



JUSTICE STUDIES CENTER OF THE AMERICAS

QUARTERLY REPORT OCTOBER-DECEMBER 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 publication “Pretrial Detention and Criminal Procedure Reform in Latin America: Evaluation and Perspective” has been presented to the Latin American community through various seminars and activities.
Our studies are cited in other research.	The study on sentence review procedures in adversarial criminal procedure systems in the Americas was presented during a hearing before the Inter-American Commission on Human Rights in the context of its 137th period of sessions in Washington, D.C.
Countries around the region implement initiatives based on our studies.	Since the publication of the V Index of Online Access Judicial Information, the Supreme Courts of several countries have contacted JSCA to improve their indicators and/or submit updated material, which suggests that the publication is considered a regional standard in this area.

RESEARCH AND PROJECTS

1. Study “Challenges for Criminal Investigation and Prosecution in the Americas”

In September, Santiago hosted a workshop for over 50 actors and experts from the region’s criminal prosecution systems. The event, which featured the presentation of preliminary versions of country reports on this topic, was designed to generate discussion and enrich the study of this topic with the participation of those who actually handle criminal investigation in the countries. This quarter we continued our field work and the development of country reports and the comparative report. This work is being done by local consultants and focuses on experiences in Argentina, Chile, Mexico, Venezuela, Colombia and Peru.

The study will be published during the first half of 2010 and disseminated throughout the region. We expect to offer presentations on our findings in the countries included in the final report.

2. Research 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 several seminars and activities.

During the month of December, JSCA and the Universidad del Estado de Río de Janeiro (UERJ) held a working session with 25 academics and actors from the Brazilian justice system. JSCA Executive Director Cristián Riego and Academic Coordinator Leticia Lorenzo presented the results of the study developed by JSCA and then discussed local statistics and initiatives.

On November 30, a seminar was held at Universidad Católica Boliviana in La Paz to discuss the situation of pretrial detention in the Andean Region. The event included a presentation of JSCA’s comparative report on this topic, which contains analyses of the use of pretrial detention in countries that have made reforms in order to move towards an adversarial system. In addition, the case of Ecuador was discussed by Diego Zalamea, that of Peru was the subject of a report presented by Nataly Ponce, and information on the current situation in Bolivia was provided by the National Prison System Director Jorge López.

This event was attended by approximately 200 people including students, criminal justice system operators, university faculty and staff and the members of civil society organizations that work on issues linked to the prison system.

Furthermore, on December 1 a closed workshop was held for the University’s law students, who developed a joint plan of action to research judicial organization and pretrial detention.

JSCA plans to continue to work on this topic in the country and is drafting country reports on pretrial detention in Argentina, Brazil, Peru, Mexico, Haiti and other nations in collaboration with a team of consultants. These reports will be presented during 2010.

Finally, workshops on pretrial detention were scheduled for the first half of 2010 in Mexico (January 28), Costa Rica (January 26), Peru (January 9) and Ecuador (date to be determined).

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

Work on this report was completed in December following visits to the cities of Quetzaltenango, Huehuetenango, Sololá, Cobán, Chiquimula, Zacapa and Guatemala for the observation of the operation of the criminal justice system. The final goal of the effort is to develop a report on the implementation of oral preliminary hearings and the design of innovative management systems in order to overcome the problems detected. The report will be presented in January 2010.

4.- Study on Sentence Review Systems in Adversarial Criminal Procedure Systems in the Americas

This study was presented on Monday, November 9, 2009 by Cristián Riego and JSCA Board member Marc Rosenberg during a hearing before the Inter-American Commission on Human Rights in the context of its 137th period of sessions in Washington, D.C.

The purpose of the study is to describe the review or challenge system for final criminal sentences in criminal procedure systems that have oral-adversarial models in the Americas from the normative-theoretical point of view as well as that of the practical operation at the case law level. Six case studies were selected for the project.

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

The study will be disseminated through *Judicial Systems Journal* and the JSCA Website.

5.- Support for Justice Reform in Ecuador

A training workshop designed to provide an introduction to oral litigation skills was offered October 5 and 6 in coordination with the Public Defender's Office Management Unit. A total of 70 public defenders from around the country took part in the exercise.

During the same period, Cristián Riego visited the country and met with local justice officials including the Minister of Justice and Undersecretary of Regulatory Development in order to discuss a proposal for a new Criminal Procedure Code and Criminal Code. He also met with the Acting Attorney General and the Chief Justice of the National Court and prosecutors and criminal examining judges from Quito. Finally, he attended hearings in criminal examining courts in order to observe problems that could be addressed in his assessment.

The next day, he met with the public defense team in order to discuss the proposed statutes and implementation plan for a public defense system in Ecuador. The Public Defender's Office of Ecuador has asked JSCA to design a training plan for 2010 as well as a general study on the management system.

MANAGEMENT AND INFORMATION

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

This publication is being finished this quarter. We have been receiving and classifying the responses from the 34 countries that were asked to provide information, and the country reports are being written by a team of seven interns.

The Report will be ready in Spanish and English in January 2010 and will be distributed to the officials of the most important institutions that belong to or are linked to American justice systems.

The publication will be presented and distributed at various seminars throughout the year.

7.- V Index of Online Access to Judicial Information

The countries evaluated reported the improvements or setbacks in the area of online access to judicial information that were observed over the past year at the individual level or in a comparative context. The Index provides a global vision of online access to different types of judicial data at the hemispheric level.

The study was presented at the VII Seminar on Judicial Management by Adrián Medrano, a consultant with the Management and Information Area, and JSCA Board of Directors member Jaime Arellano. The event took place October 22-23 in San Carlos de Bariloche, Argentina.

This JSCA publication has been disseminated throughout the region through a mailing and letters sent to officials in every country in the region.

The Supreme Courts of several countries have contacted JSCA in order to improve their indicators and/or describe the progress that has been made in this area, which suggests that the Index is considered a regional standard in this area.

The study was drafted with information available online through July 2009. It evaluates the basic and public information that the courts and prosecution services of the 35 OAS member states provide to their people online. It also compares the evolution of such access –or involution, as is the case in some nations- with the results obtained in 2004, 2006, 2007 and 2008 by JSCA.

10.- VII Inter-American Seminar on Judicial Management

With over 150 people representing 15 countries in attendance, the seventh version of this event was held in San Carlos de Bariloche, Argentina on October 22 and 23.

The event was organized by JSCA in collaboration with the Superior Court of Río Negro. It was sponsored by the Forum for Research on Justice Administration (FORES), the Buenos Aires City Public Prosecutor's Office, the Federal Board of Courts and Superior Courts of Argentina and the Patagonian Forum of Superior Courts.

Renowned experts in this area shared ideas for evaluating the cost of judicial protection, the efficiency of justice spending and adequate budgetary planning, and evaluation methods from the perspective of the investment in judicial reform projects.

The first panel considered the justification for public investment in the service of justice and was led by Universidad Diego Portales Law School Dean and Chilean scholar Juan Enrique Vargas.

The second focused on the formulation and negotiation of judicial budgets and was led by international consultant and current coordinator of the Project to Improve Justice Services of Peru, Nelson Shack. Finally, Álvaro Herrero, Executive Director of the Association for Civil Rights of Argentina led the discussion of the evaluation of investment projects and global judicial reform policies.

A total of 15 management experiences were presented on the second day during simultaneous panels. The papers, which were selected through an open competition, focused on specific innovations in this area that have been applied in Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Peru.

Experiences from outside of the region also were presented. José de la Mata, the Director General of Modernization of the Ministry of Justice of Spain, presented the institution's management strategy and the Australian experience was discussed by international law consultant Barry Walsh, who focused on assessing the courts' performance in that nation.

The event was attended by high-ranking representatives of judicial branches from around the Americas; legislators; representatives of court, prosecution service and public defender's office administrative units; specialists in budgeting, financial administration and project evaluation; the leaders of executory units; management consultants; and international cooperation agency officials.

Work is underway on the publication of a collection of the papers and talks presented at the conference. It is expected to be ready in February 2010.

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.	Two members of the JSCA Alumni Network traveled to Canada to learn about the operation of the county's courts and the methodology and programs of the National Justice Institute.
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 period, JSCA completed 12 training activities in the areas of litigation and management for entities from several countries in the region.

TRAINING

11.- Inter-American Program for Training Trainers for CPR

The Program has enjoyed an excellent level of acceptance throughout the region. A total of 251 individuals from 18 countries applied this year, 49 of whom were accepted.

Students from the following countries took part in the program: Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, Spain and Uruguay.

The third and final stage of the program was attended by 47 individuals who had successfully completed the first two stages. The on site course was held in October in Santiago de Chile.

12.- Alumni Network Activities

In December, the Argentina Chapter of JSCA's Alumni Network executed the simultaneous launch of a book that contains the papers presented at the First National Meeting of REDEX Argentina (June 2009). The purpose of this initiative was to generate a broad and participatory discussion of the publication's contents and the proposals that have been made.

The presentations were offered by Network members in their respective jurisdictions and were attended by local criminal justice officials who participated in a discussion of the current state of justice and contents of the book. All of the presentations took place during the week of November 30-December 4, 2009.

13.- Virtual Course "Introduction to Problems of Gender in Criminal Justice in Latin America"

A total of 80 students from 13 countries in the region participated in this virtual course developed by JSCA in October and November 2009.

The e-learning course was designed to provide participants with basic concepts and tools and increase awareness of gender-related issues. Each of the three course modules addressed a specific topic. The first introduced issues of gender and justice; the second addressed fundamental aspects of female criminality; and the third focused on the impact that criminal justice reform processes have had on gender issues.

A total of 92.5% of the participants passed the course, 66.22% of whom were women.

The student body was composed of individuals from Argentina, Bolivia, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Honduras, Mexico, Panama, Peru, Uruguay and Venezuela.

14.- Internships in Canada

During the month of October, JSCA interns Rodolfo Solórzano of Costa Rica and Lorena Gomero of Peru visited Canada in order to learn about the operation of the courts and the methodology and programs of the National Justice Institute, where they worked with training directors. They also took part in the Ontario Court Seminar organized by the same institution.

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

Table 2- Local Replicas

Workshop: Introduction to Oral Litigation Skills for Public Defenders	Training course offered to 70 public defenders.	Quito, Ecuador	October 5 and 6
Oral Litigation Seminar for a New Criminal Procedure, Module I	This seminar was attended by 30 people including judges, prosecutor's office staff, judicial branch staff and other legal professionals.	Buenos Aires, Argentina	October 21 and 28, November 4, 11 and 18
Introduction to Oral Litigation	20 individuals including criminal attorneys.	Neuquén, Argentina	November 11
The Use of Oral Criminal Procedures	A total of 44 people including advisors for the Inter-Branch Commission for Criminal Procedure Reform, members of the Superior Court and officials from the criminal justice system took part in this activity.	Neuquén, Argentina	November 14
Advanced Course on Oral Litigation	This training course was organized in collaboration with the Río Negro Judges' Association.	Bariloche, Argentina	November 18-20
Litigation Techniques in Oral Trial	This training course was offered to prosecutors from the Santa Cruz province of Argentina.	Río Gallegos, Argentina	November 19-20
Seminar on Criminal Procedure Reform	This seminar was organized by the Moquegua Chamber on Criminal Procedure Reform.	Moquegua, Peru	November 26-27
Discussion of the Situation of Pretrial Detention in the Andean	Seminar on pretrial detention.	La Paz, Bolivia	November 30

Region			
The Public Prosecutor's Office and the Adversarial System	This training course for prosecutors was implemented by the National Institute for the Criminal Sciences of Mexico (INACIPE).	Mexico City,	December 2-4
Presentation of the REDEX Meeting Publication	Simultaneous launch of the publication in various provinces.	Chubut, Río Negro, Neuquén, Córdoba, Santa Fe, La Rioja, Catamarca, Entre Ríos, Misiones, Buenos Aires, City of Buenos Aires, Federal System	November 23-December 4
Workshop with Judicial System Operators on the Implementation of the Criminal Procedure Reform in 2010	Seminar directed at judicial system operators to reflect on the implementation of the criminal procedure reform.	La Paz, Bolivia	December 1
Workshop on Pretrial Detention in Peru	This open seminar was designed to allow participants to evaluate the situation of pretrial detention in Peru in a regional context.	Lima, Peru	December

16. Pro Bono Internships

The following pro bono internships continued during this quarter:

INTERN	COUNTRY	PERIOD	UNIVERSITY	MAJOR	WORK COMPLETED
Ricardo Lillo	Chile	September 1-February 2010	Universidad Diego Portales	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

17. Virtual Course on Managing the Criminal Justice Administration System

This virtual course is being developed by JSCA researchers.

18.- Virtual Course on Innovations in Criminal Prosecution

This virtual course is being developed by JSCA international consultant Andrés Baytelman. Currently, work is being done on the content development guides.

19.- Other Seminars, Workshops and Activities

Preparatory Meeting for Judicial Summit	Cristián Riego attended the preparatory meeting for Ibero-American Justice Summit national coordinators.	Santo Domingo, Dominican Republic	October 5-7
XXXI International Conference on Criminal Law “Criminal Law and Fundamental Rights”	Cristián Riego offered a presentation at this activity, which was organized by Universidad del Externado.	Bogotá, Colombia	October 19-21
Conference of Supreme Courts of the Americas	Cristián Riego took part in this activity, which was organized by the OAS.	Buenos Aires, Argentina	September 7
Jornadas Patagónicas en Neuquen	Academic Coordinator Leticia Lorenzo attended this event.	Neuquén, Argentina	October 24-27
V General Assembly of the Ibero-American Network of Judicial Academies	Cristián Riego took part in this activity.	Mexico City, Mexico	October 7-9
Inter-Institutional Discussion of the Design of Civil Justice Reform	Training Director Mauricio Duce represented JSCA at this event, which was organized by the Ministry of Justice of Chile.	Santiago, Chile	October 8
International Meeting on the Teaching of law	Mauricio Duce led a panel on the experiences of Universidad Diego Portales in this area. Organized by Universidad de Monterrey in honor of its 40th anniversary.	Monterrey, Mexico	October 15-16
IV International Conference on Training in the Judicial Branch	Cristián Riego and Mauricio Duce participated in this activity, which was organized by the IOJT. Mauricio Duce presented the paper “Using Online Courses in Legal Education: The Experience of the Justice Studies Center of the Americas (JSCA)” and Cristián Riego was elected Regional Vice President of the International Organization for Judicial Training.	Sydney, Australia	October 25-29
II National Conference of Peruvian Judges	Cristián Riego attended this event.		November 18-20
Hearing before the Inter-American Commission on Human Rights	Cristián Riego and Board member Marc Rosenberg offered a presentation on sentence review measures in adversarial criminal procedure systems in the Americas during a private hearing before the commission. The activity formed part of the 137th session of the IACHR.	Washington, D.C.	November 9
National Conference on Procedure Law: Towards the Bicentennial. For a Transparent Justice System	Cristián Riego offered a presentation on recent developments in civil procedure in Ibero-American nations. The activity was organized by Universidad de Buenos Aires (UBA) and the Argentinean Procedural Law Association.	Buenos Aires, Argentina	November 11-13

Workshop “Analysis of the 100 Rules of Brasilia for Justice System Institutions in Brazil, Argentina, Uruguay, Paraguay and Chile: Access to Justice for Those at Risk”	Leticia Lorenzo participated in this event, which was organized by the public defenders’ organizations of Brazil and Río de Janeiro.	Río de Janeiro, Brazil	December 9-11
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WEBSITE

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

Most of the work this quarter was focused on maintaining existing applications and providing technical support.

The following activities were completed during this period:

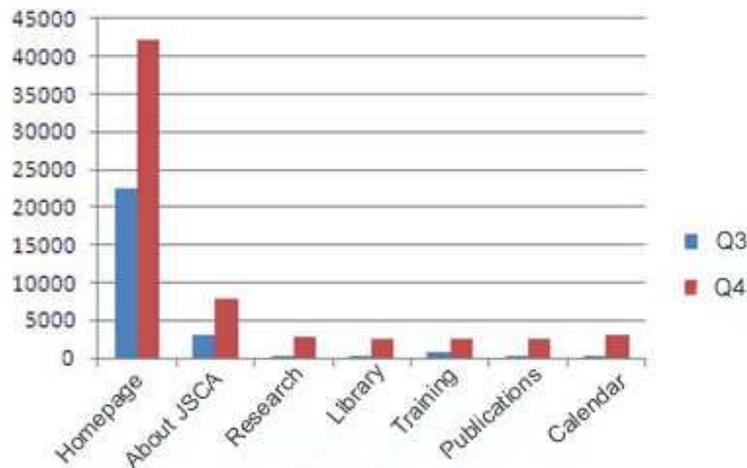
- Design of the Website for the 2010 Inter-American Training Program
- Movement from the old Cejacampus to the new Dokeos platform began.
- Work was done on a new application (Joomla) for the Website www.cejamericas.org

Website Visits

The number of visits to every section of our Websites increased this quarter.

The table and figure below show the respective trends:

Q4 2009	Direct Access		Suboptions	
Sections	Direct Visits	Difference Q3	Options Visits	Difference Q3
Homepage (1)	42,246	-46.47%	79067	-51%
About JSCA	7,758	-59.53%	25,903	75317%
Research	2,874	-50%	4757	-40%
Library	2,542	-50%	49,506	-50%
Training	2,520	-50%	4211	-50%
Publications	2,482	-50%	3242	-51%
Calendar	2,992	-50%	7359	-50%
TOTAL	63,414	-49.57%	174,045	-100%



COMMUNICATIONS AND PUBLIC RELATIONS

3.2. Communications and Public Relations Area

Indicator	Results
1) There is a sustained increase in subscribers to Nexus Newsletter.	There are currently 7,575 newsletter subscribers.
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.	We are working on a digital version of the journal in order to increase readership
3) There is a sustained increase in the number of documents uploaded onto the Virtual Library www.cejamericas.org	Professionals from the field regularly request that their articles, papers and documents be published in our Virtual Library. The Virtual Library's collection grew by 3% over Q3.
4) There is a sustained increase in the number of documents and materials contained in the JSCA on site library.	A total of 23 new titles including audiovisual material, books, newsletters and journals were added this quarter. Students from throughout Chile and abroad visited our library in order to request research materials.

a) Nexus Newsletter (Nos. 102-104):

During this quarter, **three** monthly issues of Nexus Newsletter were published in Spanish and English.

We have a total of 7,575 subscribers, 6,439 of whom read the publication in Spanish and 1,136 of whom read it in English. Three new contacts were added this quarter.

b) Judicial Systems Journal

This quarter, we began to work on the new virtual platform for the journal in collaboration with INECIP. It will be launched in late January.

We have added new sections to the journal Website in an effort to maintain the quality of the contents and increase interaction with readers. The journal's initial objective continues to be promoting the discussion and exchange of information and experiences on the operation of justice in the Americas.

The main topic of the next issue of the journal will be the use of pretrial detention in the region. It will include a paper developed by JSCA Executive Director Cristián Riego that establishes the principles and basic aspects to be included in the design of a *New Agenda for the Discussion of Pretrial Detention*.

The issue also will include a vision of risk evaluation and supervision services as mechanisms for overseeing protective measures by consultant Javier Carrasco in the context of the Open Society Justice Initiative "Presumption of Innocence in Mexico" project.

In addition, attorneys Carolina Villadiego (Colombia) and Tobías Podesta (Argentina) will consider *Pretrial Services as an Option for Decreasing Pretrial Detention Rates in the Region* based on a literature review and their observation of such services in Washington, D.C.

Ontario Appeals Court judge Marc Rosenberg, who is also a member of JSCA's Board of Directors, offers an interesting description and analysis of the *Bond and Pretrial Detention System in Canada*.

Chilean attorney Claudio Fuentes offers an article with a more global vision entitled *Pretrial Detention in Latin America: Anticipated Sentence, Protective Logic and Counter-reform*.

As has been the case in previous issues, the journal also includes a report related to a main topic. This issue contains a report on the costs of pretrial detention in Chile completed by members and experts from Fundación Paz Ciudadana.

c) Press Coverage

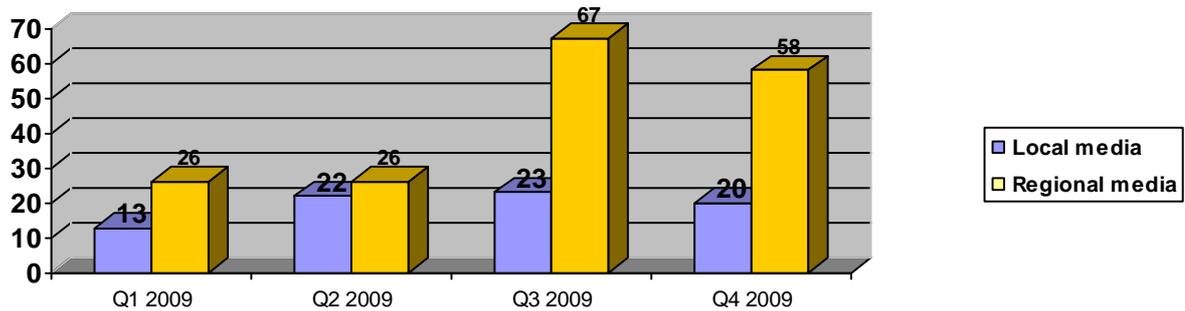
A total of 78 mentions were made of JSCA in the press this quarter (20 in local publications and 58 in the regional press).

It is important to note that a great deal of coverage focused on the management seminar and the presentation of the Index of Online Access to Judicial Information.

Campaigns were developed in order to promote JSCA events, activities and calls to take part in training courses through press releases for the specialized media and justice institutions.

Furthermore, JSCA experts have been asked to grant interviews and contribute opinion columns to important mass media outlets.

Press coverage compared to the previous quarters



d) Virtual and Physical Libraries

We have continued to add documents to the JSCA Virtual Library. This quarter, some 160 online documents were uploaded including articles and laws. To date, the Virtual Library houses 6,347 documents (4,608 in Spanish and 1,709 in English), which represents an increase of nearly 3% over the previous quarter.

A total of 23 books were added to the physical library. It now includes 2,751 documents including books, journals, manuals, theses, periodicals, CDs and DVDs.

Finally, the libraries of judicial system institutions from around the region have continued to submit publications to JSCA. In this sense, the document exchange with other organizations in the justice sector continues to produce positive results.