

# NEWSLETTER

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## CONSTITUTIONAL COURT ADVANCES TOWARDS TECHNOLOGICAL MODERNIZATION

In this installment, the PMSAJ is pleased to show the public the statistical results of the progress made by the Constitutional Court on the Electronic File project. On this occasion, it is imperative for us to highlight that the achievements that we are achieving every month are possible thanks to the execution of the cooperation programs that we receive from the Inter-American Development Bank (IDB) and, now, also from the International

Bank. Reconstruction and Promotion (IBRD), the international cooperative dedicated to development that, being owned by 189 countries that make it up, is the largest development bank in the world, supporting the mission of the World Bank, providing loans, guarantees, risk management products and advisory services to creditworthy low-income and middle-income countries, while coordinating effective responses to global and regional challenges.

Participant institutions:

Cooperating Source:

Thanks to them, the PMSAJ has been managing decisive support to the institutions that make up the country's Justice Administration Service to transform them into modern entities that, as in the case now of the Constitutional Court, above all, become up to date and at the height of Peruvian social evolution, at the same time that they have been increasing their productivity, making Justice in the country more timely and efficient.

The plates shown in this bulletin give a real account of the gradual decrease in the procedural burden and its tendency to become a zero charge, a theoretical projection, by the way, since, ad infinitum, the files that keep turning will always remain in charge.

The foregoing clearly reveals that the gradual decrease to which we refer coincides, for example, with the systemic evolution that the Constitutional Court has promoted internally based on the support received through us from our cooperatives (IDB and WB), which are active through of the investment programs that were imple-

mented from 2016 onwards. To all this, we must also add the reduction in the percentage of cases processed based on interlocutory judgments, which have shown very good results, the cases of the ONP do not exceed 10% of the total).

However, we must recognize that much of the progress and evolution exposed by the Constitutional Court are the consequence of the management of its own knowledge, which accounts as a magnificent example of the organization that learns, acts and transforms based on its two main supports: its human capital and its ability to manage the information and processes for the development of its tasks.

Thus, we are very pleased to be, not only witnesses but, above all, protagonists and managers, together with the Constitutional Court and the other beneficiary entities of the PMSAJ, of the successes that we have been achieving as a result of an orderly work, organized, strategically and planned approach that, with the use of technological modernity and the

## Current situation - TC

Cases admitted to the TC, from its entry into office in 1996, until June 2021.

Historic distribution of the ENTRANCE of files										Historic distribution of Publication of files									
YEAR	TYPE OF PROCESS							NSP	TOTAL	YEAR	TYPE OF PROCESS							NSP	TOTAL
	AA	AC	HC	HD	Q	AI	CC				AA	AC	HC	HD	Q	AI	CC		
<b>TOTAL</b>	<b>89070</b>	<b>11139</b>	<b>18684</b>	<b>2131</b>	<b>4776</b>	<b>599</b>	<b>134</b>	<b>1017</b>	<b>126,533</b>	<b>TOTAL</b>	<b>87778</b>	<b>11058</b>	<b>18223</b>	<b>2000</b>	<b>4743</b>	<b>569</b>	<b>128</b>	<b>1017</b>	<b>124499</b>
	70.4%	8.8%	14.8%	1.7%	3.8%	0.5%	0.1%				70.50%	8.88%	14.64%	1.61%	3.81%	0.46%	0.10%		
	125,800						733				123,802						697		
	99.42%						0.58%				99.44%						0.56%		
	PJ						TC				PJ						TC		

### Abbreviations:

#### GUARDIANSHIP PROCESSES

AA: Relief action  
 AC: Compliance action  
 HC: Hábeas corpus  
 HD: Hábeas data were canceled.  
 Q: Claim of law

CC: Conflict of competence

AI: Unconstitutionality action

NSP: Will not be published

#### ORGANIC PROCESSES

Figures obtained in the website <https://www.tc.gob.pe/institucional/estadisticas/>

Participant institutions:

Cooperating Source:

new doctrines of modernization of public management, aim to achieve objectives and goals set for the benefit of the Justice Administration System which, of course, it redounds to the benefit and gain of the nation, by consolidating our rule of law from the angle that corresponds to us to promote.

### Expectations of the Constitutional Court on the Electronic File project (statistical data)

Current situation of the Constitutional Court According to the data provided by the Constitutional Court on its website in the statistics area, it is said that, between 1996, when the Constitutional Court came into operation, until June 2021, a total income of 126,533 files is presented, the distribution of these comes from two sources of income: the files that originate and come from the Judicial Power, and that later arrive via extraordinary appeal of constitutional grievance to the Constitutional Court, represent 99.42%, which in numbers means 125,800 cases and that they incorporate into the judicial processes known as guardianships, that is, actions for protection, enforcement action, habeas Corpus, habeas data and complaints, and for On the other hand, only 0.58% of the files that represent 733 cases correspond to a direct entry to the Constitutional Court by organic processes, that is to say, by action of inco Institutionality or conflicts of jurisdiction.

On the other hand, in the same period of time between 1996 and June 2021, the historical distribution of the publication of files that have been processed amounts to 124,499 cases of which 99.44%, which It is equivalent to

123,802 cases, they correspond to files published for protection actions, enforcement actions, habeas Corpus, habeas data and legal complaints that have the Judicial Power as a source of income and only 0.56% that is equivalent to 697 cases, correspond to publications of files for action of unconstitutionality or conflict of jurisdiction that are organic processes that are processed directly before the Constitutional Court, and that have been resolved and communicated. It can also be observed that the procedural burden of the Constitutional Court is currently 1,998 cases due to entry of the Judicial Power versus 36 cases directly entered to the Constitutional Court for actions of unconstitutionality and competition disputes.

### Cases against the ONP

From 2014 to 2021, the Constitutional Court has received 26,338 files, which represent 67.33% of the processes initiated in the Judiciary and that have been declared unfounded or inadmissible, that is, denied, of these, 5,702 files - These correspond to cases brought against the ONP for amparo actions, representing 21.65% of all cases admitted. From 2014 to 2021, 5,314 cases followed against the ONP have been published from 2014 to 2021 with a definitive ruling, that is, 93.20%; therefore, 134 cases remain, representing 2.35% of cases that have been published without ruling, plus 254 cases of files yet to be published, representing 4.45%. There is a decline in the years 2020 until June 2021, probably as a consequence of the work stoppage to which the judicial function of the Judiciary and logically also of the Constitutional Court had to be forced.

Participant institutions:

Cooperating Source:

## Cases against the ONP

Cases Entered into the TC  
Defendant : ONP

Year of admission	Quantity	%
2014	995	17%
2015	987	17%
2016	855	15%
2017	914	16%
2018	769	13%
2019	671	12%
2020	224	4%
2021	287	5%
<b>Total</b>	<b>5,702</b>	

Decisions of the Files Entered between the years 2014 and 2021  
Defendant: ONP (published between the years 2014-2021)

Decision	Defendant : ONP								Total
	2014	2015	2016	2017	2018	2019	2020	2021	
Without decision		2	2	12	38	66	69	199	388
Admit Demand	5	3	4	1	2	2			17
Withdrawal	6	8	9	11	12	2			48
Return		2	1		1	2	1		7
Founded	239	132	97	90	63	30	2		653
Partly Founded	8	17	10	8	7	5	1		56
Founded the RAC	3	1	4	4	1	9			22
Unfair	56	32	25	34	24	27			198
Unfair the RAC	1		2	2	1	1			7
Inappropriate by interlocutory	572	702	642	695	589	496	151	88	3,935
Unfounded	81	74	56	44	18	17			290
Unfounded the RAC	1	1	2	8	12	11			35
Notify	1								1
Null	21	12	1	5	1	2			42
Revoked	1	1				1			3
<b>Total</b>	<b>995</b>	<b>987</b>	<b>855</b>	<b>914</b>	<b>769</b>	<b>671</b>	<b>224</b>	<b>287</b>	<b>5,702</b>

Figures obtained in the website <https://www.tc.gob.pe/institucional/estadisticas/>

### Flow or process of files once they enter into the CT.

The procedure that is followed once the Constitutional Court receives the files of the cases that are initiated in this power of the State via a constitutional grievance appeal, which arrive physically in paper format accompanied by an official letter in which the court respective superior elevates the file of the guardianship process for its respective processing in the last and final instance by the Constitutional Court, it is registered in the SIGE, which becomes the File Management Entry System, this register goes to dispatch in the TC for which procedural acts are sought, a supplementary file called a booklet is formed, which is fully digitized, the Constitutional Court also to carry out these procedural acts digitizes the judicial file, that is, it is part of an electronic judicial file. After the TC issues the final ruling, this notebook

resolved is annexed to the main file and is returned to the superior room of the Court from which the file came.

### Referential distribution of files entered vs N ° Magistrates

From the beginning of its functions in 1996 to June 2021, 125,800 cases have been entered into the Constitutional Court from the Judicial Power, an approximate of 5,032 files per year, or 419 cases per month, so each Magistrate should resolve around of 60.42 files in addition to the 60 currents, in total 120 (it is an average referential distribution) per month so as not to increase the procedural burden.

### Relation of files entered vs Time of attention

The number of files resolved in the same year of admission and those resolved up to 7 years after admission, must be Until June 2021, there are a

Participant institutions:

Cooperating Source:

total of 126,193 cases admitted to the Constitutional Court of which 40,676, which represents 32%, were cases resolved the same year of admission, 57,921 cases, that is, 46% of the total were resolved after one year of having admitted to the TC, 17,947 files, which means 14% of the total, were resolved after 2 years or a little more of having entered the TC, 5,273 that comprise 4% of files were resolved after 3 years of having entered the TC. Constitutional Court, 1,618 cases representing 1% were resolved after four years of having entered the Constitutional Court, 566 files which is equivalent to 0.45% of the total cases were resolved 5 years after entering the Constitutional Court. TC, 136 cases that is equivalent to 0.11% were files resolved after 6 years of having entered the Constitutional Court and finally 24 files that are equivalent to 0.02% of the total, were resolved after 7 years. years of having entered the Constitutional Court, that means that there is a kind of weighting

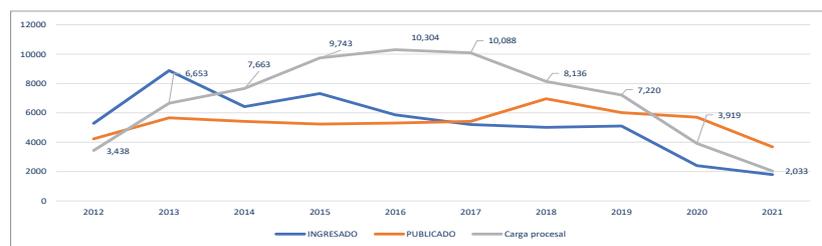
of the resolution period in the number of files that is equivalent to more or less three years.

**Files entered, published and procedural burden between 1996 and 2021**

It must be considered that files date from 1992, 1993, 1994 and 1995 and that they mark zero files processed and published, despite the fact that 41 cases were admitted in 1992, in 1993 102 in 1994 3 and in 1995 189, in At that time there was no Constitutional Court but there was a Court of Constitutional Guarantees, that was the entity that had been receiving the processing of files according to the constitutional mandate of the 1979 Constitution, but once the Court began to function Constitutional in 1996 onwards, the entry of files was registered that go according to what is shown in these figures, marking a procedural burden in greater growth, reaching a total of having received, an

List of entered files / Published / Procedural charge

YEAR	ENTERED	PUBLISHED	Coe.Attention CAPACITY OF ATTENTION	Procedural charge
1992	41	0	-100%	
1993	102	0	-100%	
1994	3	0	-100%	
1995	189	0	-100%	
1996	1084	99	-91%	1,471
1997	1318	592	-55%	2,427
1998	1235	1383	12%	2,481
1999	1370	1586	16%	2,460
2000	1436	1921	34%	2,096
2001	1520	816	-46%	2,982
2002	3082	1379	-55%	4,899
2003	3810	4601	21%	3,995
2004	5093	4173	-18%	3,739
2005	10807	7052	-35%	7,492
2006	11149	10146	-9%	8,489
2007	6792	9332	37%	6,747
2008	7230	7075	-2%	6,097
2009	6513	8953	37%	3,665
2010	4594	6932	51%	1,327
2011	5886	4831	-18%	2,382
2012	5285	4229	-20%	3,438
2013	8876	5661	-36%	6,653
2014	6428	5418	-16%	7,663
2015	7316	5236	-28%	9,743
2016	5863	5302	-10%	10,304
2017	5200	5416	4%	10,088
2018	5009	6961	39%	8,136
2019	5102	6018	18%	7,220
2020	2404	5704	137%	3,919
2021	1797	3683	105%	2,033
<b>TOTAL</b>	<b>126,534</b>	<b>124,499</b>	<b>-2%</b>	
<b>AVERAGE</b>	<b>4,301</b>	<b>4,166</b>	<b>-0.11%</b>	<b>5,075</b>



It can be seen that the procedural burden has decreased for the following reasons: The interlocutory that is appreciated begins to take effect from 2017 and the full digitization. The trend shows that they will arrive towards the end of the year with a ZERO procedural charge. This without considering the impact that the new TC Regulation will have, which obliges all causes under responsibility at the SIGHT OF THE CAUSE. The service capacity as of June 2021 is + 105%.

Figures obtained in the website <https://www.tc.gob.pe/institucional/estadisticas/>

Participant institutions:

Cooperating Source:



average of 4,301 files per year, of which 4,166 have been published per year, which represents 5,075 of the procedural burden throughout this period of time. The capacity for attention of the Constitutional Court until June 2021 marks an approximate compliance of 105%.

### Distribution of work of the Cabinet of Advisors

In order for the Advisory Cabinet to optimally carry out its tasks, three aspects are needed to consider: first, an update of the legislation database is required, so that the Peruvian system of Legal informatics has been implemented, this is a permanently updated system and it works very well, allowing the advisers to have the current legislation at all times. A second aspect is that of the jurisprudence and the binding precedents of the Constitutional Court, an issue that is also resolved since the Constitutional Court publishes daily

the resolutions on its website, as well as the jurisprudence and binding precedents, allowing the advisers to have access to the necessary information. The third aspect is related to the judicial file and the booklet with all the proceedings in the Constitutional Court, since the greatest procedural burden comes from the Judicial Power and physical files on paper always come from it to the Constitutional Court. To date, the TC has digitized more than 6000 files that have been distributed among the different commissions so that the projects of papers can continue to be generated by the magistrates, this has led to the entire procedural burden of the Constitutional Court being found digitized with which there is no longer physical handling of files and therefore the work can be even remote. In this period of time, this fact has led to the publication of 2,180 files with resolutions from the beginning of the pandemic to date, taking into account that a goal was

## Concluded cases Jan-Aug. 2021

1. Published resolutions (show the quantity of published resolutions distributed by the type of resolution.)	January to August	END THE PROCESS					DOES NOT END THE PROCESS							TOTAL
		Interloc.	Auto	Judgment	Desest.	Total	Admisib.	Inadmisib.	Clarific.	Nullity	Reposition	Others	Total	
		<b>Total</b>	2806	569	1095	50	4520	25	11	96	32	22	172	
<b>% Final</b>	62.1%	12.6%	24.2%	1.1%		7.0%	3.1%	26.8%	8.9%	6.1%	48.0%			
<b>% Total</b>	57.5%	11.7%	22.4%	1.0%	92.7%	0.5%	0.2%	2.0%	0.7%	0.5%	3.5%	7.3%		

2. Resolutions published by collegiate	January to August	PLENARY SESSION											TOTAL
		END THE PROCESS					DOES NOT END THE PROCESS						
		Interloc.	Auto	Judgment	Desest.	Total	Admisib.	Inadmisib.	Clarific.	Nullity	Reposition	Others	
<b>Total</b>	0	86	829	5	920	25	3	36	17	9	85	175	1095
<b>% Final</b>	0.0%	9.3%	90.1%	0.5%		14.3%	1.7%	20.6%	9.7%	5.1%	48.6%		
<b>% Total</b>	0.0%	7.9%	75.7%	0.5%	84.0%	2.3%	0.3%	3.3%	1.6%	0.8%	7.8%	16.0%	100.0%

January to August	ROOM 1											TOTAL	
	END THE PROCESS					DOES NOT END THE PROCESS							
	Interloc.	Auto	Judgment	Desest.	Total	Admisib.	Inadmisib.	Clarific.	Nullity	Reposition	Others		Total
<b>Total</b>	1290	198	149	20	1657	0	2	21	9	7	60	99	1756
<b>% Final</b>	77.9%	11.9%	9.0%	1.2%		0.0%	2.0%	21.2%	9.1%	7.1%	60.6%		
<b>% Total</b>	73.5%	11.3%	8.5%	1.1%	94.4%	0.0%	0.1%	1.2%	0.5%	0.4%	3.4%	5.6%	100.0%

ENERO A AGOSTO	ROOM 2											TOTAL	
	END THE PROCESS					DOES NOT END THE PROCESS							
	Interloc.	Auto	Judgment	Desest.	Total	Admisib.	Inadmisib.	Clarific.	Nullity	Reposition	Others		Total
<b>Total</b>	1516	285	117	25	1943	0	6	39	6	6	27	84	2027
<b>% Final</b>	78.0%	14.7%	6.0%	1.3%		0.0%	7.1%	46.4%	7.1%	7.1%	32.1%		
<b>% Total</b>	74.8%	14.1%	5.8%	1.2%	95.9%	0.0%	0.3%	1.9%	0.3%	0.3%	1.3%	4.1%	100.0%

It can be seen that the interlocutory has a positive effect on reducing the procedural burden.

Figures obtained in the website <https://www.tc.gob.pe/institucional/estadisticas/>

Participant institutions:

Cooperating Source:

expected of 52.08% for the year 2020 and that goal was largely exceeded, since it is at more than 100%, which is a fairly significant advance.

### **Jurisdictional statistics as of August 10, 2021 Cases concluded between January and August of the year 2021**

When observing the data of the published resolutions distributed by the type of resolution between January and August of the year 2021, there are 2,806 interlocutory resolutions, 569 orders, 1,095 sentences and 50 withdrawals, which represents from the point of view of the total. The number of cases admitted was 57.5, 11.7, 22.4% and 1.0% respectively. The total of cases completed in this period of time has been 4,520 files, making a total of 92.7% of cases admitted. In that period (January to August 2021), we found 358 resolutions that contain decisions that do not end the process, and the total number of files entered between January and August 2021, either with the process completed or not completed, is 4,878. The resolutions published by the collegiate we have the plenary session composed of the seven magistrates, room one and room two, each of them with three magistrates.

Between January and August 2021, the plenary session has resolved with a resolution that puts an end to the process, 920 files while 175 have received resolutions that do not finish the process, making a total of 1,095 files, during these eight months, room one to issued 1,657 resolutions that have ended the process, while 99 resolutions have been issued that do not finalize the process, making a total of 1756 cases processed between January and August 2021 by room one. And in room two in that same period of time (from January to August 2021) 1,943 resolutions have been issued giving an end to the process while

84 resolutions for inadmissibility or admissibility or clarification or nullity or replacement or others have been dictated

without ending the process for 84 cases out of a total of 2,027 files. It can be noted that room two has a surplus of about 271 more cases than room one.

### **Files resolved pending return to the Judiciary between 2013 and 2021**

There is a total of 2,261 files already resolved and with return orders to the Judiciary that have been notified versus 3,141 files resolved and pending notification to the Judiciary through official letter, in total then, in this period of time between In 2013 and 2021, 5,042 files have been returned to the Judiciary or to be returned according to the figures indicated.

### **Pending Cases - Procedural Burden daily evolution month of August of the year 2021**

The procedural burden in the Constitutional Court is approximately 1,652 files processed in 10 days, of these, between the years 2015 and 2021, the plenary session has processed a total of 247 files for protection actions, compliance actions, habeas Corpus, habeas data, actions of unconstitutionality, among others, room one in that same period of time has processed 553 causes for amparo action compliance action habeas Corpus habeas data and room two has processed it to 852 files, between 2015 and 2021 for the same concepts, in total then between the year 2015 and 2021 they have been processed in plenary session, in room one and in room two 1,652 files having as reference that The trend is to reach the end of the year with a procedural burden of zero, which can be seen in item 3 of the evolution of the procedural burden, which is shown on the decline.

Participant institutions:

Cooperating Source:

### Projection for the compliance of goals – comparison of concluded cases vs goals We observe that there is an annual goal

Carried out based on a monthly calculation expected between the months of January and December of this year, for example in January 500 cases were expected to be resolved by the Constitutional Court and the truth is that 727 cases were resolved, of which 702 involved completed cases. Therefore, there is an execution level always above the monthly goal, in this case of 140%, in February a goal of 482 files was estimated and 518 were resolved with publication and 487 of them had completed cases, which implies an execution of the 101% of the monthly goal, the same in March, April, May, June, July and so far in August.

298 cases to be processed, but as of the date this report was prepared, August 11, there are only published resolutions 9 and 8 finalized cases, the data is not yet known because the reference for the months of September and October.

### Projection of the load, publication and income of the last 10 years

The state as of August 1 of the last 10 years, that is, from 2012 to August 2021, there is a procedural load of 1543 cases in 2021, in 2012 it begins with 3320, in 2013 5,136 and in 2014 6,577 and so on, but to the extent that 2018, 2019 and 2020 and especially in 2021, the reduction is always decreasing, the other data show precisely that variation, always with a downward trend.

### Comparison of the load, publication and income in the last 10 years with the closing point of August 1 of the present 2021

You can see in the graph the relationship between what is published and what is received, that is to say, it is a ratio of publication income, which shows a growth trend, that is to say that there is a higher resolution labor production given that in 2012 the ratio was of 0.76% decreased in 2013 to 0.64, in 2014 1.02, decreased again in the 2015

## Projection for compliance of goals

### 2. Comparison of charge, publication and entrance of the last 10 years:

#### 2. Statement as of august 1 of the last 10 years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Burden as of august 1	3320	5136	6577	9354	11333	9551	9682	7392	6732	1543
Entered between (Jan 01 - august 01)	3887	4672	3957	5277	4440	3709	3449	3349	1434	2244
Concluded between (Jan 01 agosto 01)	2950	2975	4034	3587	2851	4462	3855	4094	1920	4520
Variation of burden between (Jan 01 - August 01)	937	1697	-77	1690	1589	-753	-406	-745	-486	-2276
Rate of production in relation to income of (Jan 01 - August 01)	0.76	0.64	1.02	0.68	0.64	1.20	1.12	1.22	1.34	2.01

The table shows the increase or decrease of the procedural burden (Entered - Published) from January 01 of each year to 01 of the running month

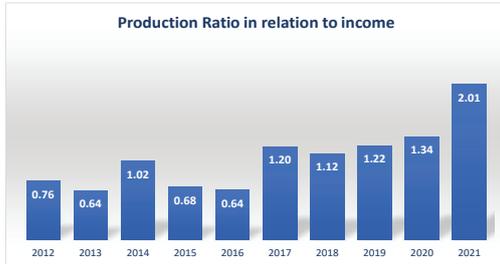
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Participant institutions:

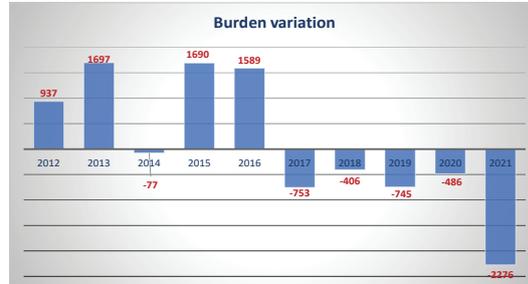
Cooperating Source:

## Projection for compliance of goals

### 2. Comparison of burden, publication and income of the last 10 years: Statement as of august 1 of the last 10 years



The graph shows the relationship of what is published over what is entered (Published / Entered) from January 01 of each year to 01 of the month in execution



The graph shows the increase or decrease of the procedural burden (Entered - Published) from January 01 of each year to 01 of the running month

Figures obtained in the website <https://www.tc.gob.pe/institucional/estadisticas/>

to 0.68, it decreased a little more in 2016 to 0.64, then doubled in 2017 to 1.20 when the digitization process began, in 2018 it fell to 1.12, in 2019 it resumed to 1.22 in 2020 despite the pandemic it rose 1.34 and August 1st of this year is 2.01, a significant growth in the rate of publication of files entered and published with resolution. The graph also shows the increase or decrease in the procedural burden in the income-publication relationship, in 2012 937 files were the excess, in 2013 1,697, for 2014 it was reduced by less than 77, in 2015 rose to 1690, in 2016 to 1589 and since 2017, when the digitization process begins, the load decreases enormously as can be seen in these graphical data and it should be noted that despite the pandemic in 2021 a reduction of the procedural burden of processing 2,276 fewer files that have been resolved and returned to the Judiciary.

#### Statistic Projections

Projection for admission - resolution of the load resulting from files between what is real and what

is projected between the months of January and July of the year 2021.

In January, 602 new files were entered, 602 accumulated, 702 were resolved, (100 more than what came from 2020) accumulating a total of 702, the load finally amounted to 3,819 files and so on between February March April May June and July, the real thing has been in a process of increasing both the entry of files but also the resolution of causes, the projected is always at an average level, for August, September, October, November and December where we still do not have updated figures, but surely according to the variation of the index of what has been observed between January and July of this year, the same trend as shown in the graph of the real should be marked, the decrease that has occurred since January 2021 and how it is projected to go down to zero in December to close the year; In this way, a file that currently enters the Constitutional Court, on average, has a delay of only 5 months to be resolved.

Participant institutions:

Cooperating Source:

## PROGRESS AND EXPECTATIONS OF THE CONSTITUTIONAL COURT ON THE PROJECT OF THE ELECTRONIC JUDICIAL

*Interview with Engineer César René Rodríguez Alegre, Head of the Information Technology Office of the Constitutional Court*

**The TC has presented a project for the implementation and construction of the EJE from an institutional perspective. Tell us about it.**

Indeed, within the Program there is a project called "Improvement of the model of provision of services of the Constitutional Court to achieve the adequate implementation of the EJE" that must articulate with the rest of the projects presented by the other entities of the Administration System. - Justice. This project has for

The objective is to ensure that the Court is prepared from the point of view of technological resources, processes and staff training to be able to face the challenges of digital justice. This goes beyond digitizing documents, it implies that justice takes place within a totally digital environment, that is to say that the previous instances must be clear about this concept and deliver a digital product so that, on this, the Constitution Court - can fulfill the function entrusted by the Constitution which is its pronouncement in the last and final instance.



Engineer César René Rodríguez Alegre, Head of the of Information Technology Office of the Constitutional Court

Participant institutions:

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**What expectations does the Constitutional Court have regarding the execution of this project?**

Many of them, the Constitutional Court has just completed 25 years of operation, although the processes of greatest importance, especially in the media, are actions of Unconstitutionality; However, more than 98% of the procedural burden that it has received in this period are processes that come from the Judicial Power, that previous instance, which I have just mentioned. During these 25 years, slightly more than 120,000 files have been entered into the Court from the Judicial Power, all of them in paper format with the implications and precautions that must be taken into consideration when handling such formats.

Currently, as a consequence of the state of emergency, we have had to process all the files in paper format that the Judiciary sends us so that our Cabinet of Advisors can continue with its work from their homes. Now, imagine, if the Judicial Power no longer sent us the paper format, we would be talking about a format that would have an infinite number of advantages: first, it would be ubiquitous, that is, it could be accessed from anywhere, it would be used simultaneously by several users, including the defendants, it would be safe since there would be no possibility of “tearing the leaves”, of it deteriorating over time, or being prone to the effects caused by natural phenomena or sinister. Really, digital justice would bring many advantages

**What is the progress of the TC Project?**

We are in an initial stage, remember that more than 98% of our procedural burden comes from the Judicial Power, it is critical that this entity begins to think beyond digitizing files, it should be thought of developing a Justice model Digital.

We are within the estimates for the period; however, the progress of our main tax case is important for scheduling activities in the coming years. Our intention is to articulate our progress both with the PJ, as well as with the rest of the entities that make up the program.



*This goes beyond digitizing documents; it implies that justice takes place within a comprehensive environment.*



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Within the entire Constitutional Court it is still a small entity, that if it were a project that only affected the Court, our progress and completion would be faster, but since our project is part of a program we are also contingent to the progress of the projects of the other entities.

**How do you evaluate the work that the PMSAJ has been doing in achieving the TC Project?**

It is very efficient and agile. The acquisitions of both goods and services that the Court has requested as activities related to our project have been materialized in the appropriate terms. These days we are completing the installation of a data center with an HCI (Hyper-convergent System), which has been acquired by the Program and recently we received five high-speed scanners that allow greater agility to the digitization process of jurisdictional file.

**How do interoperability and the EJE impact the procedural burden and the processing of cases that the TC has? Tell us about this evolution process before, now and what is expected.**

Undoubtedly, Interoperability is the axis and *raison d'être* of the Program, interoperability understood as the capacity of information systems and the procedures they support, to share data and enable the exchange of information and Knowledge among them is critical when we refer to a Digital Justice, since Justice is in the work of the entities that are members of the SAJ, it is essential that there is this ability to share data and information among them.

**What is the progress in the process of digitizing files so far?**

In the Court, the entire procedural load is di-



Engineer César René Rodríguez Alegre, Head of the of Information Technology Office of the Constitutional Court

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gitized, and the files that are entered take no more than two working days to be digitized.

**Tell us what has been the utility value of the equipment that the PMSAJ transferred to the TC in the framework of the Project to Improve the model of provision of services of the Constitutional Court to achieve the adequate implementation of the EJE?**

The equipment has been very useful. With the scanners acquired by the PMSAJ, the capacity of the Office of Documentary Procedures to digitize the Jurisdictional files has been strengthened.

With the recently acquired server, we have a team capable of providing greater processing capacity to the System of critical need for the Constitutional Court, such as SIGE.

With the Switch Core, which we have acquired, the Court's network connectivity system has been strengthened.

**What difficulties have been registered in this progress process and what measures have the TC taken to overcome them?**

The difficulties that have arisen, especially in procurement, are those of the intrinsic procedures for this type of projects that are financed by organizations such as the World Bank. On the other hand, the global health emergency situation has caused acquisitions, most of them imported, to be delayed; deadlines that under normal circumstances should be shorter

and more predictable. Finally, although many acquisitions are made in dollars, the increase in this foreign currency in our exchange market, and global inflation, has caused many suppliers to be cautious with their proposals.

**What forecasts has the TC management made to face and overcome the natural problems of incompatibility of systems used by the entities that make up the SAJ?**

Incompatibility exists and will continue to exist. What I mentioned earlier, through interoperability, what is expected is that, within this natural problem of incompatibility, systems must be able to share data and information. . Information sharing will be achieved via Interoperability and this will be achieved by advancing in the levels or domains of interoperability, that is, at the Socio-Cultural, Political-Legal, Semantic and Technical levels.

**How does the TC value the work that the PMSAJ has been developing in the support it provides to your institution to solve the bureaucratic and technological obstacles that have been presented?**

Your support is very valuable since the processes within our institution are too slow and cumbersome, either due to the very nature of our processes or the same procurement processes that are inherent to regulations that governs state purchases. In this aspect, the PMSAJ is much more agile and expeditious in its decisions and the acquisitions that we have requested.

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[www.ejenopenal.pe](http://www.ejenopenal.pe)

