

Plan of Action 2010

This Plan of Action outlines the main activities that the Justice Studies Center of the Americas (JSCA) will develop during 2010 in order to fulfill its institutional mission in accordance with the lines established in its mandate.

The activities described herein will satisfy three strategic objectives, two of them substantive and one linked to institutional support: i) to promote sustainable civil and criminal justice reforms that make use of best practices detected in the region and around the globe; ii) to strengthen JSCA's role as a facilitator of information on the justice systems of the region; and iii) to achieve long-term financial sustainability for the Center.

Main areas of action:

I.- Support for Civil Justice Reforms

The work that JSCA has been developing in the area of civil justice will continue in 2010 through research that allows it to broaden available knowledge on the type of problems that reforms of this sector should address. The purpose of these efforts is to promote a deeper discussion and involve non-traditional actors in the design and implementation of the necessary changes.

Main objectives:

To continue to engage in an effort to approach the discussion from a public policy perspective considering variables that go beyond legal debate;

To design concrete solutions to problems identified in the area of civil justice.

1.1 Research

| Item No. 1 |
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| Transforming Civil Justice in Ibero-America: Contents and Challenges |
| Objectives: To analyze the use of oral procedures based on lessons learned in current civil justice reforms such as the European model experience and Uruguay as well as the application of the Model Code for Ibero-America and to extract conclusions on the contents and challenges that countries that undertake procedure reforms should consider. This study and the experiences covered will be presented during three seminars on civil justice that will be held in Uruguay, Spain and Chile (see Item No. 3). |
| Location(s): Madrid, Montevideo and Santiago |
| Local counterparts: Universidad Autónoma de Madrid, UAM; Universidad de Montevideo; Instituto Iberoamericano de Derecho Procesal |
| Funding sources: Proyectos de Cooperación Interuniversitaria UAM- Banco Santander con América Latina |
| Date: First quarter, 2010 |

ITEM No. 2

| Study on the Use of Oral Procedures in Other Areas of Law |
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| Objectives: To support local projects that introduce oral procedures to other areas of law. The experience of Costa Rica in civil and administrative matters will be studied and disseminated as will reformed procedures for labor hearings and family law cases in Chile. |
| Location(s): Costa Rica and Chile |
| Funding source: CIDA |
| Date: January through April 2010 |

1.2 Dissemination

| ITEM No. 3 |
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| Seminar Cycle: Transforming Civil Justice in Ibero-America: Contents and Challenges |
| Objectives: To analyze the operation of oral procedures based on lessons learned from current reforms in the area and to extract conclusions regarding the contents and challenges that should be considered by countries that are undertaking procedure reforms. |
| Local counterparts: Universidad Autónoma de Madrid (UAM); Universidad de Montevideo; and the Instituto Iberoamericano de Derecho Procesal. |
| Funding sources: Proyectos de Cooperación Interuniversitaria UAM- Banco Santander con América Latina. |
| Date: Second quarter, 2010 |

II.- Support for Criminal Justice Reforms

JSCA will continue the work that it has done since its inception in the area of criminal justice through follow-up studies designed to strengthen criminal justice reform processes. It will focus on the implementation of reform processes, developing studies on four states in Mexico as well as Bolivia, Peru and the Chubut and Santiago de Estero Provinces of Argentina. The reports will be presented over the course of the year.

We also will continue to develop our proposals for solutions to the problems that justice systems are facing, particularly our research on crimes that have a significant impact on society, which began in 2009 with a comparative report on Argentina, Colombia, Chile, Peru, Venezuela and Mexico. This will be published and disseminated in the various countries. We also will make an effort to include experiences in innovation on this topic from the perspective of prosecution services.

One of JSCA's priorities is its work on pretrial detention. Last year, we explored the normative changes introduced as a result of criminal procedure reforms and the real impact that the new procedure systems have had on the use of pretrial detention in Bolivia, Chile, Colombia, Ecuador, Guatemala, Honduras and Venezuela. We will promote presentations on and discussions of these studies around the region and will develop new studies on countries with federal systems such as Mexico, Brazil and Argentina and on Peru, Haiti and Costa Rica.

The Center also will develop a virtual course on pretrial detention that will address comparative experiences, international standards, and pretrial services in the U.S. The final component was developed in the context of visits and internships for JSCA consultants in the U.S. begun in 2009.

Pretrial detention also will be the main topic of the next issue of Judicial Systems Journal, which will change to a virtual format in early 2010.

The JSCA Training Program will develop a program for judges in the context of our alliance with the Ibero-American Network of Judicial Academies. It will include an assessment of witness credibility based on the Canadian experience.

The VII Inter-American Program for Training Trainers for Criminal Procedure Reform will be held in 2010.

As has been the case over the past few years, we will implement training, technical assistance, monitoring and reform evaluation activities in cooperation with Training Program alumni. Such actions will be taken in response to specific requests when the sustainability of the proposal is proven and a contribution that is at least equivalent to JSCA's support is secured from a local counterpart.

2.1 Research

| ITEM No. 4 |
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| Reports on the Monitoring and Evaluation of Criminal Procedure Reforms |
| <p>Objectives: To study the results and impact of criminal justice reforms in the region. These studies form part of the work that JSCA has done in the countries of the region and are designed to generate empirical information on the achievements and obstacles experienced.</p> |
| <p>Location(s): The first study will be developed in four states in Mexico that have begun to implement the criminal procedure reform. The purpose of the study will be to collaborate with the states in order to improve the operation of the new system and contribute to efforts being made by others to plan reforms by presenting lessons learned elsewhere. Studies also will be conducted in two provinces in Argentina (Chubut and Santiago del Estero), and a third will be completed in Bolivia in collaboration with Universidad Católica de Bolivia. There is a possibility that we will do a fourth study on the Peruvian provinces that have implemented the reform. The reports will be presented at different times throughout the year.</p> |
| <p>Funding source: USAID (Mexico study) CIDA (Argentina and Bolivia studies)</p> |
| <p>Date: Throughout 2010</p> |

| ITEM No. 5 |
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| Research on Pretrial Detention |
| <p>Objectives: To continue to identify key aspects to be addressed in regard to the rationalization of the use of pretrial detention in the region. We will continue to develop new studies, adding Mexico, Brazil and Argentina –which have federal systems- as well as Peru, Costa Rica and Haiti to the project.</p> |
| <p>Location(s): Mexico, Brazil, Argentina, Peru, Costa Rica, Haiti</p> |
| <p>Funding sources: CIDA and JSCA</p> |

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| Date: Throughout 2010 |
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| ITEM No. 6 |
| Study on Criminal Justice Systems Facing Crimes with Serious Social Connotation |
| Objectives: To explore and evaluate the current capacities of the region's criminal justice systems to investigate, prosecute and punish crimes, particularly those that have the greatest impact on public opinion and the community. The study includes a regional report and local reports on Argentina, Chile, Colombia, Mexico, Peru and Venezuela. It began in 2009 and will end this year. |
| Location(s): Argentina, Colombia, Chile, Peru, Venezuela and Mexico |
| Funding sources: The Government of Italy, OAS |
| Date: Through April 2010 |

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| ITEM No. 7 |
| Research on Implementing a Hearing Management Model in Guatemala |
| Objectives: To gather information on the current functioning of the hearing management model in the departments in which it has been introduced in Guatemala, analyze the results produced in the five years that have passed since its implementation, and present the challenges that have been identified for the coming years in the area of criminal justice organization. The study will be presented in various institutions in Guatemala. |
| Location(s): Guatemala |
| Funding source: CIDA |
| Date: March 2010 |

2.2 Support for Innovation Projects

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| ITEM No. 8 |
| Project to Support the Reform in the Province of Buenos Aires |
| Objectives: To continue to support the implementation of oral procedures during the early stages of cases in which the defendant was caught <i>in flagrante delicto</i> , extending the system to the entire province. This project is based on the |

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| installation of an office that oversees fulfillment of alternatives to pretrial detention in order to expand the experience implemented through the province's plan. JSCA's contribution consists of training, supervision and evaluation of the experience. |
| Location(s): Judicial Department of Necochea |
| Funding source: To be determined. |
| Date: Throughout 2010 |

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| ITEM No. 9 |
| Public Defense Management Model in Ecuador |
| Objectives: To record the experience of the creation and management of a public defense service in Ecuador. |
| Location(s): Ecuador |
| Funding source: CIDA |
| Date: The first quarter of 2010 |

2.2 Dissemination

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| ITEM No. 10 |
| Publication on "Criminal Justice Systems Facing Crimes with Serious Social Connotation" |
| Objectives: To explore and evaluate the current capacities of the region's criminal justice systems to investigate, prosecute and punish crime, particularly acts that have the greatest impact on public opinion and the community. The study includes a regional report and local reports on Argentina, Chile, Colombia, Mexico, Peru and Venezuela. It began in 2009 and will end this year. |
| Location(s): Argentina, Colombia, Chile, Peru, Venezuela and Mexico |
| Funding sources: The Government of Italy, OAS |
| Date: May-June 2010 |

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| ITEM No. 11 |
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| Publication of Follow-up and Evaluation Reports on Criminal Procedure Reforms |
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| <p>Objectives: The first study will be developed in four states in Mexico that have already begun to implement the criminal procedure reform. The purpose of the study will be to collaborate with the states in order to improve the operation of the new system and contribute to the efforts being made by others to plan their reforms by presenting lessons learned. Studies also will be conducted in two provinces in Argentina (Chubut and Santiago del Estero), and a third monitoring study will be conducted in Bolivia in collaboration with Universidad Católica de Bolivia. We also may conduct a study in the provinces of Peru that have implemented the reform. The reports will be presented at different times throughout the year.</p> |
| <p>Funding source: CIDA</p> |
| <p>Date: November-December 2010</p> |

| ITEM No. 12 |
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| Publication of Research on Pretrial Detention |
| <p>Objectives: To disseminate the local reports and products generated by JSCA consultants on the current situation of pretrial detention in countries such as Mexico, Brazil and Argentina –which have a federal system- and Peru, Costa Rica and Haiti.</p> |
| <p>Location(s): Regional activity</p> |
| <p>Funding source: CIDA</p> |
| <p>Date: November- December 2010</p> |

| ITEM No. 13 |
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| Dissemination of the Manual on Gender Issues in Criminal Justice in Latin America |
| <p>Objectives: To disseminate the knowledge and experience that JSCA has accumulated in the area of gender and criminal procedure reform. The publication will be based on the virtual course "Introduction to Gender Issues in Criminal Justice in Latin America."</p> |
| <p>Location(s): Regional activity</p> |
| <p>Funding source: CIDA</p> |
| <p>Date: May-June 2010</p> |

2.3 Training

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| ITEM No. 14 |
| Training Program for Judges on Oral Procedures and Evidence |
| Objectives: To prepare a group of judges from the Ibero-American Network of Judicial Academies to adequately handle the technical and political complexities of the criminal justice reform processes that are being promoted throughout the region. The program will include a module on evaluating witness and visual identification credibility based on the Canadian experience. |
| Location(s): Open to every country in the region. |
| Funding source: CIDA |
| Date: Development: First quarter 2010 Uploading: April 2010 Execution: Starting in May 2010 |

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| ITEM No. 15 |
| VII Cycle of the Inter-American Program for Training Trainers for Criminal Procedure Reform |
| Objectives: To prepare a group of Latin American leaders to adequately handle the technical and political complexities of the criminal justice reform processes that are being promoted by countries around the region. The Program includes a basic course (in situ), an intermediate course (e-learning) and an advanced course (in situ). The in situ sections of the course will be held in Santiago de Chile. |
| Location(s): Students from countries around the region will be included, and grants will be made available to students from Bolivia, Honduras and Nicaragua. |
| Funding source: CIDA |
| Dates: - Basic Course: May 2010 - Intermediate Course: June-October 2010 - Advanced Course: November 2010 |

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| ITEM No. 16 |
| Local Replicas of the Inter-American Program |
| Objectives: For students from previous versions of the Inter-American Program (see above) to transfer their knowledge and skills through training or dissemination activities in their home countries. JSCA will offer technical support and in some cases financial support for these activities. A minimum of 12 replicas will be held with a total of 1,000 beneficiaries. |

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| Location(s): The home countries of Program graduates. |
| Funding source: CIDA |
| Date: Throughout 2010 |

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| ITEM No. 17 |
| Internships in Canada |
| Objectives: To allow a group of graduates of the Inter-American Training Program to learn about the operation of Canada's justice system through direct work experience. A call for participants will be issued to select interns for two programs (with two spaces each). One involves three weeks of work at the Public Prosecution Service and the other is a one-week internship at NJI. |
| Location(s): Canada |
| Funding source: CIDA |
| Local counterpart: Public Prosecution Service of Canada National Justice Institute |
| Date: May and October |

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| ITEM No. 18 |
| IV Alumni Network Meeting |
| Objectives: To maintain contact and interaction among alumni of the Inter-American Training Program and expand their knowledge of the management of criminal justice reform processes. |
| Location(s): We are evaluating the possibility of holding the meeting in Chile in the context of the National Conference on the 10th Anniversary of Chile's Criminal Procedure Reform that is being organized by the Universidad Diego Portales Law School's Center for the Modernization of Justice. |
| Funding source: CIDA |
| Date: November 2010 |

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| ITEM No. 19 |
| Virtual Training Program for Latin American Prosecutors |
| <p>Objectives: To provide the prosecutors of the region with the knowledge and tools that will allow them to confront and develop new work methods, approaches and the dynamics necessary to confront practical problems in the implementation and operation of the criminal procedure system and efficient exercise of their various duties. This program has been offered three times in the past.</p> |
| <p>Location(s): Open to every country in the region.</p> |
| <p>Funding source: CIDA</p> |
| <p>Local counterpart: This program is offered with the support and by virtue of the agreements signed by JSCA and the Ibero-American Institute and Association of Public Prosecutor's Offices.</p> |
| <p>Date: May-June 2010</p> |

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| ITEM No. 20 |
| Virtual Course on Pretrial Detention |
| <p>Objectives: This training course will include a review of the state of the use of pretrial detention in the region and the challenges to be considered in a regional discussion of this issue. It will include an empirical and normative assessment of the situation of pretrial detention in Latin America; international standards for the application and use of pretrial detention; elements of the discussion and pretrial detention hearings; and the experience of pretrial services in the U.S. as a way of promoting the use of alternative measures.</p> |
| <p>Location(s): Open to every country in the region.</p> |
| <p>Funding source: CIDA</p> |
| <p>Date: Development: First quarter 2010 Uploading and execution: Second quarter 2010</p> |

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| ITEM No. 21 |
| Virtual Course "Introduction to Gender Issues in Criminal Justice in Latin America" |
| <p>Objectives: To incorporate the variable of gender in the processes of discussing, designing, and implementing judicial reforms through an e-learning course.</p> |
| <p>Location(s): Open to every country in the region.</p> |
| <p>Funding source: CIDA</p> |

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| Date: March-April 2010 |
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| ITEM No. 22 |
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| Pro Bono Internships |
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| Objectives: To enrich JSCA's work and create lasting links to local experts and institutions. |
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| Location(s): Chile |
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| Associated Institutions: National Judicial Academy of the Dominican Republic, Georgetown University, University of Florida |
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| Date: Throughout 2010 |
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| ITEM No. 23 |
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| Workshops and Visits to Learn about the Operation of an Adversarial Criminal Justice System |
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| Objectives: To offer delegations from countries around the region practical images of the operation of reformed adversarial criminal justice systems and transmit experiences in the design and management of reform processes. |
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| Location(s): Chile |
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| Funding source: Local interested group |
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| Date: Throughout 2010 |
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III. Judicial Management and Information

JSCA will continue to generate instruments and tools for improving the management of judicial modernization processes through four areas of action: production and proper use of uniform judicial statistics, information technology, results-oriented management models, and strategic planning.

3.1 Research

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| ITEM No. 24 |
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| Best Practices in Providing Access to Justice for At-Risk Populations |
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| <p>Objectives: To improve the quality of public information and promote accountability and access to justice for at-risk populations in the Americas, providing better assessments, supplies for the design of change and/or reform projects, and facilitating the measurement and evaluation of the results of said changes.</p> |
| <p>Location(s): Every country in the Americas.</p> |
| <p>Funding source: Institute for Connectivity in the Americas (ICA)</p> |
| <p>Date: Throughout 2010</p> |

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| ITEM No. 25 |
| Effective Justice: The Role of New Technologies in Transforming the Judicial System |
| <p>Objectives: To identify skills, needs, and challenges related to the use of technology to coordinate judicial system institutions and provide citizens with access to justice sector information and services. JSCA will handle the second component of the project, which involves developing an assessment of inter-institutional coordination in the judicial system and challenges to access to judicial services.</p> |
| <p>Location(s): Every country in the Americas.</p> |
| <p>Funding source: IDB</p> |
| <p>Date: First quarter of 2010</p> |

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| ITEM No. 26 |
| VI Index of Online Access to Judicial Information |
| <p>Objectives: To rank the amount of information that the region's judicial branches and public prosecutor's offices make available to users via Internet in order to encourage improvements to their Websites, achieve maximum transparency in judicial work, and improve the services provided to system users.</p> |
| <p>Location(s): Every country in the Americas.</p> |
| <p>Funding source: JSCA</p> |
| <p>Date: Development: June-October 2010 Presentation: October-November 2010</p> |

3.2 Dissemination

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| ITEM No. 27 |
| Publication of the Report on Judicial Systems in the Americas 2008-2009 |
| Objectives: This fourth version of the publication is designed to present detailed and up-to-date information on the justice systems of each country in the region, describing their institutions, structures, characteristics, productivity, budgets, human resources, reform initiatives and other key aspects. |
| Location(s): Every country in the Americas |
| Funding source: CIDA |
| Date: First quarter 2010 |

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| ITEM No. 28 |
| Seminar-Workshop on Judicial Budgets |
| Objectives: To analyze the financing of judicial work and evaluation of reform projects in terms of their institutional and economic impact in Latin America and specifically in Brazil. |
| Location(s): Brazil |
| Funding source: Supremo Tribunal Federal e do Conselho Nacional de Justiça |
| Local counterpart: Supremo Tribunal Federal e do Conselho Nacional de Justiça |
| Date: March 2010 |

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| ITEM No. 29 |
| VIII Inter-American Seminar on Judicial Management |
| Objectives: To analyze the theoretical advances and innovative experiences that countries in the region have developed on how changes in judicial management have allowed for the successful implementation of substantive judicial reforms. This version of the seminar will address the evaluation and impact of computer tools on the effective provision of justice, including strategies for measuring institutional, economic, and social results. |
| Location(s): Brasilia is being considered as a possible host city for this event. |

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| Funding source: Supremo Tribunal Federal e do Conselho Nacional de Justiça |
| Local counterpart: The participation of the Conselho Nacional de Justiça is being considered. |
| Date: November 2010 |

3.3 Training

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| ITEM No. 30 |
| Virtual Course on Management of Criminal Justice Administration Systems |
| Objectives: To provide a comprehensive overview of the issue of management in an adversarial criminal justice system and tools for assessing and executing plans that consider the entire system of institutions. |
| Location(s): Open to every country in the region. |
| Funding source: CIDA |
| Date: Development: First quarter of 2010 Uploading and execution: Second quarter of 2010 |

IV. Virtual Information Center (VIC)

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| ITEM No. 31 |
| Website |
| Objectives: The Center's Website is its main vehicle for providing information and generating spaces for interaction among individuals and institutions that are interested in issues of judicial reform at the regional level. Our goal is to continue to improve and expand the services provided to users throughout the year, including the Virtual Library, calendar, information on JSCA projects and products, course registration, and access to virtual courses through CEJACAMPUS. |
| Location(s): Global |
| Funding source: JSCA |
| Date: Throughout 2010 |

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| ITEM No. 32 |
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| Nexus Newsletter |
| <p>Objectives: This monthly publication allows JSCA to reach a broad base of subscribers at the regional level. The newsletter, which is published in Spanish and English, addresses topics such as the Center's main activities and products, general news on the justice sector, book reviews and links to related Websites. When Judicial Systems Journal becomes an online publication, the Newsletter will be restructured and will focus only on news aspects. The format will be modified in order to allow readers to access the articles that interest them by clicking on links.</p> |
| <p>Location(s): Regional</p> |
| <p>Funding source: JSCA</p> |
| <p>Date: Throughout 2010</p> |

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