

Chapter 6

From Justice That Bites to Justice through Bytes: Towards a More Transparent and Efficient Judicial System in the Rio Negro Province of Argentina

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ABSTRACT

This chapter follows and recounts the Argentina's Province of Rio Negro project for informatization of its judicial system, which is called "Judicial Proceedings Informatization: Organizational and Informatics Development Plan 2011 – 2013." The project encompasses technological development and regulatory reform activities that include computer programs, equipment, infrastructure, and personnel training for a three-year period, and here it is presented in three well differentiated segments. The first of them lays down the basis for the whole project, reviewing the background, the strategic vision, and the steps that established the structural basis for advances in the field of justice and informatization, presenting one of the core issues to be solved from the communications point of view that is the complete and geographic organization of the Rio Negro's judiciary. The second explains the ongoing projects in order to link them and translate them into a work schedule and set the budget for their functioning. Finally, the chapter explains specific projects for the triennium, the budget and staffing according to the Provincial Public Sector Internal Control and Financial Management Law, Law H 3186 of 2007.

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INTRODUCTION

This chapter follows and recounts the Argentina's Province of Rio Negro project for informatization of its judicial system, which is called "Judicial Proceedings Informatization. Organizational and Informatics Development Plan 2011 - 2013". The project encompasses technological development and regulatory reform activities that include computer programs, equipment, infrastructure and personnel training for a three-year period and here it is presented in three well differentiated segments. The first of them lays down the basis for the whole project, reviewing the background, the strategic vision and the steps that established the structural basis for advances in the field of justice and informatization, presenting one of the core issues to be solved from the communications point of view that is the complete and geographic organization of the Rio Negro's judiciary¹. The second explains the ongoing projects in order to link them and translate them into a work schedule and set the budget for their functioning. Finally, the chapter explains specific projects for the triennium, the budget and staffing according to the Provincial Public Sector Internal Control and Financial Management Law, Law H 3186 of 20072.

STRATEGIC VISION AND BACKGROUND OF THE PLAN

The judicial reform process initiated in the province by the constitutional reform of 1988 went with the enactment of rules that incorporated and modified procedural institutions in order to fulfil the mandate of "access to justice", through various guiding principles including immediacy, speed, and promoting alternative dispute resolution. This has

materialized in, for example, the reform to the Civil and Commercial Procedures Code enacted through the provincial law P 41423, the establishment of alternative dispute resolution (ADR) methods, Houses of Justice, changes in the responsibilities of the Justices of the Peace, the creation of Family Courts, the enactment of the Public Ministry Organic Law, between others.

Having the access to the Justice Service has been a priority, framework-rules were dictated where the themes of the reform, the judiciary officials standards of conduct and the objective parameters for development were all set. The key documents that conforms the regulatory framework are: (i) Declaration of the Charter of Citizens' Rights to Justice, (ii) Declaration of the Commitment to the Citizen's Charter, (iii) Bangalore's Code on Judicial Conduct and (iv) Brasilia Rules.

The first document refers to a more open justice, where transparency, agility, quality, equality before the law, legal certainty and efficiency take all renewed importance. The second document is intended to improve the relationship between the justice service and citizens and enhance their right to be heard, informed, respected, and to receive an appropriate response in a timely manner. The third one incorporates into the provincial law Resolution 2006/23 of the Economic and Social Council of the United Nations, Strengthening Basic Principles of Judicial Conduct⁴, which establishes objective parameters for the development, control, and disciplinary measure for judicial conduct through the universalization of rules regarding the judiciary. Finally, Brasilia Rules refer to access to justice of people in a vulnerable situation, such as age, disability, belonging to indigenous communities, victimization, migration and internal displacement, poverty, gender, minority, and loss of freedom.⁵

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