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# The effects of coproduction on Judicial Conciliation Results: society's perception of an innovative service

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This study examined the effects of coproduction and the competencies of the service provider on the results of the Judicial Conciliation at the State Courthouse of Distrito Federal, based on the satisfaction of the litigants and lawyers who used the service. The Judicial Conciliation is an innovation to increase efficiency and results for the general public and is a coproduced process, in which the users play an essential role in the provision of public services. The study used secondary data obtained from a customer satisfaction survey designed by the TJDF. The final research sample consisted of 1,735 litigants and 764 lawyers. For the data analysis, exploratory factor analysis and logistic regression were used, and the results of the regressions suggest that coproduction is the variable that best explains the results of the service for the customers as well as for the reputation of the Judiciary, from the perception of the litigants. Finally, the perception that the service was beneficial to citizens increases the likelihood of the customer to develop a positive image of the Judiciary, according to the results obtained both in the litigants' and lawyers' samples.

**Keywords:** coproduction; service satisfaction; innovation in services; public services; Judiciary.

## Os efeitos da coprodução nos resultados da conciliação judicial: a percepção da sociedade sobre um serviço inovador

Este estudo examinou os efeitos da coprodução e das competências do prestador de serviços nos resultados da conciliação judicial no Tribunal de Justiça do Distrito Federal e Territórios (TJDFT), a partir da percepção de satisfação das partes litigantes e dos advogados usuários do serviço. A conciliação judicial é uma inovação do Poder Judiciário que visa a aumentar a eficiência e o valor gerado pelos serviços de Justiça e trata-se de um processo coproduzido, no qual os usuários participam da prestação dos serviços públicos. Para alcançar o objetivo proposto, utilizaram-se dados secundários provenientes da pesquisa de satisfação do usuário elaborada e aplicada pela equipe técnica do TJDF e a amostra final, após o tratamento dos dados, consistiu em 1.735 partes litigantes e 764 advogados. Para análise dos dados, aplicaram-se as técnicas de análise fatorial exploratória e de regressão logística e os resultados sugerem que a coprodução é uma variável com maior poder preditivo dos resultados do serviço, tanto para o cidadão como para a imagem do Poder Judiciário, na perspectiva das partes. Por fim, os resultados do serviço para o cidadão, se positivos, aumentam a probabilidade da imagem do Poder Judiciário também ser positiva, na percepção dos dois grupos investigados.

**Palavras-chave:** coprodução; satisfação com serviços; inovação em serviços; serviços públicos; Poder Judiciário.

## Los efectos de la coproducción en los resultados de la conciliación judicial: la percepción de la sociedad de un servicio innovador

Este estudio examinó los efectos de la coproducción y las competencias del prestador de servicios en los resultados de la conciliación judicial en el Tribunal de Justicia del Distrito Federal y Territorios (TJDFT), a partir de la percepción de satisfacción de las partes litigantes y de los abogados usuarios del servicio. La conciliación judicial es una innovación cuyo propósito es aumentar la eficiencia y el valor generado por los servicios de justicia y se trata de un proceso coproducido, en que los usuarios tienen un papel esencial en la prestación de los servicios públicos. Para alcanzar el objetivo propuesto, se utilizaron datos secundarios provenientes de la encuesta de satisfacción del usuario, elaborada y aplicada por el equipo técnico del TJDF y la muestra final, después del tratamiento de los datos, consistió en 1.735 partes litigantes y 764 abogados. Para el análisis de los datos, se aplicaron las técnicas de análisis factorial exploratorio y de regresión logística, y los resultados sugieren que la coproducción es la variable con mayor poder preditivo de los resultados del servicio, tanto para el ciudadano como para la imagen del Poder Judicial, desde la perspectiva de las partes. Por último, los resultados del servicio para el ciudadano, si fueran positivos, aumentan la probabilidad de que la imagen del Poder Judicial también sea positiva, según la percepción de los dos grupos investigados.

**Palabras clave:** coproducción; satisfacción con los servicios; innovación en servicios; servicios públicos; Poder Judicial.

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## 1. INTRODUCTION

Interest in coproduction in the public sector has grown since the 1980s (Alford, 2002) and one of the reasons for the increase in the importance of this topic is the coproduction capacity to overcome several barriers, inhibiting the efficiency in public service delivery (Needham, 2008). It has become increasingly important due to transformations in the structure and forms of governance in the public sector, which has changed the relationship between citizens and services (Torfing, 2013). It is, therefore, fundamental to understand how to implement and manage this interaction in order to optimize the results and effectiveness of the service (Osborne, 2013). Although relevant, literature on the topic is still incipient, making it difficult to consolidate a systematic theory with empirical evidence that helps understand what is happening when citizens participate in provision of public services, and the effects of coproduction in perceiving the quality of such services (Mustak, Jaakkola, & Halinen, 2013; Verschuere, Brandsen, & Pestoff, 2012).

The Brazilian Judiciary, which demonstrates a series of critical problems affecting its performance, was one of the spheres in the public sector that has resorted to coproduction in an attempt to increase its efficiency. This sector has a slow, large, complex structure unable to generate predictable solutions within a reasonable time and at accessible costs for everyone. These problems are partly caused by the rising number of new processes every year, the large number of appeals provided by law, dilatory tactics in hearings, as well as excessive notarial formalism (Bottini, 2006; Sadek, 2004; Vieira & Pinheiro, 2008).

This structure leads to problems, such as difficult access, which distance a large part of the population ignorant of its rights, and which regards justice as sluggish and costly. Statistics from the General Justice Policy Directorate (DGPJ) show that the average duration of civil processes ending up in county circuit courts is 37 months (Ministry of Justice, 2014). This timescale shows that to obtain a legal decision takes an extremely long time and is a very costly process, principally for citizens who wish to settle fairly straightforward disputes. Due to the formalities of the Judiciary, this public service eventually loses touch with the problems and reality of the parties and this lack of contact eventually becomes another barrier against settling disputes (Campos, 2009).

This means that most of society uses the Judiciary only as a last resort, while some sectors use the shortcomings of justice to their advantage, also benefiting from the Judiciary's sluggishness (Sadek, 2004). These problems and the Judiciary's inefficiency have led to the approval in 2004 of the 45<sup>th</sup> Constitutional Amendment, which instituted the Judicial Reform (Renault, 2005). Since then various innovations have been made, many of them specific (Lima & Cruz, 2011), but which together can offer positive results (Renault, 2005).

In addition to the changes that aspire to increase management efficiency and the jurisdictional activity, the model of Brazilian justice has highlighted restorative justice (Sica, 2006). In this new view of justice, supported by the United Nations (UN), society plays a more comprehensive and significant role and may be both a receiver of reinforcement and compensatory policies and a social player in this process (Sica, 2006). Accordingly, judicial conciliation was one of the innovations adopted, causing a migration from the traditional litigation model for dispute settlement, rooted in the lack of trust in communication and competition between the litigant parties, to a more

collaborative model, depending on interaction and negotiation between the stakeholders in order to be successful (Silva, 2012).

Hence, judicial conciliation, which consists of a single hearing where the parties, in the presence of a conciliator, can come to an agreement, seeking the best solution for those involved (Brasil, 2014), is now mandatory in all civil processes handled in the Judiciary (Brasil, 2010; Silva, 2012). The presence of lawyers is optional and this process permits the parties to avoid expenses and emotional upsets in cases that could take years in the courts, principally if conciliation were pre-procedural, that is, the stakeholders seek conciliation centers before the case reaches the courts (Brasil, 2014).

This service was provided to ensure swift legal actions and bring the courts closer to society, making the Judiciary more efficient and increasing the value generated by the legal services (Lima & Cruz, 2011). Judicial conciliation is more appropriate for circumstantial and sporadic situations (Vargas, 2006) and, according to the National Council of Justice (CNJ), this service is recommended for disputes relating to maintenance payment, child custody, divorce, asset distribution, road accidents, bank debts, moral damages, job dismissal, neighborhood issues and so on.

To provide this service, the CNJ Resolution no. 125, dated 29 November 2010 (Brasil, 2010) implies setting up a team of suitably prepared conciliators, providing the necessary infrastructure and creating a new national culture of settling conflicts of interest by negotiation (Brasil, 2010; Silva, 2012). This ongoing training of conciliators and mediators should focus not only on technical skills relating to the method, such as negotiation strategies of negotiation and dispute management, but also on behavioral skills, based on ethics, neutrality, impartiality, communication and empathy, for the conciliator to succeed in helping the parties to settle the conflict through effective dialogue (Silva, 2012).

The conciliator must encourage communication (Silva, 2012) and be able to make suggestions and offer solutions for the case, collaborating towards forming an agreement but, since the parties are primarily responsible for settling the dispute, the stakeholders may or may not accept the conciliator's proposals (Brasil, 2014; Campos, 2009). Hence, the court, the TJDF in this study, is responsible for providing a venue with an infrastructure suitable for offering the service, training the conciliators, who are volunteers, and for ensuring quality of the service.

Since judicial conciliation is an innovation of the Judiciary in order to improve the results for society through coproduction, it is essential to identify this innovation's contribution to the public sphere (Hartley, 2011). In other words, innovation in the public sector should not be analyzed only in terms of improvements in the service or process, but also in terms of public value, which society valorizes (Benington, 2011). Since judicial conciliation focuses mainly on the citizens, the service users' perceived satisfaction is the key element for guiding the decisions of the managers involved in the public policy. Measuring citizen satisfaction with the public service sets a benchmark in the Judiciary of transparency, responsiveness, democracy and application of access to justice, incorporating opinions and suggestions to improve the quality of the results.

Thus, studying judicial conciliation is justifiable since it is a public service attempt to add value to the legal services, as a service that depends on coproduction in order to be provided, and on the few studies addressing this research object. The choice of the TJDF was mainly due to the fact that the agency had already implemented judicial conciliation. In 2015, around 30,000 conciliation hearings

were held, 32.6% of which ended in agreement, BRL 38.9 million was negotiated and 106,629 people assisted. In addition to the figures presented, this court was also chosen because it had already developed and adopted the User Satisfaction Survey, which is designed to rate the citizens' perception of aspects such as coproduction, the main difficulties and opportunities to improve the service, conciliator skills and the results for the user and for the Judiciary image.

In the light of the above, the general purpose of this study is to test the relations between coproduction and the service provider skills in the results of the judicial conciliation in the Court of the Federal District and Territories (TJDFT) according to the opinion of the litigant parties and attorneys using the service. In order to help achieve the general purpose of the study, the following specific objectives were outlined: (1) to check evidence of validity of the satisfaction survey instrument of the litigant parties, prepared by the TJDFT for judicial conciliation; (2) to check evidence of validity of the attorneys' satisfaction survey instrument, prepared by the TJDFT for judicial conciliation; (3) to empirically test the relationship between perceived coproduction and service provider skills and the perceived results of the judicial conciliation in the TJDFT from the viewpoint of the parties using the service; (4) to empirically test the relationship between the perception of the service provider skills and the perceived results of the judicial conciliation in the TJDFT from the viewpoint of the attorneys using the service.

## 2. COPRODUCTION IN PUBLIC SERVICES

The concept of coproduction was first developed and adopted in the late 1970s and early 1980s (Brudney & England, 1983; Jakobsen, 2013; Percy, 1984; Sharp, 1980), to identify an approach in which goods and services are produced with a high degree of user involvement (Szkuta, Pizzicannella, & Osmo, 2014). In the reality of public services, coproduction consists of the citizen's direct involvement in the concept and delivery of services to society, in conjunction with the State agents. This process depends on voluntary citizen coproduction and has positive impacts on the results of the services (Brudney & England, 1983). Coproduction with the citizen challenges the traditional model of the delivery of public services, in which the State provides a passive society with goods and services (Alford, 1998; Mattson, 1986; Vamstad, 2012; Verschuere et al., 2012). In citizen coproduction, the State does not consider society only as a consumer but also as a partner, extending the citizen's role from a passive consumer of public services to a player actively involved in addressing social problems (Alford, 1998; Mattson, 1986).

All public goods and services can be produced by the supplier and their users (Ostrom, 1996), and implementing State coproduction programs can increase the quantity and quality of the services provided (Bifulco & Ladd, 2006; Brudney & England, 1983; Warren, Harlow, & Rosentraub, 1982) while also resulting in cutting costs and contributing to further satisfaction of public service users (Bitner, Faranda, Hubbert, & Zeithaml, 1997; Warren et al., 1982). Accordingly, coproduction could be an effective form of achieving the State objectives, but the limited quantity of studies investigating the results of coproduction in the public sector precludes the preparation of generalizable conclusions (Verschuere et al., 2012).

Thus, this study defines coproduction in legal services as: cooperation and communication between the stakeholders with the service in pursuit of a consensus on the best solution for the

conflict. This definition stresses the importance of flexibility and communication between the citizens using the legal services, and the collaborative nature of coproduction. In the specific case of judicial conciliation, coproduction occurs between the conciliator and litigant parties, as well as between the citizens involved in the dispute, which must communicate in order to reach a consensus on the best solution for the problem at hand.

To identify the state of the art regarding the coproduction results, a systematic search was made in the literature, using the following keywords: *coproduction* and *satisfação*; *co-produção* and *satisfação*; *efeitos* and *coproduction*; *efeitos* and *co-produção*; *result* and *coproduction*; *result* and *co-produção*; *coproduction* and *satisfaction*; *co-production* and *satisfaction*; *effects* and *coproduction*; *effects* and *co-production*; *results* and *coproduction*, and *results* and *co-production*. The key words were chosen for this study in order to investigate the effects of coproduction on the results of judicial conciliation. This search was undertaken in the title, abstract and key words of articles published in journals revised by peers, in the journal portal of Capes (*Coordenação de Aperfeiçoamento de Pessoal de Nível Superior* - responsible for quality assurance in postgraduate courses in Brazil), without a timeline. Seventeen of the 28 articles found were selected, discarding the other 11 relating to other areas of knowledge. This result corroborates the gaps in research already encountered in the literature that show the few studies investigating the impact of coproduction on the service (Chen, Tsou, & Ching, 2011; Verschuere et al., 2012) and the effects of coproduction on quality awareness of the provided services (Verschuere et al., 2012).

One of the selected articles addresses the public sector's greater complexity in undertaking studies of this kind, since there is an inherent difficulty in the public sector to measure value (Kelly, 2005). The effort to attend all stakeholders simultaneously leads managers to focus on internal performance indicators rather than external indicators of value generation for the user, but the internal indicators fail to rate all results and the real efficiency of the service (Kelly, 2005). The results in the public service should be measured taking into account user satisfaction with the service provided and the evaluation of citizen satisfaction regarding public services provides a significant measure of the results of the service for the users. This occurs because internal indicators of the public agencies very often take into consideration the service delivery process, not addressing the relationship between service delivery and user satisfaction, nor the goal achievement level of the services and results generated for society (Kelly, 2005). It is justifiable, therefore, to undertake this study and to use satisfaction surveys with the public service users of the TJDFFT judicial conciliation.

Some studies have already found that coproduction is associated with the users' better perception of the quality and added value by the service (Anderson & Sullivan, 1993; Kelley, Donnelly, & Skinner, 1990; Pestoff, 2012; Thomas, Ott, & Liese, 2011). Troye and Supphellen (2012) agree with this relationship when stating that the user participation in the service delivery process can be linked to growing satisfaction both with the service provided and its results. Accordingly, it converges on the first and second hypotheses of this study:

**Hypothesis 1:** The occurrence of coproduction increases the probability of the litigant parties having a positive perception of the results of the service for the users of the TJDFFT judicial conciliation.



**Hypothesis 2:** The occurrence of coproduction increases the probability of the litigant parties having a positive perception of the Judiciary image.

Moreover, the literature identifies that perceiving results of the service is also linked to the perception of the service provider skills (Shim, Sheu, Chen, Jiang, & Klein, 2010; Zainuddin, Russel-Bennett, & Previte, 2013). The study by Zainuddin et al. (2013), performed in the health sector, found that both the service provider's technical and behavioral skills influence the user's perception of value. So the other hypotheses of this study are as follows:

**Hypothesis 3:** The perceived presence of the service provider skills increases the probability of positive perception of the results for users of the TJDFT judicial conciliation service.

**Hypothesis 3a:** The perceived presence of the service provider skills increases the probability of the litigant parties having a positive perception of the results for users of the TJDFT judicial conciliation service.

**Hypothesis 3b:** The perceived presence of the service provider skills increases the probability of the attorneys having a positive perception of the results for the users of the TJDFT judicial conciliation service.

**Hypothesis 4:** The perceived presence of the service provider skills increases the probability of a positive perception of the Judiciary image.

Hypothesis 4a: The perceived presence of the service provider skills increases the probability of the litigant parties having a positive perception of the Judiciary.

Hypothesis 4b: The perceived presence of the service provider skills increases the probability of the attorneys having a positive perception of the Judiciary image.

**Hypothesis 5:** The positive perception of the results of the service for the user increases the probability of the positive perception of the Judiciary image.

**Hypothesis 5a:** The positive perception of the results of the service for the user increases the probability of the litigant parties having a positive perception of the Judiciary image.

**Hypothesis 5b:** The positive perception of the results of the service for the user increases the probability of the attorneys having a positive perception of the Judiciary image.

### 3. METHOD

This study was undertaken using data from the TJDFT judicial conciliation satisfaction survey, completed between January 2013 and October 2014. The TJDFT public servants used the instrument based on the CNJ requirements and standards to rate the results generated by conciliation and satisfaction of the citizen using the service. This initiative responds to the literature, which argues that the result of a public service must be rated not only by indicators of internal processes, but also in terms of the citizen's perception regarding the added value, and its aim is primarily to provide inputs for deciding and planning improvements to the TJDFT judicial conciliation service.

The questionnaire was compiled in 2012, after performing a survey of other existing assessment systems, benchmarking in Brazilian public agencies and North American courts, consulting the CNJ resolutions and regulations, and academic research on parameters used in quality surveys on

conciliation services at home and abroad. Once compiled, the questionnaire moved to the validation stage with public servants, supervisors and coordinators of the court, and with the citizens using the service. Nevertheless, the instrument did not undergo any kind of psychometric validation or more robust statistical analysis before this survey.

The questionnaires are handed out at the end of the hearing and answered without the presence of the conciliator and completion is not mandatory. If the citizens and attorneys choose to participate in the survey, the form is placed in a ratings ballot box outside the courtroom. The agency officers tabulate the questionnaires and the data receive no treatment whatsoever.

In the instrument, the items that rated the results of judicial conciliation, the view of the Judiciary and coproduction, this last item present only in the questionnaires of the parties, have three possible answers: yes, no and partly. For the purpose of this study, the data were transformed into dichotomies, and any answers where the respondents marked “partly” on one or more items were excluded, since these replies are not conclusive, taking into consideration the investigated phenomena. These data were then transformed, attributing number 1 for “yes” and 0 for “no”. The items rating the provider’s skills are assigned to a scale of six points from 1 to 5, in addition to the option NA (not applicable). The item rating the parties’ and attorneys’ expectations is categorical and consists of four possible answers: successful, attended, partially attended and not attended. In order to transform this variable in a dichotomy, number 1 was assigned to the “successful” and “attended” answers, since they indicate a positive result for the citizen, and number 0 for the “partially attended” and “not attended”, since they represent an unsatisfactory result for the service user.

When handling the data, it was decided to exclude all omissions and extreme cases, resulting in the final sample of 1,735 cases of litigant parties and 764 of attorneys. Both instruments then underwent the exploratory factorial analysis. The results of the Mann-Whitney U tests showed that there is a significant statistical difference between the groups of complainants and respondents of the process, in both the party and attorney samples. The complainants are the citizens and attorneys that bring the legal action or request conciliation, claiming settlement of some dispute. The respondents, however, are the parties served in these proceedings and receive a notice from the court to appear at the conciliation hearing and to participate in settling the dispute. So, because of the difference between the perceptions of these two stakeholders, this survey analyzed the two groups separately in stages of regression.

The hypothetical theoretical models were tested using the stepwise forward logistic regression and the statistical results were complemented with content analysis of the open questions and participants’ comments. For the purpose of qualitative analysis, the following three open questions in the questionnaire were considered: “If there is no agreement, what do you believe has created the impasse?”; “Comments on conciliation results” and “Praise, suggestions and criticism about the conciliation”. The analysis involved 1,194 open questions answered by the parties and 854 attorney questions, which were categorized according to the subject or topic they addressed and with the recurrences under reference (Bardin, 2006). Saturation was achieved in both cases and the categories of analysis corroborated the results obtained by the quantitative analyses and variables and phenomena investigated by this study.



## 4. RESULTS

This section presents the results of exploratory factorial analyses of the empirical models tested, and the qualitative analysis of the open questions. The results below will be discussed later.

### 4.1 CHECKING EVIDENCE OF VALIDITY OF THE INSTRUMENTS

The Kaiser-Meyer-Olkin (KMO) test of the data for the satisfaction rating of the parties was 0.895 and Cronbach's alpha on the scale was 0.845. Four factors were obtained that explain 75.52% of the total variance of the items, and the groups show a conceptual logic and alignment with the theories used for this study. The four factors are: coproduction, service provider skills, results of the judicial conciliation service for the citizen and of the service for the Judiciary. The factorial weights were satisfactory, between 0.966 and 0.652, and none of the variables had crossed weights. The Cronbach's alphas of the factors were also acceptable, varying from 0.968 to 0.766. Box 1 presents the factorial structure of the litigant parties' satisfaction questionnaire.

#### BOX 1 ACTORIAL STRUCTURE OF THE PARTIES' SATISFACTION QUESTIONNAIRE

Factor	Explained Variance	Items	Factorial Weight	Cronbach's alpha
Service provider skills	36.99%	Care, diligence and concern in good service for everyone	0.966	0.968
		Impartiality and neutrality	0.937	
		Explanation of possible doubts concerning the agreement	0.922	
		Presentation of general conciliation rules	0.917	
		General assessment of the conciliators	0.911	
		Personal presentation	0.877	
		Encouragement to find solutions for a consensus	0.875	
Results of the judicial conciliation service for the citizen	21.54%	In your opinion, was the conciliation result fair?	0.821	0.766
		Were your expectations met regarding the conciliation session	0.790	
		Did the conciliation end in agreement?	0.717	
		Do you believe the agreement attempt was valid?	0.652	
		Could you see the Judiciary as a center of peace?	0.889	
Results of the service for the Judiciary	10.72%	Could you perceive the Judiciary's care with the user?	0.830	0.769
		Has your image of the Judiciary improved after conciliation?	0.719	
		Did you feel you understood the other party better?	0.884	
Coproduction	6.27%	Did you feel that feel better understood by the other party?	0.874	0.859

Source: Elaborated by the authors.

In relation to the attorneys' satisfaction rating, the factorability of the data on this scale was proven by the KMO index, with a value of 0.911. Reliability and internal consistency of the scale were confirmed by Cronbach's alpha of 0.852. Three factors were retrieved that explain 69.51% of the total variance of the items and the grouping of the questions in factors confirmed what was expected, based on the conceptual logic of this study. The factors are: service provider skills, results of the service for the Judiciary and results of the judicial conciliation service for the citizen. The factorial weights vary between 0.961 and 0.602. None of the items presented crossed weights, and Cronbach's alphas of the factors were also acceptable from 0.965 to 0.642, although slightly lower than in the parties' satisfaction rating. Box 2 shows the factorial structure of the questionnaire on litigant party satisfaction.

## BOX 2 FACTORIAL STRUCTURE OF THE QUESTIONNAIRE ON ATTORNEY SATISFACTION

Factor	Explained Variance	Items	Factorial Weight	Cronbach's alpha
Service provider skills	43.21%	Care, diligence and concern in good service for everyone	0.961	0.965
		Impartiality and neutrality	0.918	
		Presentation of general conciliation rules	0.897	
		General assessment of the conciliators	0.895	
		A clear and accurate text of the agreement	0.893	
		Explanation of the following procedures in event of no agreement	0.892	
		Personal presentation	0.874	
		Encouraging attorneys to participate	0.840	
Results of the service for the Judiciary	16.54%	Could you see the Judiciary as a center of peace?	0.892	0.752
		Could you see the Judiciary's care with the user?	0.812	
		Has your image of the Judiciary improved after conciliation?	0.718	
		Were your expectations met regarding the conciliation session	0.760	
Results of the judicial conciliation service for the citizen	9.76%	In your opinion, was the conciliation result fair?	0.758	0.642
		Mark your general level of satisfaction with the conciliation session.	0.629	
		Do you believe the agreement attempt was valid?	0.602	

**Source:** Elaborated by the authors.

## 4.2 EMPIRICAL MODELS

The empirical models to be tested using logistic regression were defined on the basis of the aforementioned literature, phenomena addressed by this study and results of the exploratory factorial analysis. Due to the difference between the averages identified by the Mann-Whitney U test, the regression models were used both in the questionnaire's sample of the parties in general, and for the different complainant and respondent positions in the process. The same was done in the sample of the attorneys' questionnaire. Since the answers of the final sample were well distributed between the groups, with 47.9% of the questionnaires of the complainants and 52.1% of the respondent parties, 47% corresponding to the complainant attorneys and 53% to the respondent attorneys, there were no problems of different sample size effects in the results.

### 4.2.1 EMPIRICAL MODELS OF THE RATING APPLIED TO LITIGANT PARTIES

The first model tested the relationship between coproduction and the service provider skills in the results of the service for the citizen, from the viewpoint of the parties (H1: the occurrence of coproduction increases the probability of the litigant parties having a positive perception of the results of the service for the users of the TJDFJT judicial conciliation and; H3a: the perceived presence of the service provider skills increases the probability of the litigant parties having a positive perception of the results for the users of the TJDFJT judicial conciliation). Table 1 shows the main results of the logistic regression for this model, considering the overall sample of the complainant and respondent parties.

**TABLE 1** LOGISTIC REGRESSION OF THE DEPENDENT VARIABLE SERVICE RESULTS FOR THE CITIZEN – LITIGANT PARTIES

Variables in model	B	Wald	Sig.	Exp(B)	I.C. (95%)
General					
Coproduction	1.290	92.351	0.000	3.633	2.793 – 7.727
Complainant Parties					
Coproduction	1.533	74.014	0.000	4.633	3.267 – 6.570
Respondent Parties					
Coproduction	0.877	16.891	0.000	2.403	1.582 – 3.650

**Source:** Elaborated by the authors.

**General:** R<sup>2</sup>: 0.074 (Nagelkerke); Prediction of model: 68.1%

**Complainant Parties:** R<sup>2</sup>: 0.124 (Nagelkerke); Prediction of model: 69.0%

**Respondent Parties:** R<sup>2</sup>: 0.025 (Nagelkerke); Prediction of model: 67.4%

It is noted that, statistically, the results of the complainant parties were slightly better than those of the respondents, if the Wald, Exp(B) and  $R^2$  of Nagelkerke statistics are taken into consideration. These results mean that the coproduction variable plays a larger role for the first group than for the second. Moreover, the service provider skills variable was not included in either model, demonstrating that this variable does not have a significant impact on the prediction of the results of the service for the citizen. Based on these results, hypothesis 1 was confirmed and hypothesis 3a was rejected in this study.

The purpose of the second model prepared for rating the parties' satisfaction was to identify the relationship between coproduction, the service provider skills and results for the citizen in the perception of the Judiciary image, from the parties' viewpoint. The hypotheses tested were:

**Hypothesis 2:** The occurrence of coproduction increases the probability of the litigant parties having a positive perception of the Judiciary image.

**Hypothesis 4a:** The perceived presence of the service provider skills increases the probability of the litigant parties having a positive perception of the Judiciary image.

**Hypothesis 5a:** The positive perception of the results of the service for the user increased the probability of the litigant parties having a positive perception of the Judiciary image.

Table 2 presents the main results of the logistic regression for this model.

**TABLE 2** LOGISTIC REGRESSION OF THE DEPENDENT VARIABLE RESULTS FOR THE JUDICIARY IMAGE – LITIGANT PARTIES

Variables in model	B	Wald	Sig.	Exp(B)	I.C. (95%)
General					
Service provider skills	0.123	4.009	0.045	1.130	1.003 – 1.274
Coproduction	0.796	24.870	0.000	2.217	1.622 – 3.029
Results of the service for the citizen	0.693	24.421	0.000	1.999	1.519 – 2.631
Complainant Parties					
Service provider skills	0.188	4.361	0.037	1.207	1.012 – 1.441
Coproduction	0.958	19.543	0.000	2.605	1.704 – 3.983
Results of the service for the citizen	1.239	32.493	0.000	3.451	2.254 – 5.284
Respondent Parties					
Coproduction	0.558	4.683	0.030	1.746	1.054 – 2.894

**Source:** Elaborated by the authors.

**General:**  $R^2$ : 0.065 (Nagelkerke); Prediction of model: 84.6%

**Complainant Parties:**  $R^2$ : 0.157 (Nagelkerke); Prediction of model: 85.1%

**Respondent Parties:**  $R^2$ : 0.008 (Nagelkerke); Prediction of model: 84.6%

Based on the above results, this second model shows that all independent variables are statistically significant and contribute to a positive perception of the Judiciary image, while in relation to the respondent parties, only the coproduction factor was included in the model and, even then, with low value B, Wald's statistic and  $R^2$  of Nagelkerke. Although the sample of the respondent parties has shown these results, in the regression model with the overall sample of the parties, the skills variables and results of the service for the citizen were included in the model, together with coproduction. So these results confirmed **hypotheses 2, 4a and 5a**.

#### 4.2.2 EMPIRICAL MODELS OF THE RATING APPLIED TO ATTORNEYS

As in the sample of the parties' questionnaire, two empirical models were defined for the attorney satisfaction rating. One of the outlined models aimed to identify the effects of the service provider skills in the results of the service for the citizen, from the attorney viewpoint (**H3b**). The results of this model were not significant in the total sample of attorneys, nor for the respondents or complainants. So the results in this survey rejected **hypothesis 3b**.

The second model aimed to test the relationship between the service provider skills and the results of the service for the user in the perception of the Judiciary image, from the attorney viewpoint (**H4b**: the perceived presence of the service provider skills increases the probability of the attorneys having a positive perception of the Judiciary image, and **H5b**: The positive perception of the results of the service for the user increases the probability of the attorneys having a positive perception of the Judiciary image). Table 3 shows the main results of the logistic regression, considering the overall sample results of the complainant and respondent attorneys.

**TABLE 3** LOGISTIC REGRESSION OF THE DEPENDENT VARIABLE RESULTS FOR THE JUDICIARY IMAGE – ATTORNEYS

Variables in model	B	Wald	Sig.	Exp(B)	I.C. (95%)
General					
Results for the citizen	0.851	21.330	0.000	2.342	1.632 – 3.360
Complainant Attorneys					
Results for the citizen	0.935	12.951	0.000	2.548	1.531 – 4.241
Respondent Attorneys					
Results for the citizen	1.024	13.252	0.000	2.785	1.604 – 4.833

**Source:** Elaborated by the authors.

**General:**  $R^2$ : 0.039 (Nagelkerke); Prediction of model: 72.3%

**Complainant Attorneys:**  $R^2$ : 0.052 (Nagelkerke); Prediction of model: 76.3%

**Respondent Attorneys:**  $R^2$ : 0.045 (Nagelkerke); Prediction of model: 69.1%

It is noted from the above results that the complainant e respondent attorneys have a very similar perception regarding the results for the Judiciary. For the respondent attorneys, only the judicial conciliation results for the citizen using the service predict the tested dependent variable and, as occurred in the first model, the service provider skills were not included, thereby not contributing to the Judiciary image. Thus, **hypothesis 4b** was rejected and **hypothesis 5b** was confirmed in this survey.

### 4.3 QUALITATIVE ANALYSES

This subsection presents the results of the qualitative analyses of the answers to the open questions of the questionnaires on satisfaction of the litigant parties and attorneys. After analyzing the 4,356 and 1,811 open answers from the litigant parties and attorneys, respectively, the data were grouped in categories, observing the recurrence, saturation and the phenomena and variables addressed in this survey.

#### 4.3.1 LITIGANT PARTIES

After the analysis, the data were grouped in four main categories, related to the variables addressed by this survey, as follows: relationship between the parties, conciliator skills, satisfaction with the service, and infrastructure. Each category will be described below.

In the category “Relationship between the parties”, very often questions are raised regarding the lack of openness and interest of the other party in negotiating, as well as behavioral issues. In the conciliator skills category, the respondents pointed out both positive factors, 326 comments, and negative points, 59 comments. The positive answers address aspects such as the fact that the conciliator conveyed trust, provided clear information, facilitated communication and negotiation. The negative issues mentioned were the lack of objectivity, excessive formalism and presenting only some of the facts.

Satisfaction with the service mainly covers the importance of judicial conciliation for society, aspects that left the users satisfied and how the service contributed to settling that dispute, although not all the answers in this category arose from sessions that ended in an agreement. Lastly, the infrastructure category mainly consists of complaints. The most recurring were related to signage on how to reach the conciliation venue and inside the building, air conditioning and difficult access for those who depend on public transportation. These results show that the expectations of the users of this service will go far beyond the result of the judicial conciliation, but includes the citizens’ entire experience from the moment they leave home for the service to be provided.

Box 3 presents a summary of the categories and some examples of quotes from participant answers.



**BOX 3** QUALITATIVE ANALYSIS OF THE PARTIES' ANSWERS

Categories	Frequency	Examples of quotes
Relationship between parties	496	"The firm's representative does not have autonomy to negotiate an agreement. This wastes time." "Lack of the other party's commitment to the consumer." "The firm has so many cases that one more or less won't make a difference." "The respondent couldn't care less about me." "The opposing party did not admit its mistake."
Conciliator skills	385	"Compliments to the team for its skill, sensitivity and the conciliators' power of communication." "The hearing was well managed by the conciliator, who acted with neutrality and impartiality, facilitating the agreement in question." "The conciliator talked too much." "The conciliator was very formal and stiff in the procedure, not helping toward the agreement."
Satisfaction with the service	216	"The conciliation hearing is one of the best ways to reinforce citizenship." "Conciliation makes it much easier for the parties to reach an agreement, which expedites the progress of the process, making it faster, more efficient and better for both parties." "Conciliation is a very useful tool for society. It's a step forward for the Judiciary."
Infrastructure	97	"Increase in audience rooms to better accommodate all the attorneys and parties." "To improve the signage inside and outside the blocks." "It's difficult to reach the judiciary complex even by car due to the poor quality of the roads and precarious signage." "Bad user access, mainly for those depending on public transportation." "Everything very organized and the public servants very considerate and correct."

**Source:** Elaborated by the authors.

#### 4.3.2 ATTORNEYS

When analyzing the attorneys' qualitative answers, categories were very similar to those of the parties: relationship between parties, conciliator skills, results of the service, and assistance and infrastructure. These categories are described below.

Although there were no questions about coproduction in the attorneys' questionnaire, this was the most recurring category in the participants' answers. The perception that the attorneys have about this category is very similar to the perception presented by the parties that the poor relationship between stakeholders in the case is one of the main reasons for the conciliation failing to reach an

agreement. The attorneys, in addition to identifying attitudes that hinder coproduction, pointed out that very often corporations adopt a non-conciliatory stance and strategy, failing to submit a draft agreement at the conciliation hearing. This attitude makes it impossible to reach agreement and creates dissatisfaction in the opposing party.

In the category “Conciliator skills”, 81 comments referred to positive characteristics and 42 to negative characteristics. Regarding the positive skills presented, the attorneys highlighted the impartiality of some conciliators, qualification, and skill in communication and in conducting the hearing. However, several respondents mentioned that the first part of the hearing, to present the case, is very long, tiring and repetitive, especially when attorneys accompany the parties, and some conciliators lack neutrality and insist in reaching an agreement.

Concerning the category of results produced by the service, the attorneys raised questions about how to accelerate the process for the Judiciary, cut costs with the process, and facilitate access to the courts for everyone as well as the possibility of accelerating dispute settlements. In the last category referring to assistance and infrastructure, the respondent attorneys complained about attendance, cordiality of some public servants, lack of information and some failure in communication. They also suggested several opportunities for improvement, such as better air conditioning and furniture in the audience room, internal signage of the forum and so on. Like the parties, the attorneys also mentioned problems such as traffic to reach the court and the difficult access for some people who depend on public transportation.

The categories, frequencies and evidence found in the questionnaires are presented in Box 4.

#### BOX 4 QUALITATIVE ANALYSIS OF ATTORNEYS' ANSWERS

Categories	Frequency	Examples of quotes
Relationship between parties	552	<p>“The complainant's intransigent stance even with a draft agreement.”</p> <p>“Valid opportunity, but the respondent uses conciliation to procrastinate, since has not the slightest intention of settlement.”</p> <p>“The parties are unwilling to conciliate.”</p> <p>“The corporation expressed no interest in reaching the agreement.”</p>
Conciliator skills	123	<p>“The conciliator was extremely polite, impartial and proved to be fully qualified.”</p> <p>“Holding the conciliation hearing more objectively, mainly when the parties have an attorney.”</p> <p>“The conciliators were able to use simpler language.”</p> <p>“Conciliator extremely partial, hampered conciliation and made direct communication difficult between the parties.”</p>

*Continue*

Categories	Frequency	Examples of quotes
Satisfaction with the service	98	<p>"Assistance was fast, adequate, effective and encouraged the agreement to benefit the parties."</p> <p>"Conciliation is always important for procedural timesaving and less stressful for the parties."</p> <p>"There was no conciliation, but it is a commendable initiative, which certainly saves a lot of time in the process."</p> <p>"It is an opportunity for the less privileged classes to have access to the courts."</p>
Attendance and Infrastructure	81	<p>"It is normal for hearings to be late, but when there is a delay the parties should be informed."</p> <p>"No air conditioning in the waiting rooms and corridors."</p> <p>"No collective public transportation to the court."</p> <p>"Poor signage for locating the rooms inside the building."</p> <p>"The venue is good for attorneys, but difficult access for the parties."</p>

**Source:** Elaborated by the authors.

## 5. DISCUSSION

Since in the public sector innovation, in the case of judicial conciliation, is rated by the perception of the different stakeholders (parties and attorneys) on the added public value (Hartley, 2008), the innovation effects for society and the public service were measured by means of the perceived satisfaction of the stakeholders regarding the results for the citizen and Judiciary. This decision was taken after innovation had already occurred and was included in the service provided by the TJDF-T and it is understood that the results or effects of innovation are results of judicial conciliation.

The results addressed in the preceding section and summarized in Box 5 will be discussed in two subsections, one for the sample of litigant parties and the other for the attorneys.

### BOX 5 RESULTS OF THE TESTED HYPOTHESES

Hypothesis	Result
Hypothesis 1: The occurrence of coproduction increases the probability of the parties having a positive perception of the results of the service for the users of the TJDF-T judicial conciliation.	Confirmed
H2: The occurrence of coproduction increases the probability of the parties having a positive perception of the Judiciary image.	Confirmed

*Continue*

Hypothesis	Result
H3: The perceived presence of the service provider skills increases the probability of positive perception of the results for the users of the TJDFT judicial conciliation.	Unconfirmed
H3a: The perceived presence of the service provider skills increases the probability of the parties having a positive perception of the results for the users of the TJDFT judicial conciliation service.	Unconfirmed
H3b: The perceived presence of the service provider skills increases the probability of attorneys having a positive perception of the results for the users of the TJDFT judicial conciliation service.	Unconfirmed
H4: The perceived presence of the service provider skills increases the probability of a positive perception of the Judiciary image.	Partly confirmed
H4a: The perceived presence of the service provider skills increases the probability of the litigant parties having a positive perception of the Judiciary image.	Confirmed
H4b: The perceived presence of the service provider skills increases the probability of attorneys having a positive perception of the Judiciary image.	Unconfirmed
H5: The positive perception of the results of the service for the user increases the probability of the positive perception of the Judiciary image.	Confirmed
H5a: The positive perception of the results of the service for the user increases the probability of the parties having a positive perception of the Judiciary image.	Confirmed
H5b: The positive perception of the results of the service for the user increases the probability of attorneys having a positive perception of the Judiciary image.	Confirmed

**Source:** Elaborated by the authors.

### 5.1 DISCUSSION OF THE RESULTS – LITIGANT PARTIES

With regard to hypothesis 1, coproduction has a greater positive effect on the variation in results for the citizen in the case of the complainant party  $\text{Exp}(B) = 4.633$  than when the party is respondent [ $\text{Exp}(B) = 2.403$ ]. These figures indicate that when the party is a complainant and coproduction is present, the probability of also observing positive results for the citizen is almost double that of the respondent party. In other words, complainant citizens give more importance to the fact of feeling understood and understanding the other party. This could be a consequence of the actual way in which the dispute was managed and how the legal action was handled, and the party moving the case in the courts is often more willing to settle the issue than the actuated party. These results were evidenced in the qualitative analysis, in which most of the comments and complaints relating to the lack of relationship between the parties and the attitude adopted in the conciliation hearing stemmed from the open questions answered by complainant parties.

Moreover, in Box 1 it is noted that most of the valid comments mentioned the lack of coproduction and problems of relationship between the parties, indicating that the respondents attribute the

success and failure of the TJDFT judicial conciliation service to the coproduction variable. Since the contribution of innovation must be examined in terms of public value (Benington, 2011), the contribution made to the public sector (Hartley, 2011) and that public value is defined in terms of what society valorizes (Benington, 2011), it can be said that, in the case of the TJDFT judicial conciliation, public value added by innovation and, consequently, by the service is delivered to society through coproduction.

This result corroborates the literature, which indicates that coproduction is associated with the increased perception of quality and value added by the service to the users (Anderson & Sullivan, 1993; Bifulco & Ladd, 2006; Brudney & England, 1983; Kelley et al., 1990; Pestoff, 2012), and that the citizen's experience in the service depends almost entirely on coproduction; in other words, the greater the interaction, the more possible it is for the service to meet the client's requirements and the higher the added value for the user (Needham, 2008). Coproduction in public services also leads the citizen to take greater responsibility for the results of the service delivery (Brudney & England, 1983), which explains attributing the lack of agreement in the judicial conciliation service in the open questions of the questionnaire to problems of interaction and coproduction between the parties.

Freire (2006) states that access to the courts and restorative justice, by increasing the efficiency and effectiveness of court and pre-court proceedings, are able to contribute toward preventing violence and creating a culture of peaceful dispute settlement in society, and even reduce crime rates, mainly of crimes arising from minor conflicts and disagreements. Therefore, more broadly speaking, coproduction could be the main means for successful judicial conciliation, preventing minor and less complex disputes from assuming greater proportions in processes that would take years in the courts, or even be motives for crimes committed in their own community, such as quarrels between neighbors, petty theft, assault and battery, and homicides.

It is also worth mentioning the fact that only two items in the questionnaire were part of the coproduction factor, namely: "Felt better understood by the other party" and "Felt that understood the other party better". This reinforces the relational nature of this type of innovation (Djellal & Gallouj, 2005), which appeared to fill a gap in the Judiciary, increasing interaction and collaboration between the parties, which enables settlement of the conflict by effective dialogue and reaching a consensus, so that the stakeholders in the process feel they have gained something (Campos, 2009; Silva, 2012).

**Hypothesis 3a** showed that the perceived presence of the service provide skills increases the probability of the parties having a positive perception of the results for the users of the TJDFT judicial conciliation service. Although literature indicates that the provider's skills are a key factor for the quality generated by the service (Djellal, Gallouj, & Miles, 2013; Gallouj & Savona, 2010; Gallouj & Weinstein, 1997; Shim et al., 2010; Zainuddin et al., 2013), the tested empirical model did not confirm this hypothesis. On analyzing the characteristics of the investigated service, it is found that the conciliator acts as a support, not providing the service in itself, since his or her role is to further the parties' communication and reflection by asking various types of questions, and keeping neutral and impartial (Silva, 2012). The conciliators are trained to help citizens settle the dispute through effective dialogue (Silva, 2012), and may collaborate to reach the agreement through suggestions, but are not responsible for the dispute settlement (Campos, 2009). Consequently, the result of the service depends more on coproduction between the parties, than on the conciliator's performance.

Nevertheless, conciliators skills were a very recurring category in the qualitative analysis, a sign that the conciliator's performance is recognized by the parties to be important, even if results of the service for the user have not explained the dependent variable in the model.

**Hypothesis 2**, which predicted that the occurrence of coproduction would increase the probability of the parties having a positive perception of the Judiciary image, was confirmed not only for the complainant [ $\text{Exp}(B) = 2,605$ ], but also the respondent [ $\text{Exp}(B) = 1,746$ ] parties. Once again the odds ratio of the parties' model for the coproduction factor is higher for the complainants than for the respondents. One of the reasons for this phenomenon's significance for public services is the capacity of coproduction to overcome various barriers that inhibit the efficiency in public service delivery (Needham, 2008), and the increase in efficiency of the services provided creates a positive institutional image.

In relation to **hypothesis 4a**, in which the service provider skills have a positive effect on the variation of results for the Judiciary image, the odds ratios were not high, evidence that the skills are the investigated factor that least contributes to the positive image of the Judiciary. This result is interesting, since service provider skills do not predict the results of the service for the citizen, showing that, although the parties attributed the result of judicial conciliation only to coproduction, the presence of conciliator skills impacts on the perception of the Judiciary image. These results corroborate the information from the qualitative analysis, in which praise for the preparation and capability of the conciliators recurred very frequently.

In **hypothesis 5a**, on the other hand, the results factor of the service for the citizen has a positive effect on the variation in results for the Judiciary image when the party is the complainant [ $\text{Exp}(B) = 3.451$ ] and in the overall sample [ $\text{Exp}(B) = 1.999$ ], but has no statistical significance when the party is respondent. Judicial conciliation, as well as the majority of innovations in the public service, is intended to increase the efficiency of the Judiciary (Lynn, 2013), more specifically the expediency of legal actions and proximity of the courts to society (Lima & Cruz, 2011). It was, therefore, already expected that the perception of the results of the service for citizens would increase the probability of their positive Judiciary image. This positive perception was also found in the qualitative analysis, in the category of service satisfaction.

Generally, the results show that judicial conciliation is a way to increase moralization and reliability of the court services, and to extend access to the courts and to citizenship. Through coproduction inherent in the conciliation process, it is possible to restore standards of reciprocity between society and the Judiciary and focus on actual dispute settlement, furthering credibility of these agencies before society. These aspects have already been mentioned in a study performed by F. F. Sauerbronn and J. F. R. Sauerbronn (2015), who analyzed the social representations permeating the perceptions of 263 public servants regarding the Judiciary reform.

Despite the benefits that judicial conciliation could bring to the court services, it is apparent from the results of **hypotheses 4a** and **5a**, that the respondents are not as involved in the judicial conciliation process, attributing less importance to the results. This may occur due to the large number of conciliation hearings for dispute settlement between the complainant party and organizations such as bank institutions, telecommunication companies and airlines. Hence, the majority of complainant parties represent large corporations, which very often do not have autonomy



to negotiate or are not prepared for such a situation. This lack of interest of the respondents was the most frequent comment by the complainant parties on open questions. Therefore, there is the need for consciousness of the respondent parties in relation to the objectives and importance of judicial conciliation, to increase involvement with the service provided, since the greater the involvement and participation of all stakeholders in the service, the better its quality (Bitner et al., 1997; Needham, 2008).

## 5.2 DISCUSSION OF RESULTS – ATTORNEYS

In the first empirical model tested for the attorney sample, the results of the logistic regression were not significant, and could indicate that, in the perception of the respondent attorneys, the service provider skills neither increase nor diminish the probability of positive results occurring for the citizen. So the results of this study did not confirm **hypothesis 3b**, that the perceived presence of the service provider skills increases the probability of the attorneys having a positive perception of the results for the users of the TJDFFT judicial conciliation service.

On the other hand, the results for **hypothesis 4b**, which predicted that perception of service provider skills increases the probability of attorneys having a positive perception of the results for the Judiciary, may be attributed to the fact that the attorney's presence was not mandatory in the judicial conciliation, that is, this innovation was implemented with focus on the citizen, and the conciliators were trained to assist the parties that do not have legal knowledge and have a straightforward dispute. Accordingly, the role of both the attorneys and conciliators is to provide trust and instruct the parties, but are not responsible for the final settlement. Thus, an attorney, who routinely works in the Federal District courts and forums, has a view of the Judiciary that consists of variables other than the service provider skills.

Nevertheless, the conciliator skills category of the qualitative analysis shows that attorneys acknowledge the importance of the judicial conciliator and the service provider skills. Attorneys are also more critical of this category than the parties, with a higher percentage of comments explaining skills that still need to be enhanced.

In relation to **hypothesis 5b**, it is found that the respondent and complainant attorneys have a very similar perception of the results of the Judiciary. By qualitative analysis, it is apparent that the attorneys consider judicial conciliation to be an innovation of the Judiciary and that this new service brings many positive results both for the citizen and the courts in general. This perception is aligned with the main objective of judicial conciliation, to increase the expediency of legal actions and bring the courts closer to society (Lima & Cruz, 2011). This view also corroborates the CNJ expectation regarding judicial conciliation that this service brings positive results to effectively settling the cases, and reducing the parties' time, costs and emotional upsets (Brasil, 2014).

Another point worth mentioning is that, although the attorneys' questionnaire did not rate coproduction variables, the most recurring category in the qualitative analysis of the open questions was that of the relationship between parties. The attorneys identified the main cause to be the failure of judicial conciliation, problems of relationship between stakeholders, and this result, in conjunction with those observed in the parties' empirical models, corroborates the significance of coproduction for the judicial conciliation service.

Also, there are signs from the proportion of open questions completed by the attorneys and quantity of suggested improvements that, since the attorneys are often in the forums and courts, they are also interested in improving the service, since they will continue to use it. These routine visits may provide attorneys with more inputs to criticize and comment on the service, since they have a wider knowledge of the Judiciary. These comments and suggestions vary from trivial infrastructural issues to more complex questions, such as how to increase the involvement of the different stakeholders in providing the service, means of punishments so that both parties take judicial conciliation more seriously, and ways to allocate conciliators based on length of experience to optimize the service results. This concern with the service is considered positive by the innovation and coproduction literature that reports that stakeholder involvement in providing the service often leads to innovative processes (Djellal et al., 2013; Gallouj & Weinstein, 1997; Von Hippel, 1978), thereby producing even better results for the user and the service provider organization.

Some of the problems mentioned by the respondent attorneys can be solved by implementing the New Civil Procedure Code, which provides that the parties should have attorneys with them, and that a fine would be applied for unjustifiable non-attendance of one of the parties to the judicial conciliation hearing (Lei no. 13.105, 2015). These measures indicate that it is no longer permitted for one of the parties to miss the hearing, justifying that it is not interested in conciliation, and that the attorney's presence is mandatory so that both sides are aware of the legal implications and consequences of reaching the agreement or not at the hearing. Thus, these legal decisions could increase the attorney's involvement and be important in the judicial conciliation process, while reducing the waste of public resources and the citizen's stress in cases where the other party simply failed to appear at the hearing, having no interest in conciliation.

## 6. CONCLUSIONS AND RECOMMENDATIONS

This study tests the relations between coproduction and service provider skills in the results of judicial conciliation in the Federal District and Territories Court of Justice based on the perception of the litigant parties and attorneys using the service. The definition of the subject of the study of this survey was justified because of the need to analyze innovation in the public sector not only in terms of improvements in the process but also in terms of public value, investigating factors that are valorized by society (Hartley, 2011; Benington, 2011). From this outlook, the decision was made to study judicial conciliation, considering it is an innovation already implemented in TJDF, since this service is designed to increase expediency of court cases, bringing courts closer to society, and to involve citizens in the service delivery and in settling their own legal disputes.

The layout of this work was also to reduce some gaps in research already mentioned in the literature, such as the few studies investigating the coproduction results for public service, principally from the user's viewpoint of the service and perceived value, as well as filling a methodological gap using quantitative approaches of data analysis (Verschuere et al., 2012). This study also proposes to understand the effects of coproduction in the perceived quality of the services provided, another gap mentioned in the literature (Verschuere et al., 2012).

In short, the results of this study were: (1) coproduction is the variable that offers better prediction of the results of the service both for the citizen and the Judiciary image, from the parties' perspective;

(2) the conciliator's skills are predictors only of the results for the Judiciary from the parties' perspective, a result that responds to literature (Djellal et al., 2013; Shim et al., 2010; Zainuddin et al., 2013); (3) the results of the service for the citizen, if positive, increase the probability of the Judiciary image also being positive, both from the parties' and attorneys' viewpoint; (4) the parties attribute other factors and experiences to their perceived satisfaction with the judicial conciliation process, and not just the service provided during the hearing, and; (5) although attorneys are not end users of judicial conciliation, they are concerned with improving the public service provided.

These results corroborate the innovation theories, which state that organizations tend to focus on innovations related mainly to efficiency, developing new services and enhancing user experience and satisfaction (Bitner & Brown, 2008). This study has also demonstrated empirically that coproduction in public services brings results that add value to the citizen, by increasing the quality of the service provided and for the provider organization, corroborating the literature (Brudney & England, 1983; Kelley et al., 1990; Pestoff, 2012; Thomas et al., 2011). Furthermore, the results confirming the findings of Needham (2008) have proven that the citizen's experience with the judicial conciliation service depends almost entirely on coproduction, that is, the more interaction with the other litigant party, the more able the service is to add value for the user. Coproduction in public services increases the citizen's responsibility for the results of the service (Brudney & England, 1983) and in the TJDFT judicial conciliation the public value added by innovation is delivered to society through coproduction.

In terms of practical considerations, this study emphasizes the significance of coproduction for the quality of public services, just as innovations in order to increase coproduction between citizens and between the citizen and the service provider add value for society. This closer involvement of the citizen with the service provided not only contributes to society having further knowledge about the context and limitations of these services, sharing the responsibilities for the results, but also enables citizens to identify possible incremental improvements and innovations in public administration. The results of this study indicate, also, that the presence of coproduction is more important than the service provider skills. It is, therefore, important for public organizations to focus on the quality of communication and interaction with the citizen in order to optimize the results and effectiveness of the service, as well as to improve their image before society.

It is also worth mentioning that the importance of the management of the Judiciary's agencies in introducing coproduction into their service delivery processes, ensuring that the citizens feel understood, that they perceive the process as fair and have a positive image of the Judiciary. The results of this study imply that coproduction in court service can accelerate the legal processes and cut court costs, since conciliation is a faster service and requires smaller infrastructure. Also, corroborating the arguments of Sadek (2004), the qualitative analyses helped identify procrastination as an element in the Judiciary context. Management in implementing and maintaining coproduction with citizens is also significant in order to attempt to reduce intentional delaying tactics of some litigant parties and large corporations that benefit from the slowness of the Judiciary to postpone the possible settlement of the dispute.

Specifically for the judicial conciliation service, it is suggested that the TJDFT should develop mechanisms to further engage the respondent parties with the service provided, in order to have further consciousness about the importance of restorative justice, the negotiation path to dispute

settlement and the benefits that the agreement could generate for the parties. Another suggestion is to level the litigants' expectations, making it clear that judicial conciliation is an attempt to settle the dispute through consensus, which means that both sides are more likely to make concessions to reach an agreement. This measure could prevent creating unrealistic expectations, principally by the complainant party, a problem often mentioned in the answers to the open questions.

This study's limitations worth mentioning include the use of secondary data as a single data source. The TJDFT questionnaires were also prepared for internal use and that is why possibly not all the facets of the variables under examination have been investigated. Moreover, the absence of sociodemographic questions, such as gender, age, race and so on, made it impossible to identify possible patterns of response between the perceptions of the groups, as directed by Kelly (2005).

In short, the research agenda must be directed towards expansion and sedimentation of the studies on the subject, looking to overcome research constraints and achieve more generalizable results in order to more clearly understand the value added process of public services for society and how coproduction is related to the generated results. It is, therefore, recommended to replicate this study in other states and other public services, to investigate the variable from the service provider's perception, to identify key factors, so that the citizen's involvement in coproduction gives positive results for the service and to investigate other variables predicting satisfaction with the public services. Another suggestion is to undertake qualitative studies to investigate more deeply how coproduction adds valor to public services and to identify elements of context that might impair coproduction in court services and public services in general. Lastly, it is believed that the research agenda could contribute not only to advancing literature on innovation and coproduction in public services, but also help the Judiciary and public administration to structure their management and services to increase public value offered to society.

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