



JUSTICE STUDIES CENTER OF THE AMERICAS

QUARTERLY REPORT JULY-SEPTEMBER 2009

A. FULFILLMENT OF INSTITUTIONAL GOALS

INSTITUTIONAL OBJECTIVE 1: To conduct in-depth studies of justice systems and promote innovative contributions to the discussion of judicial reform.

Indicator	Results
A broad local and regional debate is generated by our studies.	The preliminary versions of the country studies for the report “Challenges to the Investigation and Prosecution of Crime in the Americas” were presented at a workshop in Santiago. The event was attended by over 50 actors and experts from the criminal prosecution system in the region.
Our studies are cited in other research.	The publication “Pretrial Detention and Criminal Procedure Reform in Latin America: Evaluation and Perspective” has been presented to the Latin American community through two seminars.
Countries around the region implement initiatives based on our studies.	The visit by officials from Santa Fe, Argentina was fundamental to the final approval of new statutes by the province’s legislature in September.

RESEARCH AND PROJECTS

1. Study on “Challenges to the Investigation and Prosecution of Crime in the Americas”

Local consultants who have agreed to work on this study made progress on the field work and drafting of country studies and the comparative report during July and August. The country studies focus on experiences in Argentina, Chile, Mexico, Venezuela, Colombia and Peru. Work also was done on the process of formulating said studies. The project coordinator, Peruvian consultant Nataly Ponce, led periodic virtual meetings in order to monitor the progress that was being made with the reports.

A workshop attended by over 50 criminal prosecution professionals and experts from around the region was held on September 25 in Santiago, Chile. It began with the presentation of the preliminary results of the country reports and generated discussions that enriched the studies through the contributions of those who actually handle criminal investigations in their countries. The study will be published during the first trimester of 2010 and disseminated throughout the region. There are plans to hold presentations in the countries involved in the final report.

2. Study on Pretrial Detention

The publication “Pretrial Detention and Criminal Procedure Reform in Latin America: Evaluation and Perspective” has been presented to the Latin American community through two seminars. The first was held 5 June 2009 in La Paz, Bolivia by members of the JSCA Alumni Network in coordination with the Ombudsman’s Office and National Prison Directorate. The second took place 5 August 2009 in Santiago, Chile and was organized in collaboration with the National Public Defender’s Office.

This publication is designed to serve as an initial consideration of changes that have taken place in the area of pretrial detention during the reform process. To that end, it includes a general report that offers specific information on the trends regarding pretrial detention in Latin American nations since the implementation of criminal justice reforms. It also includes seven country reports that provide more detailed descriptions of the cases of Bolivia, Colombia, Chile, Ecuador, Guatemala, Honduras and Venezuela.

Some 1,000 print versions of the publication have been distributed and it has been made available on our Website in PDF format.

3. Support for Haiti’s Judicial System

In July, JSCA sponsored the visit to the Dominican Republic of the Special Commission for the Modernization of the Criminal Code and Criminal Instruction Code and the Presidential Commission for the Reform of Justice in the Republic of Haiti.

The activity forms part of the Program to Support the Haitian Justice System that JSCA has been developing since 2007.

4.- Research on the Implementation of a Hearing-based Management Model in Guatemala

During the week of September 28, JSCA staff visited the cities of Quetzaltenango, Huehuetenango, Sololá, Cobán, Chiquimula, Zacapa and Guatemala to observe the operation of the criminal justice system. The purpose of the activity was to gather information and develop a report on the operation of the Guatemalan system. The focus of the series of meetings that was held was the implementation of oral procedures during preliminary hearings and the design of innovative management systems that will allow staff to correct the problems detected.

The report is being reviewed and we plan to present it during the first quarter of 2010.

5.- Study on Appeals Regimes in Adversarial Criminal Procedure Systems in the Americas

The purpose of this study is to describe the system for appealing definitive sentences in criminal cases in procedure systems that have adversarial and oral models in the Americas. Its focus will be the normative-theoretical design and practical operation of the system at the case law level. Six case studies were selected for this project.

The report was finalized in August 2009 by JSCA at the request of the Inter-American Commission on Human Rights.

The study will be presented on Monday, November 9 by JSCA's Executive Director, Cristián Riego, and JSCA Board Member Marc Rosenberg before the Commission during its 137th period of sessions in Washington.

MANAGEMENT AND INFORMATION

5.- Report on Judicial Systems in the Americas 2008-2009

Work has continued on this publication. During this period, we received and classified the answers of institutions from the 34 countries that were asked to provide information. The report is being drafted by a team of seven foreign professional interns.

6. Support for Strengthening Justice in Panama

The Judicial Branch of Panama has continued to ask for and receive JSCA's support for diverse activities in preparation for the implementation of Phase I of the new adversarial criminal justice system. It has decided to continue to work with the Center based on the results achieved during 2008 and 2009. Phase I was to begin in early September of this year, but the Judicial Branch decided to postpone its implementation until 2011.

7.- Implementation of the Criminal Procedure Reform in Santa Fe, Argentina

JSCA continues to collaborate with the province's government in order to participate in and provide technical support for institutional and legislative adjustments and training for the officials who will apply the new regulations.

During this period, an exchange program was held August 24-26 for members of parliament and the judicial and executive branches of the province. The purpose of the exercise was to give the participants an opportunity to learn more about the Chilean criminal procedure system.

The delegation of 34 individuals included representatives of the three branches of government including the Vice Governor, Griselda Tessio; Minister of Justice and Human Rights, Héctor Superti; Santa Fe Supreme Court Chief Justice, Roberto Falistocco; Director of the Criminal Procedure System Transformation, Víctor Moloeznik; members of congress and senators; members of the Judicial Branch; and journalists who work for specialized publications.

8.- Supporting Efforts to Strengthen Guatemala's Judicial Branch

During this period, the final report on the project "Generating Judicial Information, Monitoring of Support Programs for Judicial Reform in Guatemala" was finished and submitted. The main objective of this effort, which was financed by USAID Guatemala, is to "*design and implement mechanisms and procedures that facilitate the periodic generation of indicators in the area of criminal justice in the Guatemalan Judicial Branch based on the correct use of the new case monitoring computer system through the creation of a critical mass of people who are trained in the effective use of the system and can disseminate it in the criminal courts.*" During this quarter, two visits were held, one in Santiago, Chile and one in Buenos Aires, Argentina, in order to show delegates how the countries' judicial branches have developed and implemented computer systems in support of justice administration and how their use has been integrated into the operation of the criminal courts.

9.- V Index of Online Access to Judicial Information

JSCA is currently developing the “Index of Online Access to Judicial Information” with the collaboration of Daniela Garretón, an intern from Georgetown University.

As has been the case in the past, the publication will describe the progress and setbacks observed in the work done by the courts and prosecution services of the Americas to facilitate online access to information. The results for 2009 will be compared to those from previous years in each category and indicator of analysis of the level of judicial transparency.

The study, which is being developed with information available online through July 2009, evaluates the basic and public information that the courts and prosecution services of the 35 OAS member states make available online. It compares its evolution –or, in some cases, involution- to the results obtained in 2004, 2006, 2007 and 2008 by JSCA.

This year’s index features more precise evaluation criteria and a scale associated with each indicator. The Websites of the institutions are accessed and a value is assigned in accordance with the criteria and evaluation scale based on methodological changes that make their study more objective.

The study will be presented by Adrián Medrano, a consultant with the Management and Information Area, and JSCA Board member Jaime Arellano on October 23 in San Carlos de Bariloche, Argentina during the VII Seminar on Judicial Management.

10.- VII Inter-American Seminar on Judicial Management

Work continued on the organization of the VII Inter-American Seminar on Judicial Management “Investing in Justice,” which is to be held October 22-23 in San Carlos de Bariloche, Argentina. The event will be organized by JSCA with the support of the Superior Court of Río Negro, Argentina. Sponsors include the Forum on the Study of Justice Administration (FORES), the Public Prosecutor’s Offices of Buenos Aires, the Federal Board of Superior Courts and Tribunals of Argentina, and the Patagonian Forum of Superior Courts.

The deadline for submitting papers for presentation to a regional competition was August 14. A total of 140 papers were received and 17 were selected for presentation.

The objectives of the seminar are to evaluate the cost of offering judicial protection; the efficiency of spending on justice and adequate budgetary planning; judicial reform projects from an investment perspective; and the processes of providing judicial system operators with tools and guides for effective cost estimates and involving budgetary specialists in this area.

INSTITUTIONAL OBJECTIVE 2: To promote regional cooperation and the exchange of experiences among key actors in the justice sector.

Indicator	Result
There is a sustained increase in the number of applications received for JSCA internships.	JSCA had eight interns this period and an internship program for three graduates of the Inter-American Training Program focused on pretrial detention was held in the United States.
There is a sustained increase in the number of institutions and individuals interested in applying solutions developed by JSCA and in receiving training for them.	During this quarter, JSCA held 10 training activities on litigation and management for agencies from countries around the region.

TRAINING

11.- Inter-American Program for Training Trainers for Criminal Procedure Reform

As was mentioned in the previous quarterly report, the IV version of this program was held this year. The e-learning program began on May 18 and continued this quarter.

We received applications from 18 countries in the region and Spain. The total number of 251 applicants represents an increase of almost 20% over the 2008 version, to which 213 people applied. One hundred and forty-one of the applicants (56%) were men and 110 (43%) were women. The selection process was held in March of this year and the list of accepted participants was published in April. In the end, 49 students attended the Basic Course.

The table below presents information on the number and percentage of students from each country:

Country	No. Students	Percentage
Argentina	9	18.3%
Bolivia	3	6.1%
Brazil	1	2%
Colombia	3	6.1%
Dominican Republic	1	2%
Ecuador	4	8.2%
Guatemala	1	2%
Honduras	4	8.2%
Mexico	3	6.1%
Nicaragua	2	4.1%
Panama	5	10.2%
Peru	11	22.4%
Spain	1	2%
Uruguay	1	2%
Total	49	100%

12.- III Inter-American Meeting of the Alumni Network of the Inter-American Program for Training Trainers for Criminal Procedure Reform

This meeting was held on September 24 as part of the activity “Evaluation of the Credibility of Eye Witnesses and Identification” developed by JSCA with the support of the National Judicial Institute of Canada, NJI. It featured panel discussions and working groups and was designed to promote knowledge of areas linked to the implementation of innovative initiatives in regional reform processes, strengthen joint work and evaluate opportunities for the same.

There also was a plenary session on legal and psychological aspects of the evaluation of witnesses’ credibility that featured the participation of Marc Rosenberg, Judicial Associate at NJI and JSCA Board member and the Center’s Executive Director, Cristián Riego.

The afternoon session consisted of a lecture entitled “Eye Witness Identification: Research from the Social Sciences and Legal Problems” offered by Susan Doyle, also of NJI.

Videos of hearings were prepared along with written documents that were distributed in CD format to participants. Fifty-eight alumni attended from Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Haiti, Honduras, Mexico, Panama, Peru, Uruguay and Venezuela.

13. Local Replicas of the Inter-American Program for Training Trainers for Criminal Procedure Reform

Table No. 2: Local Replicas

Workshop “Strengthening the Analysis Unit”	Workshop held for 14 prosecutors.	La Paz, Bolivia	July 2
Litigating at Hearings: The Role of the Judge and the Parties	Workshop featuring the participation of 33 individuals including prosecutors, public defenders, attorneys and law students.	San José, Costa Rica	July 4
Litigation at Pretrial Hearing	Workshop featuring the participation of 37 individuals including judges, court spokespeople and administrative staff.	Ica, Peru	August 7
Inter-Institutional Training Seminar on Litigation Techniques for Oral Hearings	This seminar, which was directed at justice system operators, was attended by 52 people including judges, prosecutors and public defenders from both common and military courts.	Managua, Nicaragua	August 13-17
Criminal Law Seminar at the Universidad Externado de Colombia	The seminar was attended by 500 people including students, professors and officials from around the country.	Bogotá, Colombia	August 19-21
Litigation Techniques for Oral Trial	Training course for prosecutors in the La Pampa province.	La Pampa, Argentina	August 31- September 2
Course on Oral Litigation	Training course offered to 20 litigators.	Río Negro, Argentina	September 14-16
Discussion on Direct Trial in Río Negro	This seminar was attended by 100 people including attorneys, criminal justice sector officials and members of the province’s Executive Branch.	Río Negro, Argentina	September 15
Workshop on Analysis and Planning of the Training Program on Litigation Techniques for Oral Trial	Training workshop offered to 10 individuals including prosecutors, defense attorneys and administrative staff.	La Plata, Argentina	September 16
Patagonian Conference on Criminal Procedure Law	This seminar was attended by 150 prosecutors, public defenders, judges and attorneys.	Neuquén, Argentina	September 17-19

14. Internship on Pretrial Detention in the U.S.

During the first week of September, a delegation composed of JSCA’s Mauricio Duce and Tobías Podestá, Víctor Moloeznik and Carolina Villadiego of the Alumni Network (REDEX) visited two pretrial services programs in the U.S. The visit to Washington, D.C. and Allegheny County, Pennsylvania, was organized by the Open Society Justice Initiative’s Presumption of Innocence Program in Mexico and the Institute for Security and Democracy of Mexico.

15. Virtual Course: “Introduction to Gender Issues in Criminal Justice in Latin America,” Development Phase

The virtual course on gender and justice is being developed. JSCA staff are working on the module contents and designing and uploading the material with the assistance of Mr. Ricardo Villarroel. The course will run from October 5 through November 29, 2009.

16. Pro Bono Internships

During the third quarter of 2009, JSCA finalized the following internships through institutional agreements:

INTERN	COUNTRY	DATES	UNIVERSITY	AREA OF STUDY	WORK PERFORMED
Andrea Calot	Argentina	May 4-September 5	Universidad de Congreso, Mendoza, Argentina	Technical Analyst in International Relations	- Report on Judicial Systems in the Americas
Afife Sanches	Dominican Republic	February 22-August 2009	Universidad Católica Madre y Maestra	Law Holds a Master's degree in Computers and Law from Universidad Complutense de Madrid, Spain	- Report on Judicial Systems in the Americas

The undergraduate internship for Chilean university students who worked on the Report on Judicial Systems in the Americas 2008-2009 ended in August.

The participants in this year's program were:

INTERN	COUNTRY	DATES	UNIVERSITY	AREA OF STUDY	WORK PERFORMED
Ricardo Valenzuela	Chile	April 20-August 20	Pontificia Universidad Católica de Chile	Law	- Report on Judicial Systems in the Americas
Luis Alejandro Bustamante	Chile	April 20-August 20	Pontificia Universidad Católica de Chile	Law	- Report on Judicial Systems in the Americas

The following pro bono internships ended during this period:

INTERN	COUNTRY	DATES	UNIVERSITY	AREA OF STUDY	WORK PERFORMED
Jessica Steele	USA	May 18-July 3	University of Florida Law School	Law	- U.S.A. and CARICOM chapters of the Report on Judicial Systems
Daniela Garretón	USA	May 25-August 15	Georgetown University Law School and Center for Latin American Studies	International Law	- V Index of Online Access to Judicial Information
Jaana Braz	Brazil	May 25-July 20	Universidade Federal de Minas Gerais (Brazil)	Law, Master's in Public Law with a mention in Constitutional Law at the Pontificia Universidad Católica de Chile	- Brazil and Haiti chapters for the Report on Judicial Systems

The following internship began during this quarter:

INTERN	COUNTRY	DATES	UNIVERSITY	AREA OF STUDY	WORK PERFORMED
Ricardo Lillo	Chile	September 1- November 1	Universidad Diego Portales	Law	- Report on Judicial Systems

17. Virtual Course on Managing the Criminal Justice Administration System

JSCA researchers are drafting the contents of this virtual course.

18.- Virtual Course on Innovations in Criminal Prosecution

JSCA consultant Andrés Baytelman is responsible for this virtual course. The contents of the course are currently being developed.

19.- Other Seminars, Workshops and Activities

Seminar on Civil Justice Reform	JSCA Program Director Mauricio Duce participated as a commentator on the panel “Oral Procedures and the Structure of Ordinary Justice.” The activity was organized by the Center for Judicial Modernization of the Universidad Diego Portales Law School.	Santiago, Chile	July 9
Course on Litigation at Pretrial Hearings	JSCA Academic Coordinator Leticia Lorenzo took part as a trainer in this activity, which was organized by the Trujillo Bar Association.	Trujillo, Peru	July 9-11
Seminar-Workshop “Modernizing Justice Administration: A Key Piece to More Effective and Efficient Justice”	JSCA Executive Director Cristián Riego presented on the regional perspective of ICTs in the administration of justice. The activity was organized by the Ministry of Justice of Spain.	Santa Cruz, Bolivia	July 20-22
International Symposium on Transitional Justice in Colombia: Four Years in the Context of the Law on Justice and Peace	JSCA Program Director Mauricio Duce participated in a working group that addressed the issue of judging participants in criminal activities committed by armed groups. The activity was organized by GTZ, the German Embassy in Colombia and the Public Prosecutor’s Office.	Bogotá, Colombia	July 23-24
Experts’ Discussion organized by Fundación Paz Ciudadana “Pretrial Detention: Costs and Impact of Criminal Procedure Reform”	JSCA Program Director Mauricio Duce presented the paper “La Prisión Preventiva en Chile: Impacto de la reforma Procesal penal y sus Cambios Posteriores.”	Santiago, Chile	July 29
Seminar “Building Justice and Peace”	JSCA Program Director Mauricio Duce presented on the JSCA follow-up study.	Caracas, Venezuela	August 6-7
Seminar on Adolescent Criminal Responsibility	JSCA Program Director Mauricio Duce presented the paper “El proceso Penal Juvenil: Desafíos y Problemas de la LRPA en Chile.” The event was organized by the Universidad Finis Terra Law School.	Santiago, Chile	August 27

INSTITUTIONAL OBJECTIVE 3: To generate and disseminate instruments designed to improve the quality of information about justice in the Americas.

21. Website

Most of the work performed during this quarter involved maintaining existing applications and providing technical support. The following activities were executed:

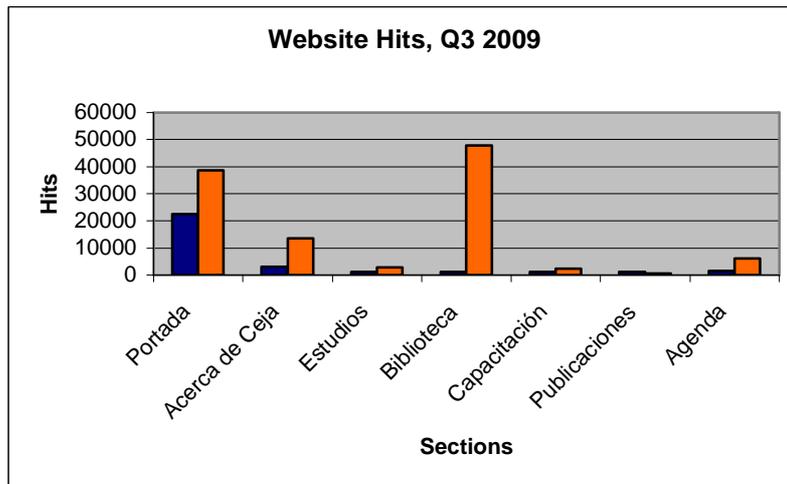
- The Virtual Course on Gender was launched using the new Dokeos platform. Students' passwords were assigned and technical support was provided.
- Two CDs were compiled. The first contains materials from the VII Seminar on Judicial Management and the second contains the V Index of Online Access to Judicial Information.
- The covers of the CDs were designed.
- Technical support continued to be provided for the old CEJAcampus platform for a course that ended in late October.
- Work has been performed on the new Joomla application for the Website www.cejamericas.org

Visits to the Website

Our statistics show that there was a 2% increase in visits to the Training section of our Website this quarter as well as an increase in visits to the Homepage.

The table and figure below show the trends identified:

Q3 2009	Direct Access		Sub-options	
	Direct Hits	Difference Previous Quarter	Options Hits	Difference Previous Quarter
Homepage	22,614	18.24%	38,665	-3%
About JSCA	3,140	0.13%	13,575	0%
Research	1,205	-2.82%	2,874	-3%
Library	1,156	5.57%	47,819	-10%
Training	1,157	13.21%	2,295	2%
Publications	1,127	7.03%	514	16%
Calendar	1,580	21.45%	6,131	20%
TOTAL	31,979	14.33%	111,873	-4%



Blue: Direct Hits, Orange: Sub-options

Sections: Homepage, About, Research, Library, Training, Publications, Calendar

(1) Direct access refers to Website visitors and Sub-options refers to navigation within the portal.

COMMUNICATIONS AND PUBLIC RELATIONS

3.2. Communications and Public Relations Area

Indicator	Results
1) There is a sustained increase in subscribers to Nexus Newsletter.	Nexus Newsletter currently has 7,572 subscribers. This number has decreased because inactive contacts were removed from the mailing list.
2) There is a sustained increase in subscriptions to <i>Judicial Systems Journal</i> , and journal articles are cited or included in academic information systems.	A digital version of the journal is being developed in an effort to increase readership.
3) There is a sustained increase in the number of documents uploaded onto the Virtual Library www.cejamericas.org	Professionals regularly request that their articles, papers and documents be published in our Virtual Library. The virtual collection grew by 1% this quarter.
4) There is a sustained increase in the number of documents added to JSCA's library.	A total of 16 new titles were added this quarter including audiovisual material, books, newsletters and journals. Students from Chilean and foreign universities visited the Center in order to request research materials.

a) Nexus Newsletter (Nos. 99 - 101):

Three monthly editions of the newsletter were published in Spanish and English.

The newsletter currently has **7,572** subscribers (6,436 to the Spanish version and 1,136 to the English version). This quarter we cleaned out the contacts list and eliminated inactive or invalid addresses. The end result was a decrease in the number of contacts reported as compared to previous quarters.

b) Judicial System Journal

Work began on the development of a new virtual journal in collaboration with INECIP. It will be presented at year's end.

We also are working on issue 14 of the journal, which will focus on Pretrial Detention.

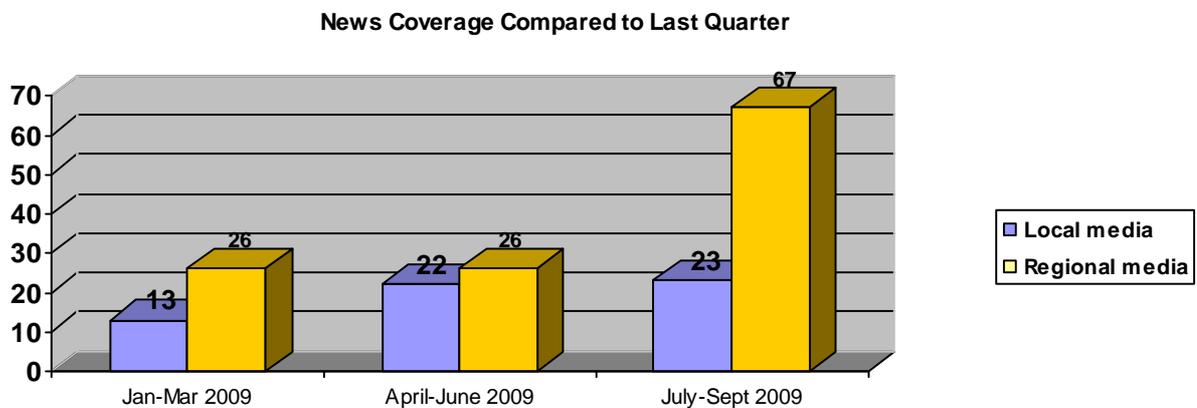
c) Press Coverage

The total number of articles published this quarter was 90 (23 in the local press and 67 in the regional media), which reflects a 53% increase over last quarter.

It is important to note that there was a great deal of coverage of the Santa Fe delegation's visit.

News campaigns designed to promote JSCA events, activities and training programs were developed.

Also, JSCA experts have been asked to give interviews and contribute opinion columns to important media outlets.



d) Virtual and Physical Libraries

JSCA's Virtual Library has continued to grow. This quarter, 82 documents were added online including articles and laws. The virtual collection currently has 6,187 titles (4,448 in Spanish and 1,709 in English), which represents an increase of nearly 1% over last quarter.

During this period, 16 books were added to our on site library. It currently has a collection of 2,480 documents including books, journals, manuals, theses, periodicals, CDs and DVDs. Finally, the libraries of various judicial system institutions of the Americas continue to send their publications on a regular basis. In this sense, the exchange system with other organizations in the sector continues to produce good results.

B. INSTITUTIONAL DEVELOPMENT

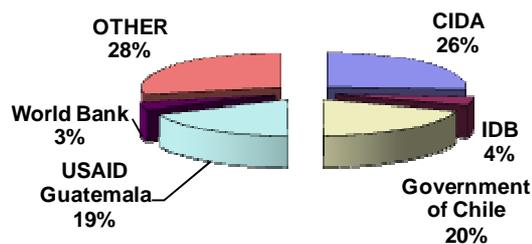
1. Financial Report

SOURCE	Starting Balance	INCOME	EXPENDITURES	Ending Balance
CIDA				
<i>Activities</i>	190,546	93,371	155,885	128,032
<i>Overhead</i>	21,484	11,198	18,706	13,976
<i>Interest</i>	18,087	458		18,545
EUROSOCIAL	-30,994			-30,994
USAID GUATEMALA	-43,150	75,091	63,291	-31,350
IDB				
<i>Activities</i>	19,130	15,576	35,442	-735
OTHER SOURCES				
<i>Government of Chile</i>		80,000	80,000	0
<i>World Bank</i>	-12,572	12,572		0
<i>General Fund</i>	613,582	112,720	15,093	711,209
TOTAL	776,113	400,986	368,416	808,683

1.1. INCOME AND EXPENDITURES

1. 1. 1. ANALYSIS OF INCOME FOR JULY-SEPTEMBER 2009

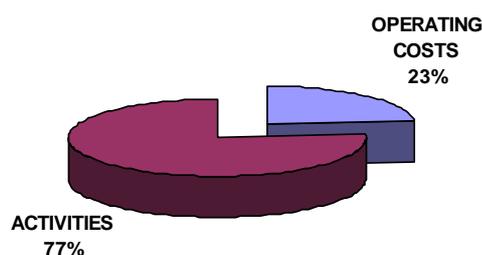
The contributions received during this period came from CIDA, USAID Guatemala, the Government of Chile and other contributions generated through JSCA activities.



1.2 ANALYSIS OF SPENDING

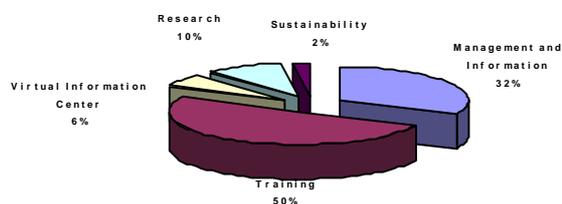
1.2.1 DISTRIBUTION OF TOTAL SPENDING (%)

The percentage of spending that went to activities increased from 75% to 77%, while the percentage that went to operating costs dropped from 25% to 23% as compared to last quarter.



1.2.2 DISTRIBUTION OF EXPENDITURES ON ACTIVITIES (%)

During this quarter, most of the spending on activities went to training activities.



1.2.3 DETAILED INFORMATION ON SPENDING ON ACTIVITIES

2. Activities	
a) Research	
Research and Monitoring Studies	10,140
Study on Complex Crimes	12,500
Judicial Systems Journal	4,200
b) Training	
Training Salaries	55,855
Specialized Virtual Courses	18,061
Innovation Projects	8,353
International Meetings and Seminars	20,126
Report on Judicial Systems in the Americas	3,886
Organization of and Participation in Conferences	7,200

Local Replicas of the Training Program	22,304
Internships in Canada	3,899
Training in Haiti	2,000
c) Management and Information	
Judicial Statistics in Guatemala	53,814
Measurement of Indicators	35,320
d) Virtual Information Center	
Website	6,288
Newsletters and Informational Publications	9,685
e) Sustainability	
Sustainability Actions	6,515
Subtotal	280,146