



**JUSTICE STUDIES CENTER OF THE AMERICAS  
QUARTERLY REPORT OCTOBER-DECEMBER 2008**

**A. FULFILLMENT OF JSCA’S INSTITUTIONAL GOALS**

***INSTITUTIONAL GOAL 1. To develop in-depth studies of justice systems and promote innovative approaches to the discussion of judicial reform.***

Indicators	Results
A broad local and regional debate is generated by our studies.	Two roundtable discussions were held in Lima and Trujillo regarding the study “Criminal Procedure Reform in Peru: Progress and Challenges based on the Experiences of Huaura and La Libertad.” Six reports developed by JSCA were presented at the International Seminar on Pretrial Custody.
Our studies are cited in other research.	During this period, the document “Perspectives of the Use and Impacts of ICT in Justice Administration in Latin America,” which was developed by JSCA in collaboration with Microsoft, was presented.
Funding is captured in order to carry out our studies.	We are working on cooperation actions and organizing a visit for a Haitian delegation for January 2009 with the collaboration of the Chilean International Cooperation Agency (AGCI).

**RESEARCH AND PROJECTS**

**1. Follow-up Report and Evaluation of Criminal Procedure Reforms- Province of Buenos Aires, Argentina**

During this period, our academic team reviewed the preliminary version of the Evaluation of the Process of Strengthening the Adversarial System in the Province of Buenos Aires. The comments issued by the province’s Attorney General’s Office were included and are being incorporated into the final text by its authors, Argentinean experts Luciano Hazan and Alan Iud.

The final report is ready and will be published in March 2009.

## **2. Follow-up Report and Evaluation of Criminal Procedure Reforms –Trujillo**

The Follow-up and Evaluation Report on the Implementation of the Criminal Procedure Reform in Peru, entitled “Criminal Procedure Reform in Peru: Progress and Challenges based on the Experiences of Huaura and La Libertad,” was presented on December 17 in Lima.

The event featured the participation and comments of Doctor Francisco Távara, Chief Justice of the Peruvian Supreme Court, and representatives of the Public Prosecutor’s Office, Ministry of Justice and National Police. The presentation of the study continued on December 18 in the city of Trujillo in the *departamento* of La Libertad.

The two validation sessions were held at the offices of the Peruvian Judicial Branch and featured the participation of justice sector authorities and representatives of civil society. Executive Director Cristián Riego, Training Director Mauricio Duce and Nataly Ponce, the consultant who is responsible for the study, attended in representation of JSCA.

Ponce visited two districts in which the Peruvian Criminal Procedure Code reform is operating, Huara and Trujillo. She conducted empirical research on the operation of the new system, meeting with justice system operators, the leaders in charge of the process, and representatives of the various institutions.

The study analyzes the two years that have passed since the implementation of the new code and explores the main challenges that remain for its continuation. The topics addressed include the progress and challenges in the areas of the use of oral procedures and litigation, transparency and hearings, unclogging the system, criminal investigation and prosecution, strengthening the public defender’s office, and victims’ assistance services.

## **3. Project on Evaluating and Supervising the Use of Pretrial Custody**

On November 13, 2008, the international seminar “Challenges of the Use of Pretrial Custody for Criminal Procedure Reform: Evaluation and Perspective” was held in Bogotá, Colombia. The event was organized by JSCA, the Open Society Institute and Universidad del Rosario.

A series of panels focused on specific experiences in countries throughout Latin America was organized. Speakers discussed the cases of Bolivia, Chile, Colombia, Ecuador, Guatemala and Honduras, among others. The presentations were followed by plenary sessions, which started with a keynote speaker and flowed into discussion panels that focused on different approaches and allowed for audience participation.

The event was attended by over 100 people, more than 40% of whom were not residents of Colombia.

The following day a closed workshop was held for experts in this field from countries around the region. The purpose of the exercise was to discuss the specific steps to be taken and opportunities for intervening in the problem of excessive use of pretrial custody. Representatives from Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Peru and the United States were in attendance.

Work is currently being done on the final versions of the reports that are to be published during the first trimester of 2009.

#### **4. Support for Haiti's Judicial System**

With the support of the United Nations Development Program (UNDP), the Ministry of Justice of Canada and the collaboration of the Ministry of Justice of Haiti, JSCA organized the Seminar on the Criminal Justice System and Rule of Law. The event was held October 6-10 in Port-au-Prince, Haiti.

The objective of the seminar was to present to the Haitian legal community the trends and experiences in judicial reform that have taken place in the rest of the region and, based on that information, to generate discussions of best practices that involve the judicial sector of Haiti with the progress that is being made in the rest of the continent in order to import knowledge and key institutional practices to its system.

In order to facilitate this process, the seminar organizers formed a group of French-speaking experts with knowledge of judicial reform processes. They represented Argentina, Bolivia, Canada, Chile, Costa Rica, the Dominican Republic and El Salvador.

The course was composed of five modules that addressed the following topics: experiences in the criminal justice reform process in countries around the region; mutual legal assistance in criminal law and international cooperation; management of judicial information; protection of fundamental rights in rule of law; and judicial independence.

Following the event, work is being done in cooperation actions and a visit is being organized for a Haitian delegation for January 2009 with the collaboration of the Chilean International Cooperation Agency, AGCI.

#### **MANAGEMENT AND INFORMATION**

##### **5.- White Book on the Use of Technology in Justice**

JSCA presented this text at the VI Seminar on Judicial Management and II Ibero-American Conference on Judicial Cooperation: Digital Justice, which was held in Santiago on November 4 and 7 and organized by the Latin American Judges' Network (REDLAJ). The publication was developed jointly by JSCA and Microsoft and disseminated through the JSCA Website and Nexus Newsletter.

##### **6.- IV Index on Online Access to Judicial Information**

This study has been submitted to representatives of Supreme Courts and Public Prosecutor's Offices in order to generate discussion and comments.

It was presented by JSCA Executive Director Cristián Riego on Thursday, November 27 at the Roundtable Discussion "Challenges to Transparency and Access to Public Information in the Judicial Branch." The activity, which was held in Santiago de Chile, was organized in collaboration with the Due Process of Law Foundation and Fundación Pro Acceso.

It also was presented by JSCA Board of Directors President Jaime Arellano at the Andean Regional Seminar "Judicial Transparency: Best Practices from Civil Society and the Judicial Branch" in La Paz, Bolivia on November 20 and 21.

## **7.- VI Inter-American Seminar on Judicial Management**

The VI International Seminar on Judicial Management “Progress and New Challenges in Judicial Management” was held October 8 and 9 in Asunción, Paraguay. The event was organized by JSCA in collaboration with the Supreme Court of Paraguay and enjoyed the support of the Judicial Research Center of Paraguay and the USAID Threshold Program.

Twelve papers were selected through a regional competition for presentation at the event. Their authors, who came from Argentina, Bolivia, Chile, Costa Rica, Mexico, Nicaragua and Peru, referred to successful and/or innovative experiences in management applied in their respective countries.

JSCA was represented by Leticia Lorenzo, Cristián Hernández and Adrian Medrano.

The event was attended by over 50 foreign participants including audience members, presenters and the authors of the 12 papers selected for presentation, as well as 70 local participants.

## **8.- Support for the Planning and Implementation of the Criminal Procedure Reform in Panama**

A group of four JSCA professionals traveled to Panama from Monday, October 13 through Friday, October 17 in order to initiate the execution of a project co-funded by JSCA and the EUROsociAL Justice Program. The purpose of the effort was to support the process of planning and implementing the country’s criminal procedure reform, which is scheduled to be introduced in October 2010 in one of the country’s four judicial districts. The first activity included workshops for a group of about 30 officials from the Judicial Branch of Panama, meetings with key officials from justice institutions, and a lecture at a national conference for criminal trial judges.

The project will continue through March 2009.

## **9.- Results-Oriented Management Course (IDB)**

The regional conference “Results-oriented Management in Justice Administration,” which was organized by the Inter-American Development Bank, was held November 24 and 25 in Lima, Peru. The event enjoyed the support of the Judicial Branch and Ministry of Justice of Peru and the technical assistance of JSCA and was attended by 120 international participants.

The purpose of the workshop was to better understand the theoretical aspects of results-based management and its application in judicial systems. Participants exchanged key international experiences in this area and discussed conditions for its applicability for the judicial systems of the participating nations.

## **10.- Verifiable Judicial Indicators Project and the Ibero-American Judicial Statistics Plan**

The bidding process for a computer application for visualizing judicial indicators produced by the verifiable indicators project funded by IDB and JSCA has ended. Indra S.A. won the process and is currently executing the project. It has requested that the 11 participating countries ratify the information that has been submitted so that it can proceed with the corresponding calculations.

### 11.- Report on Judicial Systems in the Americas 2008-2009

Work has continued on this project. This quarter we have received and classified responses submitted by institutions from the 34 member states. We also have begun to select interns who will work at JSCA on the country reports and other projects.

### 12.- Support for the Judicial Branch of the Province of Mendoza, Argentina

The project “Support for the Development of the Terms of Reference for Projects Funded by the World Bank for the Judicial Branch of Mendoza” was completed.

### 13.- Visit to Santa Fe

Management and Information Area Coordinator Cristián Hernández participated in various activities related to the implementation of the criminal procedure reform in the Province of Santa Fe, Argentina between October 27 and 29. JSCA was asked to provide technical support in order to plan administrative aspects and judicial office management. The support will be provided between October 2008 and March 2009.

***INSTITUTIONAL GOAL 2. To promote regional cooperation and the exchange of experiences among key justice system actors.***

Indicators	Results
A sustained increase in applications for internships.	Seven requests for information were received from people interested in participating in our pro bono internship program. Two came from Argentina and one each from Chile, Colombia, Nicaragua, Ecuador and Peru.
A sustained increase in the number of people and institutions who apply JSCA solutions and request training.	During this period, JSCA held six training activities in the areas of litigation and management for various entities around the region. JSCA also organized and/or participated in five seminars in different Latin American countries.
A sustained increase in the number of people who rate our training activities as useful or very useful.	94.7% of the students who completed our Advanced Course evaluated its general development as excellent or very good. 65.8% stated that it was excellent. The coordination and support work of JSCA’s staff was rated as excellent or very good by 91.8% of the participants.

## 2.1 Training

### 14.- Inter-American Program for Training Trainers for Criminal Procedure Reform

This quarter the last two modules of the intermediate course were held. The period ended on October 26. As had occurred in previous courses, students evaluated the design and contents. The results are presented below.

#### Please rate the course contents.

Modules	Very good	Adequate	Sufficient	Insufficient
7 - 10	65.8%	28.9%	2.6%	2.6%

These results show that the last four modules were rated highly, with 94.7% of participants stating that the contents were very good and adequate.

#### Please rate the way in which the contents were addressed.

Modules	Entertaining and dynamic	Interesting	Nothing special	Boring and slow
7 - 10	65.8%	31.6%	2.6%	0%

94.7% of participants found the presentation of the contents to be entertaining and interesting.

In regard to the time students needed to complete each module, the evaluation showed the following:

	Module 7	Module 8	Module 9	Module 10
<b>More</b>	20 hrs	20 hrs	20 hrs	20 hrs
<b>Less</b>	2 hrs	1 hr and 30 min	1 hr	1 hr
<b>Median</b>	3 hrs	3 hrs	5 hrs	3 - 10 hrs
<b>Average</b>	3.2 hrs	2.4 hrs	3.2 hrs	2.7 hrs

The final stage of the Inter-American Program, the advanced course, was held November 24-28 in Santiago de Chile.

A total of 48 students attended and Carlos Maillard, who did not complete the program in 2007, did so this year.

The students evaluated the activity, with 94.7% rating the course as excellent or very good overall. 65.8% rated it as excellent. JSCA teaching staff also received good evaluations, as shown below:

<b>Mauricio Duce</b>	1	2	3	4	5
Expertise in this area			2.6%	5.3%	92.1%
Ability to communicate ideas				13.2%	86.8%
Handling of participants' interaction and participation				5.3%	94.7%

<b>Leticia Lorenzo</b>	1	2	3	4	5
Expertise in this area		2.6%	7.9%	13.2%	76.3%
Ability to communicate ideas		2.6%	7.9%	21.1%	68.4%
Handling of participants' interaction and participation	2.6%		10.5%	15.8%	71.1%

<b>Cristián Riego</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Expertise in this area			2.7%	5.4%	89.5%
Ability to communicate ideas			5.4%	18.9%	75.7%
Handling of participants' interaction and participation			2.7%	16.2%	81.1%

Mauricio Duce, Leticia Lorenzo and Cristián Riego received high marks in the area of expertise, with 85% of participants rating them as excellent or very good. The same occurred in the section on the instructor's ability to communicate his or her ideas.

Finally, the coordination and support work of JSCA's support staff was rated as excellent or very good by 91.8% of participants.

This quarter six local replicas were implemented by Program graduates. Four were seminars and lectures and two involved skills acquisition courses. More detailed information is presented below:

<b><u>Student</u></b>	<b><u>Replica</u></b>	<b><u>Location</u></b>	<b><u>Date</u></b>	<b><u>Number of Participants</u></b>
<i>Natalia Gambaro</i>	Course on Litigation Techniques for Oral Trial	Province of Santiago del Estero, Argentina.	September 11-13	35
<i>Washington Pesantez Patlova Guerra</i>	International Seminar on Effective Oral Procedures	Quito, Ecuador	October 2	100
<i>Washington Pesantez Patlova Guerra</i>	Training Course on Oral Trials Involving Cases in which the Defendant Was Caught in the Act	Quito, Ecuador-	October 1-3	90
<i>Ana Solano Linda</i>	Symposium on Adversarial Criminal Justice: Positive Innovative Experiences of Prosecutor's Offices in Ibero-America	Bogotá, Colombia	November 20-21	200
<i>Vinko Fodich Carlos Maillard</i>	Critical Points of the Relationship between the Prosecutor's Office and the National Police of Peru in the Context of the Application of the New Criminal Procedure Code	Lima, Peru	December 15	20
<i>Victor Burgos</i>	First International Conference on the Analysis of the Application of New Criminal Justice Models in Peru	Trujillo, Peru	December 18	120

## **15.- Virtual Courses**

This quarter we developed two virtual courses. The first focused on criminal procedure reform and gender issues. Two of the four documents upon which the course modules will be based are ready for publication.

The second course focuses on the organization and management of the public defender's office. This course is in the initial stages of development.

## **16.- Visits**

### **Visit by the Argentinean Federal Magistrates**

A group of 14 magistrates from various Argentinean provinces visited October 6-8 in order to learn about the operation of Chile's criminal procedure reform in the city of Santiago.

Participants observed hearings and met with Chilean reform operators in order to obtain a global vision of the system's operation.

**Visit by a Delegation of Students Pursuing a Certificate on Peru's Criminal Procedure Code** (Organized by the Center for Research and the Improvement of the Quality of Justice Administration Service, CIDAJ, of the Universidad Católica Santo Toribio de Mogrovejo Law School).

JSCA organized a visit for 14 students from Universidad Católica Santo Toribio. The delegation, which was in Chile from October 13 through October 16, was composed of judges and attorneys in private practice and included the Chief Justice of the Court of Lambayeque.

## **17.- Other Seminars, Workshops and Activities**

### **Training Program for the Secretariat of Public Safety of Mexico**

This program, which included the participation of 40 members of the agency, focused on the teaching of litigation and was held December 8-12.

Leticia Lorenzo, Mauricio Duce and Fernando Santelices participated in the exercise.

### **Mendoza Training Program**

JSCA organized a training program on litigation techniques for oral trial and preliminary hearings for the Magistrate's Council of the Province of Mendoza. The event, which ran December 9-11, featured the participation of JSCA consultant Felipe Marín, Training Area assistant Claudio Fuentes and JSCA Executive Director Cristián Riego as faculty members.

Approximately 40 students completed the program.

### **Santa Fe Province Training Program**

JSCA organized two training activities on oral litigation and preliminary hearings for the Supreme Court of the Province of Santa Fe.

The first was held in Rosario from October 22 to October 24. JSCA consultants Marcelo Cabrera and Judge Alberto Merino participated in the activity.

The second was held December 17-19 in the city of Santa Fe. Mr. Merino again participated but on this occasion he was accompanied by Roberto Rabi.

An average of 35 people attended each event.



## 18.- Internship Program

### ◆ Pro Bono Internships

We received seven requests for information about the pro bono program this quarter. Two came from Argentina and one each was received from Chile, Colombia, Nicaragua, Ecuador and Peru.

The following internship concluded this quarter:

INTERN	COUNTRY OF ORIGIN	DATES	UNIVERSITY	WORK COMPLETED
Melissa Price	USA	Late August-December 2008	Berkeley, Law School	- Report - Research on Pretrial Custody

The following internship began during this quarter:

INTERN	COUNTRY	DATES	UNIVERSITY	MAJOR	WORK COMPLETED
Luis Fuentes	Chile	December-	Universidad Diego Portales	Law	- Report on Judicial Systems in the Americas

***INSTITUTIONAL GOAL 3: To generate and disseminate instruments designed to improve the quality of information on justice in the Americas.***

#### a) Website

Work in this area was focused on maintaining existing applications and technical support. The Website was moved to a new host in early December.

#### *E-Learning Platform*

The platform continued to develop the Inter-American Training Program and the virtual course “Challenges to the Public Prosecutor’s Office and Criminal Prosecution in Latin America” came to an end.

#### Visits to the Website

There was a 0.28% decrease in visits to the JSCA Website as compared to the previous quarter. However, requests for information about its contents increased by 0.57%.

Requests for information through About JSCA increased by 10.6%. This means that there were more requests for information about various contents and a small decrease in the number of visitors. The below table and figure show the respective trends:

	Direct Access		Sub-options	
Section	Direct Hits	Variation (compared to previous quarter)	Options Hits	Variation (compared to previous quarter)
Home	18,091	-0.32	49,101	-0.18
About JSCA	4,032	-0.20	101,653	10.60
Research	1,147	-0.19	2,702	-0.24
Library	1,023	-0.31	24,893	-0.30
Training	1,108	-0.12	2,463	-0.36
Publications	1,050	-0.05	640	-0.67
Calendar	1,446	-0.22	5,583	-0.04
TOTAL	27,897	-0.28	187,035	0.57

- (1) Direct Access to the Homepage corresponds to the number of Website visitors and Sub-options corresponds to surfing the content of our Homepage.

## **COMMUNICATIONS AND PUBLIC RELATIONS**

<b>Indicator</b>	<b>Results</b>
There is a sustained increase in the number of people who subscribe to Nexus Newsletter.	Nexus Newsletter currently has <b>9,877</b> subscribers, which shows that there has been constant growth. There has been an <b>11%</b> increase in subscribers since this same quarter last year, when there were 8,895.
There is a sustained increase in the number of mentions of JSCA in the social media.	JSCA experts have been asked to grant interviews on a regular basis by various mass media outlets.  We regularly receive requests for permission to incorporate JSCA articles and studies into the publications, Websites and other communications inputs of the mass media and specialized media outlets.
There is a sustained increase in the number of documents that are uploaded to our Virtual Library.	We regularly receive requests for permission to upload articles, papers and documents to the Virtual Library.
There is a sustained increase in the number of documents and materials that are added to our Physical Library.	Twenty new titles were added this quarter, including audiovisual material, books, newsletters and journals.  This quarter we received visits from students from various Chilean universities and foreign students who were completing internships in Chile.

## **28. Nexus Newsletter**

Three monthly issues of the newsletter were produced and published in Spanish and English this quarter.

A total of 9,877 people have subscribed to the Newsletter (7,586 in Spanish and 2,291 in English). This indicates that the number of subscribers has increased over time. During the same quarter in 2008 the newsletter had 8,895 subscribers.

## **29. Press Coverage**

A total of 55 mentions of JSCA were made in the media this quarter (14 in the local media and 41 in the regional press).

Publicity campaigns designed to promote JSCA training courses, events or activities were developed, and press releases were issued to the specialized media and institutions throughout the region.

One of the activities promoted was the VI International Seminar on Judicial Management “Progress and New Challenges in Judicial Management,” which was held October 7 and 8 in Asunción, Paraguay. A regional call for papers and registration was issued. We also promoted the International Seminar “Challenges of Pretrial Custody in Criminal Procedure Reform: Evaluation and Perspective,” which was held in Colombia in November. The third event was the II Alumni Meeting held in November, which was promoted among alumni network members.

JSCA experts also have been asked to grant interviews and write opinion columns in important media outlets.

## **30. Virtual and Physical Libraries**

We continue to add new documents to the Virtual Library. This quarter an additional 68 online documents were made available (including articles and laws). The Virtual Library currently holds **6,350** documents (4,608 in Spanish and 1,742 in English), which represents an increase of nearly 2% as compared to the previous quarter.

We also added 20 new titles to the Physical Library, which now has **2,715** documents including books, journals, manuals, theses, newspapers, CDs and DVDs.

As has occurred during previous quarters, this period several students from Chilean and foreign universities visited our headquarters. They are generally looking for material for their theses and work on site at the library, photocopy materials or borrow books for a few days.

Finally, the libraries of various justice institutions have continued to send us copies of their publications. The publication exchange system continues to produce good results.

## **B. JSCA'S INSTITUTIONAL DEVELOPMENT**

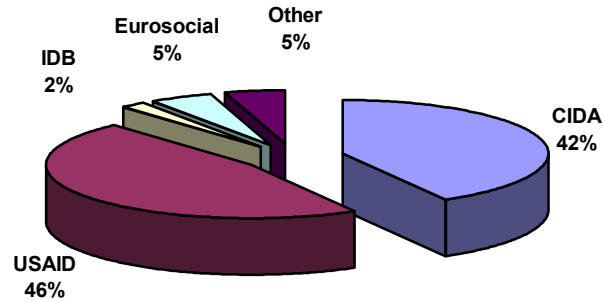
### **1. Financial Information**

<b>SOURCE</b>	<b>Starting Balance</b>	<b>Income</b>	<b>Expenditures</b>	<b>Final Balance</b>
<b>USAID</b>				
<i>Activities</i>	-125,009	213,755	98,203	-9,457
<i>Overhead</i>	-21,633	32,063	14,730	-4,301
<i>Interest</i>	4,388	319		4,707
<b>CIDA</b>				
<i>Activities</i>	138,923	195,051	192,955	141,019
<i>Overhead</i>	15,289	23,406	23,155	15,541
<i>Interest</i>	14,551	1,908		16,458
<b>EUROSOCIAL</b>	-1,906	26,750	33,481	-8,638
<b>USAID GUATEMALA</b>	106			106
<b>IDB</b>				
<i>Activities</i>	22,130		3,000	19,130
<i>Activities 2</i>		9,600	13,034	-3,434
<b>Other Sources</b>				
<i>General Fund</i>	714,106	24,874	69,636	669,344
<b>TOTAL</b>	<b>760,944</b>	<b>527,725</b>	<b>448,194</b>	<b>840,476</b>

## 1. INCOME AND EXPENDITURES

### 1.1.1. ANALYSIS OF INCOME FOR OCTOBER-DECEMBER 2008

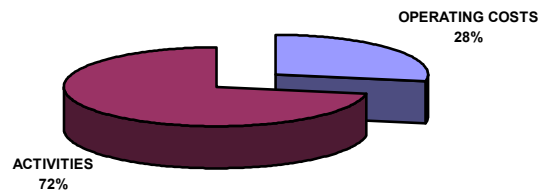
Most of the contributions received during this period came from CIDA and USAID.



## 1.2 ANALYSIS OF EXPENDITURES

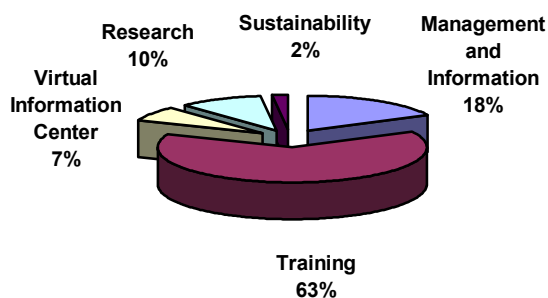
### 1.2.1 DISTRIBUTION OF TOTAL SPENDING (%)

During this quarter, the percentage of spending that went to activities increased from 68% to 72% while spending on operating costs dropped from 32% to 28%.



## 1.2.2 DISTRIBUTION OF SPENDING BY ACTIVITY (%)

Most of the spending on activities was directed at training activities.



## 1.2.3 DETAILED DESCRIPTION OF SPENDING ON ACTIVITIES

<b>2. Activities</b>	
<b>a) Research</b>	
Follow-up studies	11,173
Monitoring and evaluation studies	19,001
<b>b) Training</b>	
Training salaries	44,696
Inter-American Training Program	34,599
Specialized virtual courses	10,563
Innovation projects	10,383
International meetings and seminars	52,632
Organization and participation in conferences	5,711
Local replicas	12,546
Strategy course	13,095
Internships in Canada	2,384
Haiti Training	3,928
<b>c) Management and Information</b>	
Results-based Management Workshop	13,034
Measuring verifiable judicial indicators and standards	3,000
Consultancies	12,215
Eurosocial- Panama	24,671
<b>d) Information Center</b>	
Website	2,182
Newsletters and reports	18,518
<b>e) Sustainability</b>	
Sustainability actions	5,768
<b>Sub Total</b>	<b>300,101</b>

