

Superior Judicial Council of Colombia

Judicial Services Center of Bogotá

**Final Report on Developing a Management
Model for a Judicial Services Center under
the New Accusatory Criminal System in
Colombia**

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INDEX

	PAGE
1. BACKGROUND	2
2. METHODOLOGY	4
3. ORGANIZATIONAL CHANGE ADMINISTRATION	4
4. ADMINISTRATION BY PROCESSES AND QUALITY WITHIN THE JUDICIAL SERVICES CENTER OF BOGOTA	5
5. HUMAN RESOURCES ADMINISTRATION OF THE JUDICIAL SERVICES CENTER OF BOGOTA	6
6. PROJECT OF COURT ADMINISTRATION PROJECT RELATED TO THE CATALOGING OF HEARINGS	6
7. PILOT PROJECT OF MANAGEMENT OF THE ACCUSATORY CRIMINAL SYSTEM INFORMATION	7
8. PROJECT TO PLAN THE TECHNOLOGICAL PLATFORM FOR THE MODERNIZATION OF THE ACCUSATORY CRIMINAL SYSTEM	7
9. FOLLOW-UP PLAN	7
10. CONCLUSION	8

NOTE: the report's detailed Appendices (in spanish language only) are on file in the DPK Consulting home office in San Francisco

1. BACKGROUND

In April 2005, as a result of a public bid, USAID/Colombia contracted DPK Consulting (DPK) through the Rule of Law Indefinite Quantity Contract (IQC), to advise and support the Colombian judicial sector institutions to identify and develop systems and procedures to implement court and case management systems. The goal was to allow the courts to program and control developments for large volumes of cases, assign hearing rooms efficiently, and ensure that accused persons and physical evidence are available at the needed times for hearings along with the parties involved in a case.

In the first phase of the project, from April to December 2005, DPK developed and submitted the products requested in its contract, including:

1. May 2005: Evaluation of the implementation of the new criminal procedures code in Bogotá and the cities of the Coffee Regions during the first 100 days of the enactment of the law, including improvement plans and efforts by the Colombian judicial sector institutions.
2. June 2005: Identification of the operational difficulties, including administrative, workload, human resources assignment, design, infrastructure, and communications aspects of the Judicial Services Center of Bogotá (JSCB) addressed to the leadership of the Judicial Superior Council (JSC), the Coordination of the JSCB, the Sectional Council of Bogotá and Cundinamarca, some *jueces de conocimiento*, and the USAID/Colombia projects management team.
3. 2005: Proposal for the organizational redesign of a center of judicial services to act as a starting point for the discussion and elaboration of standards and parameters for the centers, and to help the JSC to create appropriate conditions for the implementation of the judicial services centers at a national level.

The JSC requested USAID to extend the terms of reference and the implementation period of DPK's contract to allow for further development of the organizational model proposed in DPK's December 2005 report. USAID amended DPK's contract for this purpose, and a second phase of the project started on February 2006 with a deadline of June 30, 2006. In June 2006, a no-cost amendment was issued with a deadline of August 31, 2006, in order to finish various elements of the project, particularly the delivery of the business intelligence software licensing for a pilot project related to managerial information of the criminal accusatory system in Paloquemao.¹

The objective of the second phase (February – August 2006) was to provide technical assistance and training to judicial officials and public servants to advance the deepening and the fine-tuning of models of court administration and integral management, to strengthen the administrative systems to support the courts in the new criminal accusatory system. The specific objectives were to:

1. Deepen the knowledge of the JSCB operation (organizational, functional, processes, relationships with other procedural entities);
2. Identify bottlenecks in the JSCB operation;
3. Formulate and advise the courts in the implementation of reforms and enhance its administrative efficiency.

¹ See Annex 1, a table describing the work products anticipated by USAID/Colombia within the framework of DPK's contract, and those products that were the result of the process and exceeded the scope of agreement.

The second phase was marked by broad access to the institutional information maintained by the JSC and the JSCB, and high participation of Judicial Branch judges and non-judicial personnel.

This final report serves as an inventory of the various products elaborated in a participatory manner by the Committee of Quality Management of the Judicial Branch, the Circle of Quality of the JSCB, and the judges leading the project activities with DPK's assistance. The report includes a list of delivered products and results achieved. The project was conducted almost exclusively in Spanish.

The major conclusions of the program activity are:

- The centralized centers of administrative support for the criminal courts are an appropriate strategy. This approach continues to provide important scale economies, a more effective delivery of administrative support, and better access to information and better satisfaction both for internal users (courts) and external users (prosecutors, public defense attorneys, citizens, public ministry, etc.)
- The introduction of quality management through activities such as the use of ISO and the construction of quality management models to provide tools for the JSCB to act according to set rules and provide results.
- The adoption of quality management concepts as a means to achieve changes in style for the strategic direction of the JSCB as it builds empowerment and communications among users.
- After a year and a half, the achievements in organization and performance in the centralized JSCB are the results of the strong efforts by the employees, rather than having an effective plan for implementation in place at the start-up of the JSCB.
- Center employees note that they went through two stages in the construction of the JSCB -- one in which a lack of defined roles led to improvisation and the current stage involving a more planned and researched approach which should form a strong foundation for the future. They propose a third stage in which reallocation of human resources, team work, use of technology, and use of quality processes will lead to a more efficient and effective JSCB.
- During this brief experience of joint work with the JSC and the JSCB, there was an important transfer of knowledge among the participants in the process, which generated a sense of ownership of the results achieved to date.
- Specific problems were identified by the Committee of Quality Management, the Circle of Quality, and leading judges, for whom the following solutions were designed:
 - Development of a strategic planning process for the JSCB in cooperation with its users.
 - Awareness raising and engagement about the need to change the JSCB's actual *modus operandi* to focus on a Quality Management System.
 - Improvement in decision-making based on facts (versus decision-making based on anecdotes of sporadic events) and use of valid methodologies to this end (analyze problems, optimize processes, and identify the costs of non-quality processes).

- Development of a systemic administrative information system for the functioning of the accusatory criminal system. This system establishes the productivity baseline, performance standards, and management indicators.
 - Development of a diagnosis and action plan focusing on motivating the human capital of the JSCB and generating greater commitment and accountability for the work performed.
 - Creation of conditions that improve the overall consistency and predictability of the results of the processes through the elaboration of a Process Map (and Table of Sub-processes and Products), and methodologies to clearly identify entries and exits of the main processes, as well as quality control mechanisms of the required documents for the Quality Management System.
 - Creation of avenues for broad participation and representation of the system's actors through the creation of the Center's Quality Management Committee and the Circle of Quality.
 - Elaboration of a unified catalogue of preliminary hearings and of *conocimiento*, and the application of a new form in 68% of the courts which were trained.
- During the Final Workshop for the Presentation of the Products, carried out on August 28, 2006, the Administrative Chamber of the JSC stressed that the process of developing its own institutional capacity to identify and face operative problems at the Judicial Center of Paloquemao should continue, and must continue in agreement with the principles and strategies of guidance that the JSC has been fostering throughout Colombia by carrying out meetings to support the analysis of local initiatives.
 - There needs to be a close inter-relationship between the administrative team of the JSCB, the JSC, its Technology Division, and other entities of the accusatory criminal system. There must be a systemic means to resolve problems that arise; if not, the results will be incomplete.
 - The strengthening of the judicial services centers of the accusatory criminal system must be accompanied by strategic guidance from the JSC which adopts administrative policies that clarify responsibilities and roles among the centers and the courts to which the services are provided. Sufficient authority must be given to the Centers' coordinators to work jointly with the judges' committees so they may resolve emerging issues and adopt the necessary policies.

2. METHODOLOGY

The adopted methodology focused on participation and empowerment of participants to transfer knowledge. Annex 4 contains the list of all the participants in the project and their different responsibilities. To this end, the Quality Management Committee (QMC) and the Circle of Quality (QC) were created. Annex 5 contains the list of officials and members of both the QMC and the QC. Each one of the implemented projects had an identified project manager and at least one technical leader from the Judicial Branch. Annex 6 contains the organizational charts of each project. The work methodologies used for the projects include those of DPK, Carberic, ISO 9000 Rules, Global Advisors, and Latino-Bi.

3. ORGANIZATIONAL CHANGE ADMINISTRATION

Results achieved:

- Generation of awareness of the need and commitment to change the actual *modus operandi* of the JSCB for an administrative system focused on quality, measurement and users' needs

- Identification and promotion of change leaders from within the JSCB and the pool of judges.

Products delivered:

- Coordinator Judge and Technical Leader of the JSCB obtained a Diploma (176 hours) on ISO 9000 Rules
- 120 JSCB public servants trained in organizational change and ISO 9000 Rules
- Change in the managerial focus of the JSCB through conference with users (Judges, Prosecutor's Office, Public Ministry, Public Defense Office) regarding their needs *vis a vis* the Center
- 11 change leaders from the JSCB trained and form the first Circle of Quality of the JSCB
- 9 leaders participated in the guidance of their own change process (Quality Management Committee)
- 5 judges participated in change management solutions

Within the project's framework, four workshops were carried out with 120 JSCB public servants as participants. Besides providing them with the basic concepts of the quality management system design, the main purpose was to generate positive perceptions towards change and focus on quality. There was a general desire to continue improving the JSCB, as a result of the commitment of the people working there, and they demonstrated a high level of conviction for the future support of an administrative model focused on the user and quality of service. Annex 3 includes in graphic form the results of opinion gathering among the JSCB employees at the stages of when the JSCB was first created, what it presently looks like, and how they visualize it for the future.

4. ADMINISTRATION BY PROCESSES AND QUALITY IN THE JUDICIAL SERVICES CENTER OF BOGOTA

Results achieved:

- Generation of the methodology and tools which allow for focused efforts on issues such as resources, methods, and materials required to improve the key activities of the organization
- Ownership by the participants in the process of knowledge, and methodologies and tools transferred

Products delivered:

- Flow charts of the actual processes in the JSCB (See Annex 7) which allows for the identification of starting and ending procedures and the responsibilities to carry them out, cost analysis of the Non-Quality of the main actual processes in the JSCB (See Annex 8), and the evolution of the Organizational Structure of the JSCB (See Annex 9)
- Construction of the strategic guidance of the JSCB (Identifying the Users' Needs, Mission, Vision, Quality Policies, Delivery of the Center's Strategic Plan (See Annex 10), and Delivery of Related Formats (See Quality Manual)
- Elaboration of the Quality Manual for the JSCB (See Annex 11)
- Drafting of the Organizational Map (See Annex 1), clearly identifying the end point of the different services that users expect to be delivered as a result of the JSCB's administration, and classifying those processes that belong to the strategic, operative, or support levels
- Development of the contents of the specific processes (sub-processes) Table for each general process (macro process) in the actual technological environment (See Annex 12)

- Submission to the Circle of Quality of the methodology to identify processes entry points, objectives, main activities, end points, document requirements (Processes Characterization - See Quality Manual)
- Development of an example related to the Macro Process of Compliance with Judges Decisions
- Drafting of the JSCB operational planning and indicators for effective control (See Annex 13), and delivery of the formats used for the development of these products (See Quality Manual)
- Delivery of the Circle of Quality methodology to analyze and optimize processes (See Quality Manual)
- Development of an example of “Analysis of the causes for a prioritized problematic of a process” under the responsibility of the Group to Support the Secretary (See Annex 14)

The products attached to this report are examples of a good basis to launch a working model focused on the user and quality of service delivery. The ISO certification of the JSCB processes and the use of their methodologies represent one way to achieve excellence, efficiency, efficacy, and transparency from the JSCB and other actors who, in one way or another, participate in the implementation of the accusatory criminal system in Colombia.

5. HUMAN RESOURCES ADMINISTRATION OF THE JSCB

Results achieved:

- Strengthening the coordination of the JSCB and the Administrative Chamber of the JSC to dedicate greater efforts and investment in the development and promotion of the human resources within the JSCB

Products delivered:

- Study of the organizational environment of the JSCB (See Annex 15)
- Plan of Intervention Strategies in the area of human resources (See Annex 20)

6. PROJECT OF COURT ADMINISTRATION RELATED TO THE CATALOGING OF HEARINGS

Results achieved:

- Optimization of the use of available resources (Tarsys) to record hearings through the improvement in the consultation of CDs by judges, public servants, and magistrates
- Five leading judges participated in the organizational change solutions to their problems (with whom the initial drafts of catalogues were developed, - See Organizational Chart of Projects' Administration)

Products delivered:

- First stage: Catalogues with uniform indices of the critical moments of the *audiencias de garantía*. 45 hearings inventoried. (See Annex 16)
- First stage: Catalogues with uniform indices of the critical moments of the *audiencias de conocimiento*. 10 hearings inventoried. (See Annex 17)
- First stage: Validation process with judges. Seven meetings with 52 judges from different jurisdictions participating. (See Annex Xx).
- Second stage: Training for 50 courts with 121 persons trained.

- Third stage: Use of catalogues in pilot form during a 2-month period.
- Third stage: Evaluation of the use of cataloging as proposed.

7. PILOT PROJECT OF MANAGEMENT OF THE ACCUSATORY CRIMINAL SYSTEM INFORMATION

Results achieved:

- Improvement in demonstrating the effectiveness (or lack of effectiveness) of past decisions through the use of precise information
- Facilitation in the accessibility to information by decision-makers who require it
- Analysis of data and information using quick and effective methods
- Improvement in the capacity to identify bottlenecks in the system and to develop corrective and preventive plans of action

Products delivered:

- Workshop announcing the requirements and scope of the pilot work with final users of the JSC
- Design of multidimensional cubes
- Construction and validation of the pilot
- Introduction of cubes and reports
- 7-day training to four administrators/developers of the JSC and the JSCB
- 1-day training for ten final users of the Judicial Branch
- Transfer of knowledge to the administrators/developers of the JSC and the JSCB
- Delivery of licenses for the following tools:
 - Cognos Transformer: Creation of models and cubes
 - Cognos PowerPlay Web User: Visualization and exploration of Cubes
 - Cognos ReportNet Administrator: Creation of Metadata Framework Manager
 - Cognos ReportNet Professional Author: Creation, visualization, and distribution of simple and advanced reports

8. PROJECT TO PLAN THE TECHNOLOGICAL PLATFORM FOR THE MODERNIZATION OF THE ACCUSATORY CRIMINAL SYSTEM

Results achieved:

- Active participation in the planning of modernization needs of the technological platform for the accusatory criminal system

Products delivered:

- Planning document with short-, medium-, and long-term strategies to modernize the technological platform for the ACS (Annex 19)

9. FOLLOW-UP PLAN

The Follow-Up Plan to the Work Performed from February to August 2006 (Annex 20) includes the planning in time and scope of the strategies recommended to be developed, building upon the work

carried out within the framework of this project. We rely on the premise contained in the Pattern of Interrelations in Administration for the Accusatory Penal System in the Graph 1 of the Annex.

This Model outlines six dimensions of the process of change that are closely interrelated:

- Administrative Management of the Human Resources of the JSCB
- Process Management (or Quality) of the JSCB
- Administration of the work practices of the courts
- Modernization of the technological platform
- Administration of the Managerial Information of the accusatory criminal system
- Organizational Change Administration

The proposal states that all dimensions must be worked on simultaneously; what varies is the degree of emphasis given to each of them depending on the implementation stage. The plan is built on Microsoft Project software that allows for identifying the preceding task, i.e., what task should be carried out first to continue with the process, and allows for simultaneous interconnectivity of tasks.

10. CONCLUSION

The studies carried out on the implementation of the accusatory criminal systems in the region demonstrate that regulation is not enough to ensure the success of these reforms. It is important that together with the legal and judicial dimension of the implementation of the Accusatory Criminal System in Colombia, the JSC maintains its goal to improve administration as a high priority in its agenda. The consideration of this dimension should be systemic, due to the interrelations existing among technology, human resources, management of processes and performance, and organizational change.

We thank the Judicial Council, and especially the Committee of Quality Management and the Circle of Quality of the Services Center formed for this project and comprised of judicial and administrative members of the Judicial Branch. We hope this work proves useful in the efforts of the Colombian judicial branch in addressing the challenges of implementing a new system of criminal justice.