



2005 PLAN OF ACTION

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2005 PLAN OF ACTION

This document presents the activities and projects proposed for 2005. In the interests of clarity and brevity we have organized this information into three groups. The first two sections cover projects related to supporting criminal justice reforms and developing modern information and management systems. These activities will be described in detail given their importance for JSCA's strategic development and yearly plan of action. The last section contains descriptions of the remaining activities as they relate to our three institutional goals.

1. Support for Criminal Justice Reforms

1.1 *Pilot Project*

JSCA will actively participate in the implementation of at least one criminal justice reform project in a country that has recently begun this process or one that is redirecting an ongoing reform. In either case we will review the guidelines that we have prepared in order to ensure the success of this type of initiative. In view of the work that we did in 2004, the contacts that we have made and the requirements that we have defined in regard to this type of project, such an action will most likely be carried out in a Mexican state, where the reform has not yet begun, or in an Argentinean province, where there is a push to renew the reform effort.

Specifically, this type of program will be focused on redesigning procedures in the public prosecutor's offices, boosting the level of orality in investigative hearings, and establishing and applying productivity goals, all of which we have found to be essential to a successful criminal justice system.

In order to successfully execute a program of this nature JSCA will take an active role in defining the plan of action, training key system actors, and supervising the process. The program will feature precise and well-defined short- and medium- term goals and will entail reaching agreements with Chilean justice system institutions, particularly the

public prosecutor's office, in order to secure technical assistance for its implementation.

1.2 *Research*

In order to continue to build knowledge and support regional debate on these topics, JSCA plans to conduct the following studies:

a) Criminal Prosecution:

The role of the public prosecutor's office and, in more general terms, that of the criminal prosecution apparatus, have been shown to be especially crucial for the success of criminal justice systems. Despite the heavy focus on this institution as the main systemic innovation in the reforms carried out in the region to date, JSCA's studies have demonstrated that in most cases their organization and performance have continued to be dysfunctional and that these institutions have not fulfilled their newly assigned responsibilities. In addition to providing a detailed description of the current state of judicial reform in the region, the proposed study aims to explore successful efforts to address some of these problems and to develop models that can be replicated in the region.

b) Follow-up Studies on Criminal Justice Reforms:

The goal of the follow-up studies that JSCA carried out over the last three years was to provide an empirical evaluation of specific functional problems faced by criminal justice systems in the region. The studies have mainly focused on recently reformed systems, or those in which reforms are imminent. They also have aimed to foster debate on the results obtained and specific actions to be taken in order to overcome the major problems detected. JSCA will continue to disseminate the Bolivian follow-up study and complete another study on the functioning of the federal system in Córdoba, Argentina. These new studies will follow the models established through our earlier efforts, with pertinent adjustments made in each particular case.

c) Evaluation of Chile's Criminal Procedure Reform:

JSCA will conduct a detailed and statistically representative evaluation of the results of the Chilean criminal justice reform. This study was commissioned by Chile's Ministry of Justice and, as such, by all of the country's judicial branches, public prosecutor's offices and public defender's offices. This task is highly important for JSCA as the Chilean experience has provided lessons that will be useful to other countries, though there are still important challenges that require strict control and oversight.

d) Public Defense Manual:

Another particularly weak component of criminal justice systems in the region is public defense. Deficiencies in basic institutional design and development in this area prompted JSCA's preparation of a manual that would provide specific tools that can be used by anyone who wishes to build or launch this type of institution. The manual identifies the main components of a public defense system. Once the manual is validated, it is expected to allow JSCA to carry out more accurate interventions in this area.

1.3 Training:

JSCA's Training Area has been envisioned as an extension of its research. As mentioned above, the problems that have been detected and publicized through our studies have sparked growing interest in efforts to develop solutions. Training is one of the key tools that can be used to accomplish this, and the one that JSCA is most able to provide. It is therefore not surprising that the Center's training activities should focus on criminal justice systems.

a) Program for Training Trainers for Criminal Procedure Reform:

The centerpiece of JSCA's efforts in this area is its regional training program, which has lent coherence to JSCA's training proposals. This program has also allowed the Center to organize and present demands in this area and to build a critical mass of

actors at the highest levels in most countries in the region. This in turn has generated a common discourse that closely links the Center with these countries, thus facilitating JSCA's continued local and regional training efforts.

During 2005 this program will be replicated at the local level by those trained in the first cycle. This stage will require JSCA's involvement at a variety of levels, including guidance, supervision and in some cases financial assistance.

The second cycle of the regional training program will also begin this year, and we expect for the level of participation to remain the same. During the second cycle we will adjust the methodology in order to strengthen areas that were identified as weak in the program evaluation carried out at the end of the first cycle. The program consists of four stages: an on-site basic course; an intermediate eLearning program; an on-site advanced course; and local replicas. The program will also include an internship program, an in-depth course for selected participants, and various online enrichment activities.

b) Other Training Activities:

The unique needs of countries in the region that are implementing reforms require that JSCA be flexible in meeting their precise, specific training needs. The following countries have been selected as areas of interest for 2005 in view of the status of the judicial reforms that are underway in each nation: Argentina (federal and provincial systems), Mexico (federal and state systems), Colombia, Costa Rica, Ecuador and Peru. Special attention will be paid to broadening JSCA's teaching staff by adding the most successful graduates of our training program.

JSCA also continues to carry out other types of activities as requested. For example, the Center has implemented several visits/workshops in Chile, which, in addition to showing groups from other countries how the reformed criminal justice system operates in this country, gives us the opportunity to profile JSCA's work and

provide input on reform plans through discussions with visiting national authorities.

Lastly, we are planning to create a series of videos that will be used to support training activities and promote our institution's public image.

1.4 *Inter-American Seminars:*

JSCA will continue to actively participate in and organize a significant number of seminars, conferences, workshops, and work sessions in its areas of interest throughout the region, particularly in the countries that we have identified as priority areas (see above). It is important to note that given the sheer number of events and the fact that they cannot always be planned a full year in advance, here we refer only to our the most important events, namely Inter-American meetings and seminars.

a) Inter-American Seminar on Criminal Prosecution:

In 2004 JSCA organized the first Inter-American Seminar on Criminal Prosecution in Buenos Aires, Argentina. A second version will be held in 2005. This event will be centered on the results of the study that we have planned on this subject. The seminar is scheduled to be held in July, most likely in Peru.

b) Public Defender's Offices:

JSCA will continue to provide support and expert advice to the *Asociación Interamericana de Defensorías Penales Públicas* (Inter-American Association of Public Criminal Defender's Offices, AIDEF), specifically in the organization of its III Inter-American Conference, which will be held in Punta del Este, Uruguay, in March 2005.

During the conference JSCA will present a preliminary version of the Manual that we plan to prepare on setting up public defense systems and will offer a workshop on training techniques for oral litigation.

It is important to note that a meeting is scheduled to take place during this event in order to meet with representatives from

public defender's offices from the English-speaking Caribbean. This event was prompted by a study carried out by JSCA in these countries in 2004 that identified the public defender's offices as a problematic area that requires strengthening. The workshop will provide support to existing institutions and given participants an opportunity analyze potential future actions; it is also hoped that many public defenders from these Caribbean countries will participate in the AIDEF Inter-American Conference.

2. Development of Information Systems and Judicial Management

At the end of 2004 JSCA reinforced its work on judicial information by creating the Information and Management Area and broadening its focus to include judicial management. This change was made in response to countries' requests for more information on these topics as a result of JSCA's emphasis on these elements in the functioning of justice. This process has allowed JSCA to increase our internal capacity to respond to these requests and integrate our responses to them into our activities on information systems and related areas such as justice and economics.

2.1 *Strengthening Judicial Information Systems:*

In order to bring a public policy perspective to judicial reforms in the region we need to generate information that will allow us to identify problem areas, locate the resources that are needed in order to address them, and evaluate how these resources are currently being used. This will allow us to set quantifiable goals and will facilitate the evaluation of the process in general. Unfortunately, the vast majority of judicial systems in the region lack information or are not capable of processing and analyzing data or making decisions based on the results of the evaluations that are carried out. This is true even for the most basic information.

Our objectives in this area are therefore twofold. First, in the short term we will gather existing data and generate new data in order to (i) demonstrate that information

does exist but is of poor quality and is not publicized; (ii) provide information to individuals and groups who wish to have access to it; and (iii) develop incentives to improve information systems. Second, in the long term we seek to make substantial improvements in the information systems and the decisions they foster on judicial governance.

a) Development of Information Systems:

For 2005 JSCA proposes to work in at least four judicial branches in the region in order to strengthen their information systems at the levels of data collection, data processing, dissemination, analysis, and their capacity to use this data in decision-making processes. In order to carry out this project we must obtain formal commitments from other agencies. To this end, we are advancing in discussions of this topic with the Central American courts. The project also requires funds, which are currently being negotiated with the IDB and USAID. JSCA's role in these projects will be to provide technical assistance and training and to guide the implementation process.

b) Judicial Indicators for Central America:

In response to a request that was generated during the XIII Meeting of Supreme Court Chief Justices of Central America, the Caribbean and Mexico in 2003, JSCA took on the role of directing and acting as technical secretariat for the collection, processing and standardization of basic statistical data from all of these countries. We designed a data collection spreadsheet based on the *Coding and Decoding* manual, also a JSCA publication. After the results of this experience were presented at the Meeting of Supreme Courts in 2004, this body requested that JSCA intensify its work in this area in 2005. JSCA also plans to broaden these activities to include other countries.

c) Report on Judicial Systems in the Americas (2004-2005):

In 2003 JSCA published the first Report on Judicial Systems in the Americas, which covered 2002-2003. Next year we plan to publish a new version of the Report for 2004-2005. The updated version will be

enriched by data from other JSCA projects and more precise data collection that takes into account lessons learned during the preparation of the first report. Two paid interns will assist with the preparation of the 2004-2005 Report.

d) Online Access to Judicial Information

This JSCA publication consists of an index that rates countries in the Americas according to online access to key aspects of the functioning, organization, financing and productivity of their judicial branches and public prosecutor's offices.

This year we will disseminate the results of this study and replicate the exercise. We are also considering broadening the project to include other aspects of access to information, and even to other elements of judicial performance.

2.2 Management:

As indicated above, one of the lessons that we have learned by analyzing the experiences with judicial reform in the region is the importance of management (which is generally undervalued in the area of law) in successful reform efforts. JSCA's efforts in this area entail proposing specific solutions to the most common problems detected that are flexible enough to be adapted to the specific needs of each institution and country. JSCA will also generate genuinely interdisciplinary proposals for research in this area.

a) Technical Assistance for Judicial Management:

JSCA will offer technical assistance services to justice institutions and bid on international projects in this area. In order to ensure that these efforts do not infringe on the Center's independence, we will favor initiatives related to assessment and design processes and the implementation of training projects.

b) Third Inter-American Seminar on Judicial Management:

The third version this JSCA-organized seminar will feature the analysis of models

for organizing the court office. This event will be held in Nicaragua and is being sponsored by that country's Supreme Court.

c) Judicial Management Manual:

We will prepare a brief didactic document that addresses basic issues to be considered by the courts, as well as a basic catalogue of solutions and a complete bibliography.

3. Other Activities Related to JSCA's Key Goals:

3.1 To conduct in-depth studies of the region's justice systems and promote innovative contributions to discussions of judicial reform:

- JSCA will begin to prepare a document outlining *Inter-American Principles of Judicial Ethics*. The Center is undertaking this effort in cooperation with the Inter-American Legal Committee in the hopes that the principles will be formally adopted by the appropriate OAS authorities.
- We will intensify the discussion begun by the *Judicial Systems Journal* Editorial Board by conducting a descriptive study of *judicial governance systems* in comparative law.
- A special survey on *justice spending* will be carried out in order to standardize and disaggregate information on this topic. Special attention will be paid to judicial system revenue from court fees and charges.
- In order to build our own opinion of *civil justice reform* JSCA will analyze the area of civil justice (analysis of coverage and workload, de-judicialization policies), the relationship between adjudication and other alternative dispute resolution mechanisms (arbitration, mediation, conciliation), civil procedure (different types of procedures, orality, trial by Internet), and the costs and financing of the reforms.

3.2 To strengthen regional cooperation and exchange among key parties in the justice sector:

In 2005 JSCA will participate in as many regional and local events as possible in order to share experiences and provide support in areas of special interest. In addition to the central role that JSCA will play in the events described above, the Center will also actively participate in organizing the following regional seminars and conferences:

- Inter-American Seminar on Judicial Reform: Analysis of Best Practices, The Confluence of Civil and Common Law Systems. This seminar will be organized in collaboration with the Puerto Rican Supreme Court and the Universidad de Puerto Rico.
- IV Inter-American Meeting of Mediadores en Red will be held in San José, Costa Rica. The meeting is being sponsored by that country's Supreme Court.
- Inter-American Seminar on Civil Justice Reform. This seminar will finalize the research to be carried out by JSCA on this issue.
- Four Fora on Disseminating and Discussing Judicial Reform as part of the European Union project that JSCA is executing in cooperation with GTZ Mexico.

In regard to training, we will look to expand the number of people that we reach through our training modules through eLearning by creating partnerships with other local providers. We will also develop a new course on gender and justice that will serve to disseminate the information and knowledge accumulated through the comparative study that was carried out in 2004.

JSCA will also be responsible for building the Spanish language Website of JEDNET (the Judicial Educators Network). The Center is participating in this project with the National Judicial Institute of Canada (NJI) and Philippine Judicial Academy (PHILJA). We will also contribute resources and information on judicial education. The next meeting of the Management Committee for this project will be held in Victoria, Canada on April 9, 2005.

We will also continue to develop our internship program. We expect to host a minimum of 12 *pro bono* interns and two *paid interns* during 2005.

3.3 *To generate and distribute instruments designed to improve the information available on justice in the Americas:*

We will continue to develop and update our Website in order to maximize its potential to publicize JSCA's products and all relevant information on justice sectors in the region. This year we will improve its format and access to the information that the various sub-sites contain. The most important advance will be the development of a community of users who will have access to a range of products and tools for ongoing virtual exchange of information. JSCA expects to boost the number of daily visits to our website by 20% and to offer new services such as an advanced intra-text search engine and a statistical information system for judicial branches that will contain all of the information that we have collected and provide for easy cross-searches among sources. For our resource collections we propose expanding the number of texts available to our users

through the Virtual Library from 1,600 to 2,800, while expanding the books available in our print collection from 800 to 1,400. We will continue to regularly hold virtual forums on different themes related to judicial systems and on JSCA's work.

In 2005 we also plan to publish two new issues of *Judicial Systems Journal* jointly with INECIP in Argentina. One of these will focus on attorneys and the other on justice and economic development.

JSCA will also continue to publish Nexus Newsletter in Spanish and English, with bi-annual compilation editions in French and Portuguese and to promote our activities and increase our contacts in the specialized press, particularly those focusing on judicial issues.

We will prepare two texts on mediation, the first of which will contain the presentations that were made during the III Meeting of the Americas on Peaceful Dispute Resolution, which was held in Chile in 2004. The second publication will analyze the functioning of mediation systems throughout the region and will be prepared jointly with Mexico's Universidad Autónoma de Nuevo León.

APPENDIX 1: IMPACT INDICATORS

ACTIVITY	INDICATORS
1. Support for Criminal Justice Reforms	
1.2 Pilot Project	<ul style="list-style-type: none"> • The methodologies designed by JSCA are applied in the country in which the project is implemented, resulting in improvements in the system's performance in terms of the number of cases resolved and the time taken to resolve them.
1.2 Research	<ul style="list-style-type: none"> • Our research contributes to broad-based regional and local debate. • JSCA studies are cited in other research projects. • Countries in the region implement initiatives based on these studies. • JSCA receives requests for assistance in this process.
1.3 Training	<ul style="list-style-type: none"> • There is a steady increase in the number of institutions and individuals interested in receiving JSCA training in order to implement practical solutions to functional justice system problems. • There is a steady increase in the number of participants who rate JSCA training activities as "useful" or "very useful." • Training activities designed and/or conducted by JSCA are replicated at the local level. • Materials prepared by JSCA are used in local training activities.
1.4 Inter-American Seminars	<ul style="list-style-type: none"> • There is a steady increase in the number of participants at seminars organized by JSCA. • There is a steady increase in the number of self-financed participants that attend these seminars. • JSCA is invited to participate as organizer, sponsor, or presenter at major regional and local events focused on justice.

2. Development of Information Systems and Judicial Management	
2.1 Strengthening judicial information systems	<ul style="list-style-type: none"> • Justice institutions in countries in the region adopt instruments developed by JSCA in order to improve their information systems. • Information generated by JSCA is used by judicial branches in the region in their decision-making on governance and planning. • There is increased access to judicial information in the region. • Information developed by JSCA on the functioning of the justice sector is used in in-depth studies and for decision-making in the justice sector.
2.2 Strengthening Judicial Management	<ul style="list-style-type: none"> • JSCA receives more requests for technical assistance for judicial management. • Activities delivered by JSCA are well evaluated by beneficiaries. • Improvements are made in relevant judicial performance indicators as a result of JSCA activities.
3. Other Activities Related to JSCA's Key Goals	
3.1 To conduct in-depth studies of the region's justice systems and promote innovative contributions to discussions of judicial reform.	<ul style="list-style-type: none"> • JSCA research projects have generated broad regional and local debate. • These studies are cited in other research. • Countries in the region implement initiatives motivated by JSCA's studies. • Local co-financing or new sources of funding arise to finance these studies.
3.2 To strengthen regional cooperation and exchange among key parties in the justice sector.	<ul style="list-style-type: none"> • There is a steady increase in the number of institutions and/or individuals interested in participating in regional and/or networking activities promoted by JSCA. • There is a steady increase in the number of contacts and joint projects developed by members of these networks. • There is a steady increase in the number of institutions that rate their participation in JSCA networks or regional activities as "useful" or "very useful." • There is a steady increase in the number of internship applications received by JSCA. • There is a steady increase in the number of institutions and individuals interested in receiving JSCA training to implement solutions to functional problems in their justice systems. • There is a steady increase in the number of individuals who find JSCA's training activities to be "useful" or "very useful."

<p>3.3 To generate and distribute instruments designed to improve the information available on justice in the Americas.</p>	<ul style="list-style-type: none"> • There is a steady increase in the number of individuals that visit our Website and the number of institutional Websites with a link to JSCA. • There is a steady increase in the number of subscribers to Nexus newsletter. • There is a steady increase in the number of subscribers to <i>Judicial Systems Journal</i> and the number of references to articles published therein found in academic information systems. • There is a steady increase in those who find JSCA's virtual products and publications to be "useful" or "very useful." • There is a steady increase in the number of media publications that cite or refer to JSCA products or activities.
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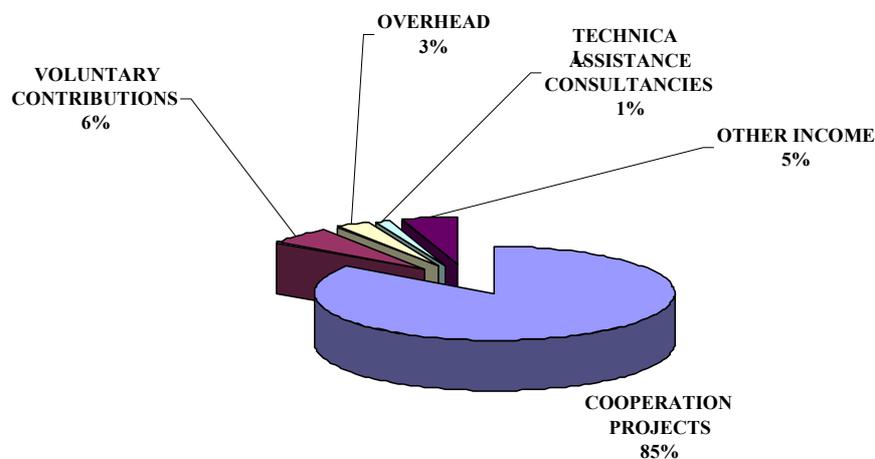
APPENDIX 2: FINANCES

The tables below show JSCA's estimated income in 2005 and a list of sources of funding for each of the projects we propose to implement next year.

Income that JSCA is highly likely to receive in 2005 is included below. Income from projects and contracts currently being negotiated are not included, and should certainly increase the figures below.

SOURCE	COOPERATION PROJECTS	SELF- GENERATED				TOTAL
		VOLUNTARY CONTRIBUTIONS	OVERHEAD	TECHNICAL ASSISTANCE	OTHER INCOME	
USAID	735,388		73,415			808,803
FORD	20,000					20,000
CIDA	238,940		35,841			274,781
HEWLETT	100,000					100,000
IDB	100,000					100,000
WORLD BANK	47,500					47,500
UNDP	11,000					11,000
CHILEAN GOVERNMENT		80,000				80,000
MEXICAN GOVERNMENT- PGR		34,935				34,935
MINISTRY OF JUSTICE- CHILE				100,000		100,000
SEMINAR REGISTRATIONS					90,655	90,655
JUDICIAL SYSTEMS JOURNAL					2,280	2,280
INTREST EARNED					1,000	1,000
TOTAL	1,352,828	114,935	109,256	100,000	93,935	1,670,954

The above figures show an increase in the proportion of JSCA income that is self-generated (26% in 2005 compared to 15% in 2004) and a decrease in the percentage of income derived from cooperation projects (74% in 2005 against 85% in 2004). This is in line with JSCA's institutional objective and is also reflected in the graph below:



The table below shows the source of funding for each of the activities that JSCA proposes to implement in 2005:

ACTIVITY	USAID	CIDA	HEWLETT	IDB	FORD	UNDP	DONATIONS	OTHER	REVENUE FROM JSCA ACTIVITIES
Pilot Criminal Justice Project	■		■		■		■		■
Criminal Prosecution Study	■								
Follow-up Study on Criminal Justice Systems			■				■		
Evaluation of Chile's Criminal Procedure Reform							■		
Manual for Public Defender's Offices						■			
Program for Training Trainers		■	■				■		
Other Training Activities for the Criminal Procedure Reform		■	■				■		
Inter-American Seminar on Criminal Prosecution	■						■		
Inter-American Meeting of Public Defender's offices (and Caribbean Meeting)	■								
Development of Information Systems				■			■		
Judicial Indicators for Central America							■		■
Report on Judicial Systems (2004-2005)		■							■
Access to Judicial Information									■
Technical Assistance for Judicial Management							■		■
Pilot Project on Managing Hearings							■		■
Third Inter-American Seminar on Judicial Management	■						■	■	■
Principles of Judicial Ethics									■
Study on Judicial Governance									■
Spending on Justice									■
Civil Justice									■
Inter-American Seminar on Judicial Reforms	■								■
Mediadores en Red Meeting									■
Inter-American Seminar on Civil Justice Reforms	■								■
Regional Judicial Reform Training Program								■	
Internships	■						■	■	
Virtual Information Center	■								
Virtual Library									
Virtual Fora		■							
Judicial Systems Journal	■								
Nexus Newsletter									■
Publications on Mediation									■

APPENDIX 3: IMPLEMENTATION SCHEDULE

ACTIVITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Criminal Justice Pilot Project												
Criminal Prosecution Study												
Follow-up Study on Criminal Justice Systems												
Evaluation of Chile's Criminal Procedure Reform												
Manual for Public Defender's Offices												
Program for Training Trainers for CPR												
Other Training Activities												
Inter-American Seminar on Criminal Prosecution												
Inter-American Meeting of Public Defender's offices (and Caribbean Meeting)												
Development of Information systems												
Judicial Indicators for Central America												
Report on Judicial Systems in the Americas (2004-2005)												
Access to Judicial Information												
Technical Assistance for Judicial Management												
Pilot Project on Managing Hearings												
Third Inter-American Seminar on Judicial Management												
Principles of Judicial Ethics												
Study on Judicial Governance												
Spending on Justice												
Civil Justice												
Inter-American Seminar on Judicial Reforms												
Mediadores en Red Meeting												
Inter-American Seminar on Civil Justice Reforms												
Distance Learning Course on Judicial Reform: Improving Governance												
Internships												
Virtual Information Center												
Virtual Library												
Virtual Fora												
Judicial Systems Journal												
Nexus Newsletter												
Publications on Mediation												