



CENTRO DE ESTUDIOS DE JUSTICIA DE LAS AMÉRICAS  
JUSTICE STUDIES CENTER OF THE AMERICAS  
CEJA - JSCA

**THE VIRTUAL INFORMATION CENTER AT THE JUSTICE STUDIES  
CENTER OF THE AMERICAS: AN ANALYTICAL REPORT OF THE  
VIRTUAL LIBRARY**

John N. Gathegi, PhD, JD  
Associate Professor\*  
School of Information Studies  
Florida State University  
Tallahassee, FL 32306  
(850) 644-8104  
[jgathegi@lis.fsu.edu](mailto:jgathegi@lis.fsu.edu)  
[www.lis.fsu.edu](http://www.lis.fsu.edu)

Centro de Estudios de Justicias de las Americas  
Virtual Information Center  
Working Paper No.1  
(June 2004)  
[www.cejamericas.org](http://www.cejamericas.org).

\*Visiting Fulbright Senior Specialist, Centro de Estudios de Justicias de las Americas.  
Holanda 2023, Providencia. Santiago, Chile. May 2-June 13, 2004.

## ***CONTENTS***

**A. Executive Summary 3**

**B. Introduction 4**

**C. Project Scope 5**

**D. Research Questions 5**

**E. Methodology 5**

**F. Findings and Discussion 6**

**G. Conclusions and Recommendations 21**

### **List of Tables and Figures**

Table 1: Web Availability of Document Type by Country

Table 2: Country by Document Type Spread

Table 3: Virtual Library Holdings by Country and Document Type

Table 4: Comparison of Document Spread and VIC Holdings

Table 5: CEJA Web Site Evaluation by Selected AALL Content Criteria

Table 6: CEJA Web Site Evaluation by Selected AALL Organization  
Criteria

Table 7: CEJA Web Site Evaluation by Selected AALL Navigational and  
Usability Criteria

Table 8: CEJA Web Site Evaluation by Selected AALL Accessibility  
Criteria

Table 9: User Type by Document Types

Figure A: CEJA VIC Visitors January 1- May 30, 2004

Figure B: Virtual Library Visitors by Document Type January 1- May  
30, 2004

## **A. Executive Summary**

Access to legal information is a pivotal pillar in justice reform and transparency. This report examines the role of the Centro de Estudio de Justicia de las Américas (CEJA) for its role as a provider of access to legal information in the region that comprises the member countries of the Organization of American States. It attempts to provide a sense of what primary legal documents each member country has, and advocates for CEJA Virtual Information Center (VIC) to become the central website of primary law documents for member countries, to provide ease of access by users without the necessity of visiting each country's website, and to provide opportunities for comparisons of actual legislation in the different countries, thus promoting innovations in judicial reform.

The general scope of this project was to (1) compile a typology of legal information documents available on the judiciary web sites of each member, (2) compare these with the holdings of the CEJA Virtual Library to determine scope of coverage, (3) evaluate the structure of the CEJA VIC utilizing selected and modified legal information web site evaluation criteria of the American Association of Law Libraries, and (4) to take a snapshot of uses of the VIC.

We found that the CEJA Virtual Library and the country websites have overlap in some primary legal document coverage, but that there are documents in the Virtual Library that are not easily accessible from the member countries' web sites. Similarly, there are quite a number of primary law documents available in member countries' websites that are not included in the Virtual Library.

From our evaluation of the VIC, we make some recommendations, including: that CEJA strive to become the central site for primary law documents for the Americas and address specific issues regarding the content, organization, navigation, and accessibility of the Virtual Information Center.

We conclude that CEJA has a central role to play in the creation, organization, and dissemination of legal information in the region, and it should continue to augment the capacity of its Virtual Information Center, and particularly its Virtual Library, to provide the point of access to legal information, especially primary law sources.

## B. Introduction

Access to legal information is important, as it provides a pivotal pillar in justice reform and transparency. This report examines the role of the Centro de Estudio de Justicia de las Américas (CEJA) for its role as a provider of access to legal information in the region that comprises the member countries of the Organization of American States.

The CEJA report<sup>1</sup> recently published is a good starting tool for understanding the status of the justice systems in the Americas. While the CEJA report provides valuable comparative data, it does not answer the question of what primary legal documents each country has. This project attempts to fill in this gap. We take the position that it is important to have a central website of primary law documents for member countries for various reasons, including (1) ease of access by users in one country, without the necessity of visiting each country's website and (2) to provide opportunities for comparisons of actual legislation in the different countries, thus promoting innovations in judicial reform.

Because not all countries have their primary law sources organized like the United States or Canada, it is important to have a central point where such organization is provided for all OAS member countries. We approach this project with the goal of evaluating the extent to which that central point can be at CEJA.

### *CEJA*

CEJA, or, as it is known in English, Judicial Studies Center of the Americas (JSCA), is an independent multi-national think tank for justice studies, whose headquarters is in Santiago, Chile. Its 34 member countries embrace the Latin American region, most of the English-speaking Caribbean basin, as well as the United States and Canada. It was created by a resolution of the Organization of American States in 1999, to assist with the fast spreading judicial reform in those countries.<sup>2</sup>

### *Virtual Information Center and Virtual Library*

In January 2003, CEJA established a bilingual Spanish-English Virtual Information Center (VIC)<sup>3</sup> to promote the creation and dissemination of legal information, including legislation and basic statistics on judicial systems throughout the region. The VIC provides access to CEJA activities, databases and files. Its Virtual Library (VL) contains many documents, including statistics, legislation, and basic information on the region's judicial sector. The VIC also offers training support for the judicial sector in the member countries through its e-campus website.

---

<sup>1</sup> Centro de Estudio de Justicia de las Américas (CEJA). Report on Judicial Systems in the Americas 2002-2003. Santiago, Chile, 2004.

<sup>2</sup> Descriptive Information retrieved from [www.cejamericas.org](http://www.cejamericas.org) May 20, 2004.

<sup>3</sup> It is available through its web site at [www.cejamericas.org](http://www.cejamericas.org).

### **C. Project Scope**

The general scope of this project is to (1) compile a typology of legal information documents available on the judiciary web sites of each member, (2) compare these with the holdings of the CEJA Virtual Library to determine scope of coverage, (3) evaluate the structure of the CEJA web site utilizing selected and modified legal information web site evaluation criteria of the American Association of Law Libraries. Because of time limitations, the web site evaluation focused on the Virtual Library, and only tangentially on the entire CEJA VIC.

### **D. Research Questions:**

We approached this project with the following research questions:

1. To what extent do CEJA's Virtual Library holdings reflect the availability of primary law documents available in country government web sites?
2. To what extent do CEJA's Virtual Library primary law document holdings concur with selected AALL document characteristics?
3. To what extent does the CEJA Virtual Information Center web site concur with selected AALL criteria?
4. What is a typology of legal information users and how does it compare with the Virtual Library uses?
5. What is the emerging trend for the number of visitors to the Virtual Library?

### **E. Methodology**

In the first stage, we approached this project by first analyzing the government websites of individual member countries and inventorying the primary law documents whose text is available on the web. We did a similar inventory of the CEJA Virtual Library web site. We then compared the CEJA holdings to member countries holdings to determine the extent of overlap in holdings between what is available in member countries' web sites, and what is available at CEJA.

In the second stage, we reviewed the evaluation guidelines of the Access to Electronic Legal Information Committee of the American Association of Law Libraries (AALL), and with AALL's permission, constructed a modified version to:

- a. examine the CEJA primary law document holdings for concurrence with selected AALL document characteristics, and
- b. examine the CEJA web site for concurrence to selected AALL criteria

In the final stage, we attempted to construct a user profile for comparison to CEJA Virtual Library document inquiries. We also reviewed CEJA web statistics to compile a profile of the Virtual Library visitor trend.

## F. Findings and Discussion

A review of judicial and executive websites from each of the CEJA member countries reveals a variety of primary legal documents that have text available on the web. We looked at six categories of primary law documents: constitutions, codes, legislation, administrative regulations, judicial decisions, and international treaties. It was not always possible to categorize the document neatly into those categories, and the term legislation seems to cover, in different countries, codes and administrative regulations. Coverage varies, but each country's constitution is available. The countries of the Caribbean basin and the English-speaking countries seem to have a paucity in terms of the legislative documents available online. On the other hand, they generally have judicial decisions from the High Court and Court of Appeals, as well as those of appeals to the United Kingdom Privy Council, available on the web. Decisions from the Spanish-speaking countries are, in keeping with most civil law traditions, generally very brief when available. Tables 1 and 2 below indicate the general availability of primary law documents in the several member countries.

**Table 1: Web Availability of Document Type by Country**

COUNTRY	CONSTITUTIONS	CODES <sup>4</sup>	LEGISLATION	ADMIN. REGS	JUDICIAL DECISIONS	TREATIES
Antigua and Barbuda	1981 Constitution				Judgments High Court and Court of Appeals  Judgments on appeal to UK Privy Council	
Argentina	Constituciones	Códigos	Leyes	Resoluciones  Reglamentos	Jurisprudencia	
Bahamas	The Constitution of the Bahamas		Some laws		Judgments on appeal to UK Privy Council	
Barbados	The Barbados Constitution				Judgments on appeal to UK Privy Council	
Belize	The Constitution of Belize		Laws of Belize	Judges' Rules  Code of Judicial Conduct and Etiquette	Judgments on appeal to UK Privy Council  Court of Appeal Judgments  Supreme Court Judgments	

<sup>4</sup> These are sometimes referred to simply as laws; thus, there is no fine distinction here between the categories codes, legislation, and administrative regulations. They are all best treated generally as Legislation.

COUNTRY	CONSTITUTIONS	CODES	LEGISLATION	ADMIN. REGS	JUDICIAL DECISIONS	TREATIES
Bolivia	Constitución Política de la Republica	Códigos Civil, Penal, etc.	Varios leyes		Jurisprudencia de Salas de Corte Suprema Civil, Penal, Social y Plena	Varios tratados
Brazil	Federal Constitutions		Varios leyes	Reglamentos Interno del Supremo Tribunal Federal	Various judgments	
Canada	Constitution Act 1867-1982  Charter of Rights and Freedoms	Criminal Codes and Other Acts: Federal, Provincial and Territorial	Consolidated Statutes and other Acts	Court rules  Consolidated Regulations	Federal and Provincial Caselaw	Various treaties
Chile	Constitución Política de la República de Chile de 1980 con Reforma de 2000		Varios legislaciones		Varios Fallos del Corte Suprema	
Colombia	Constitución de 1991, actualizada hasta Reformas de 2001		Leyes y Actos legislativos	Acuerdos  Reglamentos interno	Varios sentencias  Jurisprudencia Corte Constitucional	
Costa Rica	Constitución Política de la República de Costa Rica de 1949, actualiza con la Reforma 8106/2001		Leyes  Varios derechos	Reglamentos	Opiniones Legales	Convenios Internacionales
Dominica	Constitución de Dominica de 1978, con las reformas introducidas por el Acto N° 22 de 1984				Judgments High Court and Court of Appeals  Judgments on appeal to UK Privy Council	
Ecuador	Constitución Política de Ecuador, 1998			Varios Reglamentos		
El Salvador	Constitución Política de la República de El Salvador de 1983, actualizada hasta reforma introducida por el DL N°56, del 06.07.2000	Varios Códigos		Reglamentos		Convenios Internacionales

COUNTRY	CONSTITUTIONS	CODES	LEGISLATION	ADMIN. REGS	JUDICIAL DECISIONS	TREATIES
Grenada	Constitution Order 1973				Judgments High Court and Court of Appeals (Text on  Judgments on appeal to UK Privy Council	
Guatemala	Constitución Política de la República de Guatemala, 1985 con reformas de 1993	Varios Códigos		Varios Reglamentos		
Guyana	1980 Constitution with 1996 Reforms					
Haití	Constitution of Haití 1987					
Honduras	Constitución de la República de Honduras, 1982. Con reformas hasta el Decreto 2 de 1999.	Código de ética del Servidor Público	Decretos y Leyes	Resoluciones		
Jamaica	1962 Constitution, updated to 1999 Reform				Judgments on appeal to UK Privy Council	
México	Constituciones		Ley Orgánica  Ley de Amparo	Varios reglamentos		
Nicaragua	Constitución de Nicaragua de 1987, con Reformas de 1995	Código Procesal Penal		Varios reglamentos	Varios sentencias	
Panamá	Constitución Política de Panamá, con Reformas hasta 1994	Código Judicial				
Paraguay	Constitución de la República de Paraguay, 1992	Código Penal  Código Procesal Penal	Varios leyes	Decretos		
Perú	Constitución Política del Perú de 1993, actualizada hasta reformas introducidas por la Ley 27365, del 02.11.2000.  Las constituciones de Perú	Códigos	Ley Orgánica	Varios reglamentos		Tratados Internacionales



COUNTRY	CONSTITUTIONS	CODES	LEGISLATION	ADMIN. REGS	JUDICIAL DECISIONS	TREATIES
Rep. Dominicana	2002 Constitution			Decretos Declaraciones Juradas	Varios casos de la Procuraduría  ++Esta construyendo pagina de sentencias++	
St. Kitts and Nevis	The Saint Christopher an Nevis Constitution Order 1983				Judgments High Court and Court of Appeals  Judgments on appeal to UK Privy Council	
St. Lucia	1978 Constitution				Judgments High Court and Court of Appeals  Judgments on appeal to UK Privy Council	
St. Vincent/ Grenada	Constitution of Saint Vincent and the Grenadines, 1979				Judgments High Court and Court of Appeals  Judgments on appeal to UK Privy Council	
Surinam	1987 Constitution, with Reforms of 1992					
Trinidad and Tobago	1976 Constitution, updated through 2000 reforms			Orders and Rules	Judgments on appeal to UK Privy Council  Court of Appeals and High Court Judgments	
United States of America	The Constitution of the United States	Federal and State Codes	Federal and State Laws	Federal and State Rules	Federal and State Case Reporters	International Agreements
Uruguay	Constitución de 1967, con Reformas hasta 1996		Varios Leyes	Dictámenes, Resoluciones		
Venezuela	Constitución de la Republica Bolivariana de Venezuela	Código Orgánico Procesal Penal	Jurisprudencia Legislación Varios leyes		Decisiones	

Even when legal documents were available in a given country, finding them often required quite some navigation and search. Also, documents would sometimes be spread between judiciary, legislative and executive sites, making it necessary to visit all three. It seems there is no common method of identifying legal documents. Table 2 below illustrates document coverage in the different countries by category, without the titles of the specific documents.

**Table 2. Country by Document Type Spread**

COUNTRY	Constitutions	Codes	Legislation	Admin Regs	Judicial Decisions	Treaties
Antigua/ Barbuda	•				•	
Argentina	•	•	•	•	•	
Bahamas	•		•		•	•
Barbados	•				•	
Belice	•		•	•	•	
Bolivia	•	•	•		•	•
Brasil	•		•	•	•	
Canada	•	•	•	•	•	•
Chile	•		•		•	
Colombia	•		•	•	•	
Costa Rica	•		•	•	•	•
Dominica	•				•	
Ecuador	•			•		
El Salvador	•	•		•		•
Grenada	•				•	
Guatemala	•	•		•		
Guyana	•					
Haiti	•					
Honduras	•	•	•	•		
Jamaica	•				•	
Mexico	•		•	•		
Nicaragua	•	•		•	•	
Panama	•	•				
Paraguay	•	•	•	•		
Peru	•	•	•	•		•
Rep. Domin.	•			•	•	
St. Kitts/Nevis	•				•	
St. Lucia	•				•	
St. Vicent/Gren	•				•	
Surinam	•					
Trin/Tobago	•			•	•	
Uruguay	•		•	•		
U.S.A.	•	•	•	•	•	•
Venezuela	•	•	•		•	

As Table 3 indicates, the CEJA Virtual Library has text available on the web from various primary law document categories. The most glaring lack is judicial decisions and international treaties, with the exception of human rights law treaties, which have their own tab in the Virtual Library web pages. Even though in civil law countries judicial decisions do not carry the authority of precedents, they can still be persuasive authority in some cases, and even form the basis for soft law in others.

**Table 3: CEJA Virtual Library Holdings by Country and Document Type**

COUNTRY	Constitution	Codes	Legislation	Admin Regs	Judicial Decisions	Treaties <sup>5</sup>
Antigua/ Barbuda	•					
Argentina	•	•	•	•		
Bahamas	•					
Barbados	•		•	•		
Belice	•		•			
Bolivia	•	•	•	•		
Brasil	•	•	•			
Canada	•	•				
Chile	•	•	•	•		
Colombia	•	•	•	•		
Costa Rica	•	•	•	•		
Dominica						
Ecuador	•	•	•	•		
El Salvador	•	•	•	•		
Grenada	•					
Guatemala	•	•	•	•		
Guyana	•					
Haiti	•	•				
Honduras	•	•	•	•		
Jamaica	•					
Mexico	•	•	•			
Nicaragua	•	•	•	•		
Panama	•	•		•		
Paraguay	•	•	•			
Peru	•	•	•	•		
Rep. Domin.	•	•	•	•		
St. Kitts/Nevis	•					
St. Lucia	•					
St. Vinc/Gren	•					
Surinam	•					
Trin/Tobago	•		•			
Uruguay	•	•	•			
U.S.A.	•			•		
Venezuela	•	•	•			

If we superimpose Table 3 above over Table 4 below, we find some interesting results. With the exception of judicial decisions and international treaties, there are many more legislative documents available in the CEJA Virtual Library than are in the judicial and executive websites of the various member countries. Not surprisingly, the weakest parts of the VL collection for legislative documents are for the English-speaking countries. Among the major ones are the United States and Canada. But those are also the countries with fairly comprehensive primary law documents readily available on the web. At the same time, as Table 4 demonstrates, there are quite a number of legal documents available on the general web that should be included in the CEJA Virtual Library.

<sup>5</sup> The VIC Virtual Library has a collection of Human Rights Treaties.

**Table 4: Comparison of Document Spread and VIC Holdings**

COUNTRY	Constitution	Codes	Legislation	Admin Regs	Judicial Decisions	Treaties
Antigua/ Barbuda	●				x	
Argentina	●	●	●	●	x	
Bahamas	●		X		x	x
Barbados	●		●☐	●☐	x	
Belice	●		●	x	x	
Bolivia	●	●	●	●☐	x	x
Brasil	●	●☐	●	x	x	
Canada	●	●	X	x	x	x
Chile	●	●☐	●	●☐	x	
Colombia	●	●☐	●	●	x	
Costa Rica	●	●☐	●	●	x	x
Dominica	X				x	
Ecuador	●	●☐	●☐	●		
El Salvador	●	●	●☐	●		x
Grenada	●				x	
Guatemala	●	●	●☐	●		
Guyana	●					
Haiti	●	●☐				
Honduras	●	●	●	●		
Jamaica	●				x	
Mexico	●	●☐	●	x		
Nicaragua	●	●	●☐	●	x	
Panama	●	●		●☐		
Paraguay	●	●	●	x		
Peru	●	●	●	●		x
Rep. Domin.	●	●☐	●☐	●	x	
St. Kitts/Nevis	●				x	
St. Lucia	●				x	
St. Vinc/Gren	●				x	
Surinam	●					
Trin/Tobago	●		●☐	x	x	
Uruguay	●	●☐	●	x		
U.S.A.	●	x	X	●	x	x
Venezuela	●	●	●		x	

*Legend:*

- documents available in VIC
- x documents not available in VIC but available on judicial web sites
- ☐ documents available in VIC not available on judicial websites

It is clear then from Table 4 that the CEJA VIC is an important source of documents that may not easily be found on a particular country's websites. In some cases, it may be the only source. On the other hand, there are some documents available on some countries' websites that could be included in the CEJA VIC. It seems that CEJA may need to include international treaties in its database.

CEJA has had some concerns about whether it should be providing access to laws of the many different countries, for fear there might be a problem in keeping such information up to date, and the possibility that out of date information might alienate

some users. The thinking has been that since the countries have their own legal documents on their websites, then perhaps CEJA does not need to duplicate that task. However, as Table 4 illustrates, it may not be enough to depend on member countries providing access to legal documents. In any case, it would oblige a CEJA user to visit the websites of each of the 34 countries and navigate them to locate the relevant primary legal documents.

We examined the CEJA website in terms of meeting certain selected web site criteria for web sites providing legal information, developed by the Access to Electronic Legal Information Committee of the American Association of Law Libraries. These selected criteria were modified to fit the specific case of the CEJA web site, and covered content, organization, navigation/usability, and accessibility. For each of the criteria, an index was constructed by counting the number of items under the criteria, and comparing this with the number of items for which the answer was in the affirmative, creating a positive score for each.

### *Content*

As Table 5 below indicates, the CEJA website, specifically the Virtual Library, has a positive score of 64.5% on the Content Index. While these numbers by themselves do not tell us much, they indicate the extent to which the web site should strive to improve in terms of the content criteria.

As mentioned above, in terms of coverage, the CEJA Virtual Library in most cases provides documents from primary law sources, has each member country's constitution, but has no international treaties other than some human rights law treaties. Because most of the member states are civil law countries, the VL provides very few judicial decisions.

Documents are provided in complete text, and while some are quite long, the user is not provided with some indication of document size before entering the document. We also found a few spelling and grammatical errors, especially in the English version of the site. These can be eradicated by having one individual vet all English translations.

Most documents are available as PDF files, and this format is indicated by an Adobe Acrobat Reader icon. Because these are legal documents, this format is appropriate to conserve the original look of the document, as it cannot easily be altered. A short summary provides information about what a legal document is about (especially for laws and codes), but no explanation of the document's importance and legal standing. Some of the documents have promulgation dates in the text of the documents, and a statement on how to send in contributions, but not how to update the material.

Legal documents lack citation information, perhaps because there is no apparent uniform system of legal citations in most of the member countries. With the exception of the few judicial decisions from the English-speaking countries, laws are generally just numbered, and codes are referred to by their subject matter. Documents are provided as links which consist of subdirectories to the CEJA domain URL. However, there are problems with some broken links. Also, the CEJA web site does not maintain

historical or archival legal documents, these are maintained as part of the CEJA domain URL, and changed when the document information is updated.

The sources of the legal documents are indicated in most cases, and one can tell if a primary law source is the official version, or is retrieved from the general world wide web. The documents are presented verbatim, without commentary, and are thus presumably relatively bias-free.

The CEJA web site is generally intended for people interested in the law, especially researchers, but no fine categorization of the audience is provided, or, perhaps, desirable. Also, the site lacks a review or rating system for its users, as well as a counter for user hits. It has, however, a system for collecting some user statistics. The site does not provide information on how to use copyrighted information or whom to contact for use permission, nor does it provide users with the opportunity to subscribe to email updates. Table 5 below provides a summary of the Content criteria as applied to the CEJA web site.

**Table 5: CEJA Web Site Evaluation by Selected AALL Content Criteria**

Criteria	Description	Yes	No	Comments
<b>A. Coverage</b>				
	Documents from primary law sources are provided	•		In most cases. Has each country's constitution. No international treaties except for human rights law treaties.
	Appellate court's opinions are provided		•	Very few available, primarily from English-speaking common law countries.
	Web site contains legislation	•		As online documents.
	Web site posts administrative decisions		•	Available for some countries, but not applicable for most countries.
<b>B. Text</b>				
	Complete text of each legal document is provided	•		
	Document size is indicated		•	
	Site contains spelling and/or grammatical errors	•		Some random errors observed in the English version. These can be eradicated by having all translations go through the translator.
<b>C. Format</b>				
	Legal documents are available in a variety of formats (e.g. HTML, PDF, ASCII)	•		Mostly in PDF.
	Document formats are indicated	•		

Criteria	Description	Yes	No	Comments
	Formats are appropriate to the content and purpose of the documents	•		PDF allows for accurate reproduction of original documents.
	Web site provides links to third-party software necessary for viewing documents in PDF and word-processed formats		•	
<b>D. Context</b>				
	Web site explains the importance and legal standing of the legal documents posted	•		There is a short summary of what the law is about, but not its legal standing.
	Common everyday language is used to describe the legal material	•		
<b>E. Status</b>				
	Each legal document is dated with its effective date	•		Some documents have date of promulgation, if given in the text.
	Web site indicates how or where to update the legal information it provides	•		Statement on where to send material (contribution) is included, but not how to update.
<b>F. Referente</b>				
	Legal documents provide citation information		•	
	Each legal document is given a distinct Uniform Resource Locator (URL) or other unique identifier so that it may be retrieved from the web site's database or search feature	•		Documents provided as a link in the CEJA domain URL. There are problems with some broken links. Search engines cannot search by URLs.
<b>G. Stability</b>				
	The web site maintains archival or historical legal documents		•	
	Legal documents are maintained under permanent or persistent URLs	•		Maintained as part of the CEJA domain URL.
<b>H. Disclaimers</b>				
	Web site includes a disclaimer as to the reliability or trustworthiness of the legal information it provides	•		Disclaimer included on first page of the Virtual Library.
	Web site provides "unofficial" versions of the legal material produced by government entities	•		Some documents seem retrieved from the general world wide web.

Criteria	Description	Yes	No	Comments
<b>I. Authority</b>				
	Author/source of the material can clearly be identified	•		Source indicated for most documents.
	Author/publisher's reputation can be easily established	•		For the primary law sources, one can tell if it is official version or retrieved by CEJA from the general web.
	One can easily contact the webmaster with questions or comments		•	Webmaster information not prominent.
	Information is Presented with a minimum of bias	•		Documents are presented verbatim.
<b>J. Rating System</b>				
	The site has a review or rating system		•	
	The site has a counter of users hits		•	
<b>K. Purpose</b>				
	Intent or focus of the site clearly stated on the main page	•		
	The intended audience is easily determined from the main page	•		Generally people interested in the law, especially researchers, but no fine categorization.
	The site contains information as to how copyrighted content may be used and who to contact for permission, if needed.		•	
<b>L. Service</b>				
	Web site enables users to subscribe to email updates when new content is posted		•	

Content Index = 31 items

Score = 20 = 64.5%

### *Organization*

We also looked at the organization criteria. Because it is not clear from the tabs on the home page that there are legal documents available, a little navigation is required to find the documents. The documents are clustered together under the Virtual Library tab. The Virtual Library tab provides the single point of access to the legal documents. The legal documents are collapsed into constitutions, legislation, and human rights treaties. There are two ways of for users to obtain the specific legal documents: following the link provided or using the embryonic search engine. All the legal documents are stored in a database.

The search engine provided on the site, as mentioned above, is non-sophisticated. It does allow limited keyword searching of the database, but not field searching. It also does not provide examples on how to search the database. As Table 6 illustrates, the CEJA web site scored only 30% on the Organization Index.



Table 6: CEJA Web Site Evaluation by Selected AALL Organization Criteria

Criteria	Description	Yes	No	Comments
<b>A. Legal Link</b>				
	Legal information is clearly identifiable from the CEJA's homepage		•	Some navigation required.
	Different types of legal information are clustered together under a "Legal" link on the navigation bar		•	Clustered together under Virtual Library (perhaps this should be renamed Virtual Legal Library).
	A single point of access to all of the legal material provided on the web site allows users to quickly find the information		•	Not clearly identifiable.
<b>B. Arrangement</b>				
	Organization of legal documents is clearly discernible	•		Not in the main page, only if one knows to look under Virtual Library. Legal documents collapsed into constitutions and legislation.
	Web site provides several ways for users to locate specific legal information		•	Only one apparent way, by following the link provided, or by use of the embryonic search engine.
<b>C. Search Features</b>				
	Legal documents are stored in a database	•		
	Search engine is flexible and powerful		•	Search engine is non-sophisticated.
	Search engine allows keyword searching	•		
	Search engine allows field searching		•	
	Web site includes a description of how to search the database with examples		•	

Organization Index = 10 items

Score = 3 = 30%

### *Navigation and Usability*

Generally, the CEJA website provides links to documents that are referred to in the site. The major problem observed were the sometimes broken links to legal documents in the Virtual Library. Tables of content for long documents are only provided in the text of the documents themselves. Because most of the documents are in the PDF format, there are no internal links to aid the user in navigating within the documents. Table 7 shows that the CEJA web site scores 33.3% on the Navigational and Usability Index.

**Table 7: CEJA Web Site Evaluation by Selected AALL Navigational and Usability Criteria**

Criteria	Description	Yes	No	Comments
<b>A. Hyperlinks</b>				
	Legal documents that refer to other legal documents at the same web site are connected by hyperlinks	•		Links are sometimes broken.
<b>B. Ease of Use</b>				
	Tables of contents are used in long documents		•	None observed, only table of contents in the documents themselves.
	Visitors can move easily within document parts		•	Most documents are in PDF and there are no internal links.

Navigational and Usability Index = 3 items

Score = 1 = 33.3%

### *Accessibility*

The CEJA web site is viewable by at least the two major web browsers: Internet Explorer and Netscape. There is an info@ email link for users to contact the web site manager. It does not provide a “text only” viewing option. As far as accessibility by persons with disabilities is concerned, the site has not yet taken up the issue as a priority. Thus, the site was not carefully analyzed utilizing the web content accessibility guidelines of the w3.org Consortium. Also, the CEJA site did not pass any of the accessibility priorities for Bobby approval.

The CEJA web site is currently viewable by the latest versions of Internet Explorer and Netscape. Earlier versions of the browsers were not available for testing during the study, nor were any other browsers besides these two.

**Table 8: CEJA Web Site Evaluation by Selected AALL Accessibility Criteria**

Criteria	Description	Yes	No	Comments
<b>A. Compliance</b>				
	The web site complies with the World Wide Web Consortium's Web Content Accessibility Guidelines ( <a href="http://www.w3.org/TR/WAI-WEBCONTENT/">www.w3.org/TR/WAI-WEBCONTENT/</a> ) <sup>6</sup>		•	
	The web site is Bobby-approved ( <a href="http://bobby.watchfire.com/bobby/">bobby.watchfire.com/bobby/</a> )		•	
	The web site provides visually-impaired and other handicapped [disabled] users the option of viewing a "text-only" page		•	
<b>B. Compatibility</b>				
	The web site is viewable and functional with as many browser versions as feasible	•		Viewable by at least the two major ones: Internet Explorer and Netscape (waiting for lab results)
<b>C. Contact Information</b>				
	The web site provides an email link to the person[s] responsible for managing the web site	•		No name, but there is an inf@ link.
	The collection of legal information bears a contact link		•	

Accessibility Index = 6 items

Score = 2 = 33.3%

The CEJA VIC is not currently designed to collect data that would identify users by categories. The typology in Table 9 below, therefore, is an approximation of the various categories of users that could conceivably use the legal documents provided by the Virtual Library. Pending a further study, it would not be possible at this juncture to speculate on which specific document categories would be most useful for which specific categories of users. However, the typology of users in Table 9 should serve as a point of departure for a further study to determine that question. This list approximates closely CEJA's own categorization of users: governments; judicial officers; researchers; academics; consultants; organizations; civil society, and other non-government organizations.

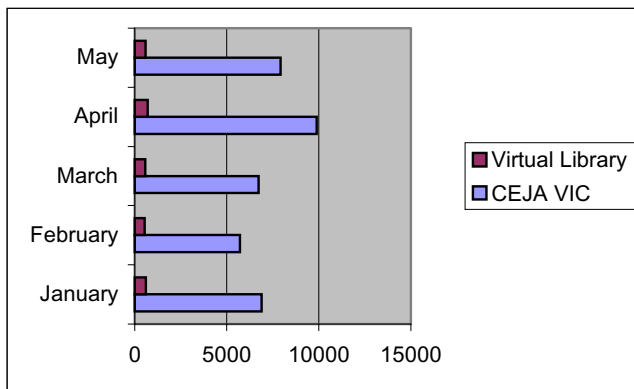
---

<sup>6</sup> These include 14 guidelines: (1) Provide equivalent alternatives to auditory and visual content, (2) Don't rely on color alone, (3) Use markup and style sheets and do so properly, (4) Clarify natural language usage, (5) Create tables that transform gracefully, (6) Ensure that pages featuring new technologies transform gracefully, (7) Ensure user control of time-sensitive content changes, (8) Ensure direct accessibility of embedded user interfaces, (9) Design for device-independence, (10) Use interim solutions, (11) Use W3C technologies and guidelines, (12) Provide context and orientation information, (13) Provide clear navigation mechanisms, (14) Ensure that documents are clear and simple.

**Table 9: Typology of Users**

Judiciary	Prosecutorial	Lawyers	Legislators	Public	Organizations	Private Sector
Judges	Prosecutors	Litigators	Elected Officials	Litigators	Scholars	Litigants
Court Clerks		Defenders	Staff	Researchers	Trainers	At Large
				Consultants	NGOs	
				At Large	Civil Society Organizations	

The number of visitors to the Virtual Information Center has been steady, with an average of 7436 visitors between January 1 and May 31, 2004. Of the VIC visitors, the number of who specifically visited the Virtual Library during that same period has been steady, with an average of 600 visitors. The months of February saw a slight dip in visitors, probably because the numbers of days for that month were less than the previous month. Figure A illustrates the trend in number of visitors during this period.

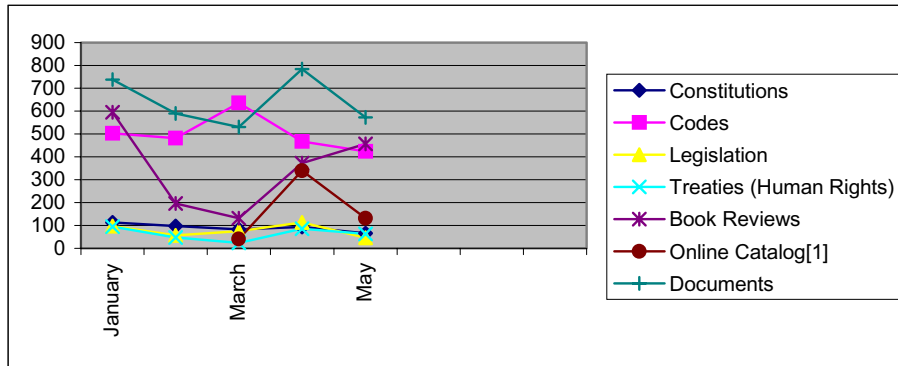
**Figure A: CEJA VIC Visitors  
January 1- May 31, 2004**

PERIOD	CEJA VIC	Virtual Library
January	6903	600
February	5726	535
March	6740	569
April	9889	707
May	7924	593
Total	37182	3004

A closer look at what the visitors to the Virtual Library actually looked at during their visit is provided in Figure B, below. It appears most visitors were interested in a general category that is labelled documents. The second largest use was codes, followed by book reviews, constitutions, the online catalog, legislation and human rights treaties in that order. Because the system is not set up to catch unique visitor identifiers, it is unclear how many of the same visitors visited all the categories, and how many were unique to a specific category. Also, because the document category is not finely defined,

it is also unclear how many visitors went there first before getting to a more appropriate category.

**Figure B: Virtual Library visitors by Document Type January 1- May 31, 2004<sup>7</sup>**



	Constitutions	Codes	Legislation	Treaties (Human Rights)	Book Reviews	Online Catalog <sup>8</sup>	Documents
January	113	502	98	95	595		738
February	98	482	56	48	196		589
March	83	636	75	24	131	41	530
April	94	467	113	85	373	339	784
May	66	424	46	63	457	131	573
TOTALS	454	2511	388	315	1752	511	3214

## G. Conclusions and Recommendations

We approached this project with the goals of discovering the extent of availability of legal documents whose text is available on the web, in each of the 34 member countries of the Organization of American States, and to determine what portion of these documents were available through the Virtual Library of CEJA's Virtual Information Center. We also wanted to evaluate CEJA's web site in terms of the provision of electronic legal information, utilizing the criterias developed by the American Association of Law Libraries, modified to fit this particular web site.

From the findings of this study, it is clear that there is a need for a central clearinghouse for online primary law documents, and that the Virtual Library of CEJA's Virtual Information Center could fulfill that role. Some of the challenges for such an undertaking include keeping the documents up to date, as well as making sure there is an archival record of historical documents.

<sup>7</sup> The following categories are not included in captured visitor statistics to the virtual library: Administrative Regulations, Case Reports, and Treaties (except for Human Rights). The low number of visitors to the constitution category may be attributed to the fact that it is fairly easy to retrieve one's country's constitution from the government web site.

<sup>8</sup> The online catalog did not become available until March, 2004.

There are at least three approaches to this problem (1) member countries would have the responsibility of providing (a) the updated documents or (b) updated links to the material, (2) member countries would have the responsibility of maintaining the archival material, and provide updated links to CEJA's VL, and (3) CEJA could also subscribe to the Global Legal Information Network (GLIN) and have access to the full text of legal documents from various countries. The major question would be whether member countries, or any individual from a member country, could access the full text under such a subscription agreement.

As discussed above, the search engine on the CEJA web site is not very sophisticated for the purposes of searching through legal documents. Two approaches to solve this problem would be either to develop an in-house search engine that is custom made to search the CEJA databases, or to source a suitable search engine from those available commercially. Both options involve considerable cost, and would require a cost-benefit analysis. However, having a powerful and flexible search engine should be one of CEJA VIC's priorities.

Taking into account that legal information changes constantly and that it is difficult to keep everything up to date, it would nevertheless help the user if web pages had a date indication on when they were last updated. While in legal research each user has the ultimate responsibility to update legal information obtained, a date stamp would help the user gauge the currency of the information.

It is important to have an understanding of who the CEJA VIC users are, and what types of information is useful to them. Because user data that would make this possible are not captured, it was difficult to compile a user typology. It is suggested that one way to capture this data might be to get users to have ID's and passwords as they surf the site, which could be merely their email addresses. The downside to this would be that this might create a barrier for users, negatively affecting the maintenance of open access, and might raise privacy issues.

Finally, for the purposes of disseminating information to the member countries, the VIC is central to the activities of CEJA. It is therefore a bit surprising that it has been able to achieve the current state of service with only four members of staff. For a center of this size and international responsibility, there is a case for carefully evaluating the personnel needs of the VIC, with a view to augmenting the personnel if needed.

### **Recommendations**

- There is a need for one central site for primary law documents for member countries. We recommend that CEJA strive to become that site.
- We recommend that an emphasis be made in the formal agreements between CEJA and each country to submit documents from each of the primary law categories. This would require that each country actually identify a specific official who would have responsibility for this submission. This individual would also be responsible for making sure that CEJA's VIC has the most current legal documents for that country, and that, where applicable, all web links to such documents are operative.

- We recommend that CEJA add international treaties to its database, especially treaties between member countries.
- We recommend that CEJA VL make a strong effort to find and include as many judicial decisions and for as many countries as it can find. Even though judicial decisions in civil law countries do not carry authority of precedents, they can still be persuasive, and even form basis for soft law. They also help in creating a sense of judicial transparency.
- We recommend that the CEJA site include some indication of document size, preferably in terms of file size, or page numbers. CEJA should also conduct a review of all document links to fix any broken or obsolete ones.
- CEJA should also initiate a campaign to establish a uniform system of legal document citation in the region, to facilitate information retrieval.
- We recommend that the CEJA site retain historical or archival legal documents for comparative and research purposes.
- We recommend that CEJA make the development of an adequate search engine a priority, both for entire web site and particularly for Virtual Library. This may involve developing an in-house search engine or sourcing for a commercial one.
- We recommend that each page have a date stamp on when it was last updated, so that users will have an idea of the age of the information they are looking at.
- Because of its role as a justice center, CEJA may want to begin addressing accessibility problems to its web site, by making sure several viewing and listening options are available for persons with disabilities. At the very least, we recommend that text enlargement options be included in the site.
- To be able to understand the use and users of the VIC, we recommend that the system require users to register the first time they use the site, and thereafter to input their email addresses whenever they visit. The system should then be designed in such a way that data about use can be gathered. We however caution that, because of issues of privacy and the fact that registration might become a barrier, careful monitoring would be required so that this registration requirement is discontinued when enough data has been gathered to predict future uses and users.
- We recommend that CEJA conduct a careful assessment of the VIC's staffing and funding needs, with a view to increasing both to reflect the VIC's central role in CEJA's activities.

With adequate funding and staffing, the CEJA VIC is well poised to help accomplish CEJA's three key goals: (1) to generate and distribute instruments that improve the information available on justice in the Americas, (2) to strengthen regional cooperation and exchange among key parties in the justice sector, and (3) to conduct in-depth studies of the region's justice systems and promote innovative contributions to

discussions of judicial reform.<sup>9</sup> Access to legal documents, especially to primary law documents, is crucial to improving the availability of judicial information in the region, is a key ingredient of cooperation and exchange by providing opportunities for comparative analyses to promote innovations to judicial reform.

---

<sup>9</sup> Goals extracted from CEJA's website at [www.cejamericas.org/](http://www.cejamericas.org/) on June 2, 2004.