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The Profile of Law Clerks Using Judiciary Informatics in Turkey

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Abstract. The automation of judicial services got it's start in 1998 in Turkey. In order to increase performance and productivity of these services many regulations have been made in parallel with the innovations and improvements realised in the sector of information technologies. There are many internal users using the judiciary informatics such as chief judges, judges, attorneys general, solicitors, prison officers and law clerks. The aim of this study is to analyse the profile of the law clerks using judiciary informatics in Turkey and evaluate their uses of judiciary informatics in terms of the dimensions of performance and effort expectancy, attitude toward using technology, security and risk and anxiety. Web based questionnaire, which was prepared as a five-point Likert type scale including 4898 law clerks, was analysed through factor analysis. The empirical research was carried out between July and August 2012 in Turkey.

Keywords: law clerks, e-government, judiciary informatics, Turkey

1 Introduction

Judicial services have been undergoing a rapid transformation in late 1990s due to the impact of the technological changes. They enabled the delivery of services over the Internet. The automation of judicial services got it's start in 1998 in Turkey. In order to increase performance and productivity of these services many regulations have been made in parallel with the innovations and improvements realised in the sector of information technologies. Information systems that are scalable, multi-user and work-based systems came into question in order to increase performance and productivity of institutions. The automation of judicial services is an important step among the e-

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government practices. Some of the contributions of judiciary informatics can be sited as speed, accuracy, consistency, transparency, effectiveness and efficiency and saving[1].

2 The Job of Law Clerks

Some studies indicate that the early practice was very largely against the emergence of the law clerks as a constantly changing group of inexperienced but bright and well-trained young law-school graduates[2]. The first official reference to the idea of employing assistants for the Supreme Court justices occurred in 1885[3]. The job of law clerk has evolved in name as well as in substance as up from 'secretary', for the 'law clerk', 'law assistant', 'research aide', 'legal assistant' and also 'law examiners'[4].

Knowledge, experience and education are required for a law clerk. He/she has to be knowledgeable about laws, court procedures and government regulations. Also he/she to be knowledgeable about administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and other office procedures and terminology. Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming are also crucial skills for law clerks.

Job duties of law clerks vary between countries, but some common tasks are;

- preparing affidavits of documents and maintain document files and case correspondence,
- searching for and studying legal documents to investigate facts and law of cases, to determine causes of action and prepare cases,
- researching and analyzing law sources to prepare drafts of beliefs or arguments for review, approval, and use by attorney,
- reviewing and filing pleadings, petitions and other documents relevant to court actions,
- serving copies of pleas to opposing counsel,
- communicating and arbitrating disputes between parties.

3 The aim of the study

The aim of this study is to analyze the profile of the law clerks using judiciary informatics in Turkey and evaluate their uses of judiciary informatics in terms of the dimensions of performance and effort expectancy, attitude toward using technology, anxiety, and security and risk.

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[1] http://www.uyap.gov.tr/tanitim/tarihce.html

[2] Newland, C. A.: Personal Assistants to Supreme Court Justices: The Law Clerks. Oregon Law Review. 40 316 (1961).

[3] Mahoney, J. D.: Law Clerks: For better or for Worse? Brooklyn Law Review. 54 323 (1988).

[4] Baier, P. R.: The Law Clerks: Profile of an Institution. Vanderbilt Law Review. 26 1130 (1973).

4 Sampling and Obtaining Data

Prepared web based questionnaire was applied to all of internal users including law clerks by The Ministry of Justice General Directorate of Information Technologies and 8840 internal users replied. The population size is 76 592. The internal users, chief judges, judges, attorneys general, solicitors, prison officers and law clerks, were assigned to the questionnaire. The empirical research was carried out between July and August 2012 in Turkey. The sample size of law clerks was 4898. Data were analysed by SPSS 21.0.

5 Findings and Evaluation

The profile of law clerks based on their demographic characteristics was shown in Table 1. The demographic findings indicate that 61.55 % of law clerks are male and 38.45 % are female respectively. Of the respondents, 16.90 % are between 18-24 years of age, 62.62 % between 25-34, 16.39 % between 35-44, 4.09 % 45 years and over.

Table 1. Law clerks' demographic characteristics

Variable	Variable level	Frequency (n= 4898)	%
Gender	Female	1883	38.45
	Male	3015	61.55
Age	18-24	828	16.90
	25-34	3067	62.62
	35-44	803	16.39
	45 years and over	200	4.09
Educational status	Secondary school	8	0.16
	High school	1285	26.23
	MA degree	3466	70.76
	MBA degree	137	2.79
	Doctorate	2	0.04
Work Experience	Less than 1 year	768	15.67
	1-5 years	2103	42.93
	6-10 years	1359	27.74
	11-15 years	323	6.59
	16 years and over	345	7.04
Experience of the use of information system	1-3 years	2488	50.80
	4-6 years	1969	40.20
	7 years and over	441	9.00

Of the sample 0.16 % have graduated from a secondary school, 26.23 % have graduated from a high school, 70.76 % have graduated from a university, 2.83 % have an MBA degree and over. Of the sample, 15.67 % have less than 1 year work experience, 42.93 % have 1-5 years work experience, 27.74 % have 6-10 years work experience and 13.63 % have 11 years and over work experience. Of the respondents 50.80 % have 1-3 years experience of the use of information system, 40.20 % have 4-6 years experience of the use of information system, and 9 % have 7 years and over experience of the use of information system.

Table 2. Results of factor analysis

KMO and Bartlett's Test		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		0.92
Bartlett's Test of Sphericity	Approx. Chi-Square	36371.35
	df	190
	Sig.	0.001

The scale was subjected to principal components analysis with varimax rotation. The KMO values was 0.92 and Barlett's Test of Sphericity reached statistical significance ($p < .001$), supporting the factorability of the correlation matrix. Principal component analysis revealed the presence of four components, explaining 32.88 per cent, 11.29 per cent, 7.07 per cent and 6.41 per cent of the variance respectively. The responses of law clerks were analysed by factor analysis and four main dimensions were obtained. These are namely; performance and effort expectancy, attitude toward using technology, anxiety, and security and risk. These four factors that eigenvalues higher than 1 are explaining 57.49 per cent of total variance. Cronbach's alpha coefficient was 0.72 for 20 items in our questionnaire. Statements about variables were prepared in 5 point Likert type scale (1= strongly disagree,…,5= strongly agree). The statements used in the questionnaire were adapted from various studies.[5] These statements are presented in Table 3.

[5] Thomson, R. L., Higgins, C. A., Howell, J. M.: Personal Computing: Toward a Conceptual Model of Utilization. MIS Quarterly. 15 125-- 143 (1991); Davis, F. D.: Perceived Usefulness, Perceived Ease of Use, and User Acceptance of Information Technology. MIS Quarterly. 13 319—340 (1989); Compeau, D., Higgins C. A., Huff, S.: Social Cognitive Theory and Individual Reactions to Computing Technology: A Longitudinal Study. MIS Quarterly. 23 145—158 (1999); Moore, G. C., Benbasat, I.: Development of an Instrument to Measure the Perceptions of Adopting an Information Technology Innovation. Information Systems Research. 2 192--222 (1991); Venkatesh, V.: Determinants of Perceived Ease of Use: Integrating Control, Intrinsic Motivation, and Emotion into the Technology Acceptance Model. Information Systems Research. 11 342--365 (2000); Belanger, F., Carter, L.: Trust and Risk in E-government Adoption. Journal of Information Systems. 17 165 --176 (2008); Taylor, S., Todd, P.: Assessing IT Usage: The Role of Prior Experience. MIS Ouarterly. 19 561--570 (1995).

Table 3. Factor loadings, variance percents of factor analysis with varimax rotation

Factor 1: Performance and effort expectancy			
Eigenvalue: 6.58	% of variance: 32.88	cumulative %: 32.88	FA
I would find the system useful in my job on my side			0.82
Susceptibility to the computer in using information systems make it easier to do my job.			0.76
I would find practical to use information systems.			0.73
I would find beneficial to use information systems in my job on behalf of judiciary systems.			0.65
I would find beneficial to use information systems in my job on behalf of judiciary systems to provide the transparency.			0.62
Factor 2: Attitude toward using technology			
Eigenvalue: 2.26	% of variance: 11.29	cumulative %: 44.18	FA
I am glad of the number of steps in the transaction.			0.71
Information systems help me to make more effective decisions.			0.69
I am glad to be satisfied my information processing requirements.			0.66
I am pleased from the information systems in general.			0.58
The system makes my work more interesting.			0.57
Factor 3: Anxiety			
Eigenvalue: 1.41	% of variance: 7.07	cumulative %: 51.25	FA
I hesitate to use the system for fear of making mistakes I cannot correct.			0.83
It scares me to think that I could lose a lot of information using the system by making wrong transaction.			0.76
I am worried about using the system.			0.72
The system is somewhat intimidating to me.			0.65
It is impossible to correct the mistakes or too difficult.			0.64
Factor 4: Security and risk			
Eigenvalue: 1.25	% of variance: 6.24	cumulative %: 57.49	FA
Knowledge in information system cannot be changed by unauthorized people.			0.73
Unauthorized entry to information system is not possible.			0.72
There is no danger of leaking information from information system.			0.70
Information system is reliable.			0.63
Violations of security in information systems are determined by judicial competent authorities.			0.47

6 Conclusion

In this study, the profile of law clerks using judiciary informatics in Turkey was examined. And also their uses of judiciary informatics in terms of the dimensions of performance and effort expectancy, attitude toward using technology, security and risk and anxiety were analysed. The demographic findings indicate that it is a job that men prefer more, and 96 % of them under the age of 44. Most of them have graduated from a university. Of the sample 70 % have 1-10 years work experience and half of

them have 1-3 years of experience of the use of information systems. The responses of law clerks were analysed by factor analysis and as a result four main dimensions were namely; performance and effort expectancy, attitude toward using technology, security and risk and anxiety. These four factors that eigenvalues higher than 1 are explaining 57.495 per cent of total variance.

It can be said that law clerks are one of the most active users of judiciary informatics in Turkey. In order to increase performance and productivity in judicial services it seems necessary to know the profile of the internal users especially law clerks in judiciary informatics. In this meaning, the contribution of the findings of this study to HCI can be taken into account.

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