

# The Redistribution of Criminal Jurisdictions in Jordan

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**Abstract:** Lately, significant amendments to the Penal law was introduced in Jordan, the magistrate courts Law, and the Jordanian criminal procedures law. This paper reports the results of a questionnaire survey that sought to support the findings from a legal analysis which have answered the research question “What are the perceptions of Jordanian Lawyers towards redistribution of criminal jurisdiction in courts?” The methodology adopted allowed the researcher to make descriptive inference that can lead to determining the weaknesses of the legal infrastructure. The results have shown that it is critical for the Jordanian legislator to understand the expansion of the criminal jurisdictions of the magistrate courts. Such a development requires increasing the number of magistrate courts and increasing the number of officials in the magistrate courts. In addition, there is a need to hold edification courses on the development of contemporary criminal policy in Jordan for judges, lawyers, and court officials.

**Keywords:** Jordan, Lawyer, Magistrate Courts Law, Criminal Procedures Law, Penal Law.

## 1 Introduction

The past few years have witnessed a fundamental change in the regulatory and legal environment of the Jordanian jurisdiction of courts. Following the development of penal policies, most of the penal legislations have tended to amend their laws. Lately, significant amendments were introduced to the penal law in Jordan,<sup>(1)</sup> the magistrate courts law,<sup>(2)</sup> and the Jordanian criminal procedures.<sup>(3)</sup> These developments have had an important impact on the development of criminal policy in the country.

Earlier, the Jordanian Council of Ministers decided to approve fourteen bills and a system that will modernize and develop the judicial system and enhance its role in (i) achieving the rule of law to ensure transparency of decisions, (ii) expediting litigation procedures, (iii) improving the business environment in Jordan, and (iv) enhancing the rights of citizens.<sup>(4)</sup> In April 2017, the Jordanian Council of Ministers approved fourteen bills and a system which aimed at developing and modernizing the judicial system and at enhancing the council's role in achieving the rule of law. Such measures served to (i) ensure expedited litigation procedures; (ii) enhance the rights of citizens in Jordan and transparency of decisions; and (iii) improve the business environment.

(1) Jordanian Official Gazette No (5479), dated 30/8/2017, pp. 5334.

(2) Jordanian Official Gazette No (5479), dated 30/8/2017, pp. 4608.

(3) Jordanian Official Gazette No (5479), dated 30/8/2017, pp. 5412.

(4) The Cabinet approves 14 bills and a system for the development of the judiciary, in the website of the Jordanian Ministry of Justice, <http://www.moj.gov.jo/DetailsPage/MOJEN/NewsDetailsEN.aspx?ID=777>, 18/4/2017, accessed 20/8/2018.

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Specialized committees were formed by the Jordanian Ministry of Justice in order to modernize and develop the system of legislation, which included the Magistrate's Courts Act as the amended draft law. This law was the product of consultation and extensive discussion among the committee members, who consisted of professionals such as judges and academics with experience.<sup>(5)</sup>

According to the Jordan's minister of justice, the magistrate courts in Jordan are considered as one of the community courts that resolve most common disputes among people. The courts make efforts to urge the conflicting parties to the settlement. The minister added that the proposed amendments had to be introduced to contribute to addressing to the shortcomings in the prosecution proceedings, shortening the duration of litigation, and reducing procrastination in this procedure in order to facilitate maximum justice.<sup>(6)</sup>

The Jordanian Minister of Justice introduced the amendments and reorganized the terms of reference of the magistrate court, thus contributing to activating the role of justices of the peace in frequently solving the disputes among citizens. He added that the new amendment will contribute to solving many of the disputes that occur daily. He added that the new amendment will contribute to solving many of the disputes that occur daily.<sup>(7)</sup>

In the review of the Jordanian penal law, the type of crime is categorized based on the type of penalty, whether it is a felony or a misdemeanor or a violation.<sup>(8)</sup> However, imprisonment, fine, and bail bond are the penalties for misdemeanors.<sup>(9)</sup> Imprisonment is the placement of a convict during the verdict period, which can range from one to three years in a reform and rehabilitation center, unless the law provides otherwise.<sup>(10)</sup> The maximum imprisonment would be 3 years whenever the maximum limits are not defined.<sup>(11)</sup>

Previously, the magistrate courts had jurisdiction in misdemeanors and minor crimes for which the sentence is two years of imprisonment or less.<sup>(12)</sup> First Instance Courts have jurisdiction in crimes that fall outside the jurisdictions of the magistrate court, as well as those that are not specifically, covered by special courts. For example, the following crimes fell within the jurisdiction of the Courts of First Instance: involuntary murder,<sup>(13)</sup> deception,<sup>(14)</sup> forging private documents,<sup>(15)</sup> prostitution,<sup>(16)</sup> seduction,<sup>(17)</sup> adultery,<sup>(18)</sup> misdemeanor against public administration,<sup>(19)</sup> misdemeanor against public

(5) A new draft law of the Magistrates courts, in the website of the Jordanian Ministry of Justice,

<http://www.moj.gov.jo/DetailsPage/MOJEN/NewsDetailsEN.aspx?ID=643>, 16/7/2016, accessed 29/8/2018.

(6) Details of the new Magistrates' Courts law, Al Ghad Newspaper, <http://www.alghad.com/articles/1008622>, 16/7/2016, accessed 29/8/2018.

(7) A new draft law of the Magistrates courts, in the website of the Jordanian Ministry of Justice,

<http://www.moj.gov.jo/DetailsPage/MOJEN/NewsDetailsEN.aspx?ID=643>, 16/7/2016, accessed 29/8/2018

(8) According to article 55 from the Jordanian Penal law 1960

(9) According to article 15 from the Jordanian Penal law 1960

(10) According to article 21 from the Jordanian Penal law 1960

(11) According to article 26 from the Jordanian Penal law 1960

(12) According to article 4 (c) from the Jordanian Magistrates' Courts Law 1952

(13) Article 343 from the Jordanian Penal law 1960

(14) Article 417 from the Jordanian Penal law 1960

(15) Article 271 from the Jordanian Penal law 1960

(16) Article 310 from the Jordanian Penal law 1960

(17) Article 304 from the Jordanian Penal law 1960

(18) Article 282 from the Jordanian Penal law 1960

confidence,<sup>(20)</sup> resisting public officials,<sup>(21)</sup> breaking of seals and removal of papers and documents,<sup>(22)</sup> extraction of confessions and information,<sup>(23)</sup> fabrication of crimes and false accusation,<sup>(24)</sup> false testimony,<sup>(25)</sup> false reports and translations,<sup>(26)</sup> escape of prisoners,<sup>(27)</sup> misdemeanor against children,<sup>(28)</sup> misdemeanor of abduction,<sup>(29)</sup> abortion<sup>(30)</sup> and damages made to state and individual property.<sup>(31)</sup>

However, the Magistrate Courts Law of 2017 extended the jurisdiction of the magistrate courts to give them the right to consider all types of misdemeanors, except for what the law has assigned to other courts.<sup>(32)</sup> As a result, the new law has removed the terms of reference that denotes the right of the Court of First Instance to consider many cases.

In fact, the Magistrate Courts Law of 2017 was intended to (i) facilitate litigation proceedings before the magistrates courts in Jordan, (ii) expand the jurisdiction of the civil and criminal court of justice, and (iii) reorganize the appeal methods against decisions that were issued by the magistrate courts.<sup>(33)</sup>

One of the ramifications of expanding the jurisdiction of the Magistrates' Courts is the amendment of the text of Article 51 of the old Criminal Procedures Law,<sup>(34)</sup> which states: (1) If the committed crime constituted a misdemeanor or a felony that falls under the first instance court's jurisdiction, then the initiated or submitted investigations by the judicial police officials to the public prosecutor shall be completed and accordingly the decision shall be issued; (2) directly, the public prosecutor has the authority to refer the case to the competent court, if the committed crime constituted a misdemeanor which fall under the Magistrate Courts jurisdiction; and (3) the arguments of the public prosecutor shall be attached and request what is deemed necessary, in all instances.

Therefore, it was necessary for the prosecutor<sup>(35)</sup> to investigate the crimes and misdemeanors in which the penalty is over two years. In this case, the prosecutor ordered a forgery imprisonment for crimes less than two years. However, after the amendment of article 51 under the Criminal Procedures Law (32) for the year 2017, it is permissible for the General Prosecutor to investigate all misdemeanors regardless of the extent of the sentence, which may exceed three years, and with the existence of the intensive

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(19) Article 181 from the Jordanian Penal law 1960

(20) Article 237 from the Jordanian Penal law 1960

(21) Article 185 from the Jordanian Penal law 1960

(22) Article 204 from the Jordanian Penal law 1960

(23) Article 208 from the Jordanian Penal law 1960

(24) Article 210 from the Jordanian Penal law 1960

(25) Article 214 from the Jordanian Penal law 1960

(26) Article 218 from the Jordanian Penal law 1960

(27) Article 228 from the Jordanian Penal law 1960

(28) Article 289 from the Jordanian Penal law 1960

(29) Article 302 from the Jordanian Penal law 1960

(30) Article 321 from the Jordanian Penal law 1960

(31) Article 443 from the Jordanian Penal law 1960

(32) Article 3 from the Jordanian Magistrates Courts Law 2017

(33) The Cabinet approves 14 bills and a system for the development of the judiciary, in the website of the Jordanian Ministry of Justice, <http://www.moj.gov.jo/DetailsPage/MOJEN/NewsDetailsEN.aspx?ID=643,18/4/2017>, accessed 20/8/2018.

(34) The Jordanian Criminal Procedures Law 1961.

(35) According to article 15(1) from The Jordanian Criminal Procedures Law of 1961 the public prosecutor is the head of the judicial police in his/her area of jurisdiction, and all the judicial police members shall be under his/her supervision and control.

circumstances of the sentence. <sup>(36)</sup> The exception is that the law stipulates that the crimes must be investigated. If the deputy asks the prosecutor<sup>(37)</sup> to investigate in misdemeanor.

In short, the past few years have witnessed a notable change in the legal and regulatory environment regarding the courts' jurisdiction in Jordan. Because the redistribution has been newly enacted in Jordan, it was considered timely to conduct a survey about the perceptions of Jordanian lawyers on the change in the jurisdiction of the courts. However, it is worth noting that the study was not prompted by the lawyers' lack direct the understanding of the new courts' jurisdiction laws but rather by their appreciation of the surrounding aspects of the developing impact of such evolvement. The questions of the questionnaire particularly seek responses that would support findings from a legal analysis that have answered the research question. The survey in particular, intends to seek answer to the following: What are the perceptions of Jordanian Lawyers towards the redistribution of the criminal jurisdiction in courts? The methodology adopted allowed the researcher to make a descriptive inference that can lead to determining the weaknesses of the legal infrastructure.

## 2 Research Design

A survey has been suggested as appropriate for studying an individual's expectations, values, feelings, or other similar factors.<sup>(38)</sup> A survey denotes the collection of data at a specified time as a means to describe the nature of identity standards or an existing condition against which the present conditions can be compared. Relationships among the specific events might be derived.<sup>(39)</sup>

An empirical legal study supports many areas in social and legal policies. <sup>(40)</sup> The methodology allows a researcher to evaluate the function of the law in the world. It is acknowledged, however, that open-ended questions would enable the researcher to gain more insights about the subject from the participants. A survey contains structured questions that can be asked to participants thus resulting in statistical summaries.

This study attempts to investigate the perceptions of Jordanian lawyers on the redistribution of criminal jurisdictions. The purpose is to understand the opinions of the Jordanian lawyers regarding the problem addressed.

### 2.1 The Questionnaire Survey

(36) According to article 105 from the Jordanian Penal law 1960.

(37) According to Article 13 from The Jordanian Criminal Procedures Law of 1961 the public prosecution before each court of appeal shall be headed by a judge whose title shall be the Attorney General. Each attorney general shall be assisted in his/her work by a number of assistants, who shall perform their duties before the courts of appeals each of them in his/her area of jurisdiction which is defined by the applicable laws. The performance of all public prosecutors and officials of the judicial police shall be under the competent attorney general's supervision and control.

(38) Anwarul Yaqin, Legal Research and Writing, Malaysia, lexisnexis, 2007, pp154.

(39) Mahdi Zahraa, Research Methods for Law Postgraduate Overseas Students, published in Malaysia by UNIVISION PRESS (c/o STILGLOW SDN.BHD), Kuala Lumpur Malaysia, 1998 , pp.65.

(40) Dame Hazel Genn, Martin Partington and Sally Wheeler, Law in the Real World: Improving our Understanding of How Law Works, the Nuffi Eld Foundation 28 Bedford Square London wc1b 3js, 2006, pp.1. For more information see:  
<http://www.nuffieldfoundation.org/sites/default/files/Law%20in%20the%20Real%20World%20full%20report.pdf>, accessed 19-6-2018.

In this study, laws are considered the rules imposed by the legislature which affect human activities and improve their behavior.<sup>(41)</sup> In other words, this study considers law as a social fact in that the law serves to order society and therefore influence human behavior.

As mentioned, a survey is appropriate for a study that aims at ascertaining the individual's expectations, values, feelings, or other similar factors.<sup>(42)</sup> It is well known that surveys are often carried as part of a non-experimental design and that such a method is considered ideal for understanding the views, beliefs, attitudes, and opinions of people of different aspects of social life.<sup>(43)</sup> The survey method can be identified as (1) the standards identification against which present conditions can be compared, or (2) the collecting of data at a specific time with the aim of describing the existing condition nature, or (3) the specifying of the relationships that exist among particular events.<sup>(44)</sup>

The need for flexibility of data collection also prompted the researchers to opt for the survey method. The survey method also allowed the researcher to collect data using different methods, including face-to-face interviews. A questionnaire survey allowed the researcher to cover a wider geographical area and a large number of participants. In fact, implementing the survey method would cost less compared to adopting other methods of data collection.

According to Rowley, the purpose of using a questionnaire survey is to gather data from a large number of people.<sup>(45)</sup> In addition, adopting a questionnaire survey allows the researcher not only to analyze and present the data easily but also to obtain good response rate.<sup>(46)</sup>

A questionnaire survey is also used to serve a precise scope, which might lead to generic participants' responses thus causing some obstacles.<sup>(47)</sup> However, it is acknowledged that limitations are inherent in self-completion questionnaires; the participants' behavior is unknown, and the researcher is unable to monitor the respondents during the answering.<sup>(48)</sup>

## 2.2 Designs of Questionnaire and Pilot Study

(41) Mark Van Hoecke, *Methodologies of Legal Research*, Published in the United Kingdom by Hart Publishing Ltd 16C Worcester Place, Oxford, OX1 2JW, 2011, pp.1, for more information see:

[http://www.ius.bg.ac.rs/prof/Materijali/jovmio/DS\\_primerimetodoloskihpristupa/van%20Hoecke%20%28ed.%29,%20Methodologies%20of%20legal%20research%20\\_%20which%20kind%20of%20method%20for%20what%20kind%20of%20discipline.pdf](http://www.ius.bg.ac.rs/prof/Materijali/jovmio/DS_primerimetodoloskihpristupa/van%20Hoecke%20%28ed.%29,%20Methodologies%20of%20legal%20research%20_%20which%20kind%20of%20method%20for%20what%20kind%20of%20discipline.pdf), accessed 22-4-2015.

(42) Anwarul Yaqin, *Ibid*, pp.154.

(43) McConville, Mike and Hong Chui, Wing, *Research Methods for Law (Research Methods for the Arts and the Humanities)*, 1st edition, July 6-2007, pp.59.

(44) Mahdi Zahraa, *Ibid*, pp.65.

(45) Jenny Rowley, (2014) "Designing and using research questionnaires", *Management Research Review*, Vol. 37 Issue: 3, pp.308-33.

(46) Floyd J. Fowler, *Survey Research Methods (4th ed.)*, 4th Edition, 2009

(47) Epstein, S., & O'Brien, E. J. (1985). The person-situation debate in historical and current perspective. *Psychological Bulletin*, Vol. 98 No.3, pp 513-537.

(48) Epstein, S., & O'Brien, E. J, *Ibid*.

The questionnaire was designed by taking into consideration several aspects, such as the detail of information, a clear objective, and a selection of items that needed to be translated to relevant questions. In designing the instrument, the researcher also took into account the language, phrasing, logical order, length, and response format of the questions. Also considered were how the responses were to be analyzed and linked to other answers.

In this study, a structured questionnaire was used to query the perceptions of Jordanian lawyers on the redistribution of criminal jurisdictions in Jordan. The first and final drafts of the questionnaire were prepared and written in Arabic, considering that English is not the first language of the participants.

The purpose of conducting the pilot study was to ascertain whether the participants can comprehend the questions, whether the time taken for answering the questionnaire is adequate, and whether the responses would provide the required data. In the case of the present study, the pilot study was conducted from August 26 to August 29, 2018, involving forty-seven lawyers as participants.

Findings from the pilot study indicate that some of the questions were ambiguous and weak. It was also uncovered that the variables presented were unclear and were organized in inappropriate sections. Based on the feedbacks received from the pilot study, the questionnaire was rewritten. Some of the questions were deleted, and the number of questions was reduced.

### 2.3 Field Study Plan

A questionnaire is considered as an instrument and it is referred to as several terms, for instance, self-completion questionnaire, research questionnaire, and mail or postal questionnaire.<sup>(49)</sup> Questionnaires can be distributed to participants through different ways, such as face-to-face which is by hand (i.e. paper-based), post, e-mail, or as an online questionnaire (i.e. computer-delivered).<sup>(50)</sup> The distribution of the questionnaire, in this study, took into consideration the questions of when, where, and how to collect the data.

The structured questionnaire was designed using Google Docs web-based software. The phone numbers of Jordanian lawyers were obtained from the website of Jordan Bar Association Directory.<sup>(51)</sup> A short-message service that includes a link to the questionnaire was sent to 6021 Jordanian lawyers, who were selected using a cluster sampling method.<sup>(52)</sup> However, only 865 lawyers responded to the survey.

### 2.4 Data Processing

All responded questionnaires were kept once received. Three days later, the data were keyed into the Statistical Package for the Social Sciences (SPSS) software. Subsequently, data verification began. After the raw data were collected, edited, coded, and entered into the computer, they were ready for analysis. Analysis can be defined as the process of examining, summarizing, thus drawing conclusion from the information included in the raw data<sup>(53)</sup> by using Statistical Package for the Social Sciences

(49) Jenny Rowley, *Ibid.*

(50) Jenny Rowley, *Ibid.*

(51) For more information see website of Jordan Bar Association at: <http://www.jba.org.jo>, accessed 10/5/2018.

(52) Later will be clarified in the cluster sampling method.

(53) Anwarul Yaqin, *Ibid.*, pp. 252.



(SPSS). Findings were presented in the form of charts and graphs. <sup>(54)</sup>

The data analysis was carried out as follows: (1) the variables' attributes were defined including their names (such as, the name of first item, the name of second item and name of third item, etc.); (2) the type of data was defined (such as, numeric); (3) the labels were defined (such as, the first item, the magistrate courts in Jordan are considered as community courts that serve to resolve the most common disputes among people. The second item, the former law of the magistrate courts, had to be revised in order to counteract its shortcomings. The third item, the former law of the magistrate courts, had to be developed. etc.); (4) the values were defined (such as, no. 1 represents *strongly disagree*; no.2 represents *disagree*; no. 3 represents *disagree a little*; no.4 represents *neutral*; no.5 represents *agree a little*; no. 6 *agree*; and no.7 represents *strongly agree*).

The second stage of the analysis was to enter the responses to each item of the questionnaire on a "variables" page. For example, for the first item, three people answered "strongly agree;" five people answered "neutral;" and four people answered "disagree". For the second item, five people answered "agree;" six people answered "disagree;" and one person answered "neutral." For the third item, five people answered "strongly agree;" four people answered "disagree;" and two people answered "strongly disagree."

The third stage analysis involved obtaining descriptive statistics in the program from the *analyze* option and completing the process to get the means of the responses. The fourth stage involved obtaining the results from the questionnaires survey. For example, the mean for the first item is 5.9; the mean for the second item is 6.2; and the mean for the third item is 4.2. Findings are presented in the form of graphs and charts. <sup>(55)</sup>

## 2.5 Description of the Questionnaire

The questionnaire includes a welcoming section in addition to the five sections. Also included are the letter of appreciation to participants, title of the study, the objective of the questionnaire, and a brief explanation of the questionnaire. The first section includes six items (demographic profile of respondents), five of which are mandatory answers and one is optional answer. The items in this question seek to identify the sort of samples and therefore establish a portrait of type of the sample, level of education, experience, and professional qualifications. For the queries in this section, the participants were given freedom to reveal or disclose any information about themselves (for instance, lawyer's name).

The second section (Justifications for the drafting of the magistrate court law 2017) contains five items. This section attempts to ascertain the attitudes of the respondents towards the Justifications for the drafting of the magistrates courts law 2017. The third section (the impact of the updated criminal laws on the jurisdictions of the courts) contains five items. The purpose of this section is to query the attitudes of the participants towards the impact of the updated criminal laws on the jurisdictions of the courts.

(54)Bryman,A. Quantitative Data Analysis with Spss 12 and 13 A Guide For Social Scientists, [http://rufiismada.files.wordpress.com/2012/02/quantitative\\_data\\_12\\_13.pdf](http://rufiismada.files.wordpress.com/2012/02/quantitative_data_12_13.pdf) , Accessed 14-2-2014.

(55)For more information see: Vijay Gupta, SPSS for Beginners, Published by VJBooks Inc, [www.uploadkon.ir/uploads/1041cbeb8db5c23fa327150d1662bea7.pdf](http://www.uploadkon.ir/uploads/1041cbeb8db5c23fa327150d1662bea7.pdf), (1999), Accessed 13-4-2014. And see: Imad Nashwan, Practical Guide to Rapporteur Applied Statistics, Al-Quds Open University, <http://www.qou.edu/portal/alMouqrarat/pdfFiles/Statistics.pdf> , (2005) Accessed 13-4 2014.

The fourth section (the effect of redistribution of jurisdictions on procedures and expenditures) contains four items. The items seek to ascertain the attitudes of the participants towards the benefits of effect of redistribution of jurisdictions on procedures and expenditures.

The fifth section (Challenges) contains four items which seek to ascertain the attitudes of the participants towards the challenges accompanying the application of redistribution of jurisdictions.

The response for each item was measured with a seven-point<sup>(56)</sup> Likert scale<sup>(57)</sup> comprising *strongly disagree, disagree, disagree a little, neutral, agree a little, agree, and strongly agree*.

## 2.6 Data Analysis Techniques

By using the SPSS, the responses were analyzed by means of the following statistical methods: the internal consistency of questionnaire statement was measured by using the Cronbach Alpha test; the central tendency scales was measured by using mean; standard deviation was used to measure the dispersion of any set of observations; and the bivariate correlation was used to determine whether two variables are linearly related.

## 2.7 Sample Populations

According to the Jordanian Bar Association Law 1972, practicing the profession of law in Jordan is an exclusive right for lawyers registered in the Bar Association.<sup>(58)</sup> When applying the law, lawyers are considered as helpers, and they have taken such a profession to provide legal and judicial assistance to those who request it for an amount of money in return for such service.<sup>(59)</sup> In Jordan there are three types of lawyers: the practicing lawyers, the nonpractising lawyers, and the under-training lawyers. The practicing lawyers are those who hold a degree in law and fulfill the requirements of practicing the profession of lawyer. The non-practising lawyers are those who no longer meet the requirements of the profession as lawyers. The under-training lawyers are those who have yet to obtain their license.<sup>(60)</sup> The profession of lawyer training period shall be two years for the holder of bachelor degree in law.<sup>(61)</sup> However, after completion of the conditions and terms of training, the trainee lawyer may request to transfer her or his name from the trainees' register to the practicing lawyers' register.<sup>(62)</sup>

The population for this study is widely dispersed hence the difficulty in determining its size. However, the researcher recognized that the population is sizable, and therefore adopted a specific method to represent the population.

(56) According to Dane Bertram, "Variations: Most commonly seen as a 5-point scale ranging from "Strongly Disagree" on one end to "Strongly Agree" on the other with "Neither Agree nor Disagree" in the middle; however, some practitioners advocate the use of 7 and 9-point scales which add additional granularity". For more information see: <http://poincare.matf.bg.ac.rs/~kristina//topic-dane-likert.pdf>, accessed 28/4/2018.

(57) According to Dane Bertram, Likert scales defined as "a psychometric response scale primarily used in questionnaires to obtain participant's preferences or degree of agreement with a statement or set of statements." A Likert scale is a noncomparative scaling technique and is unidimensional (it only measures a single trait) in nature. The respondents were asked to indicate their level of agreement with a given statement by way of an ordinal scale", Ibid.

(58) According to article 38 from Jordanian Bar Association Law 1972

(59) According to article 6 from Jordanian Bar Association Law 1972

(60) According to article 12 and 14 from Jordanian Bar Association Law 1972

(61) According to article 27 from Jordanian Bar Association Law 1972

(62) According to article 35 from Jordanian Bar Association Law 1972



A cluster sampling method is considered appropriate to be adopted when the target population of a study is geographically dispersed or when it is impractical or impossible to create a sampling frame of a target population. In large-scale studies, the cluster sampling method is considered the least expensive method. As the name suggests, the cluster sampling method is a probability sampling procedure in which the elements of a population are selected randomly in naturally occurring groupings “clusters.” A cluster is an aggregate or intact grouping of population elements. The element sampling is the selection of population elements individually or one at a time. <sup>(63)</sup>

The cluster sampling idea included selecting a large group “first cluster” before selecting a smaller unit selected from the first cluster. The second cluster and the third cluster are derived from the second cluster, and this derivation continued until a final sampling unit was reached.

A simple random sampling method was used to select the groups or clusters of potential respondents. <sup>(64)</sup> The typical procedure in random sampling is to assign a number to each person or sampling unit in the sampling frame. After this is accomplished, the numbers could be picked randomly without following any pattern. <sup>(65)</sup>

Three clusters of three sampling stages were required to be applied with the cluster sampling method.

The “first cluster” obtained from the first stage served to determine the participants’ minimum age; in the case of the present study, 21 years was selected as the participant’s minimum age.

The “second cluster”(the second stage) was to determine when to communicate the sample that is the days. “Days” here refers to the days when the questionnaire’s link was sent to the sample. A simple random sampling method was adopted in this study in which sixteen days was selected as the period for the sampling. The “third cluster,” the third stage was to determine the time of sending the questionnaire’s link per day to the sample within sixteen-day duration. A simple random sampling method was used in this study, in which six hours per day was selected for sending the questionnaire’s link to the respondents.

In regard to the cluster sampling method, the selected number of days was sixteen days. Six hours was selected as the number of hours taken for sending the link for each day. The researcher was able to send the questionnaire’s link to 6021 lawyers through the cluster sampling method. However, only 865 completed questionnaires were received from lawyers.

Table (1) shows the results from the use of the random sampling method.

**Table 1:** Findings from the Analysis.

Day of Sending Questionnaire	Date of Sending Questionnaire	Time	Total of Questionnaires Sent	Total Number of Responses
First day	2/9/2018		375	46
Second day	3/9/2018		336	64
Third day	4/9/2018		344	49
Fourth day	5/9/2018		352	51

(63) Johnnie Daniel, *Sampling Essentials: Practical Guidelines for Making Sampling Choices*, SAGE Publications, 4 May 2011, pp.151.

(64) Anwarul Yaqin, *Ibid*, pp.231.

(65) Anwarul Yaqin, *Ibid*, pp.228.

Fifth day	6/9/2018	6 hours (from 10 am to 4 pm)	383	63
Sixth day	7/9/2018		381	56
Seventh day	8/9/2018		346	55
Eighth day	9/9/2018		341	52
Ninth day	10/9/2018		348	58
Tenth day	11/9/2018		341	42
Eleventh day	12/9/2018		340	53
Twelfth day	13/9/2019		337	59
Thirteenth day	14/9/2019		332	60
Fourteenth day	15/9/2019		370	44
Fifteenth day	16/9/2019		382	52
Sixteenth day	17/9/2019		334	61
<b>Total</b>			<b>6021</b>	<b>865</b>

## 2.8 Characteristics of the Study Sample

The study sample consisted of 865 lawyers. Table (2) illustrates the distribution of the sample by personal and functional variables.

**Table 2:** Distribution of Sample by Personal and Functional Variables.

<b>First Section: Demographic Variables</b>		
<b>Category</b>	<b>Total</b>	<b>Percent</b>
Practicing Lawyer	845	97.7
Nonpracticing Lawyer	20	2.3
Under-training Lawyer	0	0
<b>Total</b>	<b>865</b>	<b>100</b>
<b>Gender</b>	<b>Total</b>	<b>Percentage</b>
Male	665	76.9
Female	200	23.1
<b>Total</b>	<b>865</b>	<b>100</b>
<b>Age</b>	<b>Total</b>	<b>Percentage</b>
21 -30	85	9.8
31- 40	385	44.6
41 – 50	265	30.6
Above 50	130	15
<b>Total</b>	<b>865</b>	<b>100</b>
<b>Experience</b>	<b>Total</b>	<b>Percentage</b>
1- 10 Years	320	37
11 - 20 Years	360	41.6
21- 30 Years	165	19.1
Above 30 years	20	2.3
<b>Total</b>	<b>865</b>	<b>100</b>

Degree	Total	Percentage
Bachelor	595	68.8
Master	170	19.7
PhD	100	11.5
<b>Total</b>	<b>865</b>	<b>100</b>

Table (2) shows that practicing lawyers constitute majority of the respondents (97.7%). Also, most of the respondents age between 31 and 40 years (44.6%), and only 15% of the respondents aged 50 years and above.

Altogether, 68.8% of the respondents hold a bachelor degree, of whom 41.6% aged between 11 and 20 years.

## 2.9 Reliability Analyses

Cronbach's Alpha test was used to assess the internal consistency reliability of the instrument. The average alpha value obtained for the study instrument was 0.7977, confirming thus the reliability of the instrument.

## 2.10 Appropriate Test Data of the Study

One of the issues inherent in the statistical estimation of regression coefficients is the problem of multilink. The problem of multilink is one of the issues facing the statistical estimation of the regression coefficients. Therefore, the use of multilink might be impractical for determining the effects of discrete variables. For assessment of problem, multilink relies on test ((VIF) Variance Inflation Factor. Result of the test is shown in Table 4.5.

**Table 3:** Result of (VIF) of Independent Variables.

Independent Variable	Tolerance	VIF
Second section: Justifications for the drafting of the magistrates courts law 2017	.765	1.307
Third section: The impact of the updated criminal laws on the jurisdictions of the courts	.765	1.307
Fourth section: The effect of redistribution of jurisdictions on procedures and expenditures	.766	1.305
Fifth section: Challenges	.964	1.038

Table (3) illustrates that the values of VIF for all the independent variables are less than 10, and the Tolerance values are more than 0.05. These results indicate a lack of correlation between the acceptance of the variation and the multi-independent variables in the level of each variable of the

independent variables.

### 2.11 Normal Distribution of Variables of the Study

To examine the normality and curve normality of the data, a Kolmogorov-Smirnov Z test was applied for the dependent and independent variables. It was found that the  $z$  value for each variable is less than the criteria value (1.96), thus indicating a normality distribution of the variables (Table4).

**Table 4:** Normal Distribution of Variables of Study.

Variables	Positive trend	Negative trend	Kolmogorov-Smirnov Z	Significant
Second section: Justifications for the drafting of the magistrates courts law 2017	0.102	-0.159	4.681	0.000
Third section: The impact of the updated criminal laws on the jurisdictions of the courts	0.073	-0.114	3.355	0.000
Fourth section: The effect of redistribution of jurisdictions on procedures and expenditures	0.052	-0.084	2.456	0.000
<i>Fifth section: Challenges</i>	0.137	-0.198	5.809	0.000

### 3 Data Analysis and Results

Means, frequency, and percentage of the responses for each item in the questionnaire were calculated to uncover the Jordanian lawyers' perceptions towards the redistribution of criminal jurisdictions, and the findings are presented in Table 5.

**Table 5:** Means, Frequency, and Percentage of Responses for Item in Questionnaire.

<b>Second section: Justifications for the drafting of the magistrates courts law 2017</b>		
<b>Item No. (1) The magistrate courts in Jordan are considered as community courts that serve to resolve the most common disputes among people.</b>		
<b>Mean: 5.13</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	20	2.3
Disagree	100	11.6
Disagree a Little	45	5.2
Neutral	15	1.7
Agree a Little	130	15

Agree	510	59
Strongly Agree	45	5.2
<b>Item No. (2) The former law of the magistrate courts needs to be revised in order to counteract its shortcomings.</b>		
<b>Mean: 5.75</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	15	1.7
Disagree	55	6.4
Disagree a Little	5	0.6
Neutral	10	1.2
Agree a Little	95	11
Agree	475	54.9
Strongly Agree	210	24.3
<b>Item No. (3) The former law of the magistrate courts needs to be developed.</b>		
<b>Mean: 5.92</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	15	1.7
Disagree	40	4.6
Disagree a Little	10	1.2
Neutral	0	0
Agree a Little	50	5.8
Agree	505	58.4
Strongly Agree	245	28.3
<b>Item No. (4) One of the reasons for the drafting of the 2017 (new) Magistrate Court's law is to keep abreast with the amendments of the Penal law.</b>		
<b>Mean: 4.55</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	60	6.9
Disagree	130	15
Disagree a Little	35	4
Neutral	115	13.3
Agree a Little	115	13.3
Agree	390	45.1
Strongly Agree	20	2.3
<b>Item No. (5) One of the reasons for the drafting of the 2017 (new) Magistrate Court's law is to keep pace with the amendments of the Criminal Procedures Law.</b>		
<b>Mean: 4.69</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	35	4
Disagree	160	18.5
Disagree a Little	15	1.7
Neutral	85	9.8
Agree a Little	140	16.2
Agree	390	45.1
Strongly Agree	40	4.6
<b>Third section: The impact of the updated criminal laws on the jurisdictions of the courts</b>		
<b>Item No. (1) The new law of the Magistrate Courts (2017) has clearly reorganized the criminal jurisdictions of the magistrate courts.</b>		
<b>Mean: 4.19</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	70	8.1

Disagree	185	21.4
Disagree a Little	65	7.5
Neutral	75	8.7
Agree a Little	160	18.5
Agree	280	32.4
Strongly Agree	30	3.5
<b>Item No. (2) The redistribution of jurisdictions in the updated criminal laws has reduced the number of criminal cases that the courts of first instance consider.</b>		
<b>Mean: 5.39</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	20	2.3
Disagree	60	6.9
Disagree a Little	35	4
Neutral	55	6.4
Agree a Little	95	11
Agree	480	55.5
Strongly Agree	120	13.9
<b>Item No. (3) The redistribution of jurisdictions in the updated criminal laws has allowed the courts of first instance to consider the most serious criminal cases.</b>		
<b>Mean: 4.45</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	60	6.9
Disagree	170	19.7
Disagree a Little	55	6.4
Neutral	45	5.2
Agree a Little	170	19.7
Agree	305	35.3
Strongly Agree	60	6.9
<b>Item No. (4). The redistribution of jurisdictions in the updated criminal laws has reduced the number of criminal cases investigated by public prosecutors.</b>		
<b>Mean: 5.03</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	35	4
Disagree	80	9.2
Disagree a Little	65	7.5
Neutral	50	5.8
Agree a Little	120	13.9
Agree	440	50.9
Strongly Agree	75	8.7
<b>Item No. (5). The redistribution of jurisdictions in the updated criminal laws has allowed public prosecutors to investigate the most serious criminal cases.</b>		
<b>Mean: 4.4</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	70	8.1
Disagree	170	19.7
Disagree a Little	40	4.6
Neutral	70	8.1
Agree a Little	145	16.8
Agree	320	37
Strongly Agree	50	5.8



<b>Fourth section: The effect of redistribution of jurisdictions on procedures and expenditures</b>		
<b>Item No. (1). The redistribution of jurisdictions in the updated criminal laws would shorten the duration of litigation in misdemeanors, particularly in transferring of competence for the consideration of some misdemeanors from the Court of First Instance to the magistrate courts.</b>		
<b>Mean: 3.8</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	120	13.9
Disagree	205	23.7
Disagree a Little	75	8.7
Neutral	60	6.9
Agree a Little	145	16.8
Agree	250	28.9
Strongly Agree	10	1.2
<b>Item No. (2) The redistribution of jurisdictions in the updated criminal laws would change the procedure of litigation in misdemeanors, particularly in the transferring of competence for the consideration of some misdemeanors from the Court of First Instance to the magistrate courts.</b>		
<b>Mean: 4.25</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	75	8.7
Disagree	170	19.7
Disagree a Little	60	6.9
Neutral	65	7.5
Agree a Little	170	19.7
Agree	300	34.7
Strongly Agree	25	2.9
<b>Item No. (3) The redistribution of jurisdictions in the updated criminal laws would decrease the state's expenses on the courts of first instance.</b>		
<b>Mean: 3.49</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	105	12.1
Disagree	270	31.2
Disagree a Little	70	8.1
Neutral	140	16.2
Agree a Little	90	10.4
Agree	180	20.8
Strongly Agree	10	1.2
<b>Item No. (4) The redistribution of jurisdictions in the updated criminal laws would increase the state's expenses on the courts of magistrate.</b>		
<b>Mean: 4.39</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	40	4.6
Disagree	175	20.2
Disagree a Little	55	6.4
Neutral	145	16.8
Agree a Little	95	11
Agree	300	34.7
Strongly Agree	55	6.4

<b>Fifth section: Challenges</b>		
<b>Item No. (1) The expansion of the criminal jurisdictions of the magistrate courts requires increasing the number of magistrate courts.</b>		
<b>Mean: 5.94</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	10	1.2
Disagree	40	4.6
Disagree a Little	15	1.7
Neutral	25	2.9
Agree a Little	55	6.4
Agree	415	48
Strongly Agree	305	35.3
<b>Item No. (2) The expansion of the criminal jurisdictions of the magistrate courts requires increasing the number of judges in the magistrate courts.</b>		
<b>Mean: 6.36</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	0	0
Disagree	0	0
Disagree a Little	10	1.2
Neutral	5	0.6
Agree a Little	25	2.9
Agree	440	50.9
Strongly Agree	385	44.5
<b>Item No. (3) The expansion of the criminal jurisdictions of the magistrate courts requires increasing the number of officials in the magistrate courts.</b>		
<b>Mean: 6.31</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	0	0
Disagree	0	0
Disagree a Little	25	2.9
Neutral	15	1.7
Agree a Little	25	2.9
Agree	380	43.9
Strongly Agree	420	48.6
<b>Item No. (4) There is a need to hold edification courses on the development of contemporary criminal policy in Jordan for judges, lawyers, and court officials.</b>		
<b>Mean: 6.42</b>	<b>Frequency</b>	<b>Percent</b>
Strongly Disagree	5	0.6
Disagree	0	0
Disagree a Little	15	1.7
Neutral	10	1.2
Agree a Little	15	1.7
Agree	335	38.7
Strongly Agree	485	56.1

Table (5) illustrates that Item No. 3 (The redistribution of jurisdictions in the updated criminal laws) would decrease the state's expenses on the courts of first instance. The fourth section recorded the lowest mean (3.49) and the highest mean (6.42) was recorded in the fifth section. As for Item No. (4),

there is a need to hold edification courses on the development of contemporary criminal policy in Jordan for judges, lawyers, and court officials.. The finding also shows the percentage of respondents who agreed to Item No. 1 (The magistrate courts in Jordan are considered as community courts that serve to resolve the most common disputes among people). The highest percentage of agreement (510 responses, 59%) was recorded for the second section. . However, the least number of respondents indicated that they strongly disagreed to the second, third, and fourth items of the fifth section (Challenges).

#### 4 Discussions

Combating and reducing a criminal phenomenon is the ultimate goal of a society, and it can be achieved by enacting criminal laws and by amending them on an ongoing basis. It is well-known that the magistrate courts in Jordan are one of the community courts that function to resolve most prevalent disputes among people. The courts are making efforts to urge the conflicting parties to the settlement of disputes. The respondents in this study agreed that the magistrate courts in Jordan are considered as community courts that serve to resolve the most common disputes among people.<sup>(66)</sup> However, the magistrate courts law is outdated, and therefore, needs to be reconsidered by the legislator. In other words, the law needs to be developed.<sup>(67)</sup> As concluded from the findings, the respondents agreed that the former law of the magistrate courts needs to be developed (5.8% agreed a little, 58.4% agreed, and 28.3% strongly agreed, mean 5.92).<sup>(68)</sup>

The findings suggest that the Jordanian legislator intended to amend the magistrate courts law in a manner consistent with the development witnessed by contemporary criminal policy. This policy has had an important impact on the development of criminal policy, in line with the needs of the Jordanian society. From the finding, it can also be concluded that the respondents agreed that many justifications led to the drafting of the new magistrate courts law. The justifications include to counteract its shortcomings,<sup>(69)</sup> as well as to keep abreast with the amendments of the Penal law<sup>(70)</sup> and the Criminal Procedures Law.<sup>(71)</sup>

When the respondents were queried whether they believe that the former law of the magistrate courts needs to be revised in order to counteract its shortcomings, they generally agreed (11% agreed a little, 54.9% agreed, and 24.3% strongly agreed; mean 5.75).<sup>(72)</sup> Their responses to the fourth item of the second section confirm their agreement to the idea that one of the reasons for the drafting of the 2017 (new) Magistrate Court's law is to keep abreast with the amendments of the penal law (13.3% agree a little, 45.1% agreed, and 2.3% strongly agreed; mean 4.55).<sup>(73)</sup> In addition, 65.9% of the respondents confirmed that one of the reasons for the drafting of the 2017 (new) Magistrate Court's law is to keep pace with the amendments of the Criminal Procedures Law (16.2% agreed a little, 45.1% agreed, and 4.6% strongly agreed; mean of 4.69).<sup>(74)</sup>

(66) Item No. (1) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(67) Item No. (3) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(68) Results of item No. (3) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(69) item No. (2) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(70) item No. (4) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(71) item No. (5) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(72) Results of item No. (2) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(73) Results of item No. (4) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

(74) Results of item No. (5) in Second Section: Justifications for the drafting of the magistrates courts law 2017.

On the other hand, it is recognized that each change has an effect. The updated criminal laws have had notable impact on the jurisdictions of the courts on different levels. For instance, the update criminal laws worked on reorganizing the criminal jurisdictions of the magistrate courts,<sup>(75)</sup> managed to reduce the number of criminal cases that the courts of first instance consider,<sup>(76)</sup> allowed the courts of first instance to consider the most serious criminal cases,<sup>(77)</sup> managed to reduce the number of criminal cases investigated by public prosecutors,<sup>(78)</sup> and allowed public prosecutors to investigate the most serious criminal cases.<sup>(79)</sup>

It is well known that redistribution of jurisdictions may have an impact on procedures and expenditures. When the respondents were queried whether they believe that the redistribution of jurisdictions in the updated criminal laws would shorten the duration of litigation in misdemeanors,<sup>(80)</sup> 16.8% of them agreed a little, 28.9% agreed, and 1.2% strongly agreed with (mean 3.8).<sup>(81)</sup> This finding implies that the respondents agreed that the redistribution of jurisdictions in the updated criminal laws would change the procedure of litigation in misdemeanors, particularly in the transferring of competence for the consideration of some misdemeanors from the Court of First Instance to the magistrate courts<sup>(82)</sup> (19.7% of the respondents agreed a little, 34.7% agreed, and 2.9% strongly agreed; mean 4.25).<sup>(83)</sup>

The respondents also did not confirm that the redistribution of jurisdictions in the updated criminal laws would decrease the state's expenses on the courts of first instance<sup>(84)</sup> (445 disagreed, 140 were neutral, and only 280 agreed, mean 3.49).<sup>(85)</sup> However, 52.1% of the respondents confirmed that the redistribution of jurisdictions in the updated criminal laws would increase the state's expenses on the courts of magistrate<sup>(86)</sup> (11% agreed a little, 34.7% agreed, and 6.4% strongly agreed; mean 4.39).<sup>(87)</sup>

Although the redistribution of jurisdictions has brought a number of advantages, a set of challenges were noted to have limited the application of the law. One of the challenges in its application is that the expansion of the criminal jurisdictions of the magistrate courts requires increasing the number of magistrate courts.<sup>(88)</sup> As indicated by the respondents, they were supportive to the idea (6.4% of the respondents agreed a little, 48% agreed, and 35.3% strongly agreed with; mean 5.94).<sup>(89)</sup>

As concluded from the findings, the respondents agreed that the expansion of the criminal jurisdictions

(75) Item no. (1) in third section: the impact of the updated criminal laws on the jurisdictions of the courts.

(76) Item no. (2) in third section: the impact of the updated criminal laws on the jurisdictions of the courts.

(77) Item no. (3) in third section: the impact of the updated criminal laws on the jurisdictions of the courts.

(78) Item no. (4) in third section: the impact of the updated criminal laws on the jurisdictions of the courts.

(79) Item no. (5) in third section: the impact of the updated criminal laws on the jurisdictions of the courts.

(80) Item No. (1) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(81) Results of item No. (1) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(82) Item No. (2) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(83) Results of Item No. (2) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(84) Item No. (3) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(85) Results of Item No. (3) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(86) Item No. (4) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(87) Results of Item No. (4) in fourth section: the effect of redistribution of jurisdictions on procedures and expenditures.

(88) Item No. (1) in fifth section: Challenges

(89) Results of item No. (1) in fifth section: Challenges

of the magistrate courts requires increasing the number of judges in the magistrate courts<sup>(90)</sup> (2.9% agreed a little, 50.9% agreed, and 44.5% strongly agreed; mean 6.36).<sup>(91)</sup> It can also be considered that the expansion of the criminal jurisdictions of the magistrate courts requires increasing the number of officials in the magistrate courts<sup>(92)</sup> (2.9% agreed a little, 43.9% agreed, and 48.6% strongly agreed; mean 6.31).<sup>(93)</sup> In addition, the respondents are convinced that there is a need to hold edification courses on the development of contemporary criminal policy in Jordan for judges, lawyers, and court officials<sup>(94)</sup> (1.7% of the respondents agreed a little, 38.7% agreed, and 56.1% strongly agreed; mean 6.42).<sup>(95)</sup>

## 5 Conclusions

This paper has described the method adopted for the research and the type of data required to test the research questions. It has also illustrated the procedure employed in the distribution of the questionnaire and the main research tools used for the data collection. Data were collected from 865 participants to gather the perceptions of the Jordanian lawyers towards the redistribution of criminal jurisdictions in Jordan. The questions particularly sought to uncover the lawyers' perceptions towards (1) the justifications for the drafting of the magistrate courts law 2017, (2) the impact of the updated criminal laws on the jurisdictions of the courts, (3) the effect of the redistribution of jurisdictions on procedures and expenditures, and (4) the challenges of the redistribution of jurisdictions.

In general, the respondents could be categorized as having positive attitudes towards the redistribution of jurisdictions. Some aspects of the redistribution of jurisdictions are favored by the participants, while some others are considered unsatisfactory, such as, the challenges of redistribution of jurisdictions. It is clear that the legislators in Jordan are facing challenges with the requirements of the redistribution of jurisdictions.

Despite the justifications for the drafting of criminal laws and their effect and impact on the jurisdictions of the courts, it is critical for Jordan to constitute a workable, flexible, and effective framework in order to ensure an effective implementation of the laws. Also, it is critical for the Jordanian legislator to understand that the expansion of the criminal jurisdictions of the magistrate courts requires increasing (i) the number of magistrate courts, (ii) the number of judges in the magistrate courts, and (iii) the number of officials in the magistrate courts. In addition, there is a need to hold edification courses on the development of a contemporary criminal policy in Jordan for judges, lawyers, and court officials.

Notably, the objective of this study is to identify the perceptions of Jordanian lawyers on the redistribution of criminal jurisdictions. Therefore, it would be timely for another study to examine how to overcome the challenges of the redistribution of criminal jurisdictions before more complex laws are passed. It is also vital that the laws do not create any significant compliance problems in application.

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(90) Item No. (2) in fifth section: Challenges

(91) Results of Item No. (2) in fifth section: Challenges

(92) Item No. (3) in fifth section: Challenges

(93) Results of Item No. (3) in fifth section: Challenges

(94) Item No. (4) in fifth section: Challenges

(95) Results of Item No. (4) in fifth section: Challenges

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