



**UNIVERSITY AT ALBANY**  
STATE UNIVERSITY OF NEW YORK

*Center for Legislative Development*

**ACTIVITY REPORT**  
of the  
Center for Legislative Development's  
Nicaragua National Assembly  
Bilateral Technical Assistance and Training Consultancy  
Managua, Nicaragua  
November 19-25, 1991

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**Purpose of the Trip**

Between November 19 and 25, 1991, the Center for Legislative Development, University at Albany led a team of legislative development and information systems experts on a bilateral technical assistance and training visit to the Asamblea Nacional de Nicaragua in Managua. The team conducted its visit on behalf of the Consortium for Legislative Development and with its authorization at the invitation of both USAID/N and the Asamblea Nacional (attachment #1). The Center's team conducted over two days of bilateral work with the Asamblea on the fundamental legislative institution building issues of codification of the laws, computerized statutory retrieval, and the techniques and technologies of bill drafting.

The trip was also intentionally organized to tie in with the 5th General Meeting of ATELCA held in Managua on November 22-24 so

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that the Center for Legislative Development could efficiently utilize its expert resources to conduct a regional training workshop on this same fundamental legislative institution building issue. The Consortium authorized the use of regional funds in support of both of these activities by the Center for Legislative Development (attachment #2).

The specific components of the team's mission were:

- (1) to review the status of the Asamblea's and USAID/N's top priority codification project in preparation for the assumption by the Consortium of the UNDP-funded effort to that point in time);
- (2) to help define more precisely the scope of the activity and the Center's and Consortium's role in it for the coming 18-20 months (to assist the Asamblea with its implementation of a computerized statutory retrieval and bill status system);
- (3) to familiarize the Center's team with the key Nicaraguan participants in the activity and to gain an "on the ground" sense of the Asamblea's infrastructure, present informatics capabilities and organization so that future technical assistance and training assistance efforts could be certain to be designed to maximize their relevance for the Nicaraguans;
- (4) to assess and support the incorporation and integration of the legal advisors office (Asesoria) into the project and to provide technical assistance and training to the legal advisors staff about the role of professional legislative legal and program staff, about the techniques and technologies of bill drafting, committee staff work, and about organizational structures; and, lastly,
- (5) to discuss plans for a reciprocal visit to the New York State Legislature in Albany for the next step in providing in-depth technical assistance and training.

The Center for Legislative Development's team of experts included:

**Charles S. Dawson Jr.**, Deputy Director, the Center for Legislative Development and Program Manager, the Consortium for Legislative Development. Dr. Dawson specializes in legislative administration and development and holds a Ph.D. in Public Administration from the Rockefeller College, University at Albany. He has held professional

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legislative staff positions in both houses of the New York State Legislature since 1976 and has coauthored a book on the New York State legislature with Abdo I. Baaklini.

**Richard I. Nuñez**, Professor of Public Administration, University at Albany, State University of New York. Dr. Nuñez holds both a Ph.D in Public Administration from Syracuse University and a J.D. in law from St. Johns University. He is an attorney with considerable international legislative development experience, most recently in Hungary, and is an expert on bill drafting and legislative research.

**David Keiper**, Commissioner, New York State Legislative Bill Drafting Commission. Mr. Keiper is an expert on computerized legislative information systems to aid the legislative process and also has an extensive legislative administration and partisan political background.

**Jorge Bela**, Citizen of Spain and Associate of the Center for Legislative Development. Mr. Bela is a Ph.D candidate in Political Science at the University at Albany and is an expert on information systems. He holds a masters degree in Latin American Affairs from the University of Florida in Gainesville with a specialization on Brazil.

This report is divided into four parts, including the above section describing the purpose of the visit. The remaining parts include sections on the "Background and Importance" of the activity, the "Conduct" of the activity, and an "Assessment" of the activity.

**Background and Importance of the Activity**

To begin with, it is important to recount the Consortium's findings to date with respect to the effort ongoing throughout Central America to systematize (collect, preserve, and organize in some fashion, if not codify) the national laws of these nations. Our Consortium's needs assessment teams inquired about these high priority systemization efforts in every country where the Consortium was invited to conduct one. In most cases we found that the USAID missions had already funded (e.g., Costa Rica) or were committed to funding (e.g., Panama) extensive AOJ programs to handle this important task with absolutely no consideration, however, to the involvement of the national legislatures (e.g.,

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CENALEX in Guatemala) in the process. The notable exception, of course, was Nicaragua which, as is discussed below, has gone its own way.

Giving the legislature, as the nation's principal (if not exclusive) lawmaking organ, the jurisdiction for the systemization, amendment, and official maintenance of the laws is central to the lawmaking organ's independence and effectiveness, and as such, supporting this effort is an important component of the Consortium's legislative institution building strategy for Nicaragua and throughout the LAC region. Furthermore, the codification of a nation's laws in a systematic and comprehensive manner facilitates their fair access, helps assure their accuracy, and builds confidence in the legitimacy of the legal system. The capability of being able to utilize computers to retrieve a nation's laws rapidly, easily, and with confidence in their accuracy and comprehensiveness further builds the legitimacy of the legal system. Finally, the ability to make new laws and amend existing ones competently further enhances confidence in the legal system.

Due to a variety of factors the USAID/N mission had not inaugurated a legal systemization project in Nicaragua prior to our Consortium's initial needs assessment trip on October 1990, although it was in the forefront of its list of projects. This was fortuitous for all parties, because it resulted in our Consortium being able to provide the mission with timely independent advice on this matter. Our Consortium essentially advised in its discussions with and report to the Mission that in any systemization (and hopefully codification) of the laws of Nicaragua not only should the legislature play a critical role in this task as the key national lawmaking body, but indeed it should be the central and controlling jurisdiction of any such project. This met with the mutual endorsement of the Mission and the Asamblea.

In fact, in the continued absence of a USAID-funded buy-in to the Consortium's regional project, the Asamblea inaugurated such a project with modest UNDP support and its own very limited resources seizing not only on the legislative jurisdiction rationale, but on the codification and computerized retrieval method of systemization too. This will assist the Asamblea with rapid and accurate retrieval of laws and be invaluable to the future bill drafting process of the nation.

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It is this activity/project, which the Consortium originally conceived, that the Consortium has proposed to assume funding for through the USAID/N mission's buy-in. The project/activity is headed by Doctora Myriam Jarquin de Medina (until 15 Dec 91 funded from the UNDP grant and the person whose salary the Mission has asked the Consortium to pick up from the buy-in). She was assisted in the codification project by only one other professional until very recently, Licda. Glenda Ramirez, who is funded by the Asamblea. In conjunction with our arrival for the bilateral effort, an additional experienced professional staffer, Licda. Marisol Morales Reyes, was assigned to the project from the Asamblea's own resources. She speaks English fluently and previously worked in the Asamblea's international department, the country's foreign affairs ministry and for six years in the Asamblea's Asesoria.

Dra. Medina prepared, at our request in July, a preliminary report about the UNDP project's status which she submitted on 11 October 1991 (attachment #3). At the time of our visit, Dra. Medina's team had accomplished the following:

- 1) Completed its efforts to search the country to obtain a complete collection of the nation's (session/unconsolidated) laws (leyes);
- 2) Begun efforts to preserve these documents with the assistance of the library staff;
- 3) Completed during our visit an exhaustive historical analysis of the laws of Nicaragua, its past legislatures' organization and work, and various lawmaking flow charts.

**Conduct of the Bilateral  
Technical Assistance & Training Consultancy Trip**

The team spent Tuesday November 19 traveling to Managua. The team arrived in the late evening and was met by at the airport by the Asamblea's sub-director of protocol, Sra. Dilcia Saenz, who escorted us to the Hotel Intercontinental. Upon our arrival, I unsuccessfully attempted to contact Ms. Mila Brooks at the USAID/N Mission to report our arrival and to inquire about her preferences for a meeting with our team.

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The team then met by Sr. F. Rafael Roa who briefed us on his knowledge of the agenda for the next day. Sr. Roa is a U.S. citizen of Nicaraguan birth who is assisting the Asamblea with its organization and delivery of computer training programs for the staff (primarily Wordperfect and Lotus). He is a computer "jock" who is also helping the Asamblea with the technical side of its very modest computerization effort as a result of the initial USAID equipment drop. We originally met him during our July trip together with Dra. Medina, who has overall direction of the computer deployment and configuration. Later the team reviewed its agenda and strategy for the meetings over the next two days.

At an early breakfast meeting on Wednesday November 20, 1991, the Center's team met with the Nicaraguan informatics team comprised of the following members: Dra. Medina, Licda. Ramirez, Licda. Morales, and Sr. Roa. The purpose of this meeting was twofold: to make introductions so that each team became acquainted in preparation for our future collaboration and to discuss the particulars of the days' agenda and to suggest any modifications. Once done, the two teams departed for the Asamblea to meet with the Executive Secretary, Dr. Carlos Siles Levy.

At the Asamblea, the team was welcomed by Dr. Siles. He emphasized the importance of the codification project and his gratitude for our help. He apprised us of his suggestions for our agenda and his hopes for the two team's longer term accomplishments. We were promised whatever assistance we needed during our stay and were given carte blanche to meet with whomever we thought necessary in furtherance of the project. We were informed that the President of the Asamblea, Eng. Alfredo Caesar, was out of the country otherwise he would have met with us too.

While at Dr. Siles's office I again tried and finally succeeded in reaching Ms. Mila Brooks at the Mission. She indicated that she had tried to call me at the hotel but apparently had the old telephone number. I briefed her on our discussions to that point and on our agenda for the rest of the day. We agreed to meet on Friday morning at the Olof Palme Conference Center at the beginning of the ATELCA conference to talk and so that I could introduce her to Dra. Medina and to the Center for Legislative Development's team. We would then plan any further meetings.

Commissioner Keiper made an initial survey of the computer and telecommunications facilities at the Asamblea in preparation for an

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attempted link-up with the New York State Legislative Bill Drafting Commission's computers and a demonstration of its capabilities.

After our meeting with Dr. Siles, we were taken on a tour of the Asamblea's facilities in order to gain an idea of the existing infrastructure and the logistics and problems of deploying legislative information system(s). We also examined the plenary for its ability to accommodate an electronic voting and attendance system. During our tour we were introduced to Dr. Daniel Isaac Centeno Espinoza as the Asamblea's nominee for the graduate degree program. Professor Nuñez and Dr. Dawson spoke briefly with Dr. Centeno and agreed to meet with him at greater length later. [Professor Nuñez met with Dr. Centeno the next day for about fifteen minutes (while the rest of the team worked on other matters) to try to answer any questions Dr. Centeno had about the academic program in Albany, about Albany itself, and completion of the application. We were asked to try to make a determination of Dr. Centeno's academic acceptance by December 15, 1991 so that there would be sufficient time to make arrangements for his departure in time for the Spring semester.]

At Dra. Medina's office in the Bank of America building adjoining the Asamblea building and in one of the informatics team's offices located on the 6th floor next to the library (which houses the Asamblea's and the nation's only complete collection of the nation's laws), the team was shown the work products of the informatics team to date, was given a demonstration of the process being used to input the nation's laws, and discussed some of the various issues facing the informatics team.

In the late afternoon over lunch the respective teams continued their discussions exploring the problems and opportunities of the Asamblea. Many "what-if you tried this" exchanges were already occurring by this point. An equal amount of "how-to" knowledge was also being conveyed. Following lunch the team met with the Director of the Asesoria, Dr. Julio Icazo Tijerino, and the Sub-director, Dr. Julio Ramon García Vilchez to discuss the important linkage between the informatics staff's codification and computerized statutory retrieval project and the Asesoria as the users of the system. In addition, the team listened to and discussed the other needs expressed by these two key Asesoria staff for training and assistance in the techniques and technologies of bill drafting, legislative research, and committee assistance. A meeting of the entire Asesoria staff was scheduled for the next morning.

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In concluding the day's business, Commissioner Keiper made the first of what proved to be many unsuccessful attempts to link-up with his computers in New York.

Over dinner, the team compared notes about the day's meetings and discussed the handling of the next day's important meeting with the Asesoria staff. At breakfast the following morning, the team again planned its approach for the meeting with the Asesoria and shared each other's proposed points and comments to avoid any redundancy.

The team met first thing on Thursday with the entire staff of Asesoria except the director.

Asesores

Sub-Director Asesoria Jurídica: Dr. Julio Ramon García Vilchez  
Director de Atencion a Comisiones: Sr. Allan Zambrana Salmeron  
Sub-Director de Comisiones: Licda. María Jose Viros  
Dr. Roberto Borge Tapia  
Dra. Auxiliadora Acesa  
Dr. Salvador Fonseca  
Licdo. Felix Gonzalez  
Licda. Mariela Cerrato  
Dr. Arturo Cuadra Ortigaray  
Dr. Manuel Cano

After introductions and a presentation by Dr. Dawson about the Consortium, the expertise of the team and the purpose and scope of its visit, the team listened to a presentation of needs by Sub-Director García. This was followed by remarks by Professor Nuñez and Commissioner Keiper attempting to address some of Dr. García's questions. We conducted lengthy discussions with the Asesoria staff with the interpreting and subject matter assistance of Sr. Bela about comparative bill drafting techniques and computerized information technologies, computerized bill status systems, committee operations and staffing patterns, and bill drafting commission operations and staffing patterns.

We were literally pummeled with positive and pragmatic how-to questions from a very enthusiastic audience for several hours. All wanted more training and even inquired about specialized bill drafting training programs in U.S. state legislatures, law schools, or programs of public administration specializing in legislatures.

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The number and intensity of questions and the level of enthusiasm generated during this two hour meeting was overwhelming. The Sub-Director and Asesores asked questions about the organization and function of the NYS Bill Drafting Commission and about the education, professionalism, partisanship, and training of its staff. They requested that Professor Nuñez or one Commissioner Keiper's staff attorneys return to spend a month working directly with the Asesores in the Asamblea to provide technical assistance and essentially show them "how" to do it "our way." Interest was also expressed in visiting New York to see first hand "how it's actually done."

Numerous documents were shared with the Asesores including copies of the *NYS Bill Drafting Manual* and relevant excerpts from the *NYS Legislative Law* about Commissioner Keiper's Bill Drafting Commission. Other documents presented included the *NYS Legislative Digest* (summary of all bills introduced and the action taken on them during a legislative session) and the *NYS Legislative Manual*. Examples of legislation were also presented.

We clearly were able to establish an important link at the outset of our consultancy with the key Asamblea users-to-be of the codification project -- the Asesoria staff (the legal advisors to the committees who also serve as bill drafters). It is important to note that during our bilateral consultancy, we thus not only launched the codification project and achieved the establishment of a solid bridge between the Asesoria and the informatics project staff, but we successfully began the training and technical assistance project for the Asesoria, another priority objective of the Asamblea.

Following this meeting further attempts were made by Commissioner Keiper to link-up with his computer in New York to give a demonstration of the system's capability to assist the legal advisors with their work. The team also investigated the arrangements for our presentations at the ATELCA meeting to be held in the Olof Palme Conference Center the following day.

Discussions were held in the afternoon with Dra. Medina about the nature and scope of a trip by her and other Asamblea staff to the United States to further the goals of the project. Commissioner Keiper offered his time and that of his staff during the week of January 21-24, 1992 to assist with the further training and technical assistance of the informatics staff. Dra. Medina expressed urgency and wanted to conduct such a follow-on visit in

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mid-December. However, it was explained that it was not realistic to expect that the Consortium's buy-in agreement with USAID/N would be concluded by then. At the time, a mid-to-late January time frame seemed more realistic. Discussions were held about who else from Dra. Medina's informatics staff and from the Asesoría would be appropriate, would benefit most from, and would contribute the most following such a trip to the furtherance of the goals of the project. Four or five names were suggested by Dra. Medina and the members of team based upon its meetings. It was agreed that these names would be discussed with Dr. Carlos Siles by both Dra. Medina and Dr. Dawson at their respective opportunities.

The next several days were devoted to ATELCA activities, although our team's bilateral work with the Nicaraguans continued throughout as we attempted to draw on the ATELCA activities' relevance to the Nicaraguan situation and as the Nicaraguans continued to ask our team questions. The ATELCA activities are discussed in a separate activity report. Of further relevance to the bilateral component of our trip, however, was a brief meeting with Ms. Mila Brooks at the Olof Palme Conference Center prior to the opening of the ATELCA workshop. As previously requested, Dr. Dawson introduced Dra. Medina to Ms. Brooks. He also introduced the members of the Center's expert team. No arrangements were made for a subsequent meeting with the Center's team, although it had been contemplated that if such a meeting were to occur that it would be arranged through Mr. McCarry for the following Monday morning before our departure. (Mr. McCarry's plans changed and he left Sunday without word of any planned meetings.) In the future, it is important that every attempt be made to reach out to the Mission to avoid crossed signals and to assume that an in-country debriefing meeting is called for unless told otherwise.

On Sunday, November 24, Professor Nuñez and Commissioner Keiper departed Managua.

On Monday morning November 25, 1991, Dr. Dawson and Sr. Bela paid a final visit to the Asamblea prior to their departure to meet with Dr. Siles. At this meeting, the previous days' work was reviewed. We received Dr. Centeno's application and the Asamblea's check for his application fee. We discussed the possibility of a trip to the U.S. by Dra. Medina and one of her staff as well as the relevance of several Asesores participating. Dr. Siles highly recommended Dr. Juli Ramon García for such a trip. The other key staff were not in their office by the time protocol asked us to prepare to leave for the airport, so after some telephone calls to say our goodbyes we departed.

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Assessment of the Activity

In fulfilling the bilateral project objectives, the team was very successful. Again, the team's objectives for this visit included:

- (1) Reviewing the status of the codification project;
- (2) Defining the scope of the activity and the Center's and Consortium's role in it;
- (3) Familiarizing the Center's team with the key Nicaraguan participants and gaining an "on the ground" sense of the Asamblea's infrastructure, present informatics capabilities and organization relevant to future technical assistance and training assistance efforts;
- (5) Incorporating and integrating the legal advisors office (Asesoria) into the project, providing initial technical assistance and training to the legal advisors staff;
- (5) Discussing of plans for a reciprocal visit to New York and the U.S. for in-depth technical assistance and training.

The trip proved to be mutually rewarding for the Nicaraguans and our expert consulting team. Indeed, all of the Center for Legislative Development's team members expressed a genuine interest in future collaboration with the Nicaraguan legislative staff. The Nicaraguans, for their part, expressed a desire for further and intensive collaboration in technical assistance and training in the U.S. and in Nicaragua. One measure of the team's success was again, the Nicaraguan's request for Professor Nuñez to spend up to one month with them.

Attachments:

- #1 Memo from Mr. Caleb McCarry to Dr. Charles Dawson re: "Nicaragua Technical Assistance Team."
- #2 Letter from Dr. Carlos Siles Levy to Dr. Charles Dawson.
- #3 Preliminary report of Dra. Medina to Sr. Caleb McCarry, CFD.

The Center for Democracy

1101 15th Street, N.W.  
Suite 505  
Washington, D.C. 20005  
202/429-9141



November 12, 1991

MEMORANDUM

TO: Dr. Charles S. Dawson  
FROM: Caleb McCarry  
SUBJECT: Nicaragua Technical Assistance Team

Please be advised that Lilibana Ayalde has already processed your country clearance request for the following individuals:

1. Charles Dawson
2. David Keiper
3. Richard Nunez
4. Jorge Bela

Lilibana said she would fax me a copy of the approved country-clearance. I will forward the approval to you as soon as it arrives. If you then require further clarification for your files, we can provide it at that time.

Also, please be advised that although Lilibana and her contracts specialist have concurred with requesting that the buy-in begin on November 1, 1991 and has been in touch with Sharon Isralow, she HAS NOT determined what paperwork needs to be filed with the contracts office in Washington to request the November 1 start date. Consequently we HAVE NOT received a written determination from the contracts office on this matter. Until we receive such a written communication from the <sup>regional</sup> contracts office, we CAN NOT access or expend bilateral USAID/Nicaragua monies.

*CM*

At our request, Sharon Isrolow has determined that FY91 regional monies have received a waiver exempting them from restrictions imposed by Brooke Alexander and 620(q) provisions and therefore CAN be expended in Nicaragua. In the event that the requested November 1 start date authorization is not forthcoming from the regional contracts office, you are hereby authorized to use UA/SUNY(CLD) regional funds to implement the technical assistance you have planned for next week pursuant to the authorization contained in Attachment 2, §II(3) of Cooperative Agreement no. LAC-0770-A-00-0034-00.



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Dr. Carlos Siles Levy  
SECRETARIO EJECUTIVO

Managua, 18 de noviembre de 1991

Dr. Charles S. Dawson  
University at Albany  
FAX: (518) 4425710

Estimado Doctor Dawson:

Confirmamos reunión en Managua los días 20 y 21 de noviembre, respectivamente.

Aprovecho la ocasión para remitirle Agenda de la Asamblea General de Técnicas Legislativas, a realizarse los días 22 y 23 de noviembre, en esta ciudad.

Atentamente,

CARLOS SILES LEVY  
Secretario Ejecutivo  
ASAMBLEA NACIONAL DE NICARAGUA

FAX: 621207

Managua, 11 de Octubre de 1991.

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Señor  
CALEB MCCARRY  
Centro para la Democracia  
Consortio para el Desarrollo  
Legislativo.  
WASHINGTON D.C.

Señor McCarry:

Tengo el honor de dirigirme a usted con el objeto de enviarle un informe preliminar del desarrollo actual del Proyecto "APOYO A LA SISTEMATIZACION DE LA LEGISLACION Y REGISTRO PUBLICO DE NICARAGUA" suscrito entre el gobierno de Nicaragua, el Programa de Naciones Unidas para el Desarrollo y como organismo ejecutor la Asamblea Nacional de Nicaragua, - por un periodo inicial de 6 meses, prorrogado hasta el 30 de Noviembre de 1991.

Como es de su conocimiento, el proyecto tiene como propósito realizar un estudio y evaluación de los sistemas actuales en 2 áreas diferentes:

- 1.- Organismo legislativo : control y seguimiento de Leyes, Archivo legislativo.
- 2.- Organismo judicial : Registros Públicos de la Propiedad Inmueble, Mercantil y de Personas.

El objetivo final del estudio y evaluación de los sistemas antes mencionados llevarán a tres resultados bases para su transformación en un sistema computarizado:

- 1.- Propuesta del Sistema de Información más adecuado para ambas instituciones.
- 2.- Análisis y recomendaciones relativas a los requerimientos de personal calificado necesario para la implementación del sistema.
- 3.- Recomendaciones sobre la distribución del espacio físico para instalación y funcionamiento del sistema.

En el área de Registro Públicos, aún cuando no es de la competencia de la Asesoría que brindará el Consortio, se encuentra en su etapa final para presentar a las autoridades judiciales las propuestas, esto ha tomado parte de mi tiempo en estos últimos meses, por lo que el mes de Octubre dedicaré para la redacción de mi informe final lo que concierne al área legislativa.

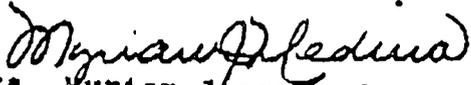
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Adjunto al presente escrito un informe de las actividades realizadas a la fecha, que en su estado actual podría darsele seguimiento por parte del Consorcio, para definir el cronograma de actividades y presupuesto del financiamiento otorgado por A.I.D., existe un gran interés de parte del Presidente de la Asamblea Nacional dar inicio inmediato a la Asesoría que brindará el Consorcio, para efectos de definir las estrategias del desarrollo del proyecto.

En caso necesiten información complementaria, me pueden contactar al No. 62-11-55

ATENTAMENTE

  
Dra. Myriam Jarquín de Medina  
Coordinadora Nacional  
Proyecto No. NIC/91/006

Dentro de las actividades enmarcadas en el documento Proyecto No. NIC/91/006 Asamblea Nacional, el resultado actual de las mismas se describen así :

I. SISTEMA DE ARCHIVO LEGISLATIVO.

Se ha efectuado un inventario de la información legislativa existente y organizada en el país.

- 1- Tomos de la Gaceta - Diario Oficial, en la cuál se publican oficialmente los ordenamientos jurídicos. Promulgadas en el país; éstos se han detectado en varias Bibliotecas del país, su objetivo es utilizar la metodología del microfilm para efecto de conservar la historia legislativa del país como aporte histórico y el texto integro tendrá como función el soporte fundamental para el análisis de la legislación promulgada, información que servirá de base para la creación de la base de datos de legislación.
- 2- Compendios de índices legislativo editados en el país.
- 3- Se ha adquirido un índice legislativo por materia y cronológico, previamente relacionado que abarca un período de 100 años de legislación, éste índice es manual.
- 4- Se ha iniciado labor de análisis de la legislación para depurar lo derogado, éste se hace a partir del año 1991.

Las actividades antes descritas tienen como objetivo preparar la información necesaria para la creación de la base de datos legislación, que conformará el Sistema de Información Legislativa de la Asamblea Nacional; núcleo central para información de la labor legislativa y el público en general, esto será un gran avance en el uso de la Tecnología, ya que en Nicaragua no existe un sistema que brinda información sobre cuáles leyes son vigentes, cuántas leyes se ha promulgado sobre una materia determinada, su creación será valiosa para la Asamblea Nacional de Nicaragua.

...../



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En relación a archivos propios de la Asamblea, con el sistema que se implemente mejorará mucho en su organización, ya que existen diversos archivos, que comprenda varios periodos de legislatura ubicados en diversas oficinas; no existen un archivo central.

II- SISTEMA ACTUAL DE CONTROL Y SEGUIMIENTO DE LEYES.

Se ha realizado un estudio del sistema actual del proceso de formación de la ley, para efectos de ubicar las fases en el procedimiento de producción de las leyes, desde la presentación del proyecto hasta su votación y su aprobación publicación o veto por el Poder Ejecutivo, adjunto documento de las etapas, organigramas del proceso, así como las áreas sustantivas involucradas en el proceso. Los documentos adjuntados forman parte de un estudio más completo que se realizó titulado " EL PROCESO DE LA FORMACIÓN DE LA LEY SU HISTORIA Y SISTEMA ACTUAL ", el cual comprende desde la época colonial hasta nuestro días, cuando ustedes visiten Nicaragua podrán analizarlo ya que por su volumen no es posible enviarlo vía fax.

Este estudio servirá para ubicar los puestos de trabajo y áreas del sistema de la creación y producción de la documentación legal, así como el personal involucrado al cual deberá capacitarse.

En base con las actividades descritas, presentará una propuesta del diseño del sistema de información legislativa cuyo objetivo es dotar a la Asamblea Nacional de Nicaragua sistema y procedimiento que ofrezcan mayor seguridad y calidad en la promulgación de las leyes, mayor coordinación del uso de la información entre el proceso legislativo y las actividades del área sustancial afectadas por las leyes a producirse, apoyadas por la tecnología de computación con una red interna de comunicación de datos, equipos periféricos y base de datos.

Antes de presentar el enfoque sistémico, les comunico que durante la semana del 15-19 octubre trabajare con un Asesor Técnico Internacional, para analizar el futuro diseño conceptual, para efectos de definir el sistema; la persona ha tenido experiencias en el área centroamericana en calidad de Asesor Técnico en el desarrollo de sistemas de legislación, que a mi punto de vista personal será un aporte valioso para multiplicar criterios en el uso y manejo de la información jurídica

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que es el área donde más gestión y tareas pre-informáticas - habrá que realizar como es el análisis de la legislación promulgada, para programación del sistema, indizar la legislación a nivel de artículos, creación del Tesoro y el Registro Integral de las leyes.

En cuanto al sistema de seguimiento de leyes, su transformación del sistema manual al computarizado es más técnico que jurídico, ustedes ya han propuesto el sistema del Congreso de Guatemala para adecuarlo al Nicaraguense.

En mi informe final presentaré de una forma más detallada el sistema con sus especificaciones, en relación al equipo computacional ( HARDWARE ) y programas (SOFTWARE) creo ustedes han propuesto similar al de Guatemala, habrá que analizar en conjunto lo que Nicaragua (Asamblea Nacional) requiere; ya se han recibido supongo parte del equipo (servidor y terminales).

De acuerdo con las necesidades de la Asamblea Nacional de Nicaragua, el sistema que se pueden desarrollar consta de seis sistemas sustanciales (sectoriales) que atienden a las funciones siguientes :

\* Control y seguimiento de proyectos de ley.

En él se manejarán los datos de los proyectos de ley en trámite, utilizando el actual proceso de formación de la Ley; en él los datos de entrada serán los que tienen influencia en el manejo de los expedientes, por ej. nombre de la comisión, - fecha de registro de documentos, dirigir y mantener el control del trámite, diario de debates etc.

\* Sistema de Archivo de Expedientes.

Tendrá la responsabilidad de todos los documentos históricos, por ejemplo proyectos de ley aprobados o no, la información se buscará por números de expediente, número de ley, - materna y otros que se determinen.

...../



ASAMBLEA NACIONAL

\* Sistema de legislación.

Contendrá la recopilación de la legislación promulgada y publicada, con el manejo de una base de datos relacional - con 3 tipos de índices:

- Legislación promulgada.
- Legislación expresamente derogada.
- Legislación vigente.

El tratamiento de la información se usará la metodología del resumen con los datos más importantes de ley, decreto, reglamento; más adelante podrá registrarse el texto íntegro - del ordenamiento jurídico para facilitar la búsqueda por texto libre.

Se elaborará un macro - tesoro en derecho, para acceder a la legislación a través de un vocabulario jurídico enriquecido adaptado a nuestro derecho positivo.

\* Sistema de Biblioteca y Publicaciones.

Se caracterizará para recuperar la información de la actividad en Biblioteca.

Se pretende microfilmear todos los tomos de Gacetas, el servicio podrá brindarse a través de microfichas; podrán registrarse toda la documentación existente en Biblioteca.

\* Sistema de Edición e impresión:

Este sistema realizará el actual procedimiento que realiza actualmente la Dirección de Servicios Parlamentarios, la reproducción de los documentos de los proyectos de ley, dictámenes, todo lo relacionado a la Orden del día de cada legislatura.

\* Sistemas de Consultas.

Tendrá un carácter de servicio de la totalidad de la información contenida en los otros sistemas, en especial el sistema de legislación; en éste sistema se localizará el control de autorización de acuerdo con los criterios por categoría de usuario.

*[Handwritten signature]*

ASAMBLEA NACIONAL

- Análisis de personal:

Este está en proceso de análisis tanto del personal -- existente en la Asamblea Nacional como el requerido para el desarrollo del proyecto.

- Evaluación planta física.

Actualmente la Asamblea Nacional está ubicada en 2 plantas físicas:

\* Edificio Principal, se encuentra:

- Oficinas Junta Directiva
- Plenario
- Protocolo y Prensa
- Secretaría Ejecutiva
- Dirección Asesoría Jurídica
- Bodega, Cocina y Comedor

\* Edificio Banco de América, la Asamblea Nacional ocupa 6 pisos:

- Dirección de Recursos Humanos
- Departamento de Administración (Finanzas)
- Dirección General de Relaciones Internacionales
- Dirección General de Servicios Parlamentarios
- Dirección de Servicios Generales
- Biblioteca
- Oficinas Partidos Políticos (UNO Y F.S.L.M.)

En un inicio se había proyectado dotar en el 7mo. Piso la instalación del sistema, existen problemas con la adquisición del edificio, aún no se puede definir nada en concreto.-



**UNIVERSITY AT ALBANY**  
STATE UNIVERSITY OF NEW YORK

*Center for Legislative Development*

**ACTIVITY REPORT**  
of the  
Center for Legislative Development's  
Regional Technical Assistance and Training Workshop  
for the  
Fifth General Assembly of ATELCA  
Managua, Nicaragua  
November 22-23, 1991

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**Purpose of the Regional Workshop Activity**

On November 22 and 23, 1991, the Center for Legislative Development, University at Albany, fielded a team of legislative development and information systems experts in Managua, Nicaragua on behalf of the Consortium for Legislative Development to conduct a series of workshops for ATELCA at its Fifth General Assembly on the ways and means of strengthening the legislative lawmaking function. The Center for Legislative Development participated in this activity at the invitation of ATELCA, the Asamblea Nacional de Nicaragua, and USAID/N. The performance of this activity also constituted completion of one of the Center's subrecipient agreement regional training activities in support of the Consortium's regional Legislative Development Cooperative Agreement.

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The Center for Legislative Development's program at the ATELCA meeting was designed to focus attention on strengthening the legislative lawmaking function by comparatively illustrating and discussing the ways and means successfully employed by legislatures around the world to accomplish this goal. Among the objectives of the Center for Legislative Development's team toward this end were:

- (1) Raising the level of consciousness among key Central American legislative staffers (and USAID officers) about the importance of the legislature's role, if not outright jurisdiction over, the systemization and maintenance of the national laws;
- (2) Conveying the value in choosing the consolidation and codification method of organizing the national laws;
- (3) Describing and demonstrating the utility of the computer in support of the legislative lawmaking function through such capabilities as statutory retrieval, bill drafting and bill status;
- (4) Conveying the importance of the integral involvement of the legislatures' asesores, who serve the multiple functions in most Central American legislatures of legal advisors, bill drafters, and committee assistants (asesores), in any effort to develop computer data bases and legislative information systems to aid the legislative process;
- (5) Providing technical assistance in the techniques, technologies, and the art of legislative bill drafting;
- (6) Discussing the role of professional legislative legal and program staff; and lastly,
- (7) Providing a concrete example and explanation of how all of these responsibilities and functions are conducted by one state legislature in the United States.

The Center for Legislative Development's team of experts included:

**Charles S. Dawson Jr.**, Deputy Director, the Center for Legislative Development and Program Manager, the Consortium for Legislative Development. Dr. Dawson specializes in legislative administration and development and holds a Ph.D. in Public Administration from the Rockefeller College, University at Albany. He has held professional legislative staff positions in both houses of the New York State

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Legislature since 1976 and has coauthored a book on the New York State legislature with Abdo I. Baaklini.

**Richard I. Nuñez**, Professor of Public Administration, University at Albany, State University of New York. Dr. Nuñez holds both a Ph.D in Public Administration from Syracuse University and a J.D. in law from St. Johns University. He is an attorney with considerable international legislative development experience, most recently in Hungary, and is an expert on bill drafting and legislative research.

**David Keiper**, Commissioner, New York State Legislative Bill Drafting Commission. Mr. Keiper is an expert on computerized legislative information systems to aid the legislative process and also has an extensive legislative administration and partisan political background.

**Jorge Bela**, Citizen of Spain and Associate of the Center for Legislative Development. Mr. Bela is a Ph.D candidate in Political Science at the University at Albany and is an expert on information systems. He holds a masters degree in Latin American Affairs from the University of Florida in Gainesville with a specialization on Brazil.

This report is divided into four parts, including the above section describing the purpose of the visit. The remaining parts include sections on the "Background and Importance" of the activity, the "Conduct" of the activity, and an "Assessment" of the activity.

**Background and Importance of the Activity**

The Center for Legislative Development played a key role in this activity for the Fifth General Assembly of ATELCA in two important ways. First, Center for Legislative Development conceptualized the program and proposed it to the Consortium and the ATELCA leadership. Second, upon the acceptance of its program proposal, the Center for Legislative Development fielded a team of legislative development and information systems experts on behalf of the Consortium for Legislative Development to implement the program.

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The Center for Legislative Development chose to initiate this activity for two reasons. First, was the critical importance of the subject to legislative strengthening. Second, and in many respects of equal importance, was the contribution of the program activity to the institution building of ATELCA. That is, at this stage in the development of ATELCA it was thought to be timely to begin shifting ATELCA's gears from its important organizational creation preoccupation to the substantive reason for its creation. The Center for Legislative Development stepped forward to help ATELCA make this transition at this critical stage in its organizational development.

Strengthening the lawmaking function is a generic component to consider in a legislative development program, but there were some especially compelling and timely reasons for a regional workshop in Central America at this time. The universal importance of the legal systemization effort juxtaposed with the diverse paths chosen in the respective CA countries for conducting this effort (judiciary, executive, and legislative) logically led to the idea that it would be invaluable to arrange for a comparative discussion among the ATELCA countries. The 5th general assembly of ATELCA in Managua Nicaragua seemed an equally logical forum to begin this discussion. The fact that the 5th general assembly of ATELCA was being held in Nicaragua, the only CA country going the legislatively controlled codification route at the time, was also significant for deciding to conduct the workshop at this time.

It is important to recount the Consortium's and our Center's bilateral and regional findings to date with respect to the effort ongoing throughout Central America to systematize (collect, preserve, and organize in some fashion, if not codify) the national laws of these nations. Our needs assessment teams inquired about these high priority systemization efforts in every country where the Consortium was invited to conduct one. In most cases we found that the USAID missions had already funded (e.g., Costa Rica) or were committed to funding (e.g., Panama) extensive AOJ programs to handle this important task with absolutely no consideration to the involvement of the national legislatures (e.g., CENALEX in Guatemala) in the process. The notable exception, of course, was Nicaragua which has gone its own way.

Giving the legislature, as the nation's principal (if not exclusive) lawmaking organ, the jurisdiction for the systemization, amendment, and official maintenance of the laws is central to the lawmaking organ's independence and effectiveness, and as such, supporting this effort is an important component of the

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Consortium's legislative institution building strategy for Nicaragua and throughout the LAC region. Furthermore, the codification of a nation's laws in a systematic and comprehensive manner facilitates their fair access, helps assure their accuracy, and builds confidence in the legitimacy of the legal system. The capability of being able to utilize computers to retrieve a nation's laws rapidly, easily, and with confidence in their accuracy and comprehensiveness further builds the legitimacy of the legal system. Finally, the ability to make new laws and amend existing ones competently further enhances confidence in the legal system.

**Conduct of the Regional  
Technical Assistance & Training Workshop**

Before the ATELCA meeting was convened on Friday morning November 22, 1991, at the Olof Palme Conference Center in Managua, the members of the Center for Legislative Development's team had the opportunity to briefly meet with Ms. Mila Brooks, Coordinator, Office of Democratic Initiatives, USAID/Nicaragua. The members of the team also had an opportunity at this time to meet Mr. Todd Sloan from the USAID/Guatemala mission, Mr. John Armstrong of the USAID/El Salvador mission, and Dr. Alan Austin, a contractor working on a project with the legislature for the USAID/El Salvador mission. These officials were encouraged to attend the ATELCA workshop by the Center and the Consortium to demonstrate the substantive content of the ATELCA organization.

The attendees at the ATELCA meeting represented a broad cross section of professional institutional legislative staffers. In addition to the customary leadership and inner staff attendees, this meeting of ATELCA was notable for the inclusion of some new faces from the respective legislatures' asesores and informatics staffs reflecting the topics for the workshops [attachment #1]. This was also the first ATELCA meeting at which legislative staff from Belize attended (as observers). In all, there were about fifty participants and presenters at this ATELCA meeting [attachment #2].

The first workshop on bill drafting was chaired by Professor Richard I. Nuñez of the University at Albany who spoke about the importance of standardized, uniform methods of legislative bill

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drafting and on the proven techniques and technologies employed in non-partisan, professional, legislative bill drafting organizations. His presentation was well-suited to the mixed audience of legislative technicians and their legislatures' more generalist chief of staffs. His presentation thus consisted of a judicious balance of technical information and information designed to help the staff directors understand their technicians needs and dilemmas. Professor Nuñez also helped "arm" the staff directors with the kind of rationales useful for obtaining the support and resources from their legislatures' political leadership needed to help their technicians perform a useful role on behalf of their assemblies. [A copy of the seminar outline of topics prepared by Professor Nuñez is appended as attachment #3.]

Mr. William L. Leary, Esq. of the Florida State Legislature's lower house committee on the environment, Dr. Charles Dawson of the Center for Legislative Development, and Master Ana Carazo of FIU joined Professor Nuñez on the bill drafting panel. Each made contributions following Professor Nuñez's thorough introduction of the subject. Mr. Leary, who coordinated his presentation with Professor Nuñez, contributed considerable useful illustrations from his bill drafting experiences in Florida. Dr. Dawson, author of and contributor to numerous laws in New York and co-author of a book about the legislative process in New York, provided an informed blend of his practical experience in New York and some generic observations about the political context within which the bill drafter attempts to successfully perform. Master Ana Carazo, a Costa Rica native with legal training in Costa Rica law, provided the panel with a valuable comparative dimension.

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The panel for the afternoon workshop consisted of comparative presentations and discussions about the method of systemization (collection, preservation, and organization) of the national laws currently underway in Nicaragua, Costa Rica, and Guatemala. The concept of this panel was developed by the Center for Legislative Development because of the universal currency and importance of the legal systemization effort in Central America, because of the diverse paths chosen in the respective CA countries for conducting this effort, and because of the tie-in with the workshops on bill drafting focusing on the users of the systemization project results. Commissioner Keiper was originally going to be on this panel to provide even broader comparative perspective, but it was determined that his presentation warranted both a separate panel and that it was useful to just have this panel focus on the CA

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experience so as not to jeopardize the regional juxtaposition by complicating it and distracting from it with a U.S. component. This proved to be a good strategy. The panelists included Dra. Myriam Jarquin de Medina of Nicaragua, Licda. Rosa Maria de Garoz of Guatemala, and an expositor from Costa Rica. Mr. Gerald Reed moderated the panel.

The composition of the panel was designed in order to juxtapose in literally side-by-side fashion, the very different approaches selected in these respective countries. The key differences in approach between the three countries were the entity of government in charge of the systemization project (judiciary in Guatemala, executive in Costa Rica, and legislative in Nicaragua) and the method of systemization selected (codification in Nicaragua and indexing in Costa Rica and Guatemala). The key similarity among the three countries was that all were utilizing computers to assist them in the systemization process.

The panel's technical presentations and discussions were useful and interesting. However, this panel proved to be the transforming event of the ATELCA conference, not in the revelation and appreciation of the respective techniques and technologies applied to the systemization efforts in the respective countries (the ostensible purpose of the panel) but in the realization of the central importance to an effective legislature of the control and jurisdiction over this element of the lawmaking function. It is the lawmaking function, after all, which is most typically viewed as the heart of the legislative process, even though there are many other important functions that legislatures can perform.

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The final workshop panel was on Saturday morning November 23, 1991 and essentially constituted a continuation of the previous day's panel but focused on U.S. experience and existing application of computerized statutory retrieval, bill drafting, and bill status technologies. Commissioner David Keiper of the NYS Legislative Bill Drafting Commission and part of the Center for Legislative Development's team from the University at Albany, was the chief expositor. A highlight of Commissioner Keiper's presentation was to have been a computer link-up with his numerous data bases in New York in order to demonstrate the power and utility of computer assisted legislative information technology. Unfortunately, a sufficiently "clean" telephone line could not be obtained for data transmission and this part of his presentation had to be aborted. Nonetheless, great interest was generated in the work of the New

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York State Legislature's Bill Drafting Commission as a living, breathing, successful operation. Many questions were asked of Commissioner Keiper. A copy of the *NYS Bill Drafting Manual* was presented to each delegation, although practically every individual wanted his or her own copy once they surveyed its content.

Joining Commissioner Keiper on the panel as adjunct presenter was Mr. William L. Leary, Esq. from the Florida State Legislature. Once again, Mr. Leary provided valuable insights into the bill drafting process in Florida. Professor Richard I. Nuñez, Master Ana Corazo, and Dr. Charles S. Dawson also joined the panel and contributed during the question and answer period. Dean Allan Rosenbaum of FIU moderated this concluding panel.

**Assessment of the Activity**

It was the view of our team from the Center for Legislative Development that this 5th General Assembly of ATELCA was a watershed event for the organization. Clearly with the delivery of a substantive program expertly handled logistically by the host Nicaraguans, ATELCA has come of age and can no longer be considered a fledgling organization. Furthermore, and it might be an understatement to say this, the Consortium's consciousness-raising efforts about legislative institution building throughout Central America over the past year bore fruit in Managua as the comparative forums we provided on the systemization of national laws and legislative bill drafting evoked deeply felt expressions of the desire and importance of legislative institutional independence in the governmental system. For its part in facilitating this outcome, the Consortium should be particularly proud.

As a result of this successful workshop and in order to build upon the foundation laid at the 5th general assembly of ATELCA, the following future activities and directions are recommended for consideration by ATELCA, the Consortium, and AID/W and the USAID country missions.

- 1) Creation of two new sections within ATELCA, an Asesores section and an Informatics section. These specialized sections could then conduct ongoing and more technical meetings on lawmaking techniques and technologies and legislative information systems.

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- 2) Consideration of technical assistance and training trips to selected U.S. state legislatures for members of these respective ATELCA sections. This could be funded with some mix of regional and bilateral funds.

Attachments:

- #1 Final revised program to be provided by the Nicaragua Assembly through the CFD.
- #2 Final revised participant-presenter list to be provided by the Nicaragua Assembly through the CFD.
- #3 Professor Nunez's seminar outline proposal.

Presencia linea

+ Nicos  
(all of access  
+ interns) #2

imprimir : 884

(HOTEL INTER CONTINENTAL MANAGUA)

MANAGUA 21, NOV 1991

ROOMING LIST GRUPO CENTRO PARA LA DEMOCRACIA

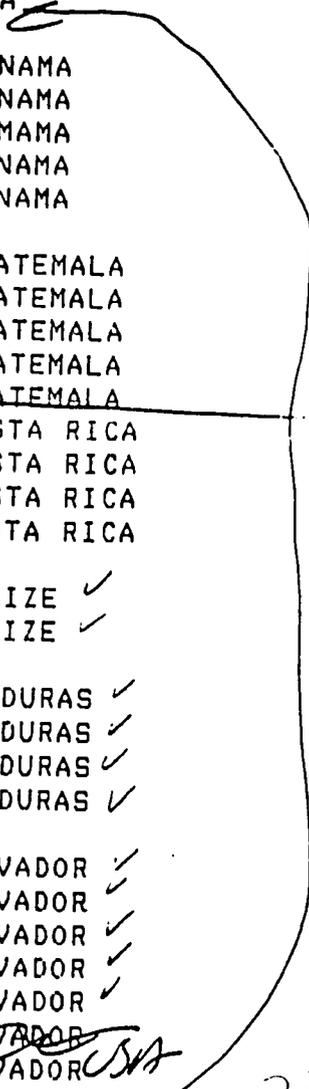
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HABITACION

Nombre  
Todd Sloan USAID/G  
Alan Austin, John Armstrong USAID/ELSA.

(IN 21, NOV)  
(OUT) 25, NOV)

HABITACION		NOMBRE	PAIS
624	S	✓ CALEB MCCARRY	USA
510	S	✓ KRISTIE BASSETTE	USA
514	S	BILL LEARY	USA
523	S	ROSA MARIA DE GAROZ ? Guatemala CEN	USA
413	S	✓ GUEST SPEAKER FROM COSTA RICA	USA
840	+S	✓ CHARLES DAWSON Francisco	USA
431	+S	✓ RICHARD NUNEZ	USA
618	+S	✓ DAVID KEIPER	USA
726	+S	✓ JORGE BELA	USA
623	+S	✓ GERALD REED	USA
325	+S	✓ ANA CARAZO	USA
520	S	✓ RUBEN AROSEMENA	PANAMA
629	S	✓ ESTELA KOYNER	PANAMA
727	S	✓ MARIO LASSO	PANAMA
422	TBL D	<del>HARLEY MITCHEL</del> 22.NOV 91	PANAMA
422	TBL D	✓ ALBERTO QUIROZ	PANAMA
222	TBL D	✓ LUIS MIJANGOS	GUATEMALA
222	TBL D	<del>XXXXXXXXXX</del>	GUATEMALA
208	TBL D	✓ HERNAN SOBERANIS	GUATEMALA
208	TBL D	✓ CESAR HERNANDEZ	GUATEMALA
715	S	✓ MARIO ESTUARDO HERRERA	GUATEMALA
516	TBL D	✓ OLMEDO CASTRO	COSTA RICA
617	TBJ D	✓ ROCIO CERDAS	COSTA RICA
425	TBJ D	✓ MARTHA RIVERA ? Jorge Arturo Hidalgo	COSTA RICA
235	TBJ D	✓ ROLANDO ORTIZ - Ana Francisca Carvajal	COSTA RICA
517	S	✓ JESUS KEN	BELIZE ✓
526	S	✓ MADRI RHANDAS	BELIZE ✓
540	S	✓ ADILIA ZELAYA	HONDURAS ✓
322	S	✓ DANIEL FLORES	HONDURAS ✓
323	TBJ D	✓ GODOFREDO SIERKE	HONDURAS ✓
326	S	✓ ORLANDO HERNANDEZ	HONDURAS ✓
311	S	✓ MARIO DONALD SALAZAR	22, NOV SALVADOR ✓
625	TBJ D	✓ MARIELA LOPEZ DE ORTIZ	22, NOV SALVADOR ✓
625	TBJ D	✓ SILVIA DELA PAZ VEGA	22, NOV SALVADOR ✓
416	TBL D	✓ ARMANDO PINEDA NAVAS	22, NOV SALVADOR ✓
416	TBL D	✓ JORGE ESTRADA	22, NOV SALVADOR ✓
330	+ D	✓ DEAN ALLAN ROSENBAUM	22, NOV SALVADOR ✓
330	+ D	✓ MRS ALLAN ROSENBAUM	22, NOV SALVADOR ✓

Roberto Alfaro?



GOAL: The goal of this seminar is to introduce the participants to the techniques of bill drafting, together with related techniques of bill preparation, as performed in the New York State Legislature, in the United States Congress and in the legislatures of other states. The seminar will point out some of the common errors committed in bill drafting and how to avoid them. The seminar will end with a "hands on" practicum, during which the participants will discuss their actual bill drafting problems they confront in the daily jobs.

TOPICS TO BE DISCUSSED:

1. Introduction: The importance of standardized, uniform methods of bill drafting. The need and benefit of a unified code.
2. Turning social problems into legal language with appropriate solutions; the logical steps to take.
3. Selecting the right statute to amend; impact of selecting the wrong statute.
4. Role of computers in the bill drafting process; benefits and caveats.
5. Technicalities affecting bill drafting; format, dates, etc.
6. Relationship between bill drafting, the final statute and administrative rules or regulations.
7. Impact of varying effective dates. Why effective dates are important.
8. Incorporation by reference to other statutes; the need for and caution in using references.
9. Importance of the definition section in a bill. Who is included and who is left out of the statutory definition.
10. Sanctions in legislation: too weak? too strong? believable? effective?
11. Severability clause. The problem of constitutionality of a proposed bill.
12. Importance of legislative history and of "linking up" with that history.
13. Writing bill memorandum in support of a proposed bill.

PRACTICAL EXERCISE: The participant will present their own bill drafting problems which will be discussed by the professor and other participants, aiming towards suggestions for solutions to each problem.

Revised Final Program  
to be prepared by Asamblea  
Nacional de Nicaragua

V ASAMBLEA GENERAL  
A T E L C A

Noviembre 21 al 24 de 1991  
Managua, Nicaragua

P R O G R A M A

Viernes 22 de Noviembre :

- = Desayuno libre.
- 07:30 AM = Traslado al Centro de Convenciones "Olof Palme".
- 07:45 AM = Acreditación  
Loby Centro de Convenciones "Olof Palme".
- 08:30 AM = Acto Inaugural de la Asamblea General de **ATELCA**.
- Himno Nacional de la Republica de Nicaragua.
  - Comprobación de Quorum.
  - Palabras Inaugurales por el Secretario General de **ATELCA**, Licenciado Olmedo Castro R.
  - Aprobación de Agenda de la V Asamblea General de **ATELCA**.
- 09:00 AM = Programa de exposición acerca del Proceso de Promoción, Depuración y Codificación de la Ley.
- EXPOSITOR : - <sup>Profesora</sup> Dr. Richard Núñez
- EXPOSITOR ADJUNTO : - Dr. William L. Leary
- EXPOSITOR ADJUNTO : - Dr. Charles Dawson
- MASTER ADJUNTO : - MASTER Ana Carazo

TEMAS A DESARROLLAR

- 1.- Prefacio: la importancia de implementar metodologías estandarizadas para la elaboración de proyectos de Ley. La necesidad y utilidad de tener un código de Leyes unificado.
- 2.- Convirtiendo problemas sociales en lenguaje legal que aboga soluciones apropiadas: los pasos lógicos a seguir.
- 3.- Seleccionando el estatuto idóneo para ser enmendado; el impacto de seleccionar estatutos erróneamente.
- 4.- El papel de la informática en el proceso de la información de la Ley; beneficios y advertencias.
- 5.- Elementos técnicos que afectan la preparación de proyectos de Ley: formato, fechas y otros.

6.- La relación entre la elaboración de proyectos de Ley, el estatuto que resultare y reglas y regimenes administrativos.

7.- El impacto de variar las fechas de vigencia. Razones por la importancia de fechas de vigencia.

8.- La incorporación por referencia de otros estatutos, la necesidad de utilizar y tener cuidado con tales referencias.

9.- La importancia de la sección de exposición de motivos del proyecto de Ley. Qué se debe incluir y qué se debe obviar?.

10.-El aspecto penal de la legislación: Demasiado blando?, Demasiado fuerte?, Creíble?, Eficaz?.

11.-Las cláusulas de separación y la polémica de la constitucionalidad del proyecto de Ley.

12.-La importancia de la historia legislativa y la importancia de tener acceso a esa historia.

13.-La redacción de memoranda o resúmenes de proyectos de Ley en apoyo a los mismos.

11:15 AM = Refrigerio.

Planteamiento sobre los problemas de la legislatura y elaboración de proyecto de Ley.

12:00 M = Almuerzo ofrecido por el Centro para la Democracia en el Restaurante "Panorama".

2:15 PM = Salida hacia la Asamblea Nacional.  
Recibe : Dr. Fernando Zelaya Rojas  
1er. Secretario Asamblea Nacional.

3:30 PM = Programa de exposición acerca de la informática legislativa en relación con el proceso de Formación, Depuración y Codificación de la Ley.

EXPOSITOR : - <sup>Comisario</sup> Dr. David Keiper

EXPOSITOR ADJUNTO : - Dr. William L. Leary

MODERADOR : - ~~MASTER~~ Gerald G. Reed

*Dr. Allen Rosenbaum*

*MOVED  
to Saturday*

*also:  
Luis  
Carmel  
Dora*

TEMAS A DESARROLLAR

1.- Descripción del sistema en uso de la Asamblea neorquina para la elaboración de proyectos de Ley.

2.- Demostración vía modem del sistema de la Asamblea neorquina.

3.- Discusión de las estructuras de sistemas de informática legislativa y de sistemas para dar seguimiento a los proyectos de Ley conforme pasen por el Proceso de su formación.

5:15 PM = Refrigerio.

Informe de la Delegación de **ATELCA**, sobre los siguientes puntos:

1.- Los sistemas de información que actualmente manejan para la elaboración de proyectos de Ley.

2.- Los sistemas de informática que actualmente manejan.

Conclusión de los temas expuestos.

6:30 PM = Salida hacia el Hotel Intercontinental.

7:30 PM = Cena ofrecida por el Centro para la Democracia en el Restaurante "Mirador Tiscapa".

Sábado 23 de Noviembre

= Desayuno libre.

08:00 AM = Reunión del Comité Ejecutivo.

09:00 AM = Traslado al Centro de Convenciones "Olof Palme".

09:30 AM = Programa de exposición acerca de la Codificación de Leyes, Jurisprudencia y Doctrina Legal en Centroamérica, descripción de proyectos actuales y discusión de la aplicación de técnicas y tecnologías foráneas a los sistemas centroamericanos.

- Experiencias Legislativas de Costa Rica

EXPOSITOR :

Moved  
to  
Friday  
afternoon

- Experiencias Legislativas de Guatemala

EXPOSITOR : <sup>da</sup> Lic. Rosa Maria de Garoz  
CENALEX - Guatemala

- Experiencias Legislativas de Nicaragua

EXPOSITOR : Dra. Miriam Jarquín de Medina  
Asamblea Nacional de Nicaragua

MODERADOR : ~~Dr. Alan Rosenbaum~~ <sup>Mr. Gerald Reed</sup>

12:00 M = Almuerzo ofrecido por el Centro para la Democracia en el Centro de Convenciones "Olof Palme".

2:30 PM = Desarrollo de Agenda Central de Técnicos Asociados Centroamericanos de la V Asamblea General de ATELCA.

- Comprobación de Quórum

- Informe del Secretario General  
Lic. Olmedo Castro Rojas

- Informe de comunicaciones

- Informe del Tesorero  
Lic. Mario Donald Salazar

- Elección de Autoridades

- Otros asuntos

- Palabras de Clausura  
Dr. Carlos Siles Levy  
2o. Vocal de ATELCA

- Himno Nacional de la República de Nicaragua

7:30 PM = Cena ofrecida por la Asamblea Nacional de Nicaragua en el "César Augusto Silva".