



Understanding The Service Quality Perception Gaps Between Judicial Servants And Judiciary Users

By Rodrigo Murillo¹

Abstract:

Judiciary service user expectations are usually not the same as ideas harbored in the minds of civil servants delivering such services. This discrepancy matches the definition of the service delivery GAP 1, as identified and assessed by SERVQUAL (Service Quality), a tool that for almost three decades has been employed worldwide in measuring service quality in many different industries and countries, in both private and public organizations. Through participant observation, semi-structured interviews and empirical data collected by SERVQUAL, this paper focuses on *assessing* this service delivery GAP 1 for the Second Court of Appeal within Costa Rica's Judicial Branch.

Keywords: SERVQUAL, Public service assessment, Service Quality, Public Satisfaction Management.

1. Introduction

As reported in Murillo and Zuniga (2013), the GICA-Justicia Quality Management Standard was developed in 2009-2010 as an *ISO9001-like* Quality Management Standard intended for adjudicative office accreditations. The most outstanding feature of this standard is that both audits and accreditations must be performed by a national third-party agency, known as SINCA-Justicia (Murillo and Zuniga, 2013). It is thus aimed at finding comprehensive solutions to management issues in Costa Rican and Latin American district courts. Based on this Quality Management Standard, a Quality Management System was deployed in Costa Rica's Second Court of Appeal (hereinafter the Court) (Zuniga and Murillo, 2014). The initiative was supported by several organizations, including the author's consultancy contribution that provided him with a deep knowledge of the GICA-Justicia Project in the Court—from inception to implementation (Poder Judicial, 2010a; Poder Judicial, 2010b; Murillo and Zuniga, 2013). Both Costa Rica's Judiciary and the Court's main characteristics are described in a section below.

During the GICA-Justicia Project initial stage, a national survey was conducted throughout Costa Rica with an eye to creating a *National Service Quality Index* for which a *modified version of the original SERVQUAL questionnaire* (Parasuraman et al, 1985) was employed. In fact, performance improvements stemming from SERVQUAL results were reported in Costa Rica's Judiciary during the GICA-Justicia Project implementation stage (Poder Judicial, 2010b) meant to correct service delivery issues.

This study relies heavily on data gathered during this SERVQUAL application, as fully reported in Murillo et al. (2014). Its main goal is to contrast user valuations of Judiciary's service quality and Court staff perceptions of themselves in their civil servant roles, in addition to their perception of user expectations concerning service quality, a concept akin to SERVQUAL GAP 1 (Zeithaml et al, 1988). By and large, this study uses a mixed-method approach, since it employs a set of *expectation figures* gathered during the aforementioned SERVQUAL application in all Costa Rican jurisdictions, in addition to *semi-structured interviews* and *participant observation* at the Court, in assessing *psychological constructs*.

Although Georgia's Courts in the United States (Patterson 2009) have reported the specific application of SERVQUAL, an exhaustive review of available literature revealed—to the best of the author's knowledge—that no SERVQUAL application has been documented in Latin American judicial environments, particularly on a nationwide basis. Moreover, an extensive literature review did not find any specific study reporting a SERVQUAL GAP 1 assessment in judiciary environments in the world.

When Judiciaries engage in a process improvement quest, benefits may not be as evident to their staff. Thus, findings from SERVQUAL's *hard data* may be useful in grounding *psychological constructs* and clarifying Judiciary users' real

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service requirements. In this context, understanding the mismatch identified in GAP 1 may provide judicial environments with a *grounded* source of information to steer and align efforts towards a continuous improvement of user's service quality. In the absence of *hard data*, persuading Judiciary staff to implement the required process improvements by just presenting qualitative -arguable- arguments would probably be an unwieldy endeavor. This study provides both practitioners and public administrators in judicial institutions with empirical-based evidence that can be used for many process improvement applications in Judiciary environments.

2. Conceptual Framework

Justice, as a public service includes positive characteristics, as well as flaws, that are obvious to all users. Users develop a series of service delivery perceptions based on their personal experiences, information gathered from their surroundings and reactions to observed judicial system dysfunctions (López and Zúniga, 2014). Moreover, given the multiple and diverse stakeholders involved in adjudicative service delivery, i.e., plaintiffs and defendants, witnesses, victims, users and law professionals, there are different *levels of expectations* in terms of service quality. In this sense, Judiciaries must take on the responsibility for developing and promoting flexible and informal channels for judicial users to freely make suggestions on, and complaints against, system or staff performance. This way, the judicial system would have a direct feedback mechanism supporting of sustainability and continuous improvement. If Judiciary service quality level is linked to users' satisfaction, provided their real needs and expectations are taken into account, judicial system managers are responsible for reinforcing and assuring delivery of an 'acceptable' service quality level.

Bowen and Lawler (1992) recognize service staff importance in having a positive impact on user satisfaction. Adjudicative services provided by Judiciaries consist of a *high degree of confidence-based attributes* and *people contact*, highlighting the importance of raising judicial staff's awareness of the fact service quality is entirely contingent on their performance. Moreover, a high performance level is actually expected from them by judiciary users on account of their public servant role. Hence, understanding the underlying features typical of judicial servants' paradigm could be used in persuading Court staff to evolve towards a *service-oriented mindset*, which certainly becomes a cumbersome enterprise.

Parasuraman et al. (1985) argue that service quality represents the customer's overall assessment of a service offered by an organization, which is often based on the formulated perceptions of service encounters. Hence, an empirical causal relationship is suggested, in which users' service experience responds to the series of concatenated activities that support the service delivery function. In the particular case of the Judiciary, service quality is thereby suggested to originate from the perceptions -either positively or negatively- Judiciary's users have about Judiciary staff's attitudes and performance during service provision, in addition to Judiciary's organizational practices that directly impact the service delivery function.

Judiciary users' degree of *belief* conveys to materialize the potential quality of deliverable services; which in comparison to the quality of manufactured products, is quite difficult to be assessed as it considers not only the results but also the process through which it is delivered. In this venue, Paterson (2009 p.9) states: "it makes sense that when court managers are supplied with meaningful data on how to best serve the customers that better decisions are made in terms of policy, operational procedures, and resource allocation."; so that, pursuing service quality requires then that both *back and front office processes within the Judiciary* must be designed and aligned in order to deliver satisfying service experiences, or on the contrary, users may end up having unpleasant ones. Thereby, as improvements to the general service delivery function are sought, service provision features on one hand and also users' concrete scopes on the other, must be fully *comprehended* and *measured*, which in turn posits the challenge of assessing *psychological constructs* such as *expectations and perceptions*. It is at this point where a search for indicators, indexes and metrics supported on *explanatory models* becomes necessary, in order to establish a systematic means both to capture those *psychological constructs* and also to define what is to be measured and the interpretation of the measured figures.

Although it is difficult to count with an universal tool to measure service quality and users' satisfaction for all contexts, peer reviewed literature reveals a debate between assessing service satisfaction by means of *contrasting expectation and perception constructs* or through *perception constructs alone*. The most spread out, well-known and reported service assessing tools are SERVQUAL -Service Quality- and SERVPERF -Service Performance-, which on both cases are supported by foundational explanatory models, so that they provide practical structures to assess, understand and improve service quality. On one hand, Cronin and Taylor (1992) and Teas (1994) claim that *perception constructs* are enough to assess overall *service quality*, principle upon which the SERVPERF model (Cronin and Taylor, 1992) is founded. On the other hand, SERVQUAL -elicited from the research of Parasuraman et al. (1988)- relies on the service quality *gaps*' model and focuses on the identification of the primary causes of service quality problems by assessing *users' perceptions and expectations* about the delivered services (service gap analysis). SERVQUAL model assumes that

users establish service quality based on the *difference* between *expectations* about what they will get and *perceptions* of the service that is actually being delivered.

3. Service Quality (Satisfaction) = Expectations - Perceived Service

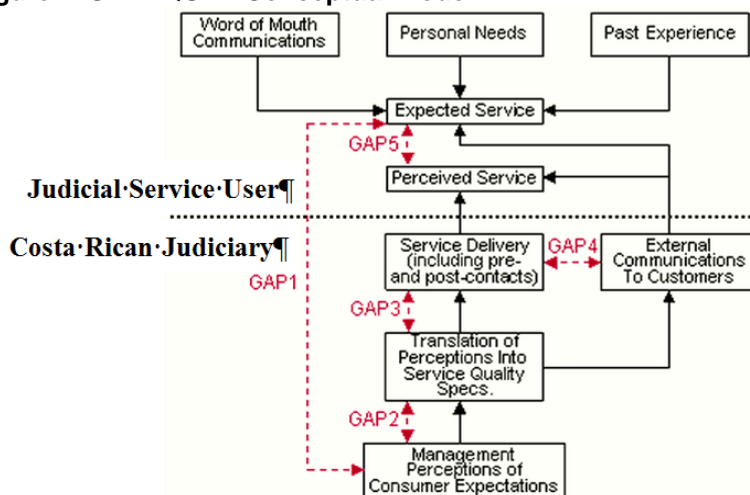
SERVQUAL is based upon 22 perception and 22 expectation comparative questions (Appendix 1 and Appendix 2 show both the English and Spanish versions of the SERVQUAL questionnaire employed in surveying Costa Rica’s Judiciary) graded by a *Likert scale*, which as contended by Clegg (2001) are useful when intending to gauge the opinion an individual has about a particular subject, in this case *measuring the perceptual conceptions judicial users have about the quality of services delivered by the judiciary branch*. The 22 contrasting questions (the higher the difference, the higher the end user’s satisfaction) are aggregated in 5 dimensions.

- **Tangibles:** Appearance of physical facilities, equipment, personnel, and communications.
- **Reliability:** Ability to accurately deliver the promised service
- **Responsiveness:** Willingness to aid judiciary users and deliver the promised service.
- **Assurance:** Knowledge and courtesy of public servants and their ability to convey trust and confidence.
- **Empathy:** public servants provide care and personalized attention to judiciary users.

Zeithaml et al. (1988) argue that among the several existing gaps defined by SERVQUAL model, exists a perceptual difference between the expected services residing in *users’ minds* and the perceptions that staff responsible of delivering services have about those users’ expectations in regards to the services to be delivered: identified as GAP 1 in Figure 1 and defined by Zeithaml et al. (1988, p36) as follows:

“Gap 1: between consumer expectation and management perception: It arises when the management does not correctly perceive what the users want. It is based on key factors: a) insufficient marketing research, b) poorly interpreted information about the customers’ expectations, c) not-focused research on demand quality, d) existence of many layers between the front line personnel and the top level management.”

Figure 1. SERVQUAL Conceptual Model



Source: Adapted from Zeithaml et al. (1988, p36)

Although SERVQUAL has been criticized (Buttle, 1996; Cronin and Taylor, 1992; Teas, 1994) for its 5 RATER (*Reliability, Assurance, Tangibility, Empathy, Responsiveness*) dimensions not being universal, as it is considered that the model fails in fulfilling on established theory in economics, statistics and psychology, besides of rising validity questions; literature review suggests that among the models developed by scholars for service quality assessment it is the most widespread and known one. SERVQUAL has been widely employed in measuring users’ expectations and service quality perceptions; both through its original and modified versions. The fact is that the instrument has a proven record of almost 30 years deployment, in various countries and industries, conditions that strengthen its validity and reliability qualities (Groves et al., 2009), in particular when compared to other available instruments, specially *in-house/custom made* user satisfaction measurement questionnaires.

4. Costa Rica's Judiciary System Overview

Costa Rica's Judiciary operates independently of the executive and the legislature branches. Judiciary System comprises the Full Court (when Supreme Court exercises its jurisdictional role), Courts of Appeal, Tribunals, Lower and Higher District Courts. Supreme Court is composed of 22 Appeal Judges or Magistrates selected for renewable 8-year terms by the Legislative Branch. The courts and tribunals are created on the basis of their jurisdiction in relation to the subject, amount and territory. Jurisdiction is determined by the Full Court following its own territorial division rules (other than the Administrative Territorial Division of the Republic of Costa Rica as defined by the Constitution), based upon a principle of adequate public services delivery which takes into account factors related to citizens' access to justice. According to its Organic Law, the Judiciary must be integrated by the number of judges considered necessary. Thereby there are a number of tribunals and district courts handling specific subjects, in addition to Mixed Courts in charge of diverse subjects in accordance to the number of cases they must deal with. The following is the current division of tribunals and district courts.

Tribunals (comprising three or more judges):

- Criminal Court of Appeal
- Civil
- Criminal
- Juvenile Criminal
- Administrative
- Family
- Labor
- Agricultural

District Courts

- Lower Amount
- Misdemeanor
- Criminal
- Juvenile Criminal
- Sentences' Execution.
- Traffic

First instance courts comprise civil, family, agricultural, alimony, labor, domestic violence, childhood and adolescence, administrative and civil estate. The Supreme Court comprises four high level tribunals of Courts of Appeal, which with the exception of the Constitutional Court, are primarily responsible for handling appeals from sentences previously issued by tribunals.

- First Court of Appeal: civil, commercial, agricultural and administrative litigation.
- Second Court of Appeal: labor, family and civil cases appeals which according to the law must not be handled by the First Court of Appeal.
- Third Court of Appeal: Sentences issued by a Supreme Court's Tribunal of two or more judges in relation to a criminal subject. However, if the sentence was previously issued by a single judge, the appeal case must be primarily heard by the Criminal Tribunal of Appeal comprising more than three judges.
- Constitutional Court: Established in 1989 is in charge of protecting and preserving the principle of Constitutional Supremacy (provided that no rule, treaty, regulation or law within Costa Rica's Judiciary system, could be above the Constitution) by means of actions of unconstitutionality. In addition, it is in charge of handling legislative and constitutional judicial consultations, and responsible for protecting fundamental rights through the writ of habeas corpus and amparo.

The amount is determined according to the value of claims which is not cross-sectional to all subjects. It is established in two ways:

- Every two years the Judiciary requests Costa Rica's Central Bank a report concerning the inflation index in order to fix the boundary amount for Lower and Higher Amount District Courts. The cases that could not be estimated are handled by the higher amount district courts.
- Appeals are admissible when they stem from sentences or sentence-like pronouncements issued by tribunals of three or more judges, provided those sentences do not exceed the fixed amount defined by law for civil and labor subjects. This amount, which is fixed by Magistrates at the time the appeal is admissible by the Court of Appeal, is not related the fixed amounts determined Lower and Higher Amount District Courts, as the mentioned amounts are usually higher. Appeals from courts of first instance in higher amounts or inestimable amounts are under the responsibility of tribunals constituted by three judges with jurisdiction on the particular subject. If the amount

exceeds the value of reference, the case could be elevated to a Court of Appeal, where the First or Second Court of Appeal have jurisdiction to resolve depending on the subject. Appeals from first instance Lower Amount District Courts in civil, labor and administrative disputes are subjected to be revised by higher amount courts, but never are meant to reach the Court of Appeal, given the fact that the appeal could not be filed.

The presiding Magistrate of each Courts of Appeal is responsible to perform administrative functions, as established in Judiciary's Organic Law:

- Opening and closing the sessions of Tribunal of Magistrates within a given Court of Appeal.
- Anticipate or extend working hours when justified by an urgent and serious matter.
- Convene the Tribunal of Magistrates to extraordinary sessions when necessary.
- Take the proper actions to complete the Tribunal of Magistrates when for any reason the number of required members were scant.
- Set according to the law, the order in which appeals should be analyzed by the Tribunal of Magistrates.
- Moderate discussions and proposals concerning appeals' sentence projects.
- Manage final voting of appeal cases when the Tribunal of Magistrates reaches a conclusion after the expected debate.

In the particular case of the Second Court of Appeal, it comprises five Magistrates. Each Magistrate is entitled to work along with 2 assistant lawyers, chosen by the Magistrate herself/himself, with the approval of Judiciary Superior Council. These lawyers are regarded as advisor/assistant attorneys and are responsible for writing sentence drafts (tentative sentences to the appeals) for Magistrates. A secretary is allocated to each of the five Magistrates' office in order to perform administrative tasks. The Court staff also comprises a team of clerks called *Secretariat*, whose responsibility is to assist in any managerial matter: one secretary, two clerks, four paralegals, one temporary officer, and one *delivery clerk* in charge of taking legal notices, summons, among other documents, to the correspondent parties.

5. Study's Core Scope

By pursuing SERVQUAL's GAP1 assessment, this study attempts to gain insight into Court staff conceptions towards their judicial service roles and contrast them with the conceptions of Judiciary users about the quality of services to *ideally* be delivered. In absence of a SERVQUAL questionnaire application to specifically measure service quality perception of Court users, results elicited from data gathered in the application of SERVQUAL to the entire Costa Rican population (Murillo et al. 2014) were employed as a proxy. The study has the overarching target of finding out if *SERVQUAL's expectations results, when extracted from an applied survey to the entire Costa Rican population of service users, reflect the same priorities Court staff acknowledge in their public servants' roles and are consistent with their service delivery duties*. Both gaining understanding of the main working environmental features that characterize the Court and also testing SERVQUAL's potential as a *proxy* to gauge mismatches between users' expectations and conceptions about the roles of Court public servants and the real perceived service experiences, are the main targets pursued by the study herein presented.

6. Data Collection

In assessing GAP1, findings from SERVQUAL questionnaire -typical of quantitative research-, seemed appropriate to collect data related to the quality of service perceptions of Costa Rica's Judiciary users; in order to contrast those figures to the ingrained conceptions of judicial servants about their roles and the services they deliver, for which *observations* and *semi-structure interviews* -typical methods of qualitative research- were used. The fact that judicial back office processes are not documented as they have naturally emerged from Magistrates' decisions (in their managerial role) made throughout the years, actually pointed at *participant observation* and *semi-structured interviews* as the most suitable means to collect data from Court staff, in particular because they enabled both to observe Court's staff behavior and also to subsequently comprehend the underlying reasons for that behavior (Hammersley & Atkinson 2007).

Thereby and as abovementioned, this is for all purposes a mixed methods study (Bryman and Bell 2011) applied to a social science environment: *the Costa Rica's Judiciary*, which comprises both judicial servants and citizens in their role of service users as *units of analysis*. Although the SERVQUAL quantitative section of the study tends to be a priority over the qualitative section, its contrasting nature dovetails the study as a *complementary* (Bryman and Bell 2011), as both quantitative and qualitative approaches nurture from one another (Greenfield 2002).

As contended by Patterson (2009) "in a government service context, surveys have been considered instruments for increasing citizen participation and equity, setting budget priorities, holding government accountable for results, achieving program effectiveness, and obtaining information on citizen experiences, perceptions, and subjective evaluation of

services received.” Thus, the first data collection method described in this section is the *survey* based on the SERVQUAL questionnaire, which was thoroughly reviewed and adequated to Costa Rica’s *judicial jargon* from its original standard version as seen on Appendix 2. The adaptation was a lengthy process because it required of several meetings and small pilot runs in order to validate the *meaning of every word used*, without denaturalizing the instrument itself.

SERVQUAL data was collected in a nationwide scale through the professional coordination of the author. For survey purposes, the entire population universe was collectively exhaustive since none user was excluded from a particular jurisdiction. Costa Rica’s Judiciary IT department provided a case log with users’ full names, contributing to initially consider a *systematic sampling* plan. However, missing telephone contact numbers in some records led to discard this idea of *single random sampling* (entire users’ universe strata was better represented by the likelihood of a particular user showing up to his/her correspondent jurisdiction office building at the given moment when surveys were being carried out). Hence, since the choice of a particular person to fill out the questionnaire would solely be the individual decision of Service Comptroller officer carrying out the survey a given time, it could be implied that the probability of a particular individual to be chosen “out of the pool” of adjudicative service users was not the same for all potential users. Thus, the initial *stratified sampling plan* was transformed into a *non-probability quota sampling plan*, were specific questions were incorporated in the questionnaire to filter out, if a particular individual was visiting the given jurisdictional office building seeking for a specific adjudicative service or was simply someone running a particular errand not related whatsoever to judicial services (Murillo et al. 2014). See Table 1 for jurisdiction quota.

Table 1
Sample size weighting calculation for SERVQUAL application.

	Jurisdiction	Number of cases in 2008	Jurisdiction’s Weight	Sample size per jurisdiction
1	First from San José	103,977	19.5%	234
2	Second from San José	106,908	20.0%	240
3	Third from San José	41,248	7.7%	93
4	First from Alajuela	31,594	5.9%	71
5	Second from Alajuela	16,132	3.0%	36
6	Third from Alajuela	21,143	4.0%	48
7	Cartago	32,683	6.1%	74
8	Heredia	48,166	9.0%	108
9	First from Guanacaste	16,497	3.1%	37
10	Second from Guanacaste	19,338	3.6%	43
11	Puntarenas	27,016	5.1%	61
12	First from Zona Sur	15,314	2.9%	34
13	Second from Zona Sur	13,368	2.5%	30
14	First from Zona Atlántica	21,939	4.1%	49
15	Second from Zona Atlántica	18,159	3.4%	41
	Total	533,482	100.0%	1200

Source: Murillo et al. (2014)

Regarding to sample size calculation, Murillo et al. (2014) reported for the SERVQUAL’s questionnaire original data a 95% confidence level and a 3% *sampling error*, assuming a worst case of 50% dissatisfied population ratio. The theoretical total sample, corrected by finite population factor (Costa Rican population in 2009 was approximately 4.5 million inhabitants according to the National Institute of Statistics and Census -INEC-) turned out being 1067 surveys, so a total of 1200 questionnaires for all 15 jurisdictions were targeted (See Table 1). However, after scrutinizing for errors, sample size was reduced to 873 samples, which is equivalent to a combined confidence level of 95% and 3.32% sampling error; or a 92% confidence level and a 3% sampling error. Since keeping sampling error as low as possible is considered most critical from a statistical point of view, the latter assumption was kept. Executional and financial resource wise, the sampling plan was convenient as each jurisdiction had its own Service Comptroller staff unit, so data was collected and transcribed in an inexpensive and reliable fashion under the direct coordination of the author.

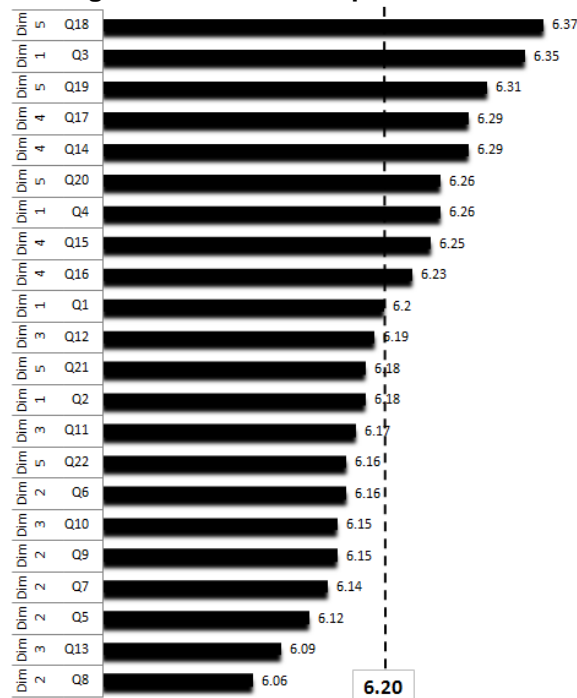
Although the main purpose of a sampling methodology is to generalize the sample result to the entire population, multivariate analysis is out of the scope of this study. Nonetheless, it is worth mentioning that when the original SERVQUAL data is analyzed for quality indicators, it rendered robust results which in turn allow inferring about the population in the original study. In fact, the primary quality indicators elicited by the original study were described as significant in accordance to the following quote: “study’s degree of *generalizability* is not considered negligible and on contrary is considered to be high, matching arguments found in literature about a trade-off between *internal* and *external validity*” (Murillo et al., 2014 p.15).

The second data collection method described herein is *participant observation*, which derives from the *field observation method*, and which initially intends to gain insight of the Court’s working environment in order to discover mismatches between Court staff actual attitudes towards service delivery while performing their public servant roles; contrasted to their real performance when actually delivering those services to Judiciary users. Author’s *inception* during GICA-Justicia Project development was advantageous in carrying out *observation on the field*, particularly because it became *participant observation* as it was undertaken for almost a two year period (DeWalt et al 1998), so that the author became part of the group over this extensive lapse (Punch, 2005). Identifying and selecting most knowledgeable, cooperative and change-prone Court staff as *positive leaders* became an initial must-do endeavor since a fast spread of the *message that an observation study was being carried out* was pursued. This task was easily and successfully achieved because of the small headcount of the Court. Author’s *participatory involvement* was actually crucial as it aided in a faster absorption of ideas and concepts considered to provide a better understanding of the Court’s underlying working environment features. *Semi-structured interviews* is the last data collection method herein described. *Semi-structured interviews* targeted to explore Court staff mindsets and conceptions of their roles as judicial servants towards the services to be delivered to Judiciary users. Although author’s *participant involvement* actually favored to carry out many informal *unstructured interviews* by means of “*go with flow*” *conversations*, those were discarded as formal data collection means on account of its lack of systematic features (Weiss 1994). Close-fixed *structured interviews* were also discarded as they were considered unsuitable for systematic data collection, particularly because they were thought to diminish the chances of Court staff to express their innermost points of views in what concerns their judicial servants’ service delivery role. Consequently, *semi-structured interviews* were employed as they allowed the author to exercise some degree of freedom and flexibility in so far as interviews were conducted in a conversation-like exchange, at the same time they kept interviews under track by following a set of given inquiries (Robson 1993). Twelve judicial interviewees were asked the *same semi-structure questions* in order to both facilitate analysis and comparison between answers and also to systematically aggregate information.

7. Data Analysis Results

This study does not attempt to gauge the service gap of judicial services users, but the gap between the judicial users’ expectations and the conceptualized features of the services that must be provided under the lens of judicial servants, in accordance to the SERVQUAL’s model GAP1 definition. So that, out of the data from the original SERVQUAL questionnaire, only *expectations* figures were employed as *proxies of ideal attributes* that services delivered by Judiciary must have. Figure 2 shows the full ranking of expectations for the aggregated sample of Costa Rica’s Judiciary service users.

Figure 2. Ranking of SERVQUAL’s expectations



Source: Created by the author based on SERVQUAL data provided by Costa Rica’s Judiciary

As observed in Figure 2, the expectations' figures range between a lowest value of 6.06 and a highest value of 6.37 with an average expectation value of 6.20. The previous figures are revealing in the sense they show that expectations regarding the services that *should be* delivered by Costa Rica's Judiciary are in general *high* since the top notch of the scale is 7. In addition, the small range between the lowest and the highest figures denotes a general consistency in *service expectations*, with an average standard deviation value of 1.22.

Out of the 22 values, there are ten values which fall above the average expectation value of 6.20 and thus represent the factors that Judiciary users value the most. For those ten values an average figure of 6.28 and a standard deviation figure of 1.14 could be calculated. See Table 2.

Table 2
Top ten users' expectations

Dimension	Average	Question asked according to the SERVQUAL questionnaire
Dim5	6.37	QP.18 Judiciary provides service users an individualized attention (when service is being delivered is only delivered to you)
Dim1	6.35	QP.3 Judiciary staff have a neat personal appearance
Dim5	6.31	QP19. Judiciary's opening hours are convenient to all service users
Dim4	6.29	QP14. Judiciary's staff behavior conveys confidence to service users
Dim4	6.29	QP.17 Judiciary's staff are knowledgeable enough to answer the specific questions and consultations from service users
Dim1	6.26	QP.4 The material elements related to service delivery used by judiciary are visually attractive (signs, informative posters, brochures, etc.).
Dim5	6.26	QP.20 Judiciary's staff offer service users a personalized attention (service is adapted to the specific needs of service users)
Dim4	6.25	QP15. Service users are confident of Judiciary's performance (documents handed in, consultations, verdict issued by a judge, etc)
Dim4	6.23	QP16. Judiciary's staff always have a nice attitude towards service users
Dim1	6.2	QP.1 Judiciary have modern equipment (computers, data systems, information systems provided to users)

Source: Created by the author based on SERVQUAL data provided by Costa Rica's Judiciary.

From Table 2 it is worth noting that 4 out of the 4 factors comprising Dimension 4 (*System's Trustfulness*) are counted among the top 10, in addition 3 out of 4 factors comprising Dimension 1 (*Physical perception*) and 3 out of the 5 factors for Dimension 5 (*Focus on users' needs*). Hence, *knowledge and courtesy of judicial servants and their ability to convey trust and confidence* becomes of higher expectation value for adjudicative service users, followed by the *appearance of physical facilities, equipment, personnel, and communications provided by the Judiciary* and then by the *ability of the Judiciary to provide care and individualized attention to its customers*. Those figures can now be contrasted to qualitative findings of both *participant observation* and *semi-structure interviews*. *Do the latter expectations also match what judicial servants assumed users really required? Are the expectations priorities different for both stakeholders?*

Table 3 describes the key features of participants involved during the *participant observation* period. Roles were previously described in a section above.

Table 3
Key features of participants involved in Participant Observation

Position	Professional Background	Sex	Nationality
<ul style="list-style-type: none"> • 5 Magistrates • 12 assistant lawyers • 5 secretaries. Secretariat <ul style="list-style-type: none"> • 1 chief lawyer • 7 paralegals • 1 delivery clerk • 2 janitors 	<ul style="list-style-type: none"> • 18 lawyers / attorneys • 7 law students • 5 secretaries • 3 non professionals. 	17 male 16 female	33 Costa Ricans

Source: Created by the author

Participant observation carried out within Court's facilities comprised the entire headcount, and so provided the author with much of the pursued evidence of Court's working environment features. Although there is no consensus in *participant observation* assessment standards, minimal personal bias during data collection is expected. Even when no particular protocol was devised to reduce [ethnocentrism](#) bias risk (Richardson, 2000), author's awareness of this potential issue

prevented of acquiring too theoretical or idealized explanations of Court's working environment. In this way, *participant observation* was boarded through a reflexivity framework (Richardson 2000, p. 254) avoiding philosophical assessments (emotionalism, for instance) to the highest extent.

Recorded *observations* in field notes suggest a general lack of interest from judicial servants to comply with schedules and to perform in a high productivity fashion within the available working hours' window. In addition, activities and attitudes appeared to be influenced by a daily routine, somehow confirming a "lack of clear performance targets, experimental attitude, evaluation in order to learn from experience and reluctance to abandon programs" which are common barriers public organizations must overcome in accordance to Drucker (1980). A descriptive example to support the argument above is shown as follows in a reflexive writing style *note* format. It must be noticed that the Court's working shift starts at 7:30 am.

"[The time clock marks 7:30 pm. 20 minutes after 3 people slide their batches. As they leave their belongings over their desks, they go to a medium size room with a table in the middle and 6 chairs, and start pouring coffee from a coffee maker. As one of them is adding sugar, five more people enter the room, say –good morning- and also start pouring coffee in their mugs. Meanwhile, one of them starts preparing a big ham and cheese sandwich that is going to be shared by all. Although by, 8:01 am, almost everyone has left, there are still two ladies in the room talking about last night's channel 7 soap opera, when they are suddenly interrupted by a Magistrate who requests one of them to show up in his office as soon as she has the chance.]"

Nonetheless, *participant observation* did not directly provide evidence of the service encounters with users, as the Court staff do not personally deal with them, unless an audience/hearing with a particular Magistrate is requested. However those events are actually the exception and not the rule. In some cases, assistant lawyers have the chance to talk to users on the phone, which unfortunately was not an occurrence recorded during the days *participant observation* was carried out, but only verbally reported by assistant lawyers to have previously occurred. In this venue, *participant observation* contributed to the addition of a question to the *semi-structured interview*, actually pursuing to shed some light about the features of the crucial service encounters between Court staff and judicial users.

The transcribed *semi-structure interviews* were analyzed by means of a Grounded Theory (See Appendix 3 for an example) as this approach focuses on how "to explain what is central in the data" (Punch, 2005). One common denominator in the interview analysis for all interviewees revolved around the *judicial independence issue*, so that various rooted conceptions in judicial servants' particular mindsets surfaced, which appeared to be a major cause depriving them from delivering services that fulfill users' expectations. Interview analysis -as this *judicial independence* issue became recurrent in all interviews to the extent of reaching a saturation point- suggests that Court staff have misconceived ideas related to their administrative duties, in the sense that those duties must be totally decoupled from adjudicative functions. The following is a quotation from a given Magistrate's secretary:

"[Some cases have similar patterns, which could be eventually solved rapidly. However, we have done things like this for many years, and at the end, the judicial independence principle of Magistrates must be respected. They are entitled to last as much as they want when delivering a sentence]"

Even when one interviewee recognized the existence of process inefficiencies negatively impacting judiciary users due to the underperformance of Court's processes, a justifying argument was given to reinforce the idea that Magistrates are entitled to spend as much time as they considered necessary in their dictating sentences. The following is the literal translated quotation:

"[The Court is the last resort for many citizens to achieve justice for their particular cases, which have already gone through other judges. It is precisely in the details that a Magistrate founds the supportive evidence to either ratify or invalid a previous sentence. For that, freedom of mind is required and Magistrates cannot be pressured in order to deliver as if they were in a factory of sentences]"

Interview analysis in general suggests that Court's judicial servants are prone to appeal to the *judicial independence principle* in order to *justify* service performance inefficiencies. A relevant translated quotation from an assistant lawyer that supports this statement is shown as follows:

"[We are a service organization with a high responsibility, since we deliver justice to Costa Rica's citizens. The things we do cannot be pigeonholed into fixed times, since every case is different. Forcing us to work under standard quotas and times would certainly violate the judge independence principle, which is a medullar requirement for a Court to function.]"

8. Discussion of Findings

Latin-American judiciaries, within which Costa Rica is not the exception, share among themselves problems such general complaints about large costs related to justice administration, difficulties in access to justice, absence of a fixed organizational and operational pattern for adjudicative and administrative offices, and process complexity. This inventory of dissatisfaction sources, provides an idea of the different quality *expectations* residing in all stakeholders involved, and so, the complexity of providing an integral solution to the many related issues. Both qualitative and quantitative approaches contributed to unveil different important findings regarding the latter issues.

Survey provided the set of *expectations* residing in Judiciary users minds about service quality. Despite the critics, the SERVQUAL questionnaire -from which those *expectations* emerged- is a proven tool buttressed by validity and reliability studies as reported in literature. In fact, all findings stemmed from the original SERVQUAL survey this study is based upon are proven to be statistically significant as they derive from the stringent analysis reported in Murillo et al. (2014). Thus, the idea of having created a '*brand new*' questionnaire for this study purpose would have become absurd as it would have limited the robustness and quality of survey data.

Participant observation was proven to be useful in terms of gaining insight Court staff attitudes towards their service delivery roles and addition to their actual performances within the working environment. The author tended to perceive in Court staff a general lack of commitment and engagement in relation their service delivery duties. This observed performance when extrapolated to many consecutive working days would indeed account for an underachieving service delivery, particularly from response time perspective.

Semi-structured interviews, although did not assist in designing the survey, were paramount in understanding Court staff mindsets and conceptions of their roles as judicial servants. Findings suggest that judicial users actually have high expectations in regards to quality of service and commitment from judicial servants. Even when Court staff claimed to be focused on servicing Judiciary users, *semi-structure interviews* suggest their actual performance to be ambiguous in the sense that Court servants do not seem to execute their duties to the best of their abilities. Although Court staff assures to have full awareness of users' needs, their generalized behavior appears to be the opposite when contrasted to SERVQUAL's expectations findings.

SERVQUAL's results (Murillo et al. 2014) have elicited that the main sources of users' dissatisfaction (defined as the difference between service users' expectations and perceived service quality) for the entire Costa Rican population of Judiciary service users were *speed, accurate reporting upon service conclusion, service delivery within promised time, constant willingness to answer queries, performing well since the very beginning and genuine interest to provide a solution*. Findings herein were found useful in further extending the latter reported results, as they actually suggest that Court's staff priorities *are not focused* on factors comprising the *Capability and Response Speed Service Dimensions*.

9. Conclusion

Expectations figures from SERVQUAL's survey applied to the entire Costa Rican population of judicial service users proved to be a useful *proxy* for the assessment of Court's expectations, as they pursue gauging mismatches between users' expectations and the conceptions Court staff have about their public servants roles. Findings actually suggest that Court staff performances -from the service delivery lens of judicial service users- deviate from what is really expected from them to be delivered. Although generalization from the original SERVQUAL study is possible, findings for the study herein are unfortunately not generalizable to the entire Costa Rican Judiciary, due to the constraining fact that interviewing and observational data is only representative for the Court, which comprises a negligent headcount of Costa Rica's entire Judiciary staff.

Improvements to the general service delivery function within Latin-American judicial environments become indeed a cumbersome endeavor, particularly because of the pressure exerted on judicial servants, who are usually not accustomed to have their performance assessed. Not surprisingly, there is certainly a widespread perception in Court staff that service delivery performance assessment represents just a means to justify headcount downsizing; blinding Court staff to see its potential to help them in performing better. The fact and the matter is that in hypothetical cases where extra process capacity (more staff than required) were identified and where those idle positions -if costed- would certainly reveal process inefficiencies from a financial perspective; relocation to other areas within the Judiciary would be not as immediate as in the case of a private firm, in special because the labor code strongly protects Judiciary staff. Even though, fear and resistance to change are ingrained characteristics expectable from both Court staff and probably also from of the entire Judiciary personnel in Costa Rica.

All the latter issues do certainly pose constraints regarding the efficient use of resources, particularly in Latin-American Judiciaries. Hence, the deployment of process performance improvement approaches becomes a desirable goal, as those approaches actually may turn into *potential public value creation tools*. On one hand those approaches target to improve citizens' perception of service quality and on the other hand to seek to regain public confidence in the Judiciary. In this way, and while keeping in mind it is not the only available tool, in addition to putting aside the expected critics to any instrument intended to measure psychological constructs, SERVQUAL certainly emerges as a non-traditional tool for Judiciaries to address service quality, to identify process improvement opportunities and to persuade Court's staff to support process-change implementations with an eye on improving service delivery. SERVQUAL indeed appears to be a gauge Judiciaries could rely upon in order to identify the expected services to be delivered and to take the proper organizational change decisions to align processes towards satisfying delivered services. Thus, services could be designed and delivered according to user's expectations and not as the result of the Judiciary decision makers' perception of what should be delivered, in accordance to GAP1's definition.

When improvements in users' perceived service quality are aimed, Judiciary staff attitude toward their role as public servants is paramount, supported by the premise that the provision of quality service is totally dependable upon their performance. Implementing process improvements requires then of the extensive training of Court staff, by carrying out meetings and coaching sessions, where SERVQUAL's results may become crucial pieces of information in grounding *service delivery perceptions to real service performance needs*. The short term efforts required from Court's staff for improvement changes to take effect in addition to the medium term benefits expected may become clearer. Grounding *'hard data'* figures like the ones SERVQUAL provide may indeed aid in dissipating much of Judiciary's staff common fear to change and actually turn into a cooperative attitude. SERVQUAL then appears to be a robust complementary instrument to aid in the service delivery improvement function, which when correctly and recurrently applied could directly benefit staff's working environments and also and more important positively impact user's overarching *public experience*.

10. Further Research

Further research may be advisable, putting to the test other non-traditional approaches, such a Lean Service principles for instance, in order to test its suitability in service quality assessment in judicial environments. Further research may be also required in targeting the collection of more robust ethnographic data by means of interviews, observations or other qualitative methods to all hierarchies in the entire Costa Rica's Judiciary. The process of course is to be repeated to the extent of reaching a saturation point in a set of more representative *succinct voices* of judicial servants concerning their duties responsibilities, commitment and engagement as public servants. Performing further research in other countries other than Costa Rica is then desirable, so that the collected data could be employed in cross-country comparisons in order to transversally strengthen the organizational change persuasion arguments for Judiciary public servant. In addition, further research could be employ in *lobbying* within other Latin-American Supreme Courts' *top management* in order to steer their mindsets towards a *service quality institutional commitment*.

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II. Appendices

Appendix 1. ServQual Questionnaire (-in English-)

JUSTICE INTEGRATED QUALITY MANAGEMENT PROJECT (GICA) CITIZEN PARTICIPATION ACTIVITIES

MEASURING QUALITY OF ADMINISTRATION OF JUSTICE SERVICES OF THE JUDICIARY OF COSTA RICA

The Judiciary of Costa Rica with the cooperation of the European Union and the EUROSOCIAL Justice Program, is promoting a worldwide pioneering project called: "Integrated Quality Management and Accreditation Model for Judicial Offices in Costa Rica" (GICA-Justice).

It is intended to collect information regarding the perception of the users of the Administration of Justice System of Costa Rica, known as any direct/indirect contact experience with the services rendered by the Judiciary in all its extension. A user of the Administration of Justice System is a person who externally requires fulfilling some particular need through the services above-mentioned.

We invite you to participate in this Project, filling in the most objective way possible, the following questionnaire based in your experience as an external service user, so this can be used for the developing of this project. Filling this questionnaire will not take you more than 30 minutes. Thank you very much for your collaboration and time.

GENERAL INFORMATION

1) Date on which you are filling this questionnaire:

2) Indicate the classification that most suits your status as a user of the Administration of Justice System.

a. Lawyer / Notary requesting information	b. Plaintiff (State or another Public Entity)	c. Defendant (State or another Public Entity)
d. User requesting information	e. Claimant (Criminal matter or Domestic Violence)	f. Respondent (Criminal matter or Domestic Violence)
g. Paralegal	h. Plaintiff (natural person)	i. Defendant (natural person)
j. Law student	k. Plaintiff (legal entity)	l. Defendant (legal entity)
m. Other		

3) Have you required the services of the Second Court of Appeal of the Judiciary in the last 3 years (from July 2004)?

If your answer is NO or DK/NA (Doesn't know/No Answer), proceed with question 4). If your answer is YES proceed with question 1) in the Physical Perception Section located on Page 2.

4) Mark with an (X) which Jurisdiction you visit the most, since July 2006, requiring the Administration of Justice Services

a. I Judicial Circuit of San José (Downtown San José, Puriscal, Pavas, Escazú, Mora Santa Ana, Turubares)	b. III Judicial Circuit of San José (Desamparados, Hatillos, Aserrí, Acosta, San Sebastián, Alajuelita).
c. II Judicial Circuit of San José (Goicoechea)	d. I Judicial Circuit of Alajuela (Alajuela, Atenas, Poás)
e. II Judicial Circuit of Alajuela (San L, La Fortuna de San L, Upala, Los Chiles, Guatuso)	f. III Judicial Circuit of Alajuela (San Ramón, Grecia, Naranjo, Alfaro Ruiz, Palmares, Valverde Vega)
g. I Judicial Circuit of Guanacaste (Liberia, Cañas, La Cruz, Bagaces, Abangares, Tilarán)	h. II Judicial Circuit of Guanacaste (Nicoya, Santa Cruz, Carrillo, Hojanca, Nandayure, Jicaral)
i. I Judicial Circuit of the Atlantic Zone (Limón, Bribri, Batán)	j. II Judicial Circuit of the Atlantic Zone (Pococí, Siquirres, Guácimo)
k. I Judicial Circuit of the South Zone (Pérez Zeledón, Buenos Aires)	l. II Judicial Circuit of the South Zone (Corredores, Golfito, Osa, Coto Brus)
m. Judicial Circuit of Puntarenas (Puntarenas, Aguirre)	n. Judicial Circuit of Heredia (Heredia, Sarapiquí,

y Parrita, Cóbano, Esparza, Montes de Oro, Garabito, San Mateo, Orotina)	San Isidro, San Rafael, Santo Domingo, San Joaquín de Flores)
o. Judicial Circuit of Cartago (Cartago, Turrialba, La Unión, Alvarado, Paraíso, Jiménez, Tarrazú, Dota, León Cortés)	

5) How often do you use the Administration of Justice Services in this jurisdiction? (number of procedures per year). Mark with an (X)						
None	At least once	2 to 5 times	6 to 12 times	More than 12 times	DK/NA	

6) Since July 2006 which Court, Tribunal or another related office do you visit more often, in the jurisdiction marked in question 4), requesting the following matters services? Mark with an (X) only one matter.						
a. Agricultural	b. Civil	Constitutional				
c. Contentious Administrative	d. Misdemeanour	Family				
e. Notarial	f. Criminal (Public Prosecutor)	Juvenile Criminal				
g. Alimony	h. Criminal (Judicial Investigation Bureau)	i. Traffic				
j. Domestic Violence	k. Criminal (Public Defense)	l. Labour				

7) Mark with an (X) how often do you use the Administration of Justice Services in other circuits than the marked on question 4) (number of procedures per year).						
None	At least once	2 to 5 times	6 to 12 times	More than 12 times	DK/NA	

GENERAL INSTRUCTIONS

Think about the kind of institution that would deliver excellent quality of service, with which you would feel completely satisfied. Based on your experience, we are also interested in knowing your perception regarding the services rendered by the Judiciary of Costa Rica.

Please mark with an (X) the option that best agrees with your opinion concerning how much you agree with the following sentences. Use the following scale.

- 1: Strongly Disagree 2: Disagree 3: Slightly Disagree
 4: Indifferent 5: Slightly Agree 6: Agree
 7: Strongly Agree DK/NA: Don't know/No Answer

If you feel a feature is absolutely essential mark number 7, if you feel that is not at all essential, mark number 1. There are no right or wrong answers, all we are interested in is your overall impression about the Administration of Justice Services.

PHYSICAL PERCEPTION

1. Excellent institutions have modern equipment (computers, data capture systems, information systems provided to users).	1	2	3	4	5	6	7	DK/NA
2. Judiciary has modern equipment (computers, data capture systems, information systems provided to users).	1	2	3	4	5	6	7	DK/NA
3. Excellent institutions' facilities are visually attractive (waiting rooms, toilets, halls, etc).	1	2	3	4	5	6	7	DK/NA
4. Judiciary's facilities are visually attractive (waiting rooms, toilets, halls, etc).	1	2	3	4	5	6	7	DK/NA
5. Excellent institutions' personnel have a neat personal appearance.	1	2	3	4	5	6	7	DK/NA
6. Judiciary staff has a neat personal appearance.	1	2	3	4	5	6	7	DK/NA
7. The material elements related to service delivery used by an excellent institution are visually attractive (signs, informative posters, brochures, etc.).	1	2	3	4	5	6	7	DK/NA

8. The material elements related to service delivery used by Judiciary are visually attractive (signs, informative posters, brochures, etc.).	1	2	3	4	5	6	7	DK/NA
SERVICE DELIVERY								
9. When an excellent institution promises to do something it does it.	1	2	3	4	5	6	7	DK/NA
10. When Judiciary promises to do something it does it.	1	2	3	4	5	6	7	DK/NA
11. When a service user has a problem, an excellent institution will show a genuine interest to provide a solution.	1	2	3	4	5	6	7	DK/NA
12. When you have a problem, Judiciary shows a genuine interest to provide a solution	1	2	3	4	5	6	7	DK/NA
13. Excellent institutions perform well since the very first time.	1	2	3	4	5	6	7	DK/NA
14. Judiciary performs well since the very first time	1	2	3	4	5	6	7	DK/NA
15. Excellent institutions provide their service within the promised time window.	1	2	3	4	5	6	7	DK/NA
16. Judiciary provides its service within the promised time window	1	2	3	4	5	6	7	DK/NA
17. Excellent institutions keep error free records (case files, documents, etc)	1	2	3	4	5	6	7	DK/NA
18. Judiciary keeps error free records (case files, documents, etc)	1	2	3	4	5	6	7	DK/NA
RESPONSIVENESS								
19. Excellent institutions' personnel accurately inform users when a service delivered, is going to end.	1	2	3	4	5	6	7	DK/NA
20. Judiciary's staff accurately informs users when a service delivered, is going to end	1	2	3	4	5	6	7	DK/NA
21. Excellent institutions' personnel deliver service to users in a fast manner.	1	2	3	4	5	6	7	DK/NA
22. Judiciary's staff delivers service to users in a fast manner.	1	2	3	4	5	6	7	DK/NA
23. Excellent institutions' personnel are always willing to help service users	1	2	3	4	5	6	7	DK/NA
24. Judiciary's staff is always willing to help service users	1	2	3	4	5	6	7	DK/NA
25. Excellent institutions' personnel are never too busy to answer questions and resolve issues from service users.	1	2	3	4	5	6	7	DK/NA
26. Judiciary's staff is never too busy to answer questions and resolve issues from service users.	1	2	3	4	5	6	7	DK/NA
CONFIDENCE IN THE SYSTEM								
27. Excellent institutions' personnel behaviors convey confidence to service users.	1	2	3	4	5	6	7	DK/NA
28. Judiciary's staff behavior conveys confidence to service users.	1	2	3	4	5	6	7	DK/NA
29. Service users are confident of excellent institutions' performance (documents handed in, consultations, verdict issued by a judge, etc)	1	2	3	4	5	6	7	DK/NA
30. You are confident of Judiciary's performance (documents handed in, consultations, verdict issued by a judge, etc)	1	2	3	4	5	6	7	DK/NA
31. Excellent institutions' personnel always have a nice attitude towards service users	1	2	3	4	5	6	7	DK/NA
32. Judiciary's staff always has a nice attitude towards you	1	2	3	4	5	6	7	DK/NA
33. Excellent institutions' personnel are knowledgeable enough to answer the	1	2	3	4	5	6	7	DK/NA

specific questions and consultations from service users.		NA
34. Judiciary's staff is knowledgeable enough to answer the specific questions and consultations from service users.	1 2 3 4 5 6 7	DK/NA
FOCUS ON SERVICE USER'S NEEDS		
35. Excellent institutions provide service users an individualized attention (when service is being delivered is only delivered to you).	1 2 3 4 5 6 7	DK/NA
36. Judiciary provides service users an individualized attention (when service is being delivered is only delivered to you)	1 2 3 4 5 6 7	DK/NA
37. Excellent institutions' opening hours are convenient to all service users.	1 2 3 4 5 6 7	DK/NA
38. Judiciary's opening hours are convenient to all service users.	1 2 3 4 5 6 7	DK/NA
39. Excellent institutions' personnel offer service users a personalized attention (service is adapted to the specific needs of service users).	1 2 3 4 5 6 7	DK/NA
40. Judiciary's staff offers service users a personalized attention (service is adapted to the specific needs of service users).	1 2 3 4 5 6 7	DK/NA
41. Excellent institutions' personnel do care about the interests of service users.	1 2 3 4 5 6 7	DK/NA
42. Judiciary's staff does care about the interests of service users.	1 2 3 4 5 6 7	DK/NA
43. Excellent institutions' personnel understand the specific needs of the service users.	1 2 3 4 5 6 7	DK/NA
44. Judiciary's staff understands the specific needs of the service users.	1 2 3 4 5 6 7	DK/NA
RELATIVE IMPORTANCE OF SERVICE ELEMENTS		
<p>Listed below are five features pertaining to an institution which delivers Administration of Justice Services. According to its importance please allocate a total of 10 points among them according to how important each feature is to you. The more important feature is to you, the more points you should allocate. You may leave blank boxes, just make sure that the points you allocate to the five features add up to 10.</p>		
1. The appearance of the physical facilities, equipment, personnel and computer and communication systems.		
2. Ability to perform the promised service.		
3. Willingness to help customers and provide a prompt service.		
4. Knowledge and courtesy of the personnel and their ability to convey trust and confidence to services users.		
5. The caring, individualized attention provided to the customers.		

Appendix 2. Original ServQual Questionnaire (-in Spanish-)

**PROYECTO GESTIÓN INTEGRAL DE CALIDAD GICA JUSTICIA
ACTIVIDADES DE PARTICIPACIÓN CIUDADANA**

MIDIENDO LA CALIDAD EN SERVICIOS DE ADMINISTRACION DE JUSTICIA DEL PODER JUDICIAL DE COSTA RICA

El Poder Judicial de Costa Rica con la cooperación de la Unión Europea y del Programa EUROSOCIAL-Justicia está impulsando un proyecto pionero a nivel mundial denominado "Modelo de Gestión Integral de Calidad y Acreditación para los Despachos Judiciales en Costa Rica" (GICA-Justicia).

Se pretende recopilar información sobre la percepción de las personas usuarias del sistema de Administración de Justicia en Costa Rica, entendida como toda la experiencia de contacto directo/indirecto con los servicios brindados por el Poder Judicial en toda su amplitud. Debe entenderse como persona usuaria aquella que externamente requiere satisfacer alguna necesidad particular, a través de dichos Servicios de Administración de la Justicia.

Lo (a) invitamos a participar activamente de este proyecto, llenando de la manera más objetiva el siguiente cuestionario desde la óptica de una persona usuaria externa, de modo que se pueda emplear como insumo para el desarrollo del proyecto. Llenar este cuestionario no le tomará más de 30 minutos. Muchas gracias por su colaboración y tiempo.

INFORMACIÓN GENERAL

8) Fecha en la cual llena el cuestionario

9) Indique la clasificación que más se ajusta a su condición de persona usuaria de Servicios de Administración de la Justicia.

n. Abogado/ Notario (a) en busca de información		o. Demandante (Estado u otro ente público)		p. Demandado (Estado u otro ente público)	
q. Persona usuaria en busca de información		r. Denunciante (materia Penal o Violencia Doméstica)		s. Denunciado (a) (materia Penal o Violencia Doméstica)	
t. Asistente de abogado (a)		u. Demandante (persona física)		v. Demandado (a) (persona física)	
w. Estudiante de Escuela de Derecho		x. Demandante (persona jurídica)		y. Demandado (a) (persona jurídica)	
z. Otro (a)					

10) Ha accedido usted a los servicios de la Sala II del Poder Judicial en los últimos 3 años (desde julio del 2004)?

Si su respuesta es NO o NS/ NR (No sabe o No responde), continúe con la pregunta 4). Si su respuesta es Sí pase a la pregunta 1) en el apartado de Percepción Física que se encuentra en la segunda página de este cuestionario.

11) Desde julio del 2006. ¿Cuál circuito judicial visita con más frecuencia para hacer uso de los Servicios de Administración de Justicia? Sírvase marcar con una (X)

p. I Circuito Judicial de San José (San José Centro, Puriscal, Pavas, Escazú, Mora Santa Ana, Turrubares)		q. III Circuito Judicial de San José (Desamparados, Hatillos, Aserrí, Acosta, San Sebastián, Alajuelita).	
r. II Circuito Judicial de San José (Goicoechea)		s. I Circuito Judicial de Alajuela (Alajuela, Atenas, Poás)	
t. II Circuito Judicial de Alajuela (San L, La Fortuna de San L, Upala, Los Chiles, Guatuso)		u. III Circuito Judicial de Alajuela (San Ramón, Grecia, Naranjo, Alfaro Ruiz, Palmares, Valverde Vega)	
v. I Circuito Judicial de Guanacaste (Liberia, Cañas, La Cruz, Bagaces, Abangares, Tilarán)		w. II Circuito Judicial de Guanacaste (Nicoya, Santa Cruz, Carrillo, Hojanca, Nandayure, Jicaral)	
x. I Circuito Judicial de la Zona Atlántica (Limón, Bribri, Batán)		y. II Circuito Judicial de la Zona Atlántica (Pococí, Siquirres, Guácimo)	
z. I Circuito Judicial de la Zona Sur (Pérez Zeledón, Buenos Aires)		aa. II Circuito Judicial de la Zona Sur (Corredores, Golfito, Osa, Coto Brus)	

bb. Circuito Judicial de Puntarenas (Puntarenas, Aguirre y Parrita, Cóbano, Esparza, Montes de Oro, Garabito, San Mateo, Orotina)	cc. Circuito Judicial de Heredia (Heredia, Sarapiquí, San Isidro, San Rafael, Santo Domingo, San Joaquín de Flores)
dd. Circuito Judicial de Cartago (Cartago, Turrialba, La Unión, Alvarado, Paraíso, Jiménez, Tarrazú, Dota, León Cortés)	

12) ¿Qué tan frecuente hace Usted uso de los Servicios de Administración de la Justicia en este circuito (número de trámites por año). Sírvase marcar con una (X)

Ninguna	Al menos 1 vez	Entre 2 y 5 veces	Entre 6 y 12 veces	Más de 12 veces	NS/NR
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13) Desde julio del 2006. ¿Cuál juzgado, tribunal u otra oficina visita con más frecuencia dentro en circuito escogido en la pregunta 4) según las materias que a continuación se indican? Sírvase marcar con una (X) solamente una casilla.

m. Agraria	n. Civil	o. Constitucional
p. Contencioso Administrativo	q. Contravencional	r. Familia
s. Notarial	t. Penal (Ministerio Publico)	u. Penal Juvenil
v. Pensiones Alimentarias	w. Penal (OIJ)	x. Tránsito
y. Violencia Doméstica	z. Penal (Defensa Publica)	aa. Trabajo

14) ¿Qué tan frecuente hace Usted uso de los Servicios de Administración de la Justicia en otros circuitos del Sistema de Justicia Costarricense (número de trámites por año). Sírvase marcar con una (X)

Ninguna	Al menos 1 vez	Entre 2 y 5 veces	Entre 6 y 12 veces	Más de 12 veces	NS/NR
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INSTRUCCIONES GENERALES

Imagine el tipo de institución que brindaría un servicio de calidad excelente, con la cual usted se sentiría totalmente satisfecho (a). Basado (a) en su experiencia, adicionalmente nos interesa conocer su valoración (percepción) de los servicios brindados por el Poder Judicial Costarricense.

Sírvase seleccionar marcando con una (X), la opción que mejor refleja su opinión en relación al grado de acuerdo con las siguientes afirmaciones. Utilice la siguiente escala.

- 1: En total desacuerdo 2: En desacuerdo 3: En leve desacuerdo
4: Indiferente 5: En leve acuerdo 6: En acuerdo
7: En total acuerdo NS/NR: No sabe/No responde

Si usted considera que una característica es absolutamente esencial marque 7, si considera que no es del todo esencial marque 1. No existen respuestas correctas o erradas, lo único que nos interesa recopilar son sus impresiones generales acerca de los Servicios de Administración de la Justicia.

PERCEPCIÓN FÍSICA

45. Las instituciones excelentes tienen equipos de apariencia moderna (computadoras, sistemas de captura de datos, sistemas de información electrónica a la persona usuaria).	1	2	3	4	5	6	7	NS/NR
46. Los equipos del Poder Judicial tienen la apariencia de ser modernos (computadoras, sistemas de captura de datos, sistemas de información electrónica a la persona usuaria).	1	2	3	4	5	6	7	NS/NR
47. Las instalaciones físicas de las instituciones excelentes son visualmente atractivas (salas de espera, servicios sanitarios, pasillos, etc).	1	2	3	4	5	6	7	NS/NR
48. Las instalaciones físicas de Poder Judicial, son visualmente atractivas (salas de espera, servicios sanitarios, pasillos, etc).	1	2	3	4	5	6	7	NS/NR
49. Los (as) empleados (as) de las instituciones excelentes tienen una apariencia personal pulcra.	1	2	3	4	5	6	7	NS/NR
50. Los (as) empleados (as) del Poder Judicial, tienen una apariencia	1	2	3	4	5	6	7	NS/NR

personal pulcra.										NR
51. En una institución excelente, los elementos materiales relacionados con el servicio son visualmente atractivos (rótulos, afiches informativos, folletos, etc).	1	2	3	4	5	6	7			NS/ NR
52. Los elementos materiales relacionados con el servicio que utiliza el Poder Judicial son visualmente atractivos (rótulos, afiches informativos, folletos, etc).	1	2	3	4	5	6	7			NS/ NR
PRESTACIÓN DEL SERVICIO										
53. Cuando las instituciones excelentes prometen hacer algo lo hacen.	1	2	3	4	5	6	7			NS/ NR
54. Cuando el Poder Judicial promete hacer algo lo hace.	1	2	3	4	5	6	7			NS/ NR
55. Cuando una persona usuaria tiene un problema, las instituciones excelentes muestran un sincero interés en solucionarlo.	1	2	3	4	5	6	7			NS/ NR
56. Cuando Usted tiene un problema en el Poder Judicial, éste muestra un sincero interés en solucionarlo.	1	2	3	4	5	6	7			NS/ NR
57. Las instituciones excelentes ejecutan bien el servicio a la primera.	1	2	3	4	5	6	7			NS/ NR
58. El Poder Judicial ejecuta bien el servicio a la primera.	1	2	3	4	5	6	7			NS/ NR
59. Las instituciones excelentes concluyen el servicio en el tiempo prometido.	1	2	3	4	5	6	7			NS/ NR
60. El Poder Judicial concluye el servicio en el tiempo prometido.	1	2	3	4	5	6	7			NS/ NR
61. Las instituciones excelentes insisten en mantener registros exentos de errores (archivos de casos, documentos, etc).	1	2	3	4	5	6	7			NS/ NR
62. El Poder Judicial insiste en mantener registros exentos de errores (archivos de casos, documentos, etc).	1	2	3	4	5	6	7			NS/ NR
CAPACIDAD Y VELOCIDAD DE RESPUESTA										
63. En una institución excelente, los empleados (as) informan con precisión a las personas usuarias cuándo concluirá la realización de un servicio.	1	2	3	4	5	6	7			NS/ NR
64. Los empleados (as) del Poder Judicial, informan con precisión a las personas usuarias cuándo concluirá la realización de un servicio.	1	2	3	4	5	6	7			NS/ NR
65. En una institución excelente, los (as) empleados (as) brindan un servicio rápido a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
66. Los (as) empleados (as) del Poder Judicial, brindan un servicio rápido a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
67. En una institución excelente, los (as) empleados (as) siempre están dispuestos a ayudar a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
68. Los (as) empleados (as) del Poder Judicial, siempre están dispuestos a ayudar a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
69. En una institución excelente, los (as) empleados (as) nunca están demasiado ocupados (as) para responder a las preguntas y consultas de las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
70. Los (as) empleados (as) del Poder Judicial, nunca están demasiado ocupados (as) para responder a las preguntas y consultas de las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
CONFIANZA EN EL SISTEMA										
71. El comportamiento de los (as) empleados (as) de las instituciones excelentes transmite confianza a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
72. El comportamiento de los (as) empleados (as) del Poder Judicial, le transmite confianza a las personas usuarias.	1	2	3	4	5	6	7			NS/ NR
73. Las personas usuarias de las instituciones excelentes se sienten seguras en las gestiones hechas con la organización. (entrega de documentos,	1	2	3	4	5	6	7			NS/ NR

consultas, fallos de los jueces, etc).		
74. Usted se siente seguro (a) en las gestiones hechas en el Poder Judicial (entrega de documentos, consultas, fallos de jueces, etc)	1 2 3 4 5 6 7	NS/ NR
75. En una institución excelente, los (as) empleados (as) son siempre amables con las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
76. Los (as) empleados (as) del Poder Judicial, son siempre amables con Usted.	1 2 3 4 5 6 7	NS/ NR
77. En una institución excelente, los (as) empleados (as) tienen conocimientos suficientes para responder a las preguntas y consultas de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
78. Los (as) empleados (as) del Poder Judicial, tienen conocimientos suficientes para responder a las preguntas y consultas de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR

ENFOQUE A LAS NECESIDADES DE LA PERSONA USUARIA

79. Las instituciones excelentes dan a las personas usuarias una atención individualizada (cuando es su turno lo (a) atienden únicamente a Usted).	1 2 3 4 5 6 7	NS/ NR
80. En el Poder Judicial le brindan una atención individualizada. (cuando es su turno lo (a) atienden únicamente a Usted).	1 2 3 4 5 6 7	NS/ NR
81. Las instituciones excelentes tienen horarios de trabajo convenientes para todas las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
82. El Poder Judicial tiene horarios de trabajo convenientes para todas las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
83. Una institución excelente tiene empleados (as) que ofrecen una atención personal a los (as) usuarios (as) (se adaptan a sus necesidades particulares).	1 2 3 4 5 6 7	NS/ NR
84. Los (as) empleados (as) del Poder Judicial, le ofrecen una atención personalizada (se adaptan a sus necesidades particulares).	1 2 3 4 5 6 7	NS/ NR
85. En las instituciones excelentes, los (as) empleados (as) se preocupan por los intereses de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
86. En el Poder Judicial, los (as) empleados (as) se preocupan por los intereses de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
87. Los (as) empleados (as) de las instituciones excelentes, comprenden las necesidades específicas de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR
88. Los (as) empleados (as) del Poder Judicial comprenden las necesidades específicas de las personas usuarias.	1 2 3 4 5 6 7	NS/ NR

IMPORTANCIA RELATIVA DE LOS ELEMENTOS DE SERVICIO

A continuación se ofrecen 5 características aplicables a una institución que brinda Servicios de Administración de la Justicia. Según su importancia, por favor distribuya un total de 10 puntos entre ellas. Por ejemplo si otorga 2 puntos a un elemento y 1 a otro, significa que para Usted el primero tiene una importancia dos veces mayor que el segundo. Si desea, puede no asignar valor a una o más casillas. Asegúrese que la suma final de todos los puntos sea 10.

6. Apariencia de las instalaciones físicas, equipamiento, personal y sistemas de computación y comunicación.	
7. Capacidad para proveer el servicio prometido.	
8. Disposición para ayudar a sus clientes (as) y brindar un servicio oportuno.	
9. Conocimiento y amabilidad de los (as) empleados (as) y su capacidad de transmitir confianza y seguridad a las personas usuarias.	
10. Atención cuidadosa e individualizada que ofrece a sus clientes (as).	

Appendix 3. Example of an interview analysis employing Grounded Theory

Phase 1 -Stages of Grounded theory analysis

Interview Data	Open Codes
<p><i>"[ISO9000 is only for manufacturing companies. We are a service organization with a high responsibility, since we deliver justice to Costa Rica's citizens. The things we do cannot be pigeonholed into fixed times, since every case is different. Forcing us to work under standard quotas and times would certainly violate judge independence, which is a medullar requirement for a Court to function. If a case, takes 4 months to be solved by a Justice, he/she cannot be pushed to deliver within 15 days, in special because he/she needs -mind freedom- to develop adjudicative arguments, for better sake of the parties involved]."</i></p>	<ul style="list-style-type: none"> • ISO9000 is not a tool for the Judiciary • Judiciary services involve a higher responsibility compared to manufacturing companies. • Time processing variability is high in judicial institutions • Judge independence is violated when establishing working quotas. • Quality of sentence depends on the freedom a judge when performing his/her jurisdictional functions, which are the core of Judiciaries.

Phase 2 Open codes to sub categories

Open Codes	Sub Categories
<ul style="list-style-type: none"> • ISO9000 is not a tool for the Judiciary • Judiciary services involve a higher responsibility compared to manufacturing companies. • Time processing variability is high in judicial institutions • Judge independence is violated when establishing working quotas. • Quality of sentence depends on the freedom a judge when performing his/her jurisdictional functions, which are the core of Judiciaries. 	<ul style="list-style-type: none"> • Perceptions of judicial servants about quality management standards in judicial institutions • Perceptions of judicial servants about the nature of judicial institutions in direct relation to the core judicial independence principle. • Judicial servant's perceptions and expectations about cycle times in judiciary processes • Judicial servant's perceptions and expectations on how to maintain sentence quality as a more important factor to service quality.

Phase 3 Sub categories to categories

Sub Categories	Categories
<ul style="list-style-type: none"> • Perceptions of judicial servants about quality management standards in judicial institutions • Perceptions of judicial servants about the nature of judicial institutions in direct relation to the core judicial independence principle. • Judicial servant's perceptions and expectations about cycle times in judiciary processes • Judicial servant's perceptions and expectations on how to maintain sentence quality as a more important factor to service quality. 	<ul style="list-style-type: none"> • Understand judicial servants conceptions of their roles as civil servants • Understand the judicial independence concept and how this really relates to service quality. • Understand if judicial independence really justifies a judged lasting as long as he/she wants to dictate a sentence. • Decouple the nature of administrative procedures and adjudicative procedures in the entire judicial service delivery.

Phase 4 Categories to major categories

Categories	Major Categories
<ul style="list-style-type: none"> • Understand judicial servants conceptions of their roles as civil servants • Understand the judicial independence concept and how this really relates to service quality. • Understand if judicial independence really justifies a judged lasting as long as he/she 	<ul style="list-style-type: none"> • Which are judicial servants main influencing factors to change their mind sets towards their civil servants' roles • Which are the main characteristics of adjudicative processes versus administrative processes • What are the priorities, if any, of judicial servants

<p>wants to dictate a sentence.</p> <ul style="list-style-type: none"> Decouple the nature of administrative procedures and adjudicative procedures in the entire judicial service delivery. 	<p>when delivering judicial processes to the public users.</p>
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Phase 5 Major categories to themes

Major Categories	Themes for discussion
<ul style="list-style-type: none"> Which are judicial servants main influencing factors to change their mind sets towards their civil servants' roles Which are the main characteristics of adjudicative processes versus administrative processes What are the priorities, if any, of judicial servants when delivering judicial processes to the public users. 	<p>How really judicial servants about their public role Do judicial servants really care about the service quality they provide?</p> <p>Judicial independence concept as justifier of service provision inefficiencies.</p>





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