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REPORT ON THE MONITORING SYSTEM FOR MEASURING THE JUDICIAL BRANCH'S PERFORMANCE IN THE APPLICATION OF THE CRIMINAL PROCEDURE CODE FOR CORRUPTION CASES

July 2014

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LIST OF ACRONYMS

CPP	Criminal Procedure Code
ETICPP	Technical Team for the Implementation of the Criminal Procedure Code
M&E	Monitoring and Assessment
MEF	Ministry of Economy and Finance
MP	Public Prosecutor's Office
OOJJ	Legal Organs
PJ	Judicial Branch
PMP	Performance Monitoring Plan
SIJ	Integral Judicial System
ST-CEICPP	Technical Secretariat of the Special Commission for the Implementation of the Criminal Procedure Code
USAID	United States Agency for International Development
USG	United States Government

1. INTRODUCTION

The Monitoring System for the Judicial Branch's (PJ) Performance for corruption cases describes mainly reliable, accurate and timely data gathering processes, well-defined indicators lacking ambiguities, analysis promotion, information dissemination and continuous learning generation.

The document contains the work scope and background, the performance management approach of the monitoring system, the classification and the corresponding reference sheets containing accurate information on each of the indicators.

The design and development of the indicators is the result of an integrated and adapted work on that prepared by the Technical Secretariat of the Special Commission for the Implementation of the Criminal Procedure Code (ST-CEICPP) and the Judicial Branch's Technical Team for the Implementation of the Criminal Procedure Code (ETICPP –PJ), both responsible for the monitoring of the Criminal Procedure Code (CPP) implementation. From the first organization, three indicators were selected at the result level, and from the second organization, eleven indicators referring to corruption were selected.

In the Judicial Branch, the design of the Judicial IT System (SIJ) data base was analyzed to ensure the selected indicator data source and avoid inconsistent proposals in the data gathering process. In addition, the standard report on monitoring has been planned to include a dynamic table design making the information requested in each of the indicator calculation formulas available.

2. BACKGROUND AND SCOPE

As part of the CPP implementation strategy regarding monitoring, the ETICPP-PJ has developed a proposal of criminal procedure reform indicators in the Judicial Branch. This document has more than 100 indicators that may be implemented in different short, medium and long term stages.

Furthermore, the ST-CEICPP, together with the Ministry of Economy and Finance (MEF), has developed a proposal of new performance indicators for the budget program 0086 "Improvement of the services of the criminal justice system – implementation of the Criminal Procedure Code."

In this context, in this document, both previous proposals have been grouped, and indicators referring to corruption and those implying a commitment by the Judicial Branch to the ST-CEICPP and the MEF have been selected.

This document presents a selection of indicators which have, as aggregate value, the technical or reference sheet of the indicator, and the data source of which is the data base of the Integral Judicial IT System. The technical sheets were prepared together with ETICPP-PJ staff and provided to the ST-CEICPP to agree upon the type of information contained in each indicator reference sheet.

3. GENERAL PERFORMANCE MANAGEMENT APPROACH

The monitoring of the criminal procedure reform in the Judicial Branch initially provided scattered information which was insufficient for the monitoring and assessment of such reforms. The gathering of such data was unduly burdensome and required a considerable expenditure of time as the statistical reports were prepared manually (based on the efforts of the criminal module personnel and managers). Later, the manual system was updated with the implementation of the IT system called Integral Judicial System (SIJ), and information was consolidated and recorded automatically.

In this proposal, the information to be gathered for the indicators designed in this document will be taken from the SIJ data base, and performance information will be collected and analyzed to measure the Criminal Procedure Reform relating to cases of corruption. Furthermore, the performance information will generate analysis documents to inform decision-making and resource allocation. The Technical Team for Implementation will communicate the reports and results to the areas responsible for decision-making and will also send reports of some indicators to the ST-CEICPP, as per their commitment to the Ministry of Economy and Finance. This performance management approach will be transparent and rational in relation to the abovementioned areas and organizations.

4. STAGES OF THE NEW COMMON CRIMINAL PROCEDURE

The following chart represents the stages of the new Criminal Procedure Code, which were analyzed for the design and development of this indicator proposal.

- Preliminary investigation stage
- Intermediate stage
- Judgment stage

NUEVO CÓDIGO PROCESAL PENAL (Dec. Leg. 957) PROCESO COMÚN

1 INVESTIGACIÓN PREPARATORIA

Etapa dirigida por el Fiscal (321-343)*



2 ETAPA INTERMEDIA

Etapa dirigida por el Juez de la Investigación Preparatoria (344-355)



* Numeración referida a los artículos del CPP

3 JUZGAMIENTO

Etapa dirigida por el Juez Unipersonal o por el Juzgado Penal Colegiado (356-403)



por encargo de
Ministerio Federal de
Cooperación Económica
y Desarrollo



5. MONITORING AND ASSESSMENT SYSTEM

Management Responsibilities Those responsible for the monitoring and assessment (M&E) of the ETICPP-PJ will be in charge of coordinating the management of the system with the IT area of the PJ, since data from the different indicators are recorded and saved in the system data base. The design of crossed dynamic tables has been planned in order to get the report on each of the indicators according to the calculation formulas. Data analysis will be carried out jointly by the Technical Team for Implementation and the IT area of the PJ.

Monitoring System Design The approach aims at using a Microsoft Excel spreadsheet and making crossed tables which allow the calculation of each of the formulas described in the indicators. The prior requirement for this is to have the data export of the SIJ according to the milestones provided by the ETICPP-PJ.

Methods for Gathering and Disaggregating Data In most indicators, information will be disaggregated by judicial district; the runs in the Excel dynamic tables must be performed to obtain the agreed upon information.

Data Sources, Gathering Frequency and Data Analysis During the analysis of this work, it has been determined that the designed indicators must have the IT system data base as their source, thus ensuring the existence of the information and avoiding the manual collection of data, which would not warrant the quality of the information.

Data Quality In order to ensure the usefulness and credibility of result reports, the CPP Implementation Team will ensure that the performance data meet the five standards for data quality.

1. **Validity** Data must represent in a clear and adequate manner the results intended.
2. **Integrity** Gathered, analyzed and reported data must be subject to specific mechanisms to reduce the possibility of intentional manipulation for political or personal purposes. Data integrity is considered achieved by the IT system data base.
3. **Accuracy** Data must be sufficiently accurate to give a fair description of the performance and to allow the making of administrative decisions at the appropriate levels. The key points are: (i) if data are detailed enough to influence relevant administrative decisions; and (ii) which the acceptable margin of error is, given the administrative decisions that will likely be affected.
4. **Reliability** Data must reflect gathering processes and analysis methods which are stable and consistent over time. The key is to determine if analysts will arrive at the same conclusions should the process of gathering and analysis be repeated.
5. **Timeliness** Data must be timely enough to influence the making of administrative decisions at the appropriate levels. The key points are: (i) if data are available with the sufficient frequency to influence the proper level of administrative decision making; and (ii) if data are sufficiently current at the time they are made available.

On some occasions, it is possible that data do not meet completely the five quality standards. In such cases, the known data limitations will be documented and taken into consideration during the analysis and assessment process.

6. CLASSIFICATION OF INDICATORS IN CONNECTION WITH THE JUDICIAL BRANCH

The proposal made by the ETICPP-PJ has classified indicators according to different thematic areas, as indicated below.

Litigation and workload

This group of indicators evidences the possibility and willingness of a population to resort to the judicial system looking for solutions to certain conflicts. Furthermore, the processes introduced into the Judicial Branch for prompt justice to the problems raised may also be examined.

Production and productivity

This group consists of indicators reflecting work effectiveness or production achieved by legal organs, as well as their performance.

Duration and delay

By means of the indicators proposed in this thematic field, the duration of the processes in the different instances, as well as the workload pending by stage/phase and by judge at the year-end may be displayed. In addition, the rate of case pendency and resolution may be evidenced.

Alternative justice

It refers to the various procedures implemented by the criminal procedure reform by which the processes do not go through all procedural stages and can be concluded by negotiation, mediation and settlement, allowing the resolution of conflicts which have damaged property protected by law, without any harm to public order. Through this group of indicators, the use of such procedures, the procedural stage in which they are regularly invoked and the rate of acceptance by the Judge will be measured.

Quality and judicial control

For measurement in this group, indicators have been designed to account for the dissatisfaction of one or more parties to a proceeding with the resolution of the first or second instance, in order to obtain a review by a higher instance court seeking revocation or annulment.

A judgment in favor of the appellant is a sign of a deficient proceeding or ruling in the first and/or second instance, and the judgment against the appellant is a sign of a proceeding or ruling pursuant to law.

Oral and public nature of proceedings

The use of hearings for carrying out proceedings is an essential part of the judicial system and thus their measurement is addressed in this thematic field and will be limited to their scheduling and performance, considering the difficulty in scheduling in a busy criminal docket.

Access to information and participation in the proceeding

The delivery and administration of justice must be public and transparent in all stages and institutions. This principle ensures the free access to information by the citizens in general and by the users of the criminal justice system so as to obtain their active participation in the pursuit of their claims.

7. PERFORMANCE INDICATORS OF THE CRIMINAL PROCEDURE REFORM REFERRED TO CORRUPTION

As indicated in the previous section, the proposal and redesign of indicators referred to corruption which is shown below are the result of the selection and merge of two designed proposals, one by Technical Secretariat of the CPP–MEF and the other by the Judicial Branch's Technical Team for the Implementation of the CPP.

The indicators, followed by their importance and usefulness, are listed below.

Indicators under the commitment with the MEF

a. Average duration of ordinary proceedings

This indicator allows viewing the results of the judicial system in relation to the duration of the new criminal proceeding (ordinary proceeding ending in a public hearing). This constitutes a basic element for the monitoring of the criminal procedure reform. Its importance lies in that one of the core purposes of the Criminal Procedure Code is in minimizing the time consumed in completing the criminal proceeding.

b. Percentage of hearing sessions performed (Performance of hearing sessions)

This indicator allows an analysis of the criminal judicial system relating to the actual conduct of hearings particularly in regard to principles of public access, confrontation, and minimal delay as contemplated in the Criminal Procedure Code.

c. Percentage of cases completed in relation to the total caseload (judicial proceeding unloading)

This indicator measures the case flow of the Judicial Branch based on the percentage of the caseload completed, leading indirectly to the measurement of the percentage of pending caseload for each year. The indicator will help to improve the management of the workload of the legal units. It is important to mention that the indicator contemplates the procedural completions based on the number of cases brought in the current year, plus the number of cases pending from the previous year. This means that the results of the indicator will provide a true picture of the completion rate.

Litigation and Workload

a. Average of proceedings entered by the Preliminary Investigation Judge

This indicator provides a measurement of the total number of proceedings brought before the Judicial Branch for issues of official corruption. This will reflect the general demand for justice in corruption cases and will indicate specifically the demand for justice services provided by the Judicial Districts and by Preliminary Investigation courts. This will identify the venues of higher demand and will allow judicial management to more efficiently arrange the appropriate legal units.

b. Average of actions per proceeding

This indicator provides general knowledge of the actual workload of preliminary investigation judges, considering that they do not decide a case unless an alternative conflict resolution mechanism is initiated. This of course does not mean that they work less than the other judges, but rather that their scope of action is to take steps which occur regularly during the full determination of the crime and its subsequent final resolution by another legal body. Furthermore, this will allow for the establishment of a standard for the number of steps regularly initiated in each proceeding.

c. Workload amount by Preliminary Investigation Judge

This indicator will help determine in a comprehensive way the workload of the judges for preliminary investigations, taking into consideration the proceedings brought in a specific period and those which are pending from the previous period. The standard of steps or activities per proceeding must be applied to such total number, which will provide an estimate of the overall workload to be confronted by each preliminary investigation judge. In this manner, readjusting the number of judges or reassigning workload will be feasible.

Production and Productivity

a. Percentage of proceedings resolved by Preliminary Investigation Judges

By means of this indicator the production of each preliminary investigation judge will no longer be based on the passing of a sentence but on the standard of steps and activities that make up a proceeding.

Duration and delay

a. Percentage of proceedings pending in preliminary investigation courts

This indicator will reflect the evolution of proceedings pending in the preliminary investigation courts. This will aid in determining if there is any increase or decrease in pending caseload by comparing different periods. This will help in assigning the number of judges or the redistribution of workloads.

b. Average duration of proceedings when utilizing alternative conflict resolution mechanisms in the preliminary investigation stage

This indicator will demonstrate the time required to issue a ruling on litigation regarding official corruption when alternative conflict resolution mechanisms, such as the procedural simplification measures contemplated in the CPP, are utilized. Publicizing these results will allow society to gain confidence in the use of alternative conflict

resolution mechanisms, knowing that they will get a result pursuant to law within a short period of time.

Alternative Justice

a. Percentage of application of alternative conflict resolution mechanisms in the preliminary investigation stage

This indicator will reflect the level of confidence the parties to a proceeding for public corruption have in initiating an alternative conflict resolution mechanism. This may lead to improving the image of the Judicial Branch as it resolves cases quickly and reduces criminal justice expenses as the case does not go through the other procedural stages. According to the results obtained, actions may be taken to raise awareness in the parties to a proceeding and in the society in general of the application and availability of alternative conflict resolution mechanisms.

Quality and Judicial Control

a. Percentage of judgment and final ruling appeal

This indicator will provide the ratio of litigants that are dissatisfied with the first ruling on the resolution of their case, requiring review by an appellate body. The demand for reviews by higher courts will also be demonstrated. This indicator provides an overview of the confidence litigants have in first instance judges, though regarding the quality of the judgment entered by those judges, it will need to be compared to the indicator for confirmed appealed judgments.

b. Percentage of High Court Appeals

This indicator provides information on the ratio of litigants that are dissatisfied with the second ruling on the resolution of their case, requiring the opinion of a superior instance. It will also show the demand generated in these instances. This indicator provides an overview of the confidence litigants have in second instance judges. Regarding the quality of the judgment entered by those judges, it will need to be compared to the indicator for confirmed high-court-appealed judgments.

Oral and Public Nature of Proceedings

a. Average of hearing sessions not performed due to failure to notify the parties

This indicator provides information of the number of hearings that are not performed due to failure to notify the parties. With this information, corrective action may be taken in relation to the gaps in the service of notice, such as improving the use of electronic notification tools, notification protocols, adequate assignment and distribution of staff, logistics implementation, among others.

7.8 Access to information and participation in the proceeding

a. Participation of the injured party in the criminal proceeding

This indicator provides information on the number of requests submitted before the Judicial Branch and thus of the active participation of the injured party.

Proposal of Indicators for the following phase

1. Number of proceedings entered by First Instance Judge
2. Number of proceedings entered by Judge of Criminal Court of Appeals
3. Amount of workload of First Instance Judge
4. Amount of workload of Judge of Criminal Court of Appeals
5. Number of proceedings decided by First Instance Judge
6. Percentage of proceedings pending in First Instance Courts
7. Percentage of proceedings pending in Criminal Court of Appeals
8. Percentage of proceedings dismissed by prescription
9. Percentage of term control application in the preliminary stage
10. Percentage of term control application in the preliminary stage
11. Percentage of alternative conflict resolution mechanisms regarding decisions issued by Preliminary Investigation Courts
12. Percentage of judgments and final rulings confirmed
13. Percentage of judgments high-court-appealed
14. Average of hearing sessions used to solve a request by preliminary investigation courts
15. Average of hearing sessions used to solve a single-person public hearing case by first instance courts
16. Average of hearing sessions used to solve a collegiate public hearing case by first instance courts
17. Average of hearing sessions not performed due to several factors
18. Average of application of rights protection in the preliminary stage
19. Average of acceptance of rights protection in the preliminary stage

8. REFERENCE SHEETS OF PERFORMANCE INDICATORS

The following section shows the reference sheets of each indicator which is the aggregate value of this proposal.

INDICATOR REFERENCE SHEET	
Name of indicator No. 1: Average duration of ordinary proceedings	
DESCRIPTION	
<p>Definition: Proceedings that have gone through all stages of any ordinary proceeding until the pronouncement of judgment, without initiating any alternative conflict resolution mechanism, must be considered.</p> <p>Technical Specifications:</p> <ul style="list-style-type: none"> • Start of proceeding. - Date on which the Judicial Branch is given notice of the provision of formalization of the preliminary investigation issued by the Public Prosecutor's Office. • End of proceeding. - Date of issuance of the judgment rendered in public hearing (first instance courts). For the cases in which there is more than one party processed, a proceeding will be considered terminated with the final judgment. <p>The measurement of the duration of the new criminal proceeding (ordinary proceeding with public hearing) will be made based on calendar days. The measurement will comprise the proceedings terminated by judgment in the period between January 1 and December 31. The information will be processed from January 16 to March 15 of the current year.</p>	
Measurement unit: Days	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator is very useful because it allows viewing the results of the judicial system in relation to the duration of the new criminal proceeding (ordinary proceeding ending in a public hearing), which constitutes a basic element for the monitoring of the criminal procedure reform. Its importance lies in that one of the main goals of the Criminal Procedure Code is the promptness in the duration of the criminal proceeding; thus, it is fundamental to at least measure and control the duration of the ordinary proceeding for the purpose of comparing its duration to the criminal proceedings under the previous inquisitorial criminal procedure system.</p> <p>This indicator has already been considered an indicator of a Judicial Branch Product, but given its importance and transversely, it is important that it becomes a Performance Indicator of Specific Result of the Budget Program 0086, since it is an indicator of the efficacy of the new judicial system as a whole.</p>	
CALCULATION FORMULA	
<p>Numerator: Variable: TDPCJO: Sum of the duration times of ordinary proceedings ended by public hearing (current year).</p> <p>Denominator: Variable: TPCJO: Total of Ordinary Proceedings ended by public hearing (current year)</p>	
Calculation formula	$\frac{\sum \text{TPDCJO}}{\text{TPCJO}}$
PLAN FOR DATA ACQUISITION	
Data Source: The Judicial Branch will gather this information through their IT administrative record, called "Judicial Integrated System" (SIJ).	
<p>Data gathering tools: The Judicial Branch will gather this information through their IT administrative record, called "Judicial Integrated System" (SIJ).</p> <ul style="list-style-type: none"> • The institution's office responsible for the gathering of data for this indicator will be the Institution's Technical Team (ETI) of the Judicial Branch, which will previously coordinate its gathering and clearance process with other internal offices. <p>• Start of the process <i>It will be gathered from the SIJ by means of the entry number No. 178 (Requirement) and entry submotif No. 103 (Formalization of the Preliminary Investigation)</i></p> <p>• End of the process <i>It will be gathered from the SIJ by means of milestones No. 279 Judgment of acquittal (final judgment), No. 420 Conviction (final judgment) and Judgment withholding conviction (final judgment).</i></p>	
• Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	

Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.

Furthermore, such information is not integrated into a centralized common system with direct access by any of the operators.

On the other hand, the strikes of the entity employees and the annual holidays are also factors that may affect the values of the indicator's numerator and denominator.

Actions taken or planned to address data limitations:

PLAN FOR DATA ANALYSIS

Data submission: This information must be submitted to the Technical Secretariat of the CEICPP, since the indicator constitutes an indicator under the commitment to be reported to the MEF indicators.

OTHER NOTES

Other Notes:

Date of last modification: June/2014

INDICATOR REFERENCE SHEET**Name of indicator No. 2: Percentage of hearing sessions performed (Performance of hearing sessions)****DESCRIPTION****Definition:**

The hearing: It is an oral, public and two-sided act within criminal proceedings. *The General Hearing Regulation may be found in:*

<http://sistemas3.minjus.gob.pe/sites/default/files/documentos/cpp/normatividad/Reglamentos-definitivos.pdf>

Technical Specifications:

A performed hearing session is any scheduled hearing that was performed (with a corresponding start time and end of session) and that was not missed or cancelled. In case a session is rescheduled, such session is considered a new scheduled session.

For the measurement of hearing schedules, the following stages and phases will be considered:

Hearing sessions in the preliminary investigation stage, hearing sessions in the intermediate stage, hearing sessions in the trial stage (public hearing), hearing sessions in the appeal phase and hearing sessions in the execution phase.

The measurement period will be from January 1 to December 31. The information will be processed from January 16 to March 15 of the current year.

Measurement unit: Percentage of hearing sessions

Disaggregated by: Judicial District

Justification and usefulness: This indicator is justified to the extent that it allows viewing the results of the criminal judicial system regarding the performance of hearings, in which the principles of public nature, contradiction and speediness contemplated in the Criminal Procedure Code are applied. This indicator is necessary because it measures the percentage of performed hearing sessions in relation to scheduled hearings, with the disaggregation of the three procedural phases and with details on the hearing sessions that were missed. Based on this, it will be possible to identify the causes or reasons for the cancellation of hearings and to implement any necessary corrective measures.

The measurement of this indicator will also allow the development of collective or procedural enhancement mechanisms designed not only to avoid an excessive amount of hearings, but also to promote the success in the performance of hearings, in order to perform such hearings on the date and at the time scheduled. In addition, this indicator will allow the subsequent creation of new specific indicators with the purpose of controlling the causes of the cancellation of hearings.

CALCULATION FORMULA

Numerator: Variable: NSAR: Total of hearing sessions performed, disaggregated by procedural stage and phase (current year).

It comprises the sum of:

NSARIP: Number of hearing sessions performed in the preliminary investigation stage

NSAREI: Number of hearing sessions performed in the intermediate stage

NSARJ: Number of hearing sessions performed in the trial stage (public hearing)

NSARA: Number of hearing sessions performed in the appeal phase

NSARE: Number of hearing sessions performed in the execution phase

$$NSAR = NSARIP + NSAREI + NSARJ + NSARA + NSARE$$

Denominator: Variable: NSAP: Total of hearing sessions scheduled, disaggregated by procedural stage and phase (current year).

It comprises the sum of:

NSAPIP: Number of hearing sessions scheduled in the preliminary investigation stage

NSAPEI: Number of hearing sessions scheduled in the intermediate stage

NSAPJ: Number of hearing sessions scheduled in the trial stage (public hearing)

NSAPA: Number of hearing sessions scheduled in the appeal phase

NSAPE: Number of hearing sessions scheduled in the execution phase

$$NSAP = NSAPIP + NSAPEI + NSAPJ + NSAPA + NSAPE - \{ \} -$$

Calculation formula	$\frac{NSAR = NSARIP + NSAREI + NSARJ + NSARA + NSARE}{NSAP = NSAPIP + NSAPEI + NSAPJ + NSAPA + NSAPE} \times 100\%$
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PLAN FOR DATA ACQUISITION

Data Source: The Judicial Branch will gather this information through their IT administrative record, called “Judicial Integrated System” (SIJ).

Data gathering tools: The Judicial Branch will gather this information through their IT administrative record, called “Judicial Integrated System” (SIJ).

The institution’s office responsible for the gathering of data for this indicator will be the Institution’s Technical Team (ETI) of the Judicial Branch, which will previously coordinate its gathering and clearance process with other internal offices.

Frequency and periodicity of data acquisition: On an annual basis

DATA QUALITY ISSUES

Known data limitations (if any):

- About the collection and reliability of data, it is necessary to consider that the SIJ, of the Judiciary Branch, only shows the information of the interconnected offices.
- Moreover, said information is not integrated to a common centralized system and of direct access for any of the operators.
- The record system of the Judiciary Branch uses different categories for the court hearings not held.

Actions taken or planned to address data limitations:

PLAN FOR DATA ANALYSIS

Data submission: This information must be submitted to the Technical Secretary of the CEICPP, since this is an indicator that has to be reported to the indicators of the MEF.

OTHER NOTES

Other notes:

Date of last modification: June/2014

INDICATOR REFERENCE SHEET

Name of indicator N° 3: Percentage of cases completed in relation to the total caseload (judicial proceeding unloading)

DESCRIPTION

Definition: The cases contain the following types:

Acquittal: It is a control mechanism of the preliminary investigation and intermediate stage of the criminal proceeding, which occurs through different mechanisms stipulated by the CPP, such as: exceptions, plea bargains, requirements of acquittal, etc.

Early Resolution: Device by which the proceeding ends in the stage of preliminary investigation with the passing of a sentence based on an agreement between the defendant and the prosecutor on the penalty, civil remedy and other legal consequences of the crime. (Section 468° of the CPP).

Early conclusion of trial: Device applicable to certain crimes, which allows the conflicts to end and be solved before the sentence. (Section 372° of the CPP).

Summary proceeding: Proceeding that may be requested by the Prosecutor when the defendant has been surprised and caught red-handed in committing a crime; or the defendant has admitted to committing the crime; or the evidential elements accumulated during the initial stages are evident. (Section 446° of the CPP).

Oral proceeding: The trial is the main stage of the proceeding. It is performed on the base of the accusation. (Section 356° of the CPP).

Technical Specifications:

In the courts for preliminary investigations, proceedings brought are the formalizations, direct accusations and proceedings reallocated by another OOJJ (SPA-Nullity, injunction or causation accepted).

In the courts of trial, proceedings brought are those coming from the Courts for Preliminary Investigations (prosecutions and summons); from the Courts of Justice of the Peace (Misdemeanor appeals); from individual complaints and penitentiary privileges.

The only cases measured will be those resolved with a sentence or final decree during the period between January 1 and December 31. The information will be processed from January 16 to March 15 of the current year.

Measurement unit: Percentage of cases ended

Disaggregated by: Judicial District, OOJJ.

- **Justification and usefulness:** This indicator is important because it measures the case flow of the Judicial Branch based on the percentage of the caseload completed, leading indirectly to the measurement of the percentage of pending caseload for each year. The indicator helps improve the management of the workload of the legal organs. It is important to mention that the indicator contemplates the procedural unloading based on the number of cases brought in the current year, plus the number of cases pending from the previous year, which means that the results of the indicator will provide a real result of the unloading level.

There are solid references for this indicator from international experience, where it is usually applied to measure the performance of the Judiciary Branch; for instance, in Colombia there is an indicator called "indicator of records ended"

CALCULATION FORMULA

Note: The term "CASE" in the Judiciary Branch is called "PROCEEDING"

Numerator: Variable: NCT: Number of cases ended (current year)

It is the sum of:

NCTS: Number of cases ended due to acquittal

NCTTA: Number of cases ended due to early resolution

NCTPI: Number of cases ended due to summary proceeding

NCTCA: Number of cases ended due to early conclusion

NCTSJ: Number of cases ended due to sentence in trial (Oral Proceeding)

$$NCT = NCTS + NCTTA + NCTPI + NCTCA + NCTSJ$$

Denominator: Variable: NCJ: Number of court cases

It comprises the sum of:

NPC: Number of pending cases (previous year)

NCI: Number of cases brought (current year)

$$NCJ = NPC + NCI$$

Calculation
formula

$$\frac{NCT = NCTS + NCTTA + NCTPI + NCTCA + NCTSJ}{NCJ = NPC + NCI} \times 100$$

PLAN FOR DATA ACQUISITION

Data source: The Judicial Branch will gather this information through their IT administrative record, called "Judicial Integrated System" (SIJ).

Note: In the SIJ, the sentences are considered within the same category, that is, it does not make a difference between sentence from summary proceeding, early conclusion or from a tradition oral proceeding.

- **Data gathering tools:** The Judicial Branch will gather this information through their IT administrative record, called "Judicial Integrated System" (SIJ). The institution's office responsible for the gathering of data for this indicator will be the Institution's Technical Team (ETI) of the Judicial Branch, which will previously coordinate its gathering and clearance process with other internal offices.

Acquittal:

It will be collected from the SIJ through milestones N° 439 Acquittal decree, 538 Acquittal decree: compliance with the plea bargain, 539 Final decree for declaration of prescription by the court, AE1 Decree on well-founded pretrial motion, E72 Decree on well-founded exception to res judicata, O14 Decree on well-founded preliminary motion, O15 Decree on well-founded exception of nature/inadmissibility of action, O16 Decree on well-founded exception of prescription of the criminal action.

Early Resolution:

It will be collected from SIJ through milestone N° O45 Sentence of early resolution (last sentence).

Early conclusion of trial:

There is no statistical milestone that collects said information

Summary proceeding:

There is no statistical milestone that collects said information

Oral proceeding:

It will be collected from the SIJ through milestone N° 279 Judgment of acquittal (last sentence), N° 420 Judgment of conviction (last sentence) and Sentence with reservation of conviction (last sentence)

- **Frequency and periodicity of data acquisition:** On an annual basis

DATA QUALITY ISSUES

Known data limitations (if any):

The limitations for this indicator are in terms of the acquisition and reliability of data collected from the administrative computer record of the Judiciary Branch, known as SIJ, since said system contains information of only the interconnected offices, which affects the variation of the values of the real numerator and denominator from the period. Furthermore, such information is not integrated into a centralized common system with direct access by any of the operators. On the other hand, the strikes of the entity employees and the annual holidays are also factors that may affect the values of the indicator's numerator and denominator.

The Criminal Procedural Code is being applied progressively, which is why the indicator collects the levels of attention of districts with different experience regarding its application. Therefore, the value evolves according to the way the operators learn to apply the CPP, that is, it increases over time.

Actions taken or planned to address data limitations:**PLAN FOR DATA ANALYSIS**

Data Submission: This information must be submitted to the Technical Secretary of the CEICPP, since this is an indicator that has to be reported to the indicators of the MEF.

OTHER NOTES**Other notes:****Date of last modification: June/2014**

INDICATOR REFERENCE SHEET	
Name of indicator N° 4: Average number of Proceedings brought per Judge for Preliminary Investigations	
DESCRIPTION	
<p>Definition: It refers to those proceedings brought at first instance for the first time and that should be processed by a Judge for Preliminary Investigations.</p> <p>Technical Specifications: Proceedings brought are the formalizations, direct accusations and proceedings reallocated by another OOJJ (SPA-Nullity, injunction or causation accepted).</p>	
Measurement unit: Average number of proceedings	
Disaggregated by: <i>Judicial District</i>	
<p>Justification and usefulness: This indicator is of great utility since it helps visualize the total amount of proceedings brought at the Judiciary Branch on corruption cases of public officers, and thus generally determine the justice demand on corruption issues, specifically per Judicial District and court of preliminary investigations, with the purpose of identifying places where demand is greater and taking measures of rationalization of the legal organs.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> TPIJIP: Total of proceedings brought to the JIP (Courts of preliminary investigations)</p> <p>Denominator: <i>Variable:</i> TJJIP: Total of Judges of the JIP (Courts of preliminary investigations)</p>	
Calculation formula	$\frac{\text{TPIJIP}}{\text{TJJIP}}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>The proceedings brought will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<ul style="list-style-type: none"> Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values. Furthermore, such information is not integrated into a centralized common system with direct access by any of the operators. On the other hand, the strikes of the entity employees and the annual holidays are also factors that may affect the values of the indicator's numerator and denominator. 	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be presented in the reports made by the ETI-PJ	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET	
<ul style="list-style-type: none"> Name of indicator N° 5: Average of incidents per proceeding 	
DESCRIPTION	
<p>Definition: It will allow the estimation of the average number of incidental proceedings that are initiated in the proceedings brought to the courts for preliminary investigations; this information will also help establish the procedural burden and workload of the judges and employees of the courts for preliminary investigations.</p> <p>Technical Specifications: The measurement of the proceedings must be made once the intermediate stage has ended, after the case has been tried.</p>	
Measurement unit: Average number of incidental proceedings	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator is of great utility since it helps know generally the real procedural burden of the judges for the preliminary investigations, considering that they do not solve proceedings unless a remedy is initiated, which does not mean that they have less work than other judges, but that his competency includes solving incidental proceedings that are regularly initiated for the full determination of the crime and its subsequent resolution by another legal organ. In addition, more specifically, it will help establish an standard of the amount of incidental proceedings that are commonly initiated in each proceeding, which will allow to equate the production of a file to a specific number of incidental proceedings attended.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> TIJIP: Total of incidental proceedings brought to the JIP (Courts of preliminary investigations)</p> <p>Denominator: <i>Variable:</i> TPJIP: Total of proceedings brought to the JIP (Courts of preliminary investigations)</p>	
Calculation formula	$\frac{TIJIP}{TPJIP}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	

Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.

For the proceedings brought, it will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.

For the proceedings brought, it will be collected from the SIJ due to the causes for initiation shown below as examples:

N°	MOTIVO DE INGRESO	N°	SUBMOTIVO DE INGRESO
136	MEDIDAS DE COERCIÓN	602	ALLANAMIENTO E INCAUTACION
136	MEDIDAS DE COERCIÓN	053	COMPARECENCIA RESTRICTIVA
136	MEDIDAS DE COERCIÓN	063	CONVALIDACIÓN AL MANDATO DE DETENCIÓN PRELIMINAR
136	MEDIDAS DE COERCIÓN	083	DETENCIÓN DOMICILIARIA
136	MEDIDAS DE COERCIÓN	347	DETENCIÓN PRELIMINAR
136	MEDIDAS DE COERCIÓN	064	DETENCIÓN PRELIMINAR INCOMUNICADA
136	MEDIDAS DE COERCIÓN	094	EMBARGO
136	MEDIDAS DE COERCIÓN	108	IMPEDIMENTO DE SALIDA
136	MEDIDAS DE COERCIÓN	111	INCOMUNICACION
136	MEDIDAS DE COERCIÓN	118	INTERNACIÓN PREVENTIVA
136	MEDIDAS DE COERCIÓN	136	MEDIDAS DE COERCIÓN
136	MEDIDAS DE COERCIÓN	155	PRISION PREVENTIVA
136	MEDIDAS DE COERCIÓN	159	PROLONGACIÓN DE IMPEDIMENTO DE SALIDA
136	MEDIDAS DE COERCIÓN	160	PROLONGACIÓN DE PRISIÓN PREVENTIVA
136	MEDIDAS DE COERCIÓN	047	SUSPENSIÓN PREVENTIVA DE DERECHOS
137	MEDIDAS RESTRICTIVAS DE DERECHO	012	ALLANAMIENTO
137	MEDIDAS RESTRICTIVAS DE DERECHO	202	ASEGURAMIENTO E INCAUTACIÓN DE DOCUMENTOS PRIVADOS
137	MEDIDAS RESTRICTIVAS DE DERECHO	049	CLAUSURA O VIGILANCIA DE LOCALES E INMOVILIZACION
137	MEDIDAS RESTRICTIVAS DE DERECHO	060	CONTROL DE COMUNICACIONES Y DOC. PRIVADOS
137	MEDIDAS RESTRICTIVAS DE DERECHO	061	CONTROL DE IDENTIDAD POLICIAL
137	MEDIDAS RESTRICTIVAS DE DERECHO	048	EXHIBICIÓN E INCAUTACIÓN DE ACTUACIONES Y DOCUMENTOS NO PRIV
137	MEDIDAS RESTRICTIVAS DE DERECHO	096	EXHIBICIÓN FORZOSA Y LA INCAUTACIÓN DE BIENES

Frequency and periodicity of data acquisition: On an annual basis

DATA QUALITY ISSUES

Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period Numerator and denominator values.

Actions taken or planned to address data limitations:

PLAN FOR DATA ANALYSIS			
Data submission:	This information will be submitted in the reports made by the ECP		

OTHER NOTES

Other notes:	REQUERIMIENTO	649	LEVANTAMIENTO DEL SECRETO COMUNICACIONES/TELECOMUNICACIONES
	REQUERIMIENTO	156	PROCESO DE SEGURIDAD

Date of last modification: June/2014

178	REQUERIMIENTO	158	PROCESO INMEDIATO
178	REQUERIMIENTO	648	RECONOCIMIENTO FOTOGRAFICO
	REQUERIMIENTO	178	REQUERIMIENTO
178	REQUERIMIENTO	179	REQUERIMIENTO DEL FISCAL
178	REQUERIMIENTO	188	SOBRESEIMIENTO
L01	SOLICITUD	062	CONTROL DE PLAZOS
L01	SOLICITUD	065	COOPERACION INTERNACIONAL
L01	SOLICITUD	298	DESALOJO PREVENTIVO
L01	SOLICITUD	297	DETENCIÓN PRELIMINAR
L01	SOLICITUD	106	HOMONIMIA
L01	SOLICITUD	344	LEVANTAMIENTO DEL SECRETO COMUNICACIONES/TELECOMUNICACIONES
L01	SOLICITUD	299	MINISTRACION PROVISIONAL
L01	SOLICITUD	647	RECONOCIMIENTO FOTOGRAFICO
L01	SOLICITUD	220	SOLIC. CONSTITUCION EN ACTOR CIVIL
L01	SOLICITUD	L01	SOLICITUD
L01	SOLICITUD	196	TUTELA DE DERECHOS

INDICATOR REFERENCE SHEET	
Name of indicator N° 6: Workload amount by Preliminary Investigation Judge	
DESCRIPTION	
<p>Definition: It measures the levels of workload of the judges from the courts of preliminary investigations, according to the proceedings that they hear.</p> <p>Technical Specifications:</p> <p>It must be noted that this indicator will also take into account the pending workload in the courts that has not been concluded in the previous period.</p> <p>Proceedings brought are the formalizations, direct accusations and proceedings reallocated by another OOJJ (SPA-Nullity, injunction or causation accepted).</p>	
Measurement unit: Amount of workload	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator will help determine in a comprehensive way the workload of the judges for preliminary investigations, considering the proceedings brought in a specific period and those which are pending from the previous period. The standard of incidents per proceeding must be applied to such total number, which will provide an estimate of the workload to be borne in average by each preliminary investigation judge. In this manner, recalculating the number of judges or reassigning workload will be feasible.</p>	
CALCULATION FORMULA	
<p>Numerator: Variable: TPB + TPP: Total of proceedings brought + Total of proceedings pending from the previous period</p> <p>Denominator: Variable: TPJIP: Total of Judges of the JIP (Courts of preliminary investigations)</p>	
Calculation formula	$\frac{TPI+TPP}{TPJIP}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>For the proceedings brought, it will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.</i></p> <p><i>The pending proceedings will be collected from the system in accordance with the aforementioned criteria from the proceedings brought in previous periods, but that still have not been resolved or reallocated to the courts of trial.</i></p> <p><i>The entirety of Judges will be collected from the information system of the Court Staff and Hierarchy Management</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
<ul style="list-style-type: none"> Data submission: This information will be submitted in the reports made by the ETI-PJ. 	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET	
Name of indicator N° 7: Percentage of proceedings resolved by a Judge for Preliminary Investigations	
DESCRIPTION	
<p>Definition: This indicator refers to the productivity of the judicial system, which leads to an analysis of the causes intervening in the increase or decrease of the procedural burden in each court for preliminary investigations.</p> <p>Technical Specifications: Proceedings resolved are those that are concluded with judgments and final decrees</p>	
Measurement unit: Number of proceedings resolved	
Disaggregated by: Judicial District	
<p>Justification and usefulness: By means of this indicator, it may be determined, in comparison with the other legal organs, the production of the judges for preliminary investigations, considering that said measurement will no longer be based on the passing of a sentence but on the standard of incidental proceedings that amount to a proceeding.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> (Average of incidental proceedings X proceeding / Total number of incidental proceedings) of the Courts for Preliminary Investigations</p> <p>Denominator: <i>Variable:</i> TJJIP Total of Judges of the JIP (Courts of preliminary investigations)</p>	
Calculation formula	$\frac{\text{Aver. incidental proceedings X Proc.}}{\text{Total number of incidental proceedings}}$ <p style="text-align: center;">TJJIP</p>
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>To collect the incidental proceedings brought, the SIJ takes into account various causes for initiation and its corresponding subsidiary causes: e.g.</i></p> <p><i>Cause: Coercive measure, subsidiary cause search warrant and attachment</i></p> <p><i>Cause: restrictive measures, subsidiary cause police identity check</i></p> <p><i>The entirety of Judges will be collected from the information system of the Court Staff and Hierarchy Management</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET	
Name of indicator N° 8: Percentage of pending proceedings in the Courts for Preliminary Investigations	
DESCRIPTION	
<p>Definition: The percentage of pending proceedings refer to the number of proceedings left unresolved or accumulated for the following year due to lack of resolution on the courts for preliminary investigations; it is understood that the proceedings processed by these courts have a duration of 4 months in simple cases and 8 months in complex cases, so these characteristics must be considered when reading the results.</p> <p>Technical Specifications: Workload includes the proceedings brought for the first time in the period, the ones reallocated from other OOJJ and the pending proceedings at the beginning of the period.</p>	
Measurement unit: Percentage of pending proceedings	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator will allow getting knowledge of the evolution of pending proceedings in preliminary investigation courts, determining if there is any increase or decrease in pending caseload by comparing different periods. This will help take measures in terms of the number of judges or the redistribution of workload.</p>	
CALCULATION FORMULA	
<p>Numerator: Variable: TPPJIP: Total of pending proceedings in the Courts for Preliminary Investigations</p> <p>Denominator: Variable: TPIJIP: Total of proceedings brought to the JIP (Courts of preliminary investigations).</p>	
Calculation formula	$\frac{TPPJIP}{TCTJIP}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>The pending proceedings brought will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment; but said proceedings must have been brought in previous periods, that is, that they have not been resolved or reallocated to other courts of trial.</i></p> <p><i>Workload data will be collected as follows:</i></p> <ul style="list-style-type: none"> - <i>Proceedings brought: initiation N° 178 (Requirement) and subsidiary initiation for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.</i> - <i>The pending proceedings will be collected from the SIJ in accordance with the aforementioned criteria from the proceedings brought in previous periods, but that still have not been resolved or reallocated to the courts of trial.</i> 	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET	
Name of indicator N° 9: Average time of duration of proceedings with the use of alternative remedies during the Preliminary Investigations stage	
DESCRIPTION	
<p>Definition: It determines the average time duration of a proceeding during the preliminary investigations stage, until a judgment or final decree is passed, using alternative remedies.</p> <p>Technical Specifications: The only proceedings under consideration are the ones that have concluded with alternative remedies that have been initiated during the preliminary investigations stage.</p> <p>Date of beginning: Date of the initiation of the formalization of the preliminary investigation</p> <p>Date of ending: Date of the passing of the resolution for the alternative remedy</p>	
Measurement unit: Days	
Disaggregated by: In a general way in every OOJJ	
<p>Justification and usefulness: This indicator will show the time estimated by the CPP that it is required to obtain an answer in a lawsuit for corruption by public officers when the alternative remedies are initiated. The dissemination of these results will allow the society to gain confidence in the use of alternative conflict resolution mechanisms, knowing that they will get a result pursuant to law within a short period of time.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> TDPSSA: Sum of the times of duration of proceedings with use of alternative remedies during the preliminary investigations stage (current year).</p> <p>Denominator: <i>Variable:</i> TPSSA: Total of Proceedings without alternative remedy during preliminary investigations stage (current year)</p>	
Calculation formula	$\frac{\sum TDSSA}{TPSSA}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>Early resolutions will be collected from SIJ through milestone N° O45 Sentence of early resolution (last sentence).</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET
Name of indicator N° 10: Percentage of application of alternative remedies during the Preliminary Investigations stage

DESCRIPTION	
<p>Definition: This indicator measures the opportunities in which the parties involved, during the preliminary investigations stage, have used the remedies alternative to the common proceeding, to obtain a quick satisfaction of their claims and a sanction to the responsibility.</p> <p>Technical Specifications: Proceedings brought are the formalizations, direct accusations and proceedings reallocated by another OOJJ (SPA-Nullity, injunction or causation accepted).</p>	
Measurement unit: Number of uses of alternative remedies	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator will help know the confidence that the parties involved in a case of corruption by public officers have to initiate an alternative remedy and therefore improve the image of the Judiciary Branch by resolving proceedings in shorter terms and reduce expenses on criminal justice by preventing the proceedings to go through other stages. According to the results obtained, actions should be taken to make the parties involved and the society in general aware of the application of alternatives remedies.</p>	
CALCULATION FORMULA	
<p>Numerator: Variable: TSSA: Total of applications for alternative remedies during preliminary investigations stage.</p> <p>Denominator: Variable: TPIJIP Total of proceedings brought to the JIP (preliminary investigations)</p>	
Calculation formula	$\frac{TSSA}{TPIJIP}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>For the proceedings brought, it will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.</i></p> <p><i>The applications for early resolutions will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 157 (Proceedings of early resolution).</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	
INDICATOR REFERENCE SHEET	
Name of indicator N° 11: Percentage of judgment and final ruling appeal	
DESCRIPTION	

<p>Definition: The rate of appeals measures the dissatisfaction with the resolution from the first instance of the Judiciary Branch and the demand for a superior instance that would review the quality of the process. It is assumed that a greater rate of appeals means greater dissatisfaction, without necessarily meaning a justice administration of lesser quality, so it is necessary to interpret this indicator together with the percentage of proceedings revoked and annulled. Technical Specifications: The proceedings brought are those reallocated from the Courts for Preliminary Investigations and Trial, in relation to final sentences and decrees.</p>	
Measurement unit: Percentage of appeals	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator will give knowledge on the ratio of litigants that are dissatisfied with the first ruling on the resolution of their case, requiring the opinion of a superior instance. It will also show the demand for superior instances. This indicator gives us a general reading on the confidence of the litigants on the judges of the first instance, although on the quality of the decision made by said judges, it will have to be contrasted with the indicator of appeals that have been confirmed.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> TPISPA: Total of proceedings brought in criminal courts of appeal</p> <p>Denominator: <i>Variable:</i> TS + AF Total of final decrees and sentences (not considering early resolution) passed by the OOJJ of first instance</p>	
Calculation formula	$\frac{\text{TPISPA}}{\text{TS} + \text{AF}}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>The information on proceedings brought to Criminal Courts of Appeal will be collected from the SIJ-FEE.</i></p> <p><i>The information on the total of final decrees and sentences will be collected as follows:</i></p> <ul style="list-style-type: none"> - For the sentences, it will be collected from the SIJ through milestone N° 045 Sentence of early resolution (last sentence) and landmarks N° 279 Judgment of acquittal (last sentence), N° 420 Judgment of conviction (last sentence) and Sentence with reservation of conviction (last sentence). - For final decrees, it will be collected from the SIJ through milestones N° 439 Acquittal decree, 538 Acquittal decree: compliance with the plea bargain, 539 Final decree for declaration of prescription by the court, AE1 Decree on well-founded pretrial motion, E72 Decree on well-founded exception to res judicata, O14 Decree on well-founded preliminary motion, O15 Decree on well-founded exception of nature/inadmissibility of action, O16 Decree on well-founded exception of prescription of the criminal action. 	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET

Name of indicator N°12 : Percentage of High Court Appeals

DESCRIPTION

Definition: The rate of high court appeals measures the dissatisfaction with the resolution from the second instance of the Judiciary Branch and the demand for a superior instance that would review the quality of the process.

It is assumed that a greater rate of appeals means greater dissatisfaction, without necessarily meaning a justice administration of lesser quality, so it is necessary to interpret this indicator together with the percentage of proceedings cassated.

Technical Specifications: The proceedings brought are those reallocated from the Criminal Courts of Appeal, in connection with sentences and final decrees.

Measurement unit: Percentage of High Court Appeals

Disaggregated by: Judicial District

Justification and usefulness: This indicator will give knowledge on the ratio of litigants that are dissatisfied with the second ruling on the resolution of their case, requiring the opinion of a superior instance. It will also show the demand generated in these instances. This indicator give us a general Reading on the confidence of the litigants in the judges of second instance, although on the quality of the judgment passed by those judges, it should be contrasted with the indicator of high court appeals made.

CALCULATION FORMULA

Numerator:

Variable: Resolution of decrees through high court appeals in the Permanent Sectors of the Supreme Court.

Denominator:

Variable: Resolutions of inadmissibility.

Calculation formula	$\frac{\text{Resolution of decrees through high court appeals in the Permanent Sectors of the Supreme Court}}{\text{Resolutions of inadmissibility}}$
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PLAN FOR DATA ACQUISITION

Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.

Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.

For the sentences and decrees of the Criminal Court of Appeal, it will be collected from the SIJ through the following milestones:

N° Hito	Acto Procesal
348	SENTENCIA DE VISTA QUE CONFIRMA A ARCHIVO
604	SENTENCIA DE VISTA QUE CONFIRMA A EJECUCIÓN
606	AUTO DE VISTA DE AUTO FINAL QUE CONFIRMA A EJECUCION
AAQ	AUTO DE VISTA DE AUTO FINAL QUE CONFIRMA A ARCHIVO
349	SENTENCIA DE VISTA QUE REVOCA A ARCHIVO
605	SENTENCIA DE VISTA QUE REVOCA A EJECUCIÓN
607	AUTO DE VISTA DE AUTO FINAL QUE REVOCA A EJECUCIÓN
AAP	AUTO DE VISTA DE AUTO FINAL QUE REVOCA A ARCHIVO
350	SENTENCIA DE VISTA QUE ANULA A TRAMITE
AAF	AUTO DE VISTA DE AUTO FINAL: DECLARA NULIDAD A CALIFICACION
E05	SENTENCIA DE VISTA QUE ANULA A CALIFICACION
H52	AUTO DE VISTA DE AUTO FINAL: DECLARA NULIDAD A TRAMITE

For the proceedings brought to the Criminal Court of the Supreme Court, it will be collected from the SIJ SUPREME.

Frequency and periodicity of data acquisition: On an annual basis

DATA QUALITY ISSUES

Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as “Integrated Judicial System” (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.
Actions taken or planned to address data limitations:
PLAN FOR DATA ANALYSIS
Data submission: This information will be submitted in the reports made by the ETI-PJ.
OTHER NOTES
Other notes:
Date of last modification: June/2014

INDICATOR REFERENCE SHEET	
Name of indicator N° 13: Average of court hearings not held due to lack of notification.	
DESCRIPTION	
<p>Definition: This indicator will show how many of the hearings that were not attended were caused by a problem in the communication of resolutions that summon the parties for a hearing.</p> <p>Technical Specifications: The proceedings brought are those reallocated from the Criminal Courts of Appeal, in connection with sentences and final decrees.</p>	
Measurement unit: Average of hearings not held	
Disaggregated by: Judicial District	
<p>Justification and usefulness: This indicator is very useful because it allows getting knowledge of the number of hearings that are not performed due to failure to notify the parties. With this information, actions may be taken in connection with the real issues that exist with the serving of notices, such as improving the use of electronic notification tools, notice procedures, appropriate assignation and distribution of staff, and logistics.</p>	
CALCULATION FORMULA	
<p>Numerator: <i>Variable:</i> TSANRPN: Total of court hearings not held due to lack of notification to the parties.</p> <p>Denominator: <i>Variable:</i> TSANR: Total of court hearings not held.</p>	
Calculation formula	$\frac{\text{TSANRPN}}{\text{TSANR}}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>To identify the average of court hearings not held due to lack of notification, it will be collected from the SIJ, through the specific statement N° 5 (Parties not notified), which is contained in the general statement N° 8.</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
<p>Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.</p>	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	

INDICATOR REFERENCE SHEET	
Name of indicator N° 14: Participation of the injured party in the criminal proceeding	
DESCRIPTION	
<p>Definition: This indicator measures the proportion of applications to the Judiciary Branch, before its relevant offices, by the victim and it is based in the assumption that the parties have the right to know and access to the information on the state of their proceedings, with the aim of participating actively in the civil claim of the proceeding. (Section IX of the CPP).</p> <p>Technical Specifications: Brought proceedings are the formalizations, direct accusations and proceedings reallocated by another OOJJ (injunction or causation accepted).</p>	
Measurement unit: Participation of the victim	
Disaggregated by: Judicial District	
Justification and usefulness: This indicator is very useful because it allows to get knowledge of the amount of requests submitted before the Judicial Branch and thus of the active participation of the injured party.	
CALCULATION FORMULA	
<p>Numerator: Variable: TSCAC: Total of applications of becoming plaintiff</p> <p>Denominator: Variable: TPIJIP: Total of proceedings brought to the JIP.</p>	
Calculation formula	$\frac{TSCAC}{TPIJIP}$
PLAN FOR DATA ACQUISITION	
Data source: The data necessary for this indicator is raw data located in the data base of the SIJ.	
<p>Data gathering tools: Data is currently collected by the Integrated System and kept in the data base; later it is necessary to perform the reports in which the cross-match tables are used to calculate according to the calculation formulas.</p> <p><i>For the entirety of applications of becoming plaintiff, it will be collected from the SIJ through initiation N° L01 (Application) and subsidiary cause for initiation N° Z20 (Applic. of becoming plaintiff)</i></p> <p><i>For the proceedings brought to the JIP, it will be collected from the SIJ through initiation N° 178 (Requirement) and subsidiary cause for initiation N° 103 (Formalization of the Preliminary Investigations); number of initiation N° 178 (Requirement) and subsidiary cause for initiation N° 010 (Direct accusation) and Statistical milestone N° 534 Reception: Second instance sentence that annuls the assessment.</i></p>	
Frequency and periodicity of data acquisition: On an annual basis	
DATA QUALITY ISSUES	
Known data limitations (if any): The limitations for this indicator are related to the collection and reliability of the data obtained from the computer administrative records of the Judiciary Branch, known as "Integrated Judicial System" (SIJ). It must be considered that such system only contains the information of the interconnected courthouses and this influences the variation of the actual period numerator and denominator values.	
Actions taken or planned to address data limitations:	
PLAN FOR DATA ANALYSIS	
Data submission: This information will be submitted in the reports made by the ETI-PJ.	
OTHER NOTES	
Other notes:	
Date of last modification: June/2014	