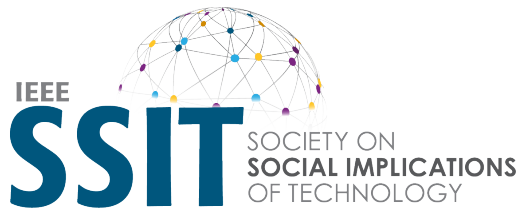




Open Government Partnership Summit 2015  
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Stanford  
Law School

*Panel: Providing Access to Justice for All through Open Judiciary: Comparative Experiences from the U.S., Latin America, and China*

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# Claves sobre la Justicia Abierta (Open Judiciary Keys)

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# ICT in Public Organizations: Evolution

E-Justice

Organization	Modernization level	ICT Role
1. Bureaucratic	Begin	Automatized Workflows ( <i>e-Administration</i> )
2. Professional	Middle	Citizenship Interaction ( <i>e-Government</i> ).
3. Relational	Advanced <i>Open data AS A TOOL</i>	Key for transparency, accountability and collaboration ( <i>Open Government</i> ).
4. Intelligent	Optimal: Adopted completely Interoperability principle and Open Innovation as tool	Interconnected Ecosystem ( <i>Smart Government</i> )

Table 1.- Modernization phases in Public Organizations, and ICT Role. Source: Jimenez et al. (2014)

- Research (2012) related ICT impact in justice
- Among other results... openness and modernization in judiciary
- ...Then we continue with new research works...
  - Can we say that e-Justice will evolve like e-Government is evolving towards Open Government?
  - What initiatives are being done?
  - We did a new research (2014). Open State (openness in executive and legislative power) → Also Openness in Judiciary?

Research: **“Justicia abierta: transparencia y proximidad de la justicia dentro del actual contexto de Open Government”**

# Open Judiciary (Justicia Abierta)

## Definition

- **Open Government** philosophy and principles
  - Transparency,
  - Participation
  - Collaboration
- Applied and contextualized in the judiciary and justice field
- Key tools:
  - Innovation
  - ICT

(Jimenez-Gomez, 2014)

More than 100 initiatives analyzed  
More than 100 respondents to an international survey  
Social Network Analysis (Twitter)  
9 In Depth Interviews

**23 Indicators for classification**

Source: (Jimenez-Gomez, 2014)

- |  |                                 |                            |
|--|---------------------------------|----------------------------|
| 1. Public policy and strategy                | 9. Collaboration principle      | 16. Private                |
| 2. Jurisdictional function                   | 10. Transparency principle      | 17. People                 |
| 3. Government of judiciary                   | 11. Innovation                  | 18. Internal               |
| 4. Administration and means                  | 12. Access/Closeness to justice | 19. External               |
| 5. Citizens & professional connection        | 13. Effectiveness               | 20. Instrumental           |
| 6. Link with other governmental institutions | 14. Efficiency                  | 21. Functional (operative) |
| 7. Level (Country, State, Local)             | 15. Public                      | 22. Geographic (Intl.)     |
| 8. Participation principle                   |                                 | 23. Focus                  |

# Key elements identified:

Source: (Jimenez-Gomez, 2014)

Strategic view	Capabilities & Tools
1. State Treaty and institutional renewal. Roadmap	1. Leadership & communication
2. Strategy & public policy	2. Feedback
3. Global accountability perspective	3. Trust and legitimation
4. Wish to advance to a more open system	4. Translation from legal to colloquial language
5. Access, closeness & citizen-oriented	5. Volunteering and informed decisions. Mandatory as exception
6. Coordinated courtstrategy and communicated answers (incentives/penalties)	6. Confidentiality as key for effectiveness
7. Legal coverage	7. Standardized data-sets preparation and machine-readable formats
8. Service integration in judicial system	8. Access to open data
9. Supervision and evaluation. Effectiveness & targets achieved measurement	9. Data & information visualization tools
10. Continuous and interdisciplinary education	10. Targets avoiding traditional-confrontational-methods
11. Standardization of processes, protocols and models	11. Easy accesibility to processes
12. Looking for public-private partnership in courts	12. Efficiency and low cost orientation
13. Support to local programs	13. Easier access to rehabilitation services
14. Innovation & new ways to dispute resolution/s	14. Early intervention orientation
15. Systemic impact, specially related to the community	15. Fast inclusion in collaboration programs
16. Volunteering & facilities to support activities	16. Careful preparation and special attention to relationships between both parties
	17. Prevalence of face to face dialogue
	18. Judicial interaction with every collaborative justice participant
	19. Emphasize team & individuals' commitments, related cultural competences
	20. Result quality and legality supervision
	21. Realistic impact
	22. Flexibility, when litigants can be autonomous

Next, we will talk about Open Judiciary initiatives in USA, Latin America and China:

- Phillip R. Malone (Stanford Law School): USA
- Rodrigo Sandoval-Almazán (UAEM): Latin America
- Mei Gechlik (Stanford Law School): China

**Participate in our survey on Open Judiciary (Justicia Abierta):  
Available at Stanford Law School, CGCP**

<https://cgcp.law.stanford.edu/event/20151028-open-government-partnership-global-summit/>



Survey available in English, Spanish and Chinese, until 11/15/2015.



# Muchas gracias/ Thank You!

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