

El Salvador: Judicial Modernization Project

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In institutional and participatory assessments carried out in 2001, close to 70 percent of Salvadorans reported that the judicial system moved slowly in response to their demands. These assessments also revealed that about 2,400 cases were awaiting legal sentences in first instance courts, probably due to the fact that legal processes take around three or four years to complete.

In the small claims and family courts there were around 11,000 and 922 cases, respectively, awaiting resolution. Every judge spent approximately 70 percent of his/her time in administrative activities, minimizing work in the adjudication of cases. Furthermore, case administration was poor, judicial statistics were lacking, the ratio among the work of judges and their geographic designations was inadequate, and processes needed further strengthening, especially in first instance courts.

Only 15 percent of the poor with access to justice services trusted courts. Salvadorans of all social classes, diverse positions and a broad range of interests considered that some of the decisions that emanate from the courts are not very transparent.

Overall, these indicators pointed to the need to improve the performance of the justice system, taking into account the underlying causes of system inefficiency and problems with transparency and accessibility, but from the point of view of an improvement of the services required by the users. To achieve these objectives, in January of 2004 the Government of El Salvador (GOES) and the World Bank signed a loan agreement for USD\$18.2 million.

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What is the Judicial Modernization Project?

The Judicial Modernization Project will improve the country's judicial system to enhance the effectiveness, accessibility, and credibility of its judicial branch, by strengthening the capacity for monitoring and evaluation aspects, through a participatory process involving judges, technical and administrative staff, and users of the judicial system. By means of these measures, the project is expected to reduce the average time to process civil, criminal and other cases in the courts of El Salvador. The project is especially aimed at strengthening the management capacity of the judicial branch, modernizing the court system, promoting access to justice and transparency, developing professional skills among officials and employees; and finally, supporting the management, monitoring and evaluation of judicial processes.

The project is expected to improve regulations providing an adequate environment for investment and trade, making justice more accessible to all citizens, especially the poorest. Additionally, better contract enforcement is expected, thereby benefiting small businesses. Salvadorans who live in remote areas will benefit from legal information and assistance –among other services– which will be provided to them through the Internet page of the judicial branch and accessible local information networks.

The impact monitoring is focused on the following indicators:

1. Improvement of institutional management;
2. Modernization of court operations and extent to which courts are brought closer to citizens;
3. Improvement of accessibility and transparency for citizens;
4. Improvements in professional quality and in the quality of judicial officials and judges;
5. Successful project coordination and assessment.

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Project Components

Component 1: Strengthening the institutional management capacity of the judicial branch (USD\$4.28 million)

This component seeks to strengthen the capacity of the judicial branch through the design and implementation of a system for institutional planning. The system includes the development of new and more efficient procedures for the processing of judicial services, equipment

resources

- ▣ [Project document](#)
- ▣ [Website of the Supreme Court of Justice \(S\)](#)
- ▣ [News Release: World Bank approves a USD\\$18 million loan to support the judicial system reform in El Salvador](#)
- ▣ [Report: Violent crime in El Salvador](#)

Project - At - A - Glance

Implementing Agency	Supreme Court of Justice
Amount of the loan	US\$18.2 million
Disbursement to April, 2007	US\$7.7 million
Starting date of the project	March 8, 2004
Repayment period	16 years, including a 6 year grace period.
Variable interest rate	LIBOR 6 months plus 0.30%, currently at 5.66%
Closing date	December 31, 2008

for administrative units and the development of technological information and communication systems. The component also includes training for judges and technical and administrative personnel.

Component II: Modernization of the Courts of Justice (USD\$15.37 million)

The modernization of the courts helps to minimize difficulties in their administration. This component includes the development of a court re-mapping plan by organizing court distribution, taking into account the size of the population, and geographic and judicial service needs for efficient resource use. At the same time, technical assistance and training will be provided to strengthen the automated judicial and administrative case management program.

This component also includes a program to update the models of judicial organization (training, purchase of computers and other equipment) and infrastructure expansion through the construction of the Integrated Justice Center in the municipality of Soyapango. The development of integrated judicial centers consists of the physical integration of the courts, the creation of shared support and service offices, and the separation of administrative from judicial tasks, leaving judicial tasks as the priority for judges.

Component III: Sharing knowledge to improve access to justice and transparency (USD\$1.39 millions)

The evaluations carried out show the need to improve the credibility of the judicial system and increase access to legal information. For such reason, this component provides citizens with accessibility, transparency and understanding of laws by means of technical assistance for the design and implementation of an inspection, surveillance and monitoring system for judicial services. This will be achieved by creating legal education programs for civil society groups and modernizing the documentation center and judicial libraries.

Component IV: Development of judicial and administrative career systems (USD\$ 1.02 Million)

The need for professional development of young judges is particularly important in El Salvador (more than 50 percent are under 35 years of age). Skills improvement is achieved through technical training provided under this component. It involves enhancing human resources policies in the judicial branch, including the promotion of the role of judges in the country's economic and social development.

Component V: Project management, follow-up and evaluation (USD\$ 1.01 million)

This fifth component provides support for project management and auditing, focused on technical assistance and financial support for overall project coordination, evaluation, supervision and implementation. This component includes training on World Bank standards and procedures related to procurement and contracting, financial management, auditing, monitoring, evaluation and other related tasks.

Finally, the component supports an overall project evaluation through process and impact assessments.

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Project progress

By April, 2007, 53 percent of the overall project was executed and committed (see Table 1). By the end of year 2007, 78 percent of the project is expected to be implemented upon the completion of several key project consultancies. The greatest implementation progress involves: the construction of the Integrated Judicial Center in Soyapango; the development of a new organizational model for judicial operations; consultancies to develop the Judicial Map; institutional consultations on judicial branch planning; definition of new revisions of the profile of judicial operators (Organic Law); and the provision of technological equipment to courts throughout the country for the implementation of a Technological Master Plan.

Table 1 Summary of the Project's Financial Implementation As of June 30, 2007						
Component	Original Investment Estimate (in millions of dollars)			Committed and Implemented* (as a percentage of the relevant Component)		
	Total	Loan	Counterpart	Total	Loan	Counterpart
Component I: Strengthening the institutional management capacity of the judicial branch	4.28	3.16	1.12	31%	34%	22%
Component II: Modernization of the Courts of Justice	15.37	11.52	3.85	69%	70%	66%
Component III: Sharing knowledge to improve access to justice and transparency	1.39	1.04	0.35	33%	36%	22%

Component IV: Development of the judicial and administrative career systems	1.02	0.84	0.18	34%	35%	77%
Component V: Project management, follow-up, and evaluation and financial costs.	2.0	1.64	0.36	34%	35%	29%
Total Project	24.1	18.2	5.92	55%	56%	53%
* Includes disbursements from the loan and counterpart funds (implemented), while the remainder are signed contracts in the process of being implemented (committed).						

Progress made in strengthening the institutional management of the judicial branch

Under this component, a consultancy called: “Review, adaptation and implementation of an integrated strategic planning system”, has been developed, which, at this date, is in its final phase. The outcomes of this consultancy will result in the use of new and/or modern tools for institutional planning, which will improve the decision-making process of the Supreme Court. As well, computer equipment, books and servers for the distinct units of the institution were acquired. Progress in the modernization of justice courts



Integrated Judicial Center of Soyapango

The investment in the construction of the new Integrated Judicial Center of Soyapango is a relevant outcome of the modernization component. As of March, 2007, 90 percent of physical works were completed, and conclusion is expected by September of this same year.

Once the Integrated Judicial Center is in operation, it will benefit approximately 183,600 users per year, accounting for 37 percent of the population living in the municipality of Soyapango.

Currently, an international public bid is being prepared for the purchase of computer and security equipment which will complement the new building and prepare it for future operations.

Modernization has benefited and strengthened courts; family and juvenile courts, courts of instruction and sentencing, penitentiary vigilance courts, labor and traffic courts, providing approximately 300 computers in different areas of the country.

Finally, the Judicial Map of El Salvador will be reviewed, adapted and consolidated in the next few months so as to identify new court locations based on demand for services. Likewise, automated process systems in integrated judicial centers will be designed and developed, including automating processes that were previously done on paper, thereby enhancing efficiency, effectiveness and processing times.

Advances in knowledge to improve access to justice and judicial transparency

The Project includes a legal education Program for people in the municipality of Soyapango. The main objective of this program is to train the 600,000 inhabitants of this municipality on their basic rights, judicial processes, and on how to access the justice system. The program benefits 272 communities distributed among 16 areas of the Soyapango municipality, which are served by 28 local social promoters. Within the same program, educational workshops have been developed for 148 public schools that serve some 71,137 children between the ages of six and 18.

During the following months and in this same municipality, the teaching institution Instituto Universitario de Opinión Pública (IUDOP), carries out research to define the level of knowledge about justice. The study will include the participation of a communications expert and a lawyer, who will work together in the preparation of an educational campaign for the area.

A study called “Strengthening professional research, judicial research, the practice of notaries and probity” is expected to begin on the second semester of 2007. The main outcomes of this consultancy will be a proposal for strengthening the efficiency of all court units, including organization, operation and resources.

Progress in the development of the judicial and administrative career systems

Between 2004 and 2006, technical visits were made by judicial branch staff to their counterparts in Guatemala, Puerto Rico and Mexico. The visits aim at exchanging experiences about the operation of integrated judicial centers, documentation centers and judicial libraries. These experiences were complemented with a workshop “Introduction to the Conceptual Framework of the Integrated Judicial Center of Soyapango” with the attendance of personnel from different courts in the municipality.

Likewise, two seminars were carried out in 2006: 1. CAFTA and the administration of Salvadoran justice, and 2. The IV Inter-American Seminar on Judicial Justice. This seminar was directed at magistrates, judges, juridical collaborators of the Supreme Court of Justice, academic and administrative personnel of the National Judiciary Council (NJC), and staff of the Judicial Training School.



A user of judicial services carrying out a transaction in

In May of 2007, three courses were developed, including: 1) Judicial management for judges and administrative personnel in charge of implementing the new integrated judicial model; 2) Gender in public policies directed at the Gender Unit, the Civil Court, the Project's Planning and Coordinating Unit, with the goal of strengthening institutional capacities in the application of the gender focus to promote equity in the Judicial Organ; and (3) The Conference on Crimes Against Sexual Liberty, attended by legal medical personnel, judges and multidisciplinary teams of the judicial branch and aimed at improving the quality of services to rape victims and legal medical expertise.

In June, 2007, a new consultancy for the "Diagnosis and action plans for the modernization of human resources management in the judicial branch" will be carried out, the objective of which is to modernize the human resources management and development system by improving policies, evaluation, adaptation and/or adjustment of existing technical-administrative tools and mechanisms. Similarly, the consultancy aims at gathering a personnel inventory, including classification of positions, salary scale, incentive plan, and recommendations for the establishment of a judicial and judicial administrative ladder in the institution.

[Contact us](#) for more information!

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