



# INSIDE IRIS GEORGIA SPECIAL EDITION ON LEGAL AID

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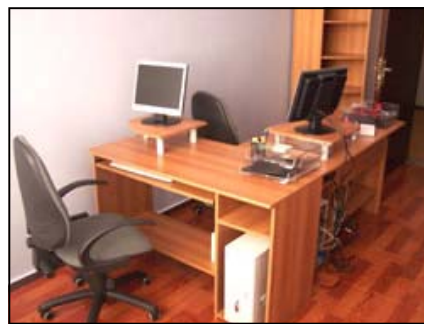
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## Public Attorney Service Bureau Opening in Tbilisi

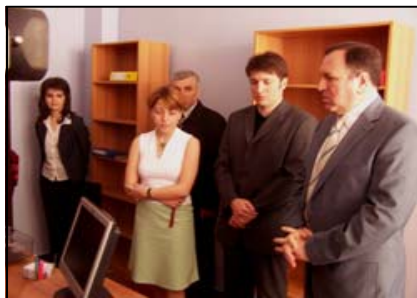


On June 18th, Minister of Justice Kote Kemularia presided over an opening ceremony for a new Public Attorney Service Bureau in Tbilisi. This office is to provide free legal assistance to those in need. Project partners, IRIS, the Open Society Georgia Foundation (OSGF) and the Georgian Young Lawyers' Association (GYLA) also made presentations at the opening ceremony, which marked the start of an important service in the city's district of Gldani-Nadzaladevi. After the Rose Revolution, the Ministry of Justice (MOJ) determined that improving and strengthening the free legal aid system in Georgia would be included in its reform efforts. The MOJ launched this public attorney service pilot program with the support of USAID, others in the donor community and local NGOs.

USAID has provided funding for computers, printers and fax machines for the bureau offices. In June another Public Attorney Service Bureau will open in Zestaponi to address the needs of the population in that region. Citizens who visit the bureaus will be assisted by highly competent lawyers who were chosen through a competitive process.



After 12 months, the government of Georgia is expected to assume funding of the legal aid bureaus. Minister Kemularia announced at the presentation, "This service will be available throughout the country. Every citizen should be able to receive qualified legal aid." IRIS funded the development of legal aid data management software for use in the bureaus to simplify case management for its lawyers and to facilitate better service.



## State Ministries Pledge Support for Legal Aid



On the day of the opening of the Public Attorney Service Bureau in Tbilisi, a memorandum of understanding was signed between the Ministry of Justice, the Supreme Court, the Ministry of Interior and the Prosecutor's Office to cooperate with and lend support to the work of the new legal aid bureaus.



David Magradze, IRIS's Deputy Chief of Party, reminded everyone, "The success of the program depends on the people involved. Their dedication will determine the extent to which people are served."

The responsibility of the state institutions mentioned above will be especially great, including ensuring that requests for legal counsel in criminal cases are directed to the appropriate regional bureau in a timely manner.

## The Future of Legal Aid in Georgia

Since Georgian independence in the 1990s, free legal assistance has been provided to low-income citizens. Attorneys hired by the state have represented citizens in court; Article 42, paragraph 3 of the Georgian Constitution states that, "The right to defense shall be guaranteed." However, inadequate salaries and unqualified personnel have compromised the quality of this assistance.

In recent years support for legal aid has improved. USAID and others in the donor community began funding legal aid clinics in 2001. Two of the recipients, the Georgian Young Lawyers' Association (GYLA) and Article 42 of the Constitution, provide the majority of free legal aid to Georgian citizens. This assistance includes legal consultations in person and by telephone, as well as representation in court.

NGOs that operate through donor funding work apart from state-funded lawyers. The general impression is that there are never enough lawyers to provide aid, and that the government should consider reforming the legal aid system throughout the country.

In 2003 IRIS arranged for an American legal aid expert to review the state legal aid system and to offer his recommendations for improvement. His primary recommendation was for the development of a data management

system. IRIS has since funded the development of legal aid data management software, which will give attorneys a clearer picture of the demographics of legal aid and citizens' needs. The software will soon be installed in the newly created Public Attorney Service Bureaus.

After the Rose Revolution, GYLA and IRIS, in close cooperation with the Ministry of Justice (MOJ), have been developing a draft Concept Paper on Legal Aid. In 2004, Minister of Justice Papuashvili created a Legal Aid Coordination Council to address legal aid issues. Members of the Council include representatives from the MOJ, IRIS, GYLA, the Open Society Georgia Foundation, Parliament, and practicing attorneys.

Deputy Minister of Justice Eka Tkeshelashvili, herself a campaigner for and designer of these reforms commented, "The creation of the Coordination Council was a substantial step – this Council aims to carry out legal aid reform throughout the country."

The Council plans to complete the Concept Paper on Legal Aid, and council members will monitor the activities of the pilot Legal Aid Bureaus in Gldani-Nadzaladevi (Tbilisi) and the Zestaponi region. The Council will also be working on a draft law on legal aid to be presented to Parliament for adoption.