

I forfeited my right to live in Addis Ababa in fear of my former husband due to a lack of information from my lawyer to get a restraining order. The lawyer, who took me to MOJ to register under the program to discharge his annual duty stands for my divorce case was my guide from day one and followed what he instructed me. Following separation, I went out of Addis Ababa after getting alimony in fear of attack by my former husband. After

sometime, regret my decision to flee out of the city understanding that my lawyer could have requested a restraining order.

She underscore the program is incomplete in guidance and found it challenging.

B6, a visually impaired citizen, faced additional challenge to entertain his case. His limitation to move, to find evidence and prove himself exposed him to lose his case easily. He felt his severance pay was deliberately reduced due to corruption between his lawyer and former employer. He exclaimed it is because he is not paying, his lawyer negotiated with the employer and minimized his payment when he was fired from his job. He found the program in effective and challenging to have a lawyer unless a rigorous monitoring system by MOJ.

B15 complained for being treated poorly because she was a woman and a mother of three girls, feeling vulnerable due to the lack of a male figure to advocate for her rights. Her land case was shed after the woreda administrates separately discussed with the lawyer. The lawyer told her to keep her silence since her place is sold for an investor. While seeking a replacement, no one replied and her lawyer was unresponsive. She was asked to leave from her place and even arrested repeatedly for her refusal. Her case is pending at court and said the program did not cease the blurry procedure and found it challenging.

Ten of beneficiaries shared common hurdles with their assigned lawyers, including:

- ❖ Missing court appointments
- ❖ Giving directions over the phone
- ❖ Refusing to appear in court unless the beneficiary agreed to their terms and
- ❖ Rushing to finalize cases in settlements are few.

B3 who is epileptic and has a mental disability, said that his lawyer contacted the woreda without his knowledge for his housing case. He was called at the woreda alone, which he was unable to do due to his disability. His limitation to express himself due to mental disability and epilepsy became an additional challenge to fight for his right like an ordinary person. On top of this, alleged being asked for a bribe to finalize his case and no one trusts him due to his limitation.

Two of respondent beneficiaries proved that they are bothered seeing their lawyers with opponent's representative assuming they were dealing against their interest(B2 & B3). They conclude the bribery after the decision was given against their interest. B3 said that he saw his opponents taking picture of his legal aid lawyer's contact from a sticker posted on his car. Since then the lawyer refused to meet him that ascertain his opponents contacted for a bribe. He applied to MOJ to get another lawyer on his next appointment in fear of purposeful defeat.

B11 is a family case beneficiary told, the lawyer do not contact her, do not respond her calls and did not even get a court order for her visitation right. She said, I did not want to challenge him in fear of ruining my case and cry everyday imagining my children. *Their father took our two children from me as I am very poor however unable to see them for over a year.* She was happy to meet the researcher to tell her challenges even after the program granted her a lawyer.

Beneficiaries shared lack of follow-up from the Ministry of Justice (MOJ) after assigning lawyers. They forward their concern for the program's effectiveness and lawyers' misbehavior be monitored by the authorized body.

4.7.2. Lawyers aspect

Lawyers face challenges in the program since they are party to the program about the procedure, beneficiaries and MOJ.

Thirteen respondents agreed for the inexistence of promotion about the GSLA program. (L2) said, *“the program is not known even by most citizens living in the capital city.”* They said beneficiaries became aware of the program after trying everything to win their case and came at the last minute which makes it difficult to give out a solution (L1to L3).

Five of the respondents stress about the simplicity of procedure to access a legal aid exposure for abuse. Those who can afford hiring private lawyers came to get free legal aid service (L5, L4, L7, L8 and L12). Such people do share the provider’s time, benefit (to be paid) and resource allocated for people in need of the service.

MOJ has a procedure to terminate and criminalize any fraudulent citizens found in such act. (Illustration and Annex 2) Despite the fact that MOJ has a monitoring rule, three lawyers indicated in dealing with fraudulent people with remuneration (L8) and report a case completed in payment as a free legal aid service.(L7) It will continue being challenging since there is no stringent controlling mechanism set by MOJ (L1)

Five of the respondents pointed further challenge about the criteria to be selected only based on economic status while there are groups living with different disabilities. These groups are like elderly, visually impaired citizens, mentally disabled and those who cannot explain their problem. These people with limitation are unable to perform the duty levied by the law like giving summon, finding evidence and to perform as stated non-lawyer activities. This shed light about the overall objective of the program in accessing justice. L5, L8, L9, L10 and L15.

The location of courts are indicated as one of the hurdles to the program. Some of the courts are located in the upper floors of in-accessible buildings. Moving to dispersed offices to discharge some duties are additional challenges for people living with disability (L8).

Three of the respondent told about the additional challenges as,

Under the program there are beneficiaries that face additional challenge unlike others.

Labor and child support beneficiaries identified facing additional challenge at time of lay-off and learn the program(L1, L8 & L9) There are common recurring conflicting issues exposed beneficiaries forwarded and separate analysis made in the same chapter.

Nine of lawyer respondents are facing challenge on cases assigned by MOJ are forwarded without analysis of merit. Upon examining the case ,identify the lapse of period of limitation, res judicata (a case finalized by a competent court), a case based on no right to open the file and other issues (L2, L3,L4, L5, L8 ,L9,L11,L12& L13). These issues waste beneficiaries and lawyers time, money and effort. While trying to explain the reason to demerit of the case to beneficiaries, *“they threatened us to sue us to MOJ unless proceed with it. The beneficiaries consider a lawyer as their personal servant and reluctant once their case started being handled by the provider “*(L8) said one of the respondent lawyers.

As an additional challenge, some beneficiaries wants to litigate for what they requested than what the law allows. They are emotional and demanding and left no room to accept otherwise. (L4)

Three of the respondents indicated that few beneficiaries that come to the service knowing their case is not meritorious are identified as;

- They do not follow-up their cases (B13 who started and did not follow-up her case)
- miss court appointment and
- expect the lawyer to finalize the case as they do not lose anything (L2, L5 & L8)

The other challenge faced by the lawyers are with MOJ. Twelve of the respondent lawyers complained, MOJ has no monitoring mechanism to acknowledge the effectiveness of the program as to their knowledge. Furthermore, there are lawyers who do not participate in the program while they are licensed like L6. Since there is no similar area of interest, update themselves to the existing law like (L9) still have an understanding on the free legal aid is 50 hours per year, which was changed in 2019 to handle up to three cases. They suggest unless effective monitoring mechanism devised to accelerate the knowledge of the lawyers by MOJ, the challenge will exist further.

4.7.3. FDRE Ministry of Justice aspect

The GSLA program is occurring all over the country and the office is duty bound to monitor through agents located in each region while having direct supervision on both federal states. According to KI 1, the job demands human resources and they have a skilled manpower and budget problem. Three of the officers told, they are performing in their ultimate power in distributing cases directed to them. There is no autonomous body by law to follow-up, monitor and control. Thus they react when there is a complaint from beneficiaries except random check-up due to work load(KI1, KI2 & KI3).

Two of the KI indicated that lawyers to the GSLA program have less commitment. Lawyers enter to the court room without preparing for the case considering it is free service when they were requested about the challenge of the GSLA program and two of the informants stressed how the job requires a follow-up when the lawyer change address to assign cases, existence of conflict of interest based on complaint and identifying fraudulent beneficiaries to decline their request.(KI 1& KI 2)

For the question raised about the gap in GSLA program, KI 3 mentioned lack of enabling laws to make the program effective. The existing legislation limitation and have no regulating procedures. Moreover, lawyers do not update themselves for the newly promulgated laws. Few lawyers stuck due to the lack of complied laws in soft copy and limited access to internet.

The analysis highlights several challenges faced by both beneficiaries and lawyers in the program. These include issues beyond economic factors, such as inadequate guidance for beneficiaries, lack of promotional efforts and the tendency for beneficiaries to seek help only after exhausting other options. Additionally, random case transfers limit the opportunity for beneficiaries to choose their lawyers.

A distinct challenge arises from the miscommunication between lawyers and beneficiaries, leading to dissatisfaction. Beneficiaries often have unrealistic expectations for quick results and may insist on outcomes that differ from legal allowances. While beneficiaries appreciate the program's accessibility, some lawyers reveal feeling abused by certain beneficiaries.

Furthermore, a common concern raised about MOJ is lack of follow-up acknowledged by the respondent officers for the fact that shortage of skilled personnel as a significant barrier to the program's effectiveness.

Commonalities of Experience and Challenges:

In examining the shared experiences and challenges, several key themes emerge. Both beneficiaries and lawyers identify a lack of monitoring and guidance, in sufficient promotion by MOJ, in adequate training for lawyers regarding the program and limitations within the legal framework to address additional vulnerabilities.

For example, (B1, B2, B6, B8, B9, B10, and B12) expressed that they came to the program as a last resort due to lack of promotion and guidance.

B2, L1, L5, L8, L9, L10 and L15, shared their view as the legal framework has to review and include other disabilities and equal parenting articles to reach to all. The lawyers also stressed to focus on recurring cases that experience additional challenge due to its urgency.

Difference of Experience and Challenges:

On the other hand, distinct experiences and challenges arise from issues such as miscommunication and misunderstanding between parties, abuse of the program and less emphasis on recurring cases categorized in another theme.

For example, B2, B6 and B9 forward their concern the essentiality of monitoring the program by MOJ to be treated in manner that value their case and concern. They mentioned about missing court appointments unless they agree to their terms, misunderstanding and miscommunication with their lawyers that needs MOJ intervention. However, L2, L4, L5 & L8 address the beneficiaries points as they stick to what they want than what the law allows, miss court appointments when they think the cases are not meritorious, do not understand the legal jargons. Further MOJ affirm the lack of human resource, budget and legal framework are the limitation to tackle the challenges.

To explore these themes in depth, the researcher further analyze their effects and consider how social work methodologies can help to bridge these gaps utilizing case studies to illustrate potential solutions.

4.8. Discussion

4.8.1. Monitoring Free Legal Aid Program: A Path to Improvement

The Ministry of Justice of Ethiopia plays a crucial role in ensuring that legal aid services are accessible and effective for the citizens of Addis Ababa. To enhance the quality of these government-sponsored free legal aid services, it is essential for the Ministry to implement a structured monitoring system. This system should focus on several key areas: assessing the impacts of legal aid, identifying challenges faced by beneficiaries and providers, tracking training and budget gaps, ensuring transparency and accountability, promoting best practices, and developing data-driven policies based on beneficiary feedback.

Primarily, monitoring the impacts of legal aid services is vital to understanding their effectiveness. By evaluating how well these services meet the needs of beneficiaries, the Ministry can ensure that legal aid not only exists but also provides meaningful support. Identifying the challenges faced by both beneficiaries and providers is essential for improving service delivery. Without a clear understanding of these obstacles, it will be difficult to implement effective solutions.

Another critical aspect of monitoring is tracking the gaps in training and budget for legal aid providers. Enhancing the skills and knowledge of these providers is paramount to delivering high-quality legal assistance. Moreover, ensuring transparency and accountability in the responsibilities of providers is necessary to build trust with beneficiaries. When beneficiaries have confidence in the system, they are more likely to seek and utilize the available legal services.

Promoting best practices among legal aid providers will foster a culture of excellence and continuous improvement. By sharing successful strategies and methods, the department can improve the overall quality of legal aid services.

Currently, no comprehensive research has been conducted on the effectiveness of these legal aid services. Three of KI indicate a mix of case types, with labor and family cases being the most prevalent. (KI1, KI2 & KI3) Data collected from the Ministry of Justice reveals a significant number of cases within a year are led by labor and family cases. Engaging in focused research on frequently occurring case types could help uncover the underlying issues that lead to conflicts. Such research could facilitate the formulation of new laws, increase public awareness, and promote justice by addressing conflicts more effectively. Ultimately, this proactive approach could contribute to broader development goals within the community.

By focusing on quality, transparency, and continuous improvement, the Ministry can ensure that legal aid fulfills its purpose of serving the community effectively. Through diligent monitoring and research, it is possible to create a more just and equitable legal system that supports the needs of all citizens.

4.8.2. Effective Legal Aid through Targeted Training

From the respondent lawyers, they did not encounter to any training given by MOJ. The lawyers association established in 2022 Gregorian Calendar has plan to organize such sessions(KI 1). Noting this gap, the Ministry has a vital opportunity to enhance the effectiveness of the program by providing targeted training focused on civil cases. Such training indicated as essential for equipping legal aid providers with the skills necessary to serve beneficiaries effectively. (L10) Four of lawyer respondents point for key focus areas for this training should include techniques for understanding the legal needs of beneficiaries, fostering cultural competence and familiarizing them with common civil laws and rights, as well as the eligibility processes involved. (L1, L2, L8 & L10).

Two of beneficiaries sought the effective communication traced as another critical aspect of this training. Legal aid providers should learn how to engage with beneficiaries in a manner that builds trust and utilizing simple terminology to ensure understanding. Skills in mediation and alternative dispute resolution (ADR) are important for resolving conflicts amicably and efficiently (B1 & B10). Training in legal ethics, confidentiality and managing conflicts of interest will further reinforce the integrity of the legal aid program. Lastly, keeping abreast (up-to-date) of contemporary legislation that affects beneficiaries is crucial for providing relevant and timely support. (L7)

All beneficiaries sight in order to complement these training efforts, the Ministry should promote the legal aid program within the community (B1 to B15) This can be achieved through awareness-raising campaigns, workshops, and seminars that educate the public about their legal rights and the processes available to protect them. By fostering a greater understanding of legal aid services, the Ministry can empower individuals to seek assistance when needed.

Establishing mechanisms for beneficiary feedback and performance evaluation will also be essential for the continuous improvement of the program. By listening to the experiences and needs of beneficiaries, the Ministry can refine its training initiatives and service offerings.

In general, targeted training for legal aid lawyers and officers is crucial for enhancing their ability to assist beneficiaries in civil cases.

4.8.3. Effects of Non-Appearance in court appointments

The GSLA program faces inclinations to its effectiveness. It was seen on the study, Ten beneficiaries and three lawyers responded for missing court appointments existed in both sides. These numbers directed for further acknowledge the effect of missing an appointment.

Non-appearance in court appointments

Missing court appointments are observed on both beneficiaries and lawyers part. Each may raise reasons for their absence. However, there is an effect to such non-appearance.

Effects for Non-Appearance in Ethiopian Civil Cases

The procedures and consequences of non-appearance in Ethiopian civil cases, based on the Civil Procedure Code (CPC) (Abbas Shash, 2011)

1. Plaintiff Failure to Appear

Dismissal: If the plaintiff fails to appear for a hearing while the defendant is present, the court will dismiss the lawsuit.

Partial Admission: If the defendant admits all or part of the claim, the court will issue a decree against the defendant based on that admission. If only a portion is admitted, the court will dismiss the suit regarding the remaining portion (CPC Article 73).

Reopening: If the plaintiff is absent at the hearing, the case cannot be reopened unless there is a compelling reason presented to the court. If the court finds the reason convincing, it may order the plaintiff to cover the costs incurred and reopen the case within one month of closure (CPC 74(2)).

2. Accused Failure to Appear

Summons Confirmation: If the plaintiff appears at the hearing and the accused fails to appear, the court will rule based on whether the summons was properly served (CPC Article 70).

Confirmed Summons: The court will proceed with the trial in the absence of the defendant.

Unconfirmed Summons: A second summons will be issued.

Insufficient Time: If the court determines the defendant did not have sufficient time to prepare a response after receiving the summons, it will reschedule the hearing.

Plaintiff Negligence: If the summons was not delivered to certain defendants due to the plaintiff's negligence, the court may close the case against those defendants.

Ex-Parte Hearing: If the accused received a summons but fails to appear at the scheduled hearing, the case will proceed in absentia (ex-parte).

Reopening: If the plaintiff failed to summon the accused, the case can be closed and reopened after covering the costs (CPC Article 71(1)).

3. Effect of Non-Appearence during Appeal

Prevention of New LawsUIT: If the party responsible for delivering the summons in an appeal fails to do so, they are barred from initiating a new lawsuit for the same cause of action (CPC Article 74(1)).

Beneficiaries and lawyers indicated lawyers deliberately miss hearings at the court when it comes to free legal aid service and so as beneficiaries due to several reasons.

Such non-appearance as indicated in the law have severe consequence up to dismissal of the case. The Indian court ruled a precedent the court administration bound for those lawyers who missed the court hearing in free legal aid service to appear on the next appointment with the beneficiary. (Genesis of Legal Aid in India | via Mediation Centre, n.d.)

4.8.4. Labor Dispute in GSLA program

The labor litigation is among the leading cases that requires expedited decisions. From the lawyer respondent's experience, at time of lay off, employees faced extra challenges in the program. Most

of the time, they have families to feed and the litigation took unpredictably longer period. In analyzing common issues led to conflicts, found two major points from the respondents to the study.

KI 7 identified issues that commonly led to conflict are employers interpret the law far from the intention of the law maker and understanding it.

Most labor cases are exposed for conflict due to two major misunderstandings;

1. Form of employment and
2. Misinterpretation of the law

1. Form of employment

One of the issues that are not stipulated on the proclamation is the form of employment. The contract of employment can be done verbally or in writing (Art. 5 of *የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ፌዴራል ነጋሪት ጋዜጣ FEDERAL NEGARIT GAZETTE of the FEDERAL DEMOCRATIC REPUBLIC of ETHIOPIA በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ ማውጫ አዋጅ ቁጥር ፩ሺ፩፻፶፯/፪ሺ፲፩ ዓ.ም የአሠሪና ሠራተኛ ጉዳይ አዋጅ ... ገጽ ፲፩ሺ፯፻፺፩ Content, n.d.) It is when the law requires that employment contract will be done by writing. In most of litigations, employers tend to deny the employee since there is no written contract. However, the duty to prepare the contract in writing is the employer within 15 days after employment (Art 7(1) of same proclamation. These understandings did not get enough emphasis and led to conflict.*

2. Misinterpretation of the labor law

Few employers tend to misinterpret the law and indirectly force to terminate the contract of employment. The acts are covered by the veil of legal reform in the company targeting some

employees. The court ultimately decide on the cases considering the intention of the employers.(KI 7).

Employees have obligation to perform their duties in their employment as per direct instruction of their employer as per Art 13 (2) የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ፌዴራል ነጋሪት ጋዜጣ *FEDERAL NEGARIT GAZETTE of the FEDERAL DEMOCRATIC REPUBLIC of ETHIOPIA* በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ ማውጫ አዋጅ ቁጥር ፩፻፩፻፶፯/፪፻፲፩ ዓ.ም የአሠሪና ሠራተኛ ጉዳይ አዋጅ ... ገጽ ፲፩፻፶፯ Content, n.d.). The point of disagreement rest here. The employers perceive it can assign him/her at whatever position in the company. However, the law intends the employee must be assigned to the position related to his contract of employment stated on the same article. It has been observed it is to target certain employees assuming the employee exposed for under performance resulted to termination (KI 7).

Among other things, employees does not know their legal rights stated in the law. Few employees does not even know which of their right is breached, do not know where to go and stayed home with their decision perceiving law only serve the powerful. When they visit legal aid offices and learn what rights they had, lose two things; the lapse of period of limitation to seek for their right and lose hope on the justice system.

4.8.5. Evaluating the Legal Aid in addressing Equal Parenting

Alem is a single mother with a four-month-old child, navigating the challenges of parenthood alone. The father of her child denied his paternity and refused to provide child support. With nowhere else to turn, forced to live with her uncle, who had been supportive and covering all her expenses during the difficult time. Once she regained her strength , Alem decided to sue her formed partner. Determined to seek justice, she visited the women and children’s office to

initiate a lawsuit. However, the situation took a toll on her; he insulted and threatened her over the phone and making her feel even more vulnerable. The office directed her to the GSLA program, where she met with a lawyer and prepared for her court appearance. Unfortunately, her lawyer's diligence fell short of her expectations. In the first trial, the father denied paternity but on the second trial, he confessed and agreed to provide child support. He claimed his monthly salary was ETB 4,500, stating he paid ETB 3,500 in rent, leaving only ETB 500 for child support. Alem knew he earned more and the amount was insufficient for raising their child. When she approached her lawyer about requesting a higher maintenance, told she needed evidence to prove her claims. Frustrated, she also suggested to her lawyer that the father could babysit the child allowing her to work for a few hours each day. However, her lawyer dismissed the suggestion saying there is no legal basis for such a request.

Feeling trapped, Alem realized she had nowhere to go except burdening her relatives by doing housework for free. The weight of the situation pressed down on her. She struggled to envision a way forward that would allow her to provide for the child and regain her independence.

The issue of children under the family case expects immediate verdict. In few occasions, custodians experience elongated time till they get a decision of maintenance at court. The revised family code stipulates the best interest of the child gets priority (Art 113 (1-3)). (Ethiopia: Proclamation No. 213/2000 of 2000, the Revised Family Code, n.d.) The cases for child support are purport for extension considering its nature. Parents have a right to choose what it is best for their off-springs (UDHR). They both share the duty of parenting. At time of separation, the party who have the power of custody expected to bear higher cost(Afesha, 2018 P. 283). The other parent who got visitation right is supposed to pay high amount while the ultimate decision will be given by the court based on the income presented unequivocally (Afesha,2018 P. 290). The law left

open the amount to be decided by the court on case by case. Here, if the amount decided is claimed less by the custodian given the fact that the infant needs care, there is a room for the non-custodian to escape from additional maintenance fee. The beneficiary faced the father of her child provide ETB 500 for their four months child, which is less amount to even buy a milk per month (B2) She wanted to claim the court to force the father to babysit the child for few hours per day so that she can work to cover the cost. However, once the custody is given to one of the parents considering the best interest of the child, the law does not further requires to babysit the child in such conditions.

Here, it is important to identify the absence of a social worker to advocate on behalf of beneficiary in such grooves that can be filled if the system embrace in civil cases.

On a different view, this case indicates on the limited performance of lawyers within the government-sponsored free legal aid system, which has contributed to a gap within the legal framework affecting child support cases. Specifically, in situations where non-custodians are required to contribute more to cover their child's expenses than a minimal salary deduction, negligent lawyers have failed to address the issue adequately. This highlights the urgent need for a revised approach that promotes shared parental responsibilities, enabling fathers to actively participate in childcare while allowing mothers to work part-time to meet financial obligations. Reassessing existing laws in light of contemporary economic circumstances is crucial to rectify this situation.

To address this gap, it is imperative to revise the law and advocate for shared parental responsibilities. Representing lawyers should actively promote and encourage fathers' engagement in childcare, enabling mothers to work a few hours per day to contribute to covering the child's

expenses. This revised approach would align with contemporary economic realities and ensure a fairer distribution of responsibilities between parents.

Representing lawyers have contributed to unsatisfactory decisions in child support cases by failing to consider the prevailing economic situation. The existing legal framework inadequately accounts for the financial constraints faced by the parents involved. Consequently, the burden falls disproportionately on the husband to provide financial support, which can be challenging given the contemporary economic conditions and the increasing need for both parents to contribute to the child's well-being.

The case at hand stresses the detrimental impact of negligent lawyers on the unmet legal rights of government-sponsored free legal aid beneficiaries. It highlights the pressing need to revisit and amend the legal framework governing child support and parental responsibilities. Lawyers within the system must be held accountable for their negligence. By recognizing the importance of shared caregiving and advocating for mothers' ability to contribute financially, lawyers can address the existing gap and promote a more balanced and equitable approach. It is crucial for legal provisions to consider contemporary economic realities, ensuring they align with the financial capacities of both parents. Through their diligent and responsible advocacy efforts, lawyers can fulfill their duty to safeguard the legal rights of government-sponsored free legal aid beneficiaries, creating a more inclusive and supportive legal environment for families in need.

4.9. Case Study

This research utilizes a single case study approach to deeply explore a specific legal aid program. This methodology provides rich qualitative data, revealing the complexities of the program's implementation and impact. By focusing on one case, the study offers contextual insights regarding the cultural, social, and economic factors that influence its effectiveness from the perspectives of beneficiaries and social workers.

This approach also highlights the experiences and perceptions of beneficiaries and social workers, uncovering their needs, challenges, and successes. Through this analysis, effective strategies and best practices can be identified, contributing to the broader field of legal aid.

Insights gained will help refine theories related to legal aid effectiveness, beneficiary satisfaction, and the role of social workers, making significant contributions to academic discourse and policy development. Ultimately, the findings will inform policymakers and practitioners about the program's strengths and weaknesses, guiding necessary improvements to better serve beneficiaries and social workers.

Case 01

This case study examines the story of Abrehet, who faced significant social justice challenges and sought assistance through government-sponsored free legal aid following her visit to Adwa in 2020 G.C., prior to the outbreak of war between the Federal government of Ethiopia and the TPLF. Her experiences shed light on the importance of accessible legal aid and the need for a fair and inclusive legal system that addresses exceptional circumstances, particularly those arising from conflict.

Abrehet travelled to Adwa to visit her children in 2020 G.C. before the war between the Federal government of Ethiopia and TPLF. Due to the war, all the roads were closed to enter and leave from Tigray, she was forced to stay there. When she returned

after three years, things were changed. Her husband sold the house they built together. He got a certificate from the Woreda confirming he is unmarried in 2021 G.C. which changed everything. She learnt there is free legal aid and went to MOJ. A lawyer assigned and her case taken to court. She was told at the court that the period of limitation has lapsed to litigate. Her lawyer tried everything (according to her narration) but the judges send her away. Cried at the court that she was in Adwa and exception has to be made since her absence to appear before court was due to force majeure. However, no one gives her a place. She lost hope and returned to Adwa to her relatives and prefer to live with the injustice.

Abrehet's case brings attention to the importance of government-sponsored free legal aid programs, which provide vital support to individuals facing social justice challenges. However, her experience also highlights the limitations and complexities within the legal system, particularly when it comes to exceptional circumstances arising from conflict. Despite the availability of free legal aid, Abrehet's pursuit of justice was hindered by the expiration of the time limitation. Her case highlights the necessity for reforms that consider and address the unique circumstances faced by individuals affected by conflict and other external factors. Regrettably, Abrehet's hope for justice was shattered, and she returned to Adwa, seeking support among her relatives while enduring the burden of injustice. This case study emphasizes the need for an equitable legal framework that ensures fair treatment and equal access to justice for all, even in challenging circumstances.

Analysis

As there is no social worker intervention, Abrehet did not get;

Emotional and Psychological Support: Provide Abrehet with a safe space to share her story and process her trauma and loss. Acknowledge the systemic injustices she has faced, offer trauma-informed counseling to help her cope and empower her to regain control. Connect her with support networks for solidarity and community healing. (The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), n.d.)

Legal Advocacy and Assistance: Work closely with Abrehet's lawyer to strategize the best legal approach, exploring all options like appeal or waiver. (United Nations, 1990) Advocate for a fair process that accounts for the extenuating circumstances of her forced absence. Assist in gathering documentation to reflect the systemic barriers and human rights violations she faced. Provide referrals to legal aid organizations specialized in supporting those displaced by conflict. (African Charter on Human and Peoples' Rights ("Banjul Charter"), n.d.)

Housing and Financial Assistance: Help Abrehet regain her home or find alternative housing, advocating for her rights and challenging injustices. Provide emergency financial aid and connect her to social welfare programs, addressing the underlying structural inequalities. Assist in restoring her financial stability by accessing available aid, empowering her to become self-sufficient. (Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa PROTOCOL to the AFRICAN CHARTER on HUMAN and PEOPLES' RIGHTS on the RIGHTS of WOMEN in AFRICA, n.d.)

Community Engagement and Advocacy: Raise awareness about Abrehet's case by collaborating with community leaders and rights groups. Challenge the systemic barriers through collective

advocacy efforts to push for policy changes that address the unique challenges faced by those displaced by conflict. Engage with local authorities to seek justice and restitution for Abrehet, while advocating for more equitable and inclusive practices.

Holistic Case Management: Coordinate a multidisciplinary team to address Abrehet's legal, social, psychological, and economic needs, empowering her and addressing root causes. Develop a comprehensive care plan focused on her long-term well-being and empowerment, while acknowledging structural barriers. Provide ongoing case management and follow-up, advocating for systemic changes to address the injustices faced by those in similar situations. (UNITED NATIONS: United Nations Office on Drugs and Crime, 2013)

By examining Abrehet's struggle, it is evident that there is a pressing need for ongoing efforts to strengthen legal aid programs, improve accessibility, and implement reforms that address exceptional circumstances. These measures can contribute to a more just society, where individuals like Abrehet can find a platform to present their cases effectively, even in the face of adversity (difficult situation).

Case 02

The housing case of Tarik; living with the decision on the contrary of her interest. She was telling her story in tears repenting the opportunity offered by her lawyers. This case study explores the experiences of Tarik, a beneficiary of government-sponsored free legal aid, as she navigated a complex social justice issue involving fraudulent contractual practices. Tarik's story sheds light on the challenges faced by individuals who encounter deception and betrayal, highlighting the importance of legal support and the implications of decision-making in pursuit of justice.

Tarik was awarded a condominium in replacement of the Kebele house. By the time, she did not have the money to pay for down payment (ETB 15,000.00). Then she met

a woman through a (broker) who have been her former neighbor and raised together. The woman agreed to pay Tariks' debt under the condition the woman to live in rent free for five years by paying the debt by installment. They went to the office of civil status with their witnesses and read the terms. The time was close for lunch break and requested to return later by the officer. The woman paid for the lunch and returned back to office to sign their contract. Everybody signed and left. After eight months, Tarik started worrying that the woman did not communicate and went to check the house. That was the time she learnt the contract she signed was fraudulent. The contract terms was changed during the lunch break at the civil status office to a loan agreement made her liable for ETB 650,000.00. She and her witnesses did not read the contract in the afternoon assuming they already read it before lunch...everybody was shocked according to Tarik. The woman who signed the contract already left the country giving her brother power of agency. The witnesses and other people around her paid for a lawyer and got a decision to invalidate the contract. The agent offered ETB 800,000.00 to retain the house. The lawyer advised her to agree but she did not accept the offer and asked to hand over the house. She was very frustrated seeing the two lawyers talking outside of the court assuming hers is hostile. Following her rejection, the lawyer terminated his contract. The litigants appealed and the decision was reversed to their advantage. This time she went to MOJ as beneficiary. Again, her lawyer advised her to settle but she refused feeling betrayed and was not able to trust anyone. Following her refusal, the house were sold in auction. The loan with interest reached ETB 1,480,000.00 while the house was sold ETB 1,500,000.00. She

transferred the documents to the new buyer and living with the outcome. Now she regret her decisions and living with different health problems.

In analyzing the case, the program offered its best service however, as per the researcher's observation; she have traumatized past experience and speaks in aggression. Tarik's case exemplifies the complexities and challenges individuals face when seeking social justice through legal means. While Tarik initially benefited from government-sponsored free legal aid, her journey took a turn due to fraudulent practices and the subsequent emotional toll she experienced. Her refusal to settle and her decision to pursue justice led to the auction sale of her property, resulting in financial losses and a sense of regret. Tarik's story highlights the importance of trust, thorough contract examination and careful decision-making when navigating legal matters. This case study emphasizes the significance of comprehensive legal support and guidance in ensuring social justice. Tarik's regret and health issues serve as reminders of the reflective impact that such experiences can have on individuals, emphasizing the need for a fair and transparent legal system that safeguards against fraudulent practices and prioritizes the well-being of its citizens.

Analysis

From a social worker's perspective, this case highlights several important issues through the lens of social justice theory and crisis intervention model.

Social Justice: Tarik's case exemplifies the problem of fair housing, systemic injustices and power imbalances that marginalized individuals often face (Park,2023) The fraudulent contract and the subsequent legal battles reveal how the system can be manipulated to exploit and further disempower those in vulnerable positions. The fact that Tarik was unable to afford the down payment for the replacement condominium and was forced to enter into an exploitative agreement reflects the underlying socioeconomic inequalities she was grappling with. (Dolbeare, n.d.)

Power Dynamics: The case highlights the power dynamics at play, where Tarik, as a marginalized individual, was taken advantage of by those with greater resources and influence. The constant pressure to settle and the perceived hostility of her own lawyer suggest the presence of systemic biases and the imbalance of power within the legal system.

Betrayal of Trust: Tarik's experience of feeling betrayed by the very people and systems that were supposed to protect her is deeply concerning. The breakdown of trust in institutions and the inability to find reliable support can further compound the trauma and disempowerment she is already experiencing and started to think no one can be trusted (U.S. Department of Veterans Affairs,2014)

From a social work perspective, this case calls for a multifaceted, trauma-informed and crisis intervention to address Tarik's needs. It is crucial to identify and plan by;

- Acknowledge and validate the systemic injustices and power imbalances that have led to Tarik's displacement and exploitation.
- Provide comprehensive support services, including legal aid, counseling, and case management, to empower Tarik and help her navigate the complex legal system.
- Foster a network of support, including community groups and peer-to-peer networks, to help Tarik rebuild a sense of trust, solidarity and collective healing.
- Collaborate with multidisciplinary teams, including legal professionals, policymakers, and community leaders, to address the root causes of Tarik's marginalization and work towards more equitable and inclusive systems.
- Adopting a social justice and crisis intervention approach, social workers can play a vital role in supporting Tarik and others in similar situations, empowering them to reclaim their rights, dignity and control over their lives.

In analyzing Tarik's journey, this case study encourages reflection on the importance of social justice, government-sponsored legal aid and the need for reforms that promote trust, fair practices and the protection of individuals' rights within the legal framework.

Summary of Case Studies:

The case studies highlight significant issues related to a lack of social justice, inadequate crisis intervention and existing legislative gaps. Among the three the social justice and crisis intervention can be performed by the social workers and advocate for the third gap. In order to not reiterate the issues discussed in the case analysis, pinpoint common issues the beneficiaries lack during entertaining their cases.

- **Emotional and psychological support:** Beneficiaries often endure various traumas that lead to feelings of dependency, suspicion and social withdrawal. Seeking solutions after exhausting alternative mechanisms, they expect the program to prioritize their cases. However, the social chaos in their lives makes it challenging for them to process information from officers or lawyers. After meeting their lawyers, beneficiaries frequently struggle with technical jargon and legal procedures, leading to frustration and conflict. While lawyers are experts in law, they often lack the skills to address the emotional and psychological dimensions of their clients' experiences. This gap can be effectively filled by trained social workers who can facilitate understanding, provide timely emotional support and help beneficiaries stabilize their mental state for informed decision making.
- **Advocacy:** Beneficiaries require robust legal and policy advocacy, especially in exceptional situations such as force majeure. Many cases face obstacles due to statutory limitations, legislative gaps and ineffective legal representation which impede the pursuit

of fair outcomes. Trained social workers can advocate for housing solutions, community engagement and necessary policy changes to address systemic challenges and empower vulnerable individuals.

The insights from these case studies underscore the essential role of social workers in bridging these gaps. Social workers can foster a more just environment for beneficiaries facing complex legal challenges. The discussion paves the way for a deeper exploration of the specific roles of social workers in enhancing the overall support system for those in need.

4.10. The Crucial Role of Social Workers in Legal Aid

The involvement of social workers in civil suits has been identified as essential for effectively supporting beneficiaries in Ethiopia. Many individuals facing legal challenges experience emotional and psychological distress, which can significantly influence their decision-making processes, often leading to feelings of fear, doubt and helplessness. In this context, social workers serve as vital advocates for those deprived of their rights, helping to navigate the complexities of the legal system. In Addis Ababa, social workers can play a significant role in supporting the efforts of government-sponsored free legal aid lawyers and officers, particularly in civil cases. Their contributions can be outlined in the areas:

- **Client Assessment and Referral:** Social workers excel at identifying the legal needs of clients through thorough assessments. By determining specific legal issues, they can refer beneficiaries to appropriate legal aid services while addressing both social and legal challenges (Zajac, n.d.)
- **Collaboration and Networking:** Establishing cooperative relationships between social workers and legal aid providers is essential. This collaboration facilitates information

sharing and coordinated case management, ensuring that cases requiring both legal and social interventions are handled effectively. (Davidson et al., 2023)

- **Community Outreach and Education:** Social workers engage in raising awareness about legal rights and the availability of legal aid services. By organizing community education programs, they help beneficiaries understand how to access support and inform them about civil rights and legal processes. (Zajac, n.d.)
- **Advocacy:** Social workers take on the role of advocates, ensuring that clients receive necessary legal services. They engage in advocacy efforts aimed at improving access to legal aid and social services at the policy level. (University of North Dakota, 2024)
- **Emotional and Psychological Support:** Providing emotional support and counseling is a critical function of social workers. They help beneficiaries cope with stress and anxiety related to legal issues and can facilitate support groups for individuals facing similar challenges, fostering shared experiences and resources. (Hamza et al., 2017)
- **Training and Capacity Building:** Social workers can enhance the skills of legal aid lawyers by offering training on social issues that may impact clients, such as mental health, family dynamics and poverty. Participating in workshops organized by the Ministry of Justice (MOJ) can deepen social workers' understanding of legal processes.
- **Developing Referral Networks:** By building networks with other support services, including health and housing, social workers provide a holistic approach to client assistance and ensuring comprehensive support. (Craig et al., 1982)
- **Crisis Intervention:** In urgent situations, social workers can provide timely crisis intervention for beneficiaries facing immediate legal issues. They help clients develop

safety plans and particularly in cases of domestic violence or other pressing civil matters. (Craig et al., 1982)

- Cultural Competence: Social workers bring valuable insights into the cultural and social contexts of beneficiaries and enabling legal aid officers to tailor their approaches effectively. (Cultural Competence -Providing Culturally Appropriate Services, n.d.)

By leveraging these strategies, social workers can significantly enhance the support provided to beneficiaries fostering a more integrated approach to legal aid in civil cases in Addis Ababa.

4.11. Efficacy of Government-Sponsored Free Legal Aid Programs and the Need of Social Workers

The examination of government-sponsored free legal aid from the beneficiaries' perspective reveals a complex interaction among various stakeholders with the beneficiaries themselves being the primary focus of this research. Overall, the initiative has demonstrated success despite facing numerous hurdles and challenges effectively serving those in need.

A critical finding in the process is the necessity of integrating social worker support into civil suits. Social workers, trained to handle emotionally distressed individuals, can assist confused citizens who struggle to navigate the legal system and determine whom to trust. The absence of social worker involvement has contributed to misconceptions about legal rights, resulting in forfeited rights, unnecessary caseloads in courtrooms and unaddressed gaps in the system. These challenges highlight the importance of protecting the rights of beneficiaries, as many individuals forfeit their rights due to the stringent nature of the system and difficulties encountered with lawyers, the Ministry of Justice (MOJ) and other administrative bodies.

The lack of effective statutory legal aid raises concerns about its overall efficacy. Drawing from the experiences of countries with more established legal aid frameworks, there is a recommendation for the government to consider hiring lawyers who can serve beneficiaries at minimal or no cost. Implementing a system where successful beneficiaries can contribute through tax payments could provide a sustainable funding model for the program. (Genesis of Legal Aid in India | via Mediation Centre, n.d.)

Data collected indicates that many beneficiaries are unaware of their breached rights and do not know where to seek help, often leading them to accept living in injustice. This situation suggests a potential shift towards transforming the legal aid program into an investment opportunity. By engaging investors who can hire competent lawyers based on case analysis and share the resulting income with the beneficiary. This agreement can be performed with strict monitoring of MOJ as a supplement to the program. It could avoid the financial threshold of the beneficiary, ensure exercise their rights, transfer risk to the funder, popularize access to justice and alleviate the burdens of injustice (Getaneh, n.d.) It further mitigate beneficiaries and lawyers suggestion ineffectiveness of the program due to lack of strict follow-up by MOJ.

The lawyers (L1 and L2) underlines if more cases are directed to legal firms that have number of lawyers, the program can be effective for better follow-up with alternative representation in court appointments. In addition, if the system endorse online registration, the office can identify and narrow the chance from abuse.

In summary, while the government-sponsored free legal aid initiative has made strides in serving beneficiaries, significant improvements can be made through increased social worker involvement, better funding mechanisms, and the adoption of innovative approaches to legal aid delivery.

CHAPTER FIVE

5. Conclusion

Government sponsored free legal aid has contributed in accessing justice for the indigent citizens of Ethiopia. The initiative of the program can be considered as a success for reaching out to those in need of the service with all the hurdles.

There is a legal framework for access to justice through free legal aid aligns with global, regional and local legislation. Ethiopia has adopted these instruments, which are incorporated into state law under Article 13(2) of the FDRE Constitution. These provisions are referenced in proclamations, outlining the corresponding rights and duties.

Access to justice is outlined in Article 37 of the Constitution and has been formalized in a proclamation that allows beneficiaries to receive up to three cases free of charge per year from licensed lawyers. These beneficiaries are expected to receive the same treatment as paying clients. The Ministry of Justice (MOJ) is responsible for assigning cases to lawyers, maintaining data and inspecting at the annual renewal of licenses. However, due to inadequate supervision, some lawyers have been reported for registering compensated cases as pro bono, failing to appear in court on scheduled dates, demonstrating poor performance and lacking effective communication, which has led to beneficiaries forfeiting their rights. The ease of obtaining a "letter of poor" has resulted in the program being exploited by individuals who can afford legal fees. It is found evident that specific laws need to be enacted to create an accountable body and establish regulations that enforce stricter procedures to enhance the effectiveness of the program.

The perspective of beneficiaries towards the free legal aid stream identified shallow. Customarily, free things are precipitated as a grant that cannot be argued otherwise. Beneficiaries assumed they

are not supposed to request doubts with regard to the case in fear of ruining it by the lawyer. The communication between them and legal aid lawyer found limited. The beneficiaries handover the case and do not get timely response, lose hope and forfeit their right, do not agree with terms of their lawyers because they do not understand their case and focused only for the outcome.

The assigned lawyer, expected to focus on the legal issue, might not be successful in treating beneficiaries who are despaired by multiple challenges in their lives. These gaps can be filled by associating social workers in the program in the non-legal issues. Social workers fills the groove by acknowledging beneficiaries emotional status. The social workers can build a trust with the beneficiaries they lost form the institutions and community to easily adopt social justice and crisis intervention approaches. Further assist them to decide what they benefit out of the case in an ease mind like the case of Tarik. This supports the lawyer to fully focused on the case without distraction. Also, the social workers can identify and advocate for social rights like housing, referral and networking with stakeholders to address the needs.

The program currently address economic deprivation to access justice. From the study, in accessible, women and elderly people face additional challenge. The physical location of courts, finding evidence, summoning, communication and understanding the legal procedures are the problems to complete the program. The beneficiaries who claimed they are exposed due to the absence of male figure in their house, unable to move and lack of education on top of economic problem is an indication there exists intersecting points if further study conducted in this area that are obstacles to access justice.

MOJ is expected to do a lot in making the program stay viable by aggressive promotion and restructuring. The existing program is not known by the community as expected at the capital city of Ethiopia. People came to the program by word of mouth or from court areas. One of the

identified gaps by respondents to the study is lack of promotion of the service using various media outlets. Even though they are attempting, the office admitted it needed further push by different means.

The assessment of the case before assignment to the lawyers demands emphasis by MOJ. Respondent lawyers major hindrance to cope with the beneficiaries are; cases assigned without merit, lapse of period of limitation and res judicata took higher count. This is due to the shortage of manpower at the office exposing beneficiaries cases for longer time to finalize. At the existing set-up, gaps can be filled by taking alternatives like dispersing cases to firms that have number of lawyers to deal cases and to attend court hearings and encouraging voluntary legal aids.

The Ministry does not have a research center to assess the effectiveness of mandatory legal aid, feedback from both beneficiaries and stakeholders and identify repeated cases to mitigate conflicts. As per the data collected, labor and family cases are leading from others. The areas that leads to conflict were not yet identified by the office. However, if a research conducted based on the data they have, arrange a training for all parties to the legal aid, include social workers in civil suits and enable to address core issues and devise a solution.

As a concluding remark, creating network at various level stakeholders that have significance in accessing justice through free legal aid found important from the study. Addressing legal issues for the entire community has payback for having a community that rely on legality and equal representation in protecting civil rights. It has to be underlined that we are living in peace because these rights are protected in collaboration with professionals sharing their knowledge and time for vulnerable community members with its challenges.

SOCIAL WORK IMPLICATIONS

Budget Implication

The Ministry of Finance of Ethiopia to dedicate a budget to MOJ for promotion through different media outlets, training, salaries and funding initiatives aimed at educating communities about their legal rights and available services. By leveraging both external and local funding sources can significantly bolster the legal aid program.

Policy Implication

The Ministry of Women and Children advocate for policies that encourage active parental involvement in childcare, particularly in supporting custodial mothers. To promote the idea that fathers who provide minimal child support can also take on babysitting responsibilities, allowing these mothers to pursue employment opportunities that align with their interests and financial needs. The Ministry can influence child support legislation to recognize and incentivize shared parenting roles.

Educational Implication

The Ministry of Labor to raise awareness among government-sponsored free legal aid lawyers and employers in Addis Ababa about common labor disputes by organizing training sessions focused on employment contracts, workplace rights and legal updates that equip legal aid providers with essential knowledge. Collaboration with the Ministry of Justice (MOJ) is crucial for streamlining access to legal support for beneficiaries. Engaging beneficiaries in discussions during and after cases can help identify recurring issues, thereby reducing the likelihood of repeated disputes and addressing existing legal gaps.

Legal Implication

The Ministry of Justice should include in the legal framework and institute a social work department that intervene between the beneficiaries and affiliate bodies under the GSLA program to advocate for policies and to enable civil cases beneficiaries access justice.

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Annex 1 Questionnaire

QUESTIONNAIRE LETTER

ENGLISH VERSION

Addis Ababa University

School of Social Work

Dear participant,

My name is _____. I am a graduate student at Addis Ababa University School of Social Work and Social Studies. Currently, I am conducting a research study on Examining the Efficacy of Government-Sponsored Free Legal Aid Programs from Beneficiaries' Perspectives: Cases transferred to licensed lawyers by Ministry of Justice in Addis Ababa

Your genuine response is highly valuable for the study and there are no identified risks from participation in the survey. The survey is anonymous. Participation is completely voluntarily. It will take you approximately 10-15 minutes of your time to complete filling this questionnaire.

Dear Participant, this questionnaire is intended to gather information about Examining the Efficacy of Government-Sponsored Free Legal Aid Programs from Beneficiaries' Perspectives: Cases transferred to licensed lawyers by Ministry of Justice in Addis Ababa.

I can assure you that any information that you provide in this questionnaire will be kept confidential and only be used for academic purposes.

For any further information, the researcher can be reached on the following addresses:

Thank you for your kind cooperation and precious time.

Cell phone: _____

Email: _____

In Depth Interview:
BENEFICIARIES

Background and Experience:

- a. Can you describe your experience and case for which you sought assistance with the government-sponsored free legal aid program?
- b. How did you become aware of the program and its services?

Accessing Free Legal Aid:

- a. What criteria or requirements did you have to meet to be eligible for the program? Did you face any challenges during the process?
- b. Did you have any input or preferences regarding the lawyer assigned to your case?
- c. How would you evaluate the quality of legal representation provided by the lawyer assigned to your case?

Satisfaction and Outcome:

- a. Overall, how satisfied were you with the services and assistance received through the free legal aid program?
- b. Did the program meet your expectations in terms of addressing your legal needs?
- c. Can you describe the impact it had on your situation?

Program Effectiveness:

- a. In your opinion, how effective is the government-sponsored free legal aid program in addressing the needs of beneficiaries like yourself?
- b. What were the strengths and weaknesses of the program that you observed or experienced?
- c. Were there any specific challenges or limitations that you encountered during the process?

Support and Communication:

- a. Did you receive any support or guidance from the program staff or the assigned lawyer throughout the duration of your case?
- b. What were the reasons for failing to help you?
- c. How would you describe the level of communication and information provided to you regarding your case and the progress made?

Suggestions for Improvement:

Based on your experience, what changes or improvements would you recommend to enhance the effectiveness and accessibility of the free legal aid program?

(Lawyers)**Background and Experience:**

- a. How long have you been practicing law?
- b. How many cases transferred to licensed lawyers by the Ministry of Justice have you handled?
- c. Can you describe your experience with government-sponsored legal aid programs?

Understanding of the Program:

- a. What is your understanding of the government-sponsored free legal aid program in Addis Ababa?
- b. What criteria are used to determine which cases are eligible for transfer?
- c. Can you explain the process of how beneficiaries access free legal aid?

Beneficiaries' Perspectives:

- a. In your experience, what are the main challenges faced by beneficiaries of free legal aid programs?
- b. What are the common types of cases that beneficiaries seek assistance for?
- c. How would you describe the overall satisfaction level of beneficiaries with the services they receive?

Program Effectiveness:

- a. From your perspective, how effective is the government-sponsored free legal aid program in achieving its objectives?
- b. What are the key strengths and weaknesses of the program?
- c. What improvements or changes would you suggest to enhance the program's effectiveness?

Access to Justice:

- a. How does the program contribute to improving access to justice for disadvantaged individuals?
- b. Are there any barriers or limitations that hinder beneficiaries from accessing the program?
- c. Are there any specific groups or communities that face additional challenges in accessing free legal aid?

Collaboration and Support:

- a. How do licensed lawyers collaborate with the Ministry of Justice in handling transferred cases?
- b. What kind of training or capacity-building initiatives are available to lawyers involved in free legal aid?

Key Informant Interview

MOJ Officers

Role and Experience:

- a. Can you describe your role and responsibilities within the Ministry of Justice?
- b. How long have you been working in this role?
- c. What is your involvement in the government-sponsored free legal aid program, particularly in relation to cases transferred to licensed lawyers?

Program Implementation:

- a. How is the government-sponsored free legal aid program implemented within the Ministry of Justice?
- b. Can you describe the criteria, process of identifying, transferring cases and consideration when selecting licensed lawyers to handle transferred cases?

Collaboration and Communication:

- a. How do Ministry of Justice officers collaborate and communicate with licensed lawyers who handle transferred cases?
- b. Are there regular meetings or mechanisms in place to ensure effective coordination and information sharing?
- c. Can you describe any challenges or successes in the collaboration between Ministry of Justice officers and licensed lawyers?

Program Monitoring and Evaluation:

- a. How does the Ministry of Justice monitor and evaluate the effectiveness of the government-sponsored free legal aid program, specifically in relation to cases transferred to licensed lawyers?
- b. What data or indicators are used to assess the program's impact and outcomes?
- c. Are there any mechanisms for feedback or input from beneficiaries regarding their experiences with the program?

Program Effectiveness:

- a. In your opinion, how effective is the government-sponsored free legal aid program in achieving its objectives, particularly in the context of cases transferred to licensed lawyers?
- b. What are the strengths and weaknesses of the program as observed by the Ministry of Justice?
- c. Have there been any notable improvements or changes in the program's effectiveness over time?

Challenges and Solutions:

- a. What are the main challenges or obstacles faced by the Ministry of Justice in ensuring the efficacy of the program, specifically in cases transferred to licensed lawyers?

b. Are there any resources or support that the Ministry of Justice requires to enhance the program's effectiveness?

Recommendations:

Based on your experiences and insights, what recommendations would you make to improve the efficacy and outcomes of the government-sponsored free legal aid program, particularly in cases transferred to licensed lawyers?

LEGAL AID OFFICE

Role and Experience:

a. Can you describe your role and involvement in the legal aid office?

b. How long have you been participating in the legal aid office and assisting beneficiaries with their cases?

Understanding of the Program:

a. What is your understanding of the government-sponsored free legal aid program in Addis Ababa, specifically regarding cases transferred to licensed lawyers?

b. How are cases identified and selected for transfer to licensed lawyers?

Beneficiary Experiences:

From your interactions and experiences, what are some common challenges or issues faced by beneficiaries whose cases are transferred to licensed lawyers?

Program Effectiveness:

In your opinion, how effective is the government-sponsored free legal aid program in achieving its objectives, particularly in the context of cases transferred to licensed lawyers?

Impact and Recommendations:

a. From your perspective, what impact does the government-sponsored free legal aid program have on beneficiaries whose cases are transferred to licensed lawyers?

b. Based on your experiences, what recommendations would you make to improve the program's efficacy and ensure better outcomes for beneficiaries?

c. Are there any specific policy or procedural changes that you believe would enhance the overall effectiveness of the program?

Questionnaire
Amharic Version
Addis Ababa University

School of Social Work Studies

ውድ ተሳታፊ

ስሜ አቶ በአካል ከተማ እባላለሁ። በአዲስ አበባ ዩኒቨርሲቲ የማህበራዊ ስራ እና ማህበራዊ ጥናት ትምህርት ቤት የድህረ ምረቃ ተማሪ ነኝ። በአሁኑ ወቅት በመንግስት የሚደገፉ የነጻ የህግ ድጋፍ ፕሮግራሞችን ከተጠቃሚዎች እይታ አንፃር በመመርመር በፍትህ ሚኒስቴር ፍቃድ ወደ አዲስ አበባ የህግ ባለሙያዎች የተላለፉ ጉዳዮች ላይ ጥናት በማካሄድ ላይ ነኝ።

የእርስዎ እውነተኛ ምላሽ ለጥናቱ በጣም ጠቃሚ ነው እና በዳሰሳ ጥናቱ ውስጥ መሳተፍ ምንም የተለዩ አደጋዎች የሉም። የዳሰሳ ጥናቱ ስም-አልባ ነው። ተሳትፎ ሙሉ በሙሉ በፈቃደኝነት ነው። ይህንን መጠይቅ ለመሙላት ከ10-15 ደቂቃ ያህል ጊዜዎን ይወስድብዎታል።

ውድ ተሳታፊ፣ ይህ መጠይቅ በመንግስት የሚደገፉ የነጻ የህግ ድጋፍ ፕሮግራሞችን ከተጠቃሚዎች እይታ አንፃር በመመርመር በፍትህ ሚኒስቴር ፍቃድ ወደ አዲስ አበባ የህግ ባለሙያዎች የተላለፉ ጉዳዮች ላይ የሚደረግ

ጥናት ነው ። በዚህ መጠይቅ ውስጥ የምታቀርቡት ማንኛውም መረጃ በሚስጥር እንደሚጠበቅ እና ለአካዳሚክ ዓላማ ብቻ እንደሚውል ላረጋግጥላችሁ እወዳለሁ።

ለማንኛውም ተጨማሪ መረጃ ተመራማሪውን በሚከተሉት አድራሻዎች ማግኘት ይቻላል፡-

ስለ መልካም ትብብርዎ እና ውድ ጊዜዎ እናመሰግናለን።

ሞባይል ስልክ: _0911160584

ኢሜል: _ketema16@gmail.com

ክፍል I. አጠቃላይ መረጃ

እባኩትን () ለእርስዎ የሚመለከቱትን ሳጥኖች ላይ ምልክት ያድርጉ።

- 1. ጾታዎ: ወንድ ሴት
- 2. የእርስዎ የዕድሜ ምድብ: 18-25 25 - 35 36 - 45 46 - 55 ከ55 በላይ

3. ክፍተኛ የትምህርት ደረጃዎ:

- ሁለተኛ ደረጃ ትምህርት ቤት ዲፕሎማ የመጀመሪያ ዲግሪ
- ማስተር ዲግሪ እና ከዚያ በላይ

4. ስራዎ: ተማሪ ጡረታ የንግድ ባለቤት የተቀጠረ ሌሎች

5. ዜግነትህ:- ኢትዮጵያዊ የውጭ አገር ሰው

በጥልቀት ቃለ መጠይቅ ላይ ለሚሳተፉ ሰዎች ጥያቄዎች :-

ተጠቃሚዎች

ዳራ እና ልምድ:-

ሀ. በመንግስት በሚደገፈው ነፃ የህግ ድጋፍ ፕሮግራም እርዳታ የጠየቁበትን ልምድ እና ጉዳይ መግለፅ ይችላሉ?

ለ. ስለ ፕሮግራሙ እና አገልግሎቶቹ እንዴት አወቁ?

ነጻ የህግ እርዳታ ማግኘት:

ሀ. ለፕሮግራሙ ብቁ ለመሆን ምን መመዘኛዎች ወይም መስፈርቶች ማሟላት ነበረብዎት? በሂደቱ ውስጥ ምንም ችግሮች አጋጥመውዎታል?

ለ. ለጉዳይዎ የተመደበውን ጠቢቃ በተመለከተ ምን ግብአት ወይም ምርጫ አልዎት?

ሐ. ለጉዳይዎ የተመደበውን የሕግ ውክልና ጥራት እንዴት ይገመግማሉ?

እርካታ እና ውጤት:-

ሀ. በአጠቃላይ፣ በነጻ የህግ ድጋፍ ፕሮግራም ባገኙት አገልግሎት እና እርዳታ ምን ያህል ረከተዋል?

ለ. ህጋዊ ፍላጎቶችዎን ከመፍታት አንጻር ፕሮግራሙ እርስዎ የሚጠብቁትን አሟልቷል?

ሐ. የጉዳይዎን ውጤት እና በእርስዎ ሁኔታ ላይ ያለውን ተጽእኖ መግለጽ ይችላሉ?

የፕሮግራም ውጤታማነት:

ሀ. በእርስዎ አስተያየት፣ በመንግስት የሚደገፈው ነፃ የህግ ድጋፍ ፕሮግራም እንደ እርስዎ ያሉ የተጠቃሚዎችን ፍላጎት ለመፍታት ምን ያህል ውጤታማ ነው?

ለ. እርስዎ የታዘቡ ወይም ያጋጠሙዎት የፕሮግራሙ ጥንካሬ እና ድክመቶች ምን ምን ነበሩ?

ሐ. በሂደቱ ወቅት ያጋጠሙዎት ልዩ ተግዳሮቶች ወይም ገደቦች ነበሩ?

ድጋፍ እና ግንኙነት:

ሀ. በጉዳይዎ ጊዜ ሁሉ ከፕሮግራሙ ሰራተኞች ወይም ከተመደበው ጠቢቃ ምንም አይነት ድጋፍ ወይም መመሪያ አግኝተዋል?

ለ. እርስዎን መርዳት ያልቻሉበት ምክንያቶች ምን ምን ነበሩ?

ሐ. ስለጉዳይዎ እና የተደረገውን እድገት በተመለከተ የተሰጠዎትን የግንኙነት እና የመረጃ ደረጃ እንዴት ይገልጹታል?

የማሻሻያ ምክሮች:-

በተሞክሮዎ መሰረት የነጻ የህግ ድጋፍ ፕሮግራሙን ውጤታማነት እና ተደራሽነት ለማሳደግ ምን አይነት ለውጦችን ወይም ማሻሻያዎችን ይመክራሉ?

ክፍል II. በጥልቀት ቃለ መጠይቅ ላይ ለሚሳተፉ ሰዎች ጥያቄዎች ጠበቆች

ዳራ እና ልምድ:-

ሀ. በጠበቃነት ምን ያህል ጊዜ እየሰራህ/ሽ ነው?

ለ. በፍትህ ሚኒስቴር ምን ያህል ነፃ ጉዳዮችን ወስደዋል?

ሐ. በመንግስት የሚደገፉ የህግ ድጋፍ ፕሮግራሞች ያለዎትን ልምድ በአጭሩ መግለጽ ይችላሉ?

የፕሮግራሙ ግንዛቤ;

ሀ. በአዲስ አበባ በመንግስት የሚደገፈው የነጻ የህግ ድጋፍ ፕሮግራም ምን ግንዛቤ አለዎት?

ለ. ነፃ ጉዳዮች በፍትህ ሚኒስቴር ፈቃድ ላላቸው ጠበቆች እንዴት ይተላለፋሉ?

ሐ. ተጠቃሚዎች ነፃ የህግ እርዳታ እንዴት እንደሚያገኙ ሂደቱን ማብራራት ይችላሉ?

የተጠቃሚዎች እይታ:-

ሀ. በእርስዎ ልምድ፣ በነጻ የህግ ድጋፍ ፕሮግራሞች ተጠቃሚዎች የሚያጋጥሟቸው ዋና ዋና ችግሮች ምንድን ናቸው?

ለ. ተጠቃሚዎች እርዳታ የሚሹባቸው የተለመዱ የጉዳይ ዓይነቶች ምንድናቸው?

ሐ. ባገኙት አገልግሎት የተረጋጋዎችን አጠቃላይ እርካታ እንዴት ይገልጹታል?

የፕሮግራም ውጤታማነት;

ሀ. በእርስዎ እይታ፣ በመንግስት የሚደገፈው የነጻ የህግ ድጋፍ ፕሮግራም አላማውን ለማሳካት ምን ያህል ውጤታማ ነው?

ለ. የፕሮግራሙ ቁልፍ ጥንካሬዎች እና ድክመቶች ምን ምን ናቸው?

ሐ. ለተጠቃሚዎች የሚሰጠውን የህግ ድጋፍ ጥራት እንዴት ይገመግማሉ?

የፍትህ ተደራሽነት;

ሀ. መርሃግብሩ ለተቸገሩ ግለሰቦች የፍትህ ተደራሽነትን ለማሻሻል አስተዋፅዖ የሚያደርገው እንዴት ነው?

ለ. ተጠቃሚዎች ፕሮግራሙን እንዳያገኙ የሚከለክሉ መሰናክሎች ወይም ገደቦች አሉ?

ሐ. ነፃ የሕግ ድጋፍ ለማግኘት ተጨማሪ ፈተናዎች የሚያጋጥሟቸው የተወሰኑ ቡድኖች ወይም ማህበረሰቦች አሉ?

ትብብር እና ድጋፍ;

ሀ. የተላለፉ ጉዳዮችን በተመለከተ ፈቃድ ያላቸው ጠበቆች ከፍትህ ሚኒስቴር ጋር እንዴት ይተባበራሉ?

ለ. በፕሮግራሙ ውስጥ ለሚሳተፉ ጠበቆች የተሰጡ የድጋፍ ሥርዓቶች ወይም ግብዓቶች አሉ?

ነጻ የህግ ድጋፍ ሰጪዎች

ሚና እና ልምድ:-

ሀ. በሕግ ከሊኒክ ውስጥ ያለዎትን ሚና እና ተሳትፎ በአጭሩ መግለጽ ይችላሉ?

ለ. በህጋዊ ከሊኒክ ውስጥ እየተሳተፉ እና ተጠቃሚዎችን በጉዳያቸው ስትረዳ ምን ያህል ጊዜ ቆየህ?

የፕሮግራሙ ግንዛቤ;

ሀ. በአዲስ አበባ በመንግስት የሚደገፈው የነጻ የህግ ድጋፍ ፕሮግራም በተለይ ፍቃድ ወደ ጠበቆች የሚተላለፉ ጉዳዮችን በተመለከተ ምን ግንዛቤ አለዎት?

ለ. ወደ ፈቃድ ጠበቆች ለመሸጋገር ጉዳዮች እንዴት ተለይተው ይታወቃሉ እና ይመረጣሉ?

የተጠቃሚ ተሞክሮዎች:-

ሀ. ከግንኙነትዎ እና ከተሞክሮዎ፣ ጉዳያቸው ወደ ፈቃድ ጠበቃዎች የሚተላለፉ ተጠቃሚዎች የሚያጋጥሟቸው አንዳንድ የተለመዱ ተግዳሮቶች ወይም ጉዳዮች ምንድናቸው?

የፕሮግራም ውጤታማነት;

በእርስዎ አስተያየት፣ በመንግሥት የሚደገፈው ነፃ የሕግ ድጋፍ ፕሮግራም ዓላማውን ከማሳካት አኳያ፣ በተለይም ፈቃድ ወደ ነበራቸው የሕግ ባለሙያዎች የሚተላለፉ ጉዳዮችን በተመለከተ ምን ያህል ውጤታማ ነው?

ተጽእኖ እና ምክሮች:-

ሀ. በእርስዎ እይታ፣ በመንግስት የሚደገፈው የነጻ የህግ ድጋፍ ፕሮግራም ጉዳያቸው ወደ ህጋዊ ጠበቃ በሚተላለፉ ተጠቃሚዎች ላይ ምን ዓይነት ተፅእኖ አለው?

ለ. ከተሞክሮዎ በመነሳት የፕሮግራሙን ውጤታማነት ለማሻሻል እና ለተጠቃሚዎች የተሻሉ ውጤቶችን ለማረጋገጥ ምን ምክሮችን ይሰጣሉ?

ሐ. የፕሮግራሙን አጠቃላይ ውጤታማነት ያሳድጋል ብለው የሚያምኗቸው የተለየ ፖሊሲ ወይም የሥርዓት ለውጦች አሉ?

የፍትህ ሚኒስቴር አባላት

ሚና እና ልምድ:-

ሀ. በፍትህ ሚኒስቴር ውስጥ ያለዎትን ሚና እና ሃላፊነት በአጭሩ መግለጽ ይችላሉ?

ለ. በዚህ ሚና ውስጥ ምን ያህል ጊዜ እየሰሩ ነው?

ሐ. በመንግስት በሚደገፈው የነጻ የህግ ድጋፍ ፕሮግራም በተለይም ፍቃድ ወደ ጠበቆች ከሚተላለፉ ጉዳዮች ጋር በተያያዘ የእርስዎ ተሳትፎ ምን ይመስላል?

የፕሮግራም ትግበራ:-

ሀ. በመንግስት የሚደገፈው ነፃ የህግ ድጋፍ ፕሮግራም በፍትህ ሚኒስቴር ውስጥ እንዴት ይተገበራል?

ለ. ጉዳዮችን በሚመርጡበት ጊዜ ምን ዓይነት መመዘኛዎች እና የማስተላለፊያ ሂደት እንዳሉ መግለጽ ይችላሉ?

ትብብር እና ግንኙነት;

ሀ. የፍትህ ሚኒስቴር አፈሰሮች ከጠበቃዎች ጋር እንዴት ይተባበሩ እና ይገናኛሉ?

ለ. ውጤታማ ቅንጅት እና የመረጃ ልውውጥን ለማረጋገጥ መደበኛ ስብሰባዎች ወይም ዘዴዎች አሉ?

ሐ. በፍትህ ሚኒስቴር መኮንኖች እና ፈቃድ ባላቸው ጠበቆች መካከል ባለው ትብብር ውስጥ ያጋጠሙትን ተግዳሮቶች ወይም ስኬቶችን መግለጽ ይችላሉ?

የፕሮግራም ክትትል እና ግምገማ:-

ሀ. የፍትህ ሚኒስቴር በመንግስት የሚደገፈውን ነፃ የህግ ድጋፍ ፕሮግራም በተለይም ፍቃድ ወደ ጠበቆች የሚተላለፉ ጉዳዮችን እንዴት ይከታተላል እና ይገመግማል?

ለ. የፕሮግራሙን ተፅዕኖ እና ውጤቶቹን ለመገምገም ምን መረጃ ወይም ጠቋሚዎች ጥቅም ላይ ይውላሉ?

ሐ. በፕሮግራሙ ላይ ያላቸውን ልምድ በተመለከተ ከተጠቃሚዎች አስተያየት ወይም ግብአት የሚሆኑ ዘዴዎች አሉ?

የፕሮግራም ውጤታማነት;

ሀ. በእርስዎ አስተያየት፣ በመንግስት የሚደገፈው ነፃ የህግ ድጋፍ ፕሮግራም ዓላማውን ከማሳካት አኳያ፣ በተለይም ፈቃድ ወደ ነበራቸው የህግ ባለሙያዎች የሚተላለፉ ጉዳዮችን በተመለከተ ምን ያህል ውጤታማ ነው?

ለ. ፍትህ ሚኒስቴር የታዘበው መርሃ ግብሩ ጠንካራና ደካማ ነገሮች ምን ምን ናቸው?

ሐ. በጊዜ ሂደት በፕሮግራሙ ውጤታማነት ላይ ጉልህ ማሻሻያዎች ወይም ለውጦች አሉ?

ተግዳሮቶች እና መፍትሄዎች:-

ሀ. የፍትህ ሚኒስቴር የመርሃ ግብሩን ውጤታማነት ከማረጋገጥ አኳያ በተለይም ፈቃድ ወደ ነበራቸው የህግ ባለሙያዎች የሚተላለፉ ጉዳዮች ዋና ዋና ተግዳሮቶች ወይም መስናክሎች ምንድን ናቸው?

ለ. እነዚህን ተግዳሮቶች ለመፍታት እየተተገበሩ ያሉ ስልቶች ወይም ተነሳሽነቶች አሉ?

ሐ. የፕሮግራሙን ውጤታማነት ለማሳደግ የፍትህ ሚኒስቴር የሚፈልገው ግብአት ወይም ድጋፍ አለ ወይ?

ምክሮች:-

ከልምዶቻቸው እና ግንዛቤዎቻቸው በመነሳት በመንግስት የሚደገፈውን የነጻ የህግ ድጋፍ ፕሮግራም ውጤታማነት እና ውጤቶቹን ለማሻሻል ምን ዓይነት ምክሮችን ይሰጣሉ በተለይም ፍቃድ ወደ ጠበቃዎች በሚተላለፉ ጉዳዮች ላይ?

Annex 2

Obligation of Beneficiaries

የነፃ የጥብቅና አገልግሎት ተጠቃሚ የሆነ ሰው መፈጸም ያለበት ተግባራት ወይም ግዴታዎች

የነፃ ጥብቅና /የህግ ድጋፍ/ አገልግሎት ተገልጋይ ለመሆን ወይም የሆነ ሰው አገልግሎቱን ለማግኘት ወይ የጥብቅና ፈቃድ አስተዳደርና የነፃ ህግ ድጋፍ አገልግሎት ዳይሬክቶሬት ከመምጣቱ በፊትም ሆነ አገልግሎቱን እያገኘ ባለበት ሂደት በዋናነት መፈጸም ያለበት ተግባራት ወይም ግዴታዎች

በነፃ የጥብቅና አገልግሎት በርካታ የህብረተሰብ ክፍሎች በአገልግሎቱ በሀገራችን እውቅናና ጥበቃ የተደረገላቸውን መብቶች እንዲከበርላቸውና ተጠቃሚ እንዲሆኑ እየተደረገ ሲሆን ነገር ግን በአሰራር ወቅት በማወቅም ሆነ በላማወቅ አለስፈላጊ የሆነ አገልግሎት ለማግኘት የሚደረጉ ጥረቶች አልፎ አልፎ እየተፈጸሙ በመሆኑ ስለአገልግሎቱ አሰጣጥና ተገልጋዮችም መፈጸም የሚገባቸውን ተግባራት ማሳወቅ አስፈልጋል።

በዚህ መሰረት የነፃ ጥብቅና /የህግ ድጋፍ/ አገልግሎት ተገልጋይ ለመሆን ወይም የሆነ ሰው አገልግሎቱን ለማግኘት ወይ ዳይሬክቶሬቱ ከመምጣቱ በፊትም ሆነ አገልግሎቱን እያገኘ ባለበት ሂደት በዋናነት መፈጸም ያለበት ተግባር ወይም ግዴታዎች፡-

1. ጠበቃ እንዲመደብለት የገንዘብ አቅም የሌለው ሰለመሆኑ በሚኖርበት ቀበሌ አስተዳደር ትክክለኛና በ3 ምስክሮች የተረጋገጠና የተፈረመበት ማስረጃ እና የምስክሮችን መታወቂያ ኮፒ ማቅረብ አለበት።
2. ተገልጋይ ቀደም ሲል በፍርድ ቤት ውሳኔ የተሰጠበትን ጉዳይ ያልተሰጠበት በማስመሰል/በመደበኛ/በዚያው ፍርድ ቤት ወይም በሌላ ፍርድ ቤት ጉዳይን እንደ አዲስ እንዲቅርብ ወይም ሌላውን ወገን ሆነ ብሎ ለማንገላታት ሲል ጠበቃ እንዲመደብለት መጠየቅ የለበትም።
3. ተገልጋይ እውነተኛነት የሌላቸውን ወይም የሀሰት ጉዳይ ይዞ ወይም መብት ሳይኖረው ለጠበቃው ማቅረብ የለበትም።
 - ✓ ተገልጋይ ለጠበቃው የደረሰበትን ጉዳት ወይም ጋጣሙን መብት ለማግኘት ወይም ለማስከበር ያስችሉኛል የሚላቸውን ማስረጃዎች አሟልቶ ለጠበቃው የማቅረብ ግዴታ አለበት።
 - 4. ተገልጋይ ለጠበቃው ከሚያቀርበው ጉዳይ ጋር በተያያዘ ጠበቃው ሲጠይቀው የቻለውን ያህል ማስረጃት አለበት።
 - 5. ተገልጋይ ከአገልግሎቱ ጋር ተዛማጅነት ያላቸውን ሙያዊ ያልሆኑ ስራዎች ማለትም የፍርድ ቤት መጥሪያ፣ መልስ መስጠትና መቀበል፣ ትዕዛዝ፣ የፍርድ ግልባጭ እና ተያያዥነት ያላቸው ጉዳዮችን ለሚመለከተው ክፍል ማድረስና መቀበል አለበት።
 - 6. አቅም በፈቀደ መጠን በቀጠሮ ቀናት ችሎት እየተገኘ ጉዳዩን መከታተል።
 - ✓ 7. ከነጻ የጥብቅና አገልግሎት ጋር የተያያዙ ከፍተኛ እና ወጪዎች ማለትም የዳኝነት፣ የቴምብር ቀረጥ፣ የፎቶ ኮፒ እና የመሳሰሉት ወጪዎችን ነጻ የጥብቅና አገልግሎት ተጠቃሚው የመክፈል ግዴታ አለበት።
 - 8. የክስ ደርጋ፣ ደግሞ ጊዜና በክልል ፍርድ ቤቶች የሰበሰቡ ውሳኔ በተሰጠበት ጉዳይ ለፌዴራል ፍርድ ቤት የሰበሰቡ አቤቱታ ለማቅረብ ጊዜው ሳያልፍ ጉዳዩን ማቅረብ አለበት።
 - 9. ከጠበቃው ጋር መልካም የስራ ግንኙነት የመፍጠርና ችግር ሲያጋጠም ተነጋግሮ የመፍታት ካልሆነ ግን ሁኔታውን ለዳይሬክቶሬቱ ማሳወቅ።
 - 10. ተገልጋይ ገንዘብ የመክፈል ችሎታ እያለው ነገር ግን የሌለው መሆኑን በማረጋገጥ አገልግሎቱን እያገኘ ከሆነ ሁኔታው ሲታወቅ አገልግሎቱ ወዲያው እንዲቋረጥ ተደርጎ ተገልጋይ በሀሰተኛ ማስረጃ በመገልገል ወንጀል እንዲጠየቅ ይደረጋል።
 - 11. የነፃ አገልግሎት ተገልጋይ በጠበቃው አገልግሎት ተሰጥቶ ከተጠናቀቀ በኋላ የጉዳዩን መጠናቀቅ ውሳኔውን ስለአገልግሎቱ ያለውን አስተያየት አያይዞ ለዳይሬክቶሬቱ ሪፖርት ማቅረብ አለበት።

ስልክ:- 0118 54 75 59

በኢ.ፌ.ዴ.ሪ ፍትሕ ሚኒስቴር
የጥብቅና አስተዳደርና የነፃ ህግ ድጋፍ አገልግሎት ዳይሬክቶሬት



Advocacy license & Adm

የሰው ጤና



የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ
የፍትሕ ሚኒስቴር
The Federal Democratic Republic of Ethiopia
Ministry of Justice



ቁጥር
Ref. No
ቀን
Date

የሰጡት ህጋዊ አስተያየቶች እና መልስን በተመለከተ አመልካች ከቀበሌ አስመስክራ ያመጣቸው የራሳቸውን ድህነት ቢሆንም እንዲያዝላቸው የሚፈለጉት ጉዳይ የመኪና አስመጪ የሆኑት ወኪል አድራጊያቸው ከኢትዮጵያ ገቢዎችና ጉምሩክ ኮሚሽን ጋር ከ62 /ስልሳ ሁለት / መኪኖች ውርስ ጋር በተያያዘ ለፌዴራል ከፍተኛ ፍርድ ቤት ልደታ ምድብ ፍታብሔር ችሎት በ65.000.000/ስልሳ አምስት ሚሊየን ብር/ ግምት ያቀረቡትን ክስ ነው።

ሆኖም ጉዳዩን ተመልክተው እንደመረመሩት፡-

- ❖ ክሱ በመኪና አስመጪ ስም የተመሰረተ መሆኑን ፣
- ❖ ነጋዴ ደግሞ ይህን አገልግሎት ለማግኘት በንግድ ህጉ መሰረት የመክሰር ውሳኔ ማሰጠት እንዳለበት ፣
- ❖ የግለሰቧ ወኪል አድራጊ ዛሬ ገንዘብ ባይኖራቸውም ከክርክሩ በኋላ በሚመለሰው ንብረት በፐርሰንት ተዋውለው ቢረቱ የጠበቃ አበል መክፈል የሚችሉ መሆናቸውን፣
- ❖ አመልካች ዋናዋ ባለጉዳይ ሳይሆኑ ራሳቸውን /የወኪሏን/ ድህነት አረጋግጠው ማቅረባቸው አግባብ ካለመሆኑም በላይ ለእርሳቸው ስም ለድሆች በተሰጠ ልዩ መብት አገልግሎት መስጠት አግባብ ስላልሆነ ይህን ጉዳይ በደህ ደንብ ለመያዝ እንቸገራለን የሚል ምላሽ አቅርበዋል።

ይህ በእንዲህ እንዳለ በዳይሬክቶሬታችን በኩል የሁለቱን ጠበቆች አስተያየት እና ምላሽ አያይዘን ስንሰጣቸው ባለሙያዎችን በመሳደብ እና በማንጓጠፍ፣ ሁከትና ብጥብጥ በመፍጠር ሲያስቸግሩን የነበረ መሆኑንና እኚህ አቤቱታ አቅራቢ በአግባቡ ጠበቆች ነፃ የህግ ድጋፍ አገልግሎት እንዲሰጡ የተመደበላቸው ቢሆንም መልካም ስነምግባር ያልነበራቸው መሆኑን ብንረዳም በትዕግስት ጉዳዩን ጠበቃ የማይመደብላቸው መሆኑን ከጠበቆች የቀረበውን ጥቆማ መነሻ በማድረግ ለማስረዳት ተሞክሯል። ስለሆነም ያቀረቡት የጠበቃ ይመደብልኝ ጥያቄ በአዋጅ ቁጥር 1249/2013 ዓ.ም አንቀፅ 31/1(ሀ-መ) የተመለከተውን ድንጋጌ የማይሸፈኑ የሚከራከሩት ጉዳይም /ድርጅት/ 62 /ስልሳ ሁለት/መኪኖች ከመሆኑም በላይ ይህ ድርጅት በአሁኑ ወቅት

ለሕግ፣ ለፍትህ፣ ለርቀት!
For Law, Justice, Equity!

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የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ
የፍትሕ ሚኒስቴር
The Federal Democratic Republic of Ethiopia
Ministry of Justice



ቁጥር
Ref. No.
ቀን
Date

በፍርድ መክሰሩን አረጋግጠው ያልቀረቡ ስለሆነ በስነ ምግባር ደንብ ቁጥር 57/92 መሰረት ከፈቀዱት ወይም ከሚፈልጉት ጠበቃ ጋር ለወደፊት በሚፈፀም ክፍያ ውል ገብተው በመስማማት ጠበቃ ማቆም ከሚችሉ በስተቀር በአዋጁ ላይ እንደተገለፀው መስፈርት ደሀ ሊባሉ የሚችሉ ባለመሆናቸው ነፃ የህግ ድጋፍ አገልግሎት የሚሰጣቸውን ጠበቃ በዳይሬክቶሬቱ በኩል ሊመድላቸው አይገባም በማለት ወስነን ይህንን አስተያየት አቅርቦናል።

ግልባጭ

ለክቡር ለህግ እና ለመንግስት ፍትህ አገልግሎት ዘርፍ ሚ/ር ዴኤታ
ፍትህ ሚኒስቴር

ለሕግ፣ ለፍትህ፣ ለርትዕ!

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አዲስ አበባ ኢትዮጵያ
Addis Ababa - Ethiopia

Annex 4- Sample letter of poor

0910657167

Rm
መስከረም ፳፻፲፱ ዓ.ም ገቢ ገቢ
አዲስ አበባ ግዛት ግዛት ግዛት
ግዛት ግዛት ግዛት ግዛት

በክፍል ቀራጅ የክፍል ከተማ የወረዳ 04 ሰጠኛ ፀጥታ አስተዳደር ጽ/ቤት

የገንዘብ ጥያቄ ለማሰጠት የሚያስፈልገው የምስክርነት ቃል መስጠት ትችሏል

አመልካች የክፍል ቀራጅ የክፍል ከተማ የወረዳ 04 ቀጠና 04 የቤት ቁጥር አዲስ ነዋሪ የሆኑ ጥናሽ ዛፍ ዝባ ፍ/ቤት ጠበቃ አቅጣጫ መክራከር አቅም ስለሌላኝ ነፃ ጥበቅና እንዲቆይ ይህንኑ ሰጠኛ በቀን 15/09/2014 ዓ.ም በተፃፈ ማመልከቻ ጠይቀዋል።

የአመልካች ስም ወ/ሮ ጥናሽ ዛፍ ዝባ ቀን 15/09/2014 ዓ.ም ፊርማ ሰፊ ሰፊ

በዚህ መሰረት የሚከተሉት 3 (ሶስት) የሰው ምስክርነት እንደሚከተለው ቀርቦ የምስክርነት ቃል መስጠት ስጥታ አለ።

1ኛ ምስክር አቶ ሰላሴ አባይህ የክፍል ቀራጅ የክፍል ከተማ የወረዳ 04 ቀጠና 02 የቤት አዲስ ነዋሪ የሆኑ ወ/ሮ ጥናሽ ዛፍ ዝባ ፍ/ቤት ጠበቃ አቅጣጫ ለመክራከር የሌላውን የይዘት መሆናቸውን አወያዘው በሰጠኛ የምስክርነት ቃል መስጠትን በፊር አረጋግጠዋል።

ስም አቶ ሰላሴ አባይህ ፊርማ ቀን 15/09/2014 ሰፊ ሰፊ

2ኛ ምስክር አቶ ገብረ ገብረ ገብረ ገብረ ገብረ የክፍል ቀራጅ የክፍል ከተማ የወረዳ 04 ቀጠና 02 የቤት አዲስ ነዋሪ የሆኑ ወ/ሮ ጥናሽ ዛፍ ዝባ ፍ/ቤት ጠበቃ አቅጣጫ ለመክራከር የሌላውን የይዘት መሆናቸውን አወያዘው በሰጠኛ የምስክርነት ቃል መስጠትን በፊር አረጋግጠዋል።

ስም አቶ ገብረ ገብረ ገብረ ገብረ ፊርማ ቀን 15/09/2014 ሰፊ ሰፊ

3ኛ ምስክር ወ/ሮ ጥናሽ ዛፍ ዝባ የክፍል ቀራጅ የክፍል ከተማ የወረዳ 04 ቀጠና 06 የቤት አዲስ ነዋሪ የሆኑ ወ/ሮ ጥናሽ ዛፍ ዝባ ፍ/ቤት ጠበቃ አቅጣጫ ለመክራከር የሌላውን የይዘት መሆናቸውን አወያዘው በሰጠኛ የምስክርነት ቃል መስጠትን በፊር አረጋግጠዋል።

ስም ወ/ሮ ጥናሽ ዛፍ ዝባ ፊርማ ቀን 15/09/2014 ሰፊ ሰፊ

Annex 5- Sample Checklist for Lawyers at Court by MOJ

የፌዴራል ጠበቆችን በችሎት ለማየት የተዘጋጀ ቼክ ሊስት

1. ጠበቃው የግል ሁኔታ:-

- የጠበቃው/ዋ መ.ሉ. ስም:-----ፊደ.ሜ----- የታ -----
- የፍቃድ ቁጥር:-----/-----
- ምልክታ የተደረገበት ፍ/ቤት----- ችሎት -----
- የጥብቅና ፍቃድ ደረጃ:-መጀመርያ ደርጃ የማናቸውም
- የጥ/ፍቃዱ በጊዜው አድጎል አላደሱም:

2. ምስክሮችን እስታውሶ (Reheare) አድርጎ መቅረቡን በተመለከተ :-

ሀ. እስታውሶ ቀርቧል: ለ. እስታውሶ-አልቀረበም

3. በአስፈላጊ ጊዜ ይግባኝን፤ መልስን ፤ የመልሱ መልስ ጊዜው ጠብቆ ማቅረቡን በተመለከተ:-

ሀ. ጊዜውን ጠብቆ አቅርቧል ለ. አላቀረበም:

4. ለነፃ የሀገር ጋፍ አገልግሎት በቂ ትኩረት መስጠትን በተመለከተ:-

ሀ. ሰጥቷል ለ. አልሰጠም

አልሰጠም ከሆነ ምንድነው ይገለፅ::

5. በቀጠሮ ጊዜ ሰዓት አክብሮ መቅረቡን በተመለከተ ፤-

ሀ. ሰዓት አክብሮ ቀርቧል ለ. በሰዓት አልቀረበም

በጊዜ አልቀረበም ከሆነ ያልቀረበበት ጊዜና ጉዳይ ይገለጽ::

6. ለደንበኛው ታማኝና ቅሬታ ያልቀረበበት መሆኑን በተመለከተ:-

ሀ. አልቀረበበትም ለ. ቀርቦበታል

ቅሬታ ቀርቦበታል ከሆነ የቀረበውን ቅሬታ ምንድነው::

7. የተቃራኒ ወገን ምስክሮችን የማያስደንግጥና የማያሸማቅቅ ስለመሆኑ :-

ሀ. አያሸማቅቅም ለ. ያሸማቅቃል

የሚያሸማቅቅ ከሆነ ሁኔታው ምንድነው::

❖ ምልክታውን ያደረጉት ባለሙያዎች ስም:-

1.-----ፊ.ር.ሜ----- ቀን -----

2.-----ፊ.ር.ሜ----- ቀን -----

Annex 6 Sample form for Beneficiaries Satisfaction

ጠበቆች ለፍትህ ስርአቱ መገልበት ያላቸውን ድርሻ እንዲወጡ ክትትል እና ድጋፍ በማድረግ በገቢውን የሙያ አገልግሎት በጥራት በቅልጥፍና እንዲሁም የስነምግባር ደንቡን አክብረው እየሰሩ ስለመሆኑ ለማረጋገጥ እንዲሁም ለሚታዩ የስነምግባር ችግሮች የአርምት እና ማስተካከያ እንዲወሰድ ለማድረግ የተዘጋጀ በተገልጋይ የሚሞላ መጠይቅ

- > ከዚህ በታች ላሉት መጠይቆች የ x ምልክት በማድረግ ምላሽ ይስጡ
- > ከመጠይቁ ሌላ የሚሰጡ ሀሳብ አስተያየት ካለ ተጨማሪ ወረቀት ይጠይቁ

የታ ሴት-----ወንድ-----
 እድሜ ለ35 በታች -----ከ35 በላይ-----
 የትምህርት ደረጃ -----

- 1 / ሰዎች የጥብቅና አገልግሎት ለማግኘት መጀመሪያ ጠበቆችን በማን እና በምን አማካኝነት ያገኛሉ
 ሀ. ቢሮ ባክፈቱ የጠበቆች ቢሮ አካባቢ በመሄድ -----
 ለ. በፍ/ቤቶች ውስጥና አካባቢ -----
 ሐ. በደላሎች ጠበቃ እናገናኛለን በሚሉ ሰዎች -----
- 2/ የጥብቅና አገልግሎት የሚሰጥ ጠበቃ ያላቸው ሰዎች /ባለገ-ዳዮች /ከጠበቆቻቸው ጋር የት ይገናኛሉ
 ሀ/ በጠበቃው ቢሮ-----
 ለ/ ከጠበቃው ቢሮ ውጪ ----- ሐ. ሌላ ቦታ ካለ ቢጠቀስ ከምክንያት ጋር ቢጠቀስ-----

- 3 / ጠበቃው ለሚሰጥዎት የሙያ አገልግሎት የፅሁፍ ውል ተዋውሏል
 ሀ. አዎ ተዋውያለሁ-----ለ. አልተዋዋልኩም -----ሐ. የፅሁፍ ውል እንደሚደረግ አላውቅም-----
- 4 / ለጠበቃው የሙያ አገልግሎት ለሚሰጥዎት ለክፈሉት ክፍያ ደረሰኝ ተቀብሏል
 ሀ. ተቀብያለሁ----- ለ. አልተቀበልኩም----- ሐ. ደረሰኝ እንደሚሰጥ አላውቅም-----
- 5 / በጠበቆች ለጥብቅና አገልግሎት የሚጠይቁት ክፍያ እንዴት ያዩታል
 ሀ. አነስተኛ ----- ለ. ተመጣጣኝ----- ሐ. ከፍተኛ ----- መ. አላውቅም -----
- 6 / ጠበቃው ከተዋዋለበት የአገልግሎት ክፍያ ውጪ ሌላ ክፍያ ተጠይቀው የክፈሉት ክፍያ አለ።
 ሀ. አለ----- ለ. የለም ----- ሐ. አለ ከተባለ ለምን ክፍያ ተብለው ተጠየቁ -----

- 7 / የአርሶን ጉዳይ በተመለከተ መረጃ ፋይል ጠበቃው ቢሮ በአግባቡ የተቀመጠ ፋይል አለ
 ሀ. አለ----- ለ. የሰም-----
- 8 / ወደ ጠበቆች ቢሮ ሄደው ገጭትን አስረድተው በጠበቃው የማሸነፍ ወይም የመሸነፍ ዕድሎችን በግልፅ ያስረዳሉ ወይስ ሳያስረዱ ውል ይዋዋላሉ
 ሀ. አያስረዱም ----- ለ. ያስረዳሉ ----- ሐ. ዝም ብለው ውል ይዋዋላሉ -----
- 9 / በሀገር አግባብ የማያስኬድ ጉዳይን ጠበቆች ዳኛውን /ዐ/ህጉን አውቃለሁ አስወስንልሁለው በማለት ጉዳይ የሚይዙ ጠበቆች ሀ. አሉ ----- ለ. የሉም----- ሐ. አላውቅም-----
- 10 /ጠበቃው በፍ/ቤት ያለውን ክርክር ለማድረግ ዝግጅት በማድረግ በየቀጠሮው እየተገኙ ተገቢውን ክርክር ያደርጋሉ ሀ. አዎን ያደርጋሉ----- ለ. አያደርጉም----- ሐ. ችሎት አይገኝም -----መ. ያረፍዳሉ-----
 -----ሠ ሌላ ምክንያት ካለ ቢጠቅሱ -----
- 11 ለአርሶ አገልግሎት እየሰጡ ባሉት ጠበቃ ደስተኛ ናት አዎ. -----አይደለሁም. -----
 አይደለሁም ካሉ ምክንያቱ ቢጠቅስ-----

12. ጠበቆች ስለሚሰጡት የጥብቅና አገልግሎት የሚስተዋሉ ሌሎች ችግሮች ላሉ -----

 መጠይቁን የሞላው ፊርማ -----

Annex 7 Observation List

Observation List

Initial Contact Experience

- Observe how beneficiaries first learn about the legal aid program.
- Document their feelings and attitudes during the initial outreach or application.

Accessibility of Services

- Note the physical accessibility of legal aid offices (location, signage, transportation).
- Observe the availability of information.

Interaction with Legal Aid Staff

- Observe the character and communication style of legal aid staff.
- Note how staff engage with beneficiaries (e.g., empathy, professionalism).

Beneficiary Understanding

- Assess how well beneficiaries understand the legal processes involved.
- Observe any questions they ask and their clarity in expressing legal issues.

Emotional Responses

- Record beneficiaries' emotional reactions throughout the process (e.g., anxiety, relief).
- Pay attention to body language and non-verbal cues during interactions.

Feedback Mechanisms

- Document how beneficiaries provide feedback about the services they received.
- Observe the responsiveness of staff to this feedback.

Outcomes and Resolutions

- Observe beneficiaries' reactions upon receiving outcomes of their cases.
- Note any changes in their perceptions of the legal system post-resolution.