



IJM

A Performance Study of the Bolivian Public Justice System

An investigation of the criminal process from start to finish for cases of child sexual violence in La Paz



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A PERFORMANCE STUDY OF THE BOLIVIAN PUBLIC JUSTICE SYSTEM

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Third Criminal Appeals Court
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*Dedicated to the survivors of sexual violence in Bolivia.
(Isaiah 1:17)*

PRESENTATION

Dear Reader,

International Justice Mission presents this report to members of the Bolivian Public Justice System as a community partner and stakeholder in the fight for justice and protection of Bolivian society's most vulnerable. International Justice Mission (IJM) is a global organization that protects the poor from violence. IJM does this through working within existing legal structures and laws, creating partnerships with various justice system actors. IJM provides legal and therapeutic services to victims, as well as expertise and capacity building assistance for judges, prosecutors, police, and others working within the public justice system to strengthen and create systems that serve the public well and ensure justice for the poor.

IJM has 17 field offices in 10 countries. In each country, IJM identifies areas where the poor are vulnerable to violence and abuse as a result. In Bolivia, IJM works in La Paz and El Alto, focusing on the eradication of child sexual violence. The Bolivian government has identified the need for cases of child sexual violence to receive the expedited care required.

IJM opened its office in La Paz, Bolivia in 2006 to focus on cases of child sexual assault and trafficking. Despite a high prevalence rate of these cases, the criminal justice system convicted fewer than three perpetrators of child sexual assault per year between 2000 and 2007 (Haugen & Boutros, 2014). As such, IJM opened the office to provide assistance to child sexual violence cases and to identify areas where the justice system could be strengthened.

Since the office's inception, IJM Bolivia has accepted more than 320 cases, representing more than 350 children who have suffered from sexual violence. To date, the office has achieved 129 sentences. At the same time, IJM has collaborated with justice system authorities and civil society, to strengthen systems and increase social awareness about the realities of child sexual violence and the need for justice.

IJM has worked in close partnership with the Magistrates' Council since 2015 with the signing of the first Project Agreement for Inter-institutional collaboration as well as the subsequent authorizations in 2016 for project activities. IJM is sincerely grateful for the collaborative spirit from past and present Magistrates as well as their commitment to enhancing the judicial services provided to those who have suffered violence. We sincerely hope that the information contained in this report inspires many to action. The recommendations in this report are a starting point, but are by no means exhaustive. It is our hope that they will be given strong consideration, and can be put into practice to bring about the positive change in attention that these cases deserve.

Sincerely,



MARI CHRISTY
NATIONAL DIRECTOR, IJM BOLIVIA

ACRONYMS

Note: For institutions or terminology from the Bolivian context, the Spanish acronyms are maintained in the English translation. The list below provides Spanish translations where necessary to understand the origin for certain acronyms.

ACV	Specialized Courts for prosecuting Corruption and Violence Against Women cases (<i>Spanish translation: Anticorrupción y Contra la Violencia Hacia la Mujer</i>)
CM	Magistrate's Council (<i>Spanish translation: Consejo de la Magistratura</i>)
CPE	Political Constitution of the State (<i>Spanish translation: Constitución Política del Estado</i>)
CPP	Criminal Procedure Code (<i>Spanish translation: Código del Procedimiento Penal</i>)
DNA	Child Welfare Agency (<i>Spanish translation: Defensoría de la Niñez y Adolescencia</i>)
FEVAP	Specialized Division of the Prosecutors Office for Attention to Priority Victims (<i>Spanish translation: Fiscalía Especializada de Víctimas de Atención Prioritaria</i>)
IJM	International Justice Mission
TDJ	Departmental Tribunal of Justice (<i>Spanish translation: Tribunal Departamental de Justicia</i>)
IANUS	Public Database for Follow-up on Criminal Cases
SIREJ	Integrated System of Judicial Registry (<i>Spanish translation: Sistema Integrado de Registro Judicial</i>)

GLOSSARY

TERM	DEFINITION
Acquittal	When the court believes that the accused has not been proven guilty and any relevant detention measures are lifted(oral trial)
Bottleneck	Refers to a stage in the criminal process where there is a large accumulation; these are cases which do not have a high probability or no probability for moving forward
Case files for judicial control	Refers to all documents, records, rulings, and movements of the criminal proceeding in their physical format, all saved in the case file or binder inside the judicial office
Charge	Document created by the prosecutor and subsequently by the complainant or the victim where the accused perpetrator is identified and the allegations against the suspect are detailed; the obtained evidence is presented
Coding	Refers to a qualitative analysis method where words or short phrases are identified to summarize or capture the essence of a portion of data, in the context of this study, from interview transcripts
Common Procedure	Refers to the procedural route defined by the criminal code which includes the preliminary, preparatory, oral trial and appeals stages (where relevant) in order to reach a verdict ¹
Complainant	This can include the victim, the victim's parents, the prosecutor and/or the Child Welfare Agency in which the relevant entity reports the crime and demonstrates his/her will to be a part of the process
Complaint	The written or verbal record of a reported crime that any person may present to the competent authorities. It may be presented before the Public Ministry (generally in written form) or before the police (generally in verbal form)
Conclusive Hearing	The culminating hearing of the preparatory stage before going to trial; it is an intermediate pre-trial stage where substantiated evidence is admitted; exceptions and incidents are resolved (eliminated by Law 586 in 2014)
Dead times	A stage in the criminal process where cases do not register a procedural advancement; the cases are virtually paralyzed, awaiting advancement

Dismissal	Document produced by the prosecutor in the preparatory stage when there is not a sufficient amount of evidence to believe that the accused person was the perpetrator of a reported crime
Evidence	All elements that serve to support the judge in making her or his decision in the case. For example, a piece of clothing, a bed sheet with blood, a certificate describing the victim's injuries, etc
Expert Testimony	Specialized study developed by an expert with relation to a specific matter, whether as part of a specialty (medicine, psychology, etc.) or a trade (locksmith, carpentry, etc.)
Gesell Chambers	A specialized room or chamber that allows for interviews with victims and witnesses of sensitive crimes including sexual violence; consists of a one-way glass window that divides the space in two rooms including an observation room and an interview room; the observation room is equipped with video and audio recording equipment, an intercom and seating for observers; the interview room has a receiving microphone, a camera and furniture for the victim or witness and a specialized interviewer; named after the founding psychologist and pediatric doctor, Arnold Gesell
Guilty Verdict	When the court believes that the accused is guilty of the reported crime and therefore dictates a sanction in relation to number of years in prison, a fine or other sanctions (oral trial)
IANUS/SIREJ number	This refers to a unique multi-digit number assigned to a case file once the judicial process has been initiated in the TDJ; the number is assigned upon the judge receiving the document from the prosecutors' office to initiate investigations
Indictment	The document produced by the prosecutor stating that the crime is believed to have taken place and that the accused individual is the possible perpetrator
Injunction	Refers to the action of a judge in the criminal procedure to apply a mandate for information or action to presented on a case; it is applied in reference to expired terms/deadlines for advancing a case as stipulated by the CPP
Official receipt of case	Document produced by the judge to announce the court where the case will initiate trial (preparation for trial)
Opening Order	Document produced by a judge to announce the start date of trial and the crime for which the accused will be judged (preparation for trial)

Plea Bargain	An alternative and voluntary resolution, applied with no pressure and backed by the CPE; the defendant renounces his right to an oral hearing; occurs when the prosecutor, the defendant and defense attorney agree to pass over trial thereby shortening the criminal process in order to arrive to a swifter verdict
Population	A statistical term; the population is the total series from which the sample is extracted for further study; the terms universe and sampling frame are synonymous for the purpose of this study
Pre-Judicial Stage	Occurs to the stages of a child sexual violence case prior to entering the court system; the date when the abuse occurred; the date when the family filed the complaint with police or the prosecutors' office; and the total time from filing the complaint until initiating a judicial process in the courts
Public Justice System	Refers to the national system of Justice and the existing structures to apply rule of law; includes the police, the courts, penitentiary system, child welfare agencies, forensic examiners and relevant legislation
Recourse	The possibility to recall and request that a decision made by a judge or court be revised (appeal/cassation)
Rejection	Document created by the prosecutor in the preliminary stage when there is not sufficient evidence to believe that an act occurred, when the perpetrator is not identified
Re-traumatization	Re-traumatization occurs when any situation, interaction, or environmental factor replicates events or dynamics of prior traumas and evokes feelings and reactions associated with the original traumatic experiences; re-traumatization may compound the impact of the original experience
Sample	A statistical term; a set of data selected from a population by a defined procedure to represent characteristics of the total population; the reference "n=" in this report refers to the number in a trial or sample; this is utilized in the current report with all tables and graphs to show variation in the size of the simple being analyzed (due to limitations in Access to information); when the value of $n > 67$ the findings presented are considered representative
"The Team"	Refers to the multidisciplinary team that conducted this study; includes the Magistrates Council, the Departmental Tribunal of Justice of La Paz and International Justice Mission
Verdict	The final decision by a trial court (oral trial)

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EXECUTIVE SUMMARY

Sexual violence against children and adolescents is a complex problem that does not distinguish between social class, cultural, education level or economic status (UNICEF, 2016). Given that 38% of the total Bolivian population is comprised of children and adolescents under the age of 18 years of age (UNICEF, 2017), protection against this type of violence should be considered a key indicator for positive future development for Bolivia.

The Bolivian Public Justice System establishes combatting child sexual violence as an issue of national priority in accordance with its legal framework. However, authorities have identified various administrative and procedural challenges for cases that have been reported to the public justice system that cause bottlenecks, dead times, and ultimately delay of justice for these most vulnerable victims.

In order to clearly understand the problem and provide feasible recommendations to the public justice system, International Justice Mission (IJM) in collaboration with the Magistrate's Council (CM) and the La Paz Departmental Tribunal of Justice (TDJ), conducted A Performance Study of the Bolivian Public Justice System. The study reveals the reality of the La Paz public justice system, via an in-depth analysis of data collected from 244 case files and interviews with judicial authorities. Key research questions sought to identify procedural performance of the public justice system in each stage of the criminal process, the proportion of cases entering the system that reach a verdict and the perceived strengths and weaknesses of the system in administering justice, specifically for cases of child sexual violence.

In summary, the study has revealed the following key findings about child sexual violence cases initiating their criminal process in the department of La Paz during the past 10 years (2007-2016):

1. **Access to Information:** 48% of case files are missing within their respective judicial office.
2. **Specialized Attention:** In 24% of cases, the Gesell Chambers were utilized to document the victim's testimony.
3. **Work Load:** There is an 7.8% increase in the total number of cases initiating a criminal process in the judicial system over the past ten years.
4. **Dead Times:** 29% of cases remain in the preliminary stage of the criminal process, with only an initiation of investigations.
5. **Bottlenecks:** 47% of cases are rejected in the preliminary stage.
6. **Bottlenecks:** 14% of cases reach the preparatory stage of the criminal process via the common procedure.
7. **Bottlenecks:** 4% of cases arrive to oral trial via the common procedure.
8. **Access to Justice:** 2.5% of cases reach a verdict via the common procedure.
9. **Alternative Resolutions:** In 4.5% of cases, the prosecution presents a plea bargain as an alternative resolution.

These findings shed light on an alarmingly high rate of child sexual violence cases never moving forward to trial nor a final verdict, and instead accumulating in the early stages of the criminal process. This reality is causing a prolonged path to justice for families, authorities who are burdened with an ever-increasing workload, and a public justice system at high-risk for impunity. The lack of progress in so many cases is not solely attributed to the judiciary; the problem and potential solutions are multi-faceted and include all actors in the public justice system including police, prosecutors and child welfare agencies.

In response to these findings, this report presents specific recommendations for the Bolivian public justice system. These recommendations address the following key topics: (a) professional development of personnel in the public justice system; (b) case management and administration; (c) consistent coordination between departments and institutions; (d) monitoring and evaluation of court performance; and (e) resources. With each recommendation, this report offers examples or "case studies" that were informed by actual activities carried out within seven judicial offices during a pilot project in 2017.

Background



BACKGROUND

DEVELOPMENT AND SCOPE OF THE STUDY

This study was carried out with the approval of Agreement No. 196/2016 of the Magistrates Council for the "Implementation of a Protocol for Best Practices in the Management of Judicial Offices in Criminal Proceedings"; and of the subsequent approval by the La Paz TDJ, by means of Agreement No. 004/2017.

The study includes two key elements; (1) the execution of a representative baseline study at the departmental level for La Paz; and (2) a pilot project with seven judicial offices within the La Paz TDJ. Both elements were implemented simultaneously from February 2017 to January 2018. The pilot project provided researchers the opportunity to maintain direct interaction and ongoing feedback from judicial authorities. These activities complemented the investigative process for the La Paz base line study and provided additional context to inform the final results and recommendations presented in this report.

From February 2017 through January 2018, the following activities were carried out:

- Key administrative challenges for managing criminal cases of violence were identified, with the logic that if improvements can be achieved in this specialized content, it will benefit the entire public justice system;
- Seven pilot offices were identified with the purpose of connecting judges, secretaries and clerks from these offices with various training and workshops throughout the course of the study;
- A pilot baseline study was prepared, with data originating from the seven pilot offices to define the status for managing criminal cases;
- In response, a protocol of best practices was prepared, for effective management of cases in criminal proceedings; and
- Judges and judicial support staff were trained on effective implementation of the protocol in the pilot offices;
- A baseline study at the departmental level for La Paz (differing from the previously mentioned base line for only seven office) was also conducted with the intent of illustrating the reality of the full La Paz public justice system during the past 10 years in prosecuting cases of child sexual violence.²

This report is considered a tool for future transformation of the public justice system. The work presented includes a significant review of methodology, results and feasible recommendations. This study provides a preliminary diagnosis of the administrative challenges for the Bolivian public justice system and these findings will be subject to further validation by the respective public officials. Particularly, this report emphasizes recommendations for future implementation at an inter-institutional level, considering increased involvement and collaboration between the Public Ministry and the La Paz Departmental Tribunal of Justice.

TEAM PROFILE

This study was coordinated under a formal project agreement between the Magistrates Council and International Justice Mission. When referring to all activities regarding planning, preparation, and/or implementation of this study, the report will refer to this inter-institutional workgroup as "the Team."

The Team was formed in order to conduct a study and develop subsequent recommendations related to administrative and procedural challenges within the public justice system. As such, the Magistrates Council is considered a key actor, functioning as the national authority for the general administrative management of the judicial branch. During the course of the study, the CM served

²Detailed reports for all pilot project activities can be requested by contacting IJM. Within this report, only key highlights from pilot activities will be addressed as "case studies" in terms of their relevance to the overall results and recommendations of the study.

as the national-level oversight to define the scope of the study and to facilitate all subsequent work agreements at the departmental level in La Paz.

At the departmental level, the La Paz Departmental Tribunal of Justice approved project activities. The presidency of the TDJ facilitated the coordination and necessary access to the judicial offices and judicial control case files within the identified courts, tribunals, and appeals courts in La Paz.

At the technical level, IJM created documents, supervised the research process, implemented quality control methods for the collection and analysis of data, and elaborated the final draft of this report. As a global organization, IJM has worked on similar projects in other communities in Africa, Latin America, South Asia and East Asia. *A Performance Study of the Bolivian Public Justice System*, is the first of its kind carried out with the participation of IJM in Bolivia.

IJM contracted external consultants to facilitate the data collection process. In this way, a neutral third party was incorporated to ensure the objectivity of the data collected. The consultants were contracted by IJM from April to December 2017.

All of the consultants are national professionals and considered specialists in their areas. The members included:

- A lawyer with experience in research and human rights
- A lawyer with experience in childhood and adolescence topics
- A psychologist with a specialty in the study of victims
- A psychologist with a specialty in transcribing audio recordings
- A statistician with a specialty in the management of informatics systems
- An education science professional with a specialty in data analysis

Additionally, a team of trained interns was used for various administrative tasks and field support during the quantitative data collection stage. The contracted interns were Bolivian students in their final year of law school or recent law school graduates.

THE STATE OF CHILD SEXUAL VIOLENCE IN BOLIVIA

According to a report published by the United Nations Children's Fund, there are not exact statistics available to understand the state of child sexual violence in Bolivia because there are serious problems with quantitative data collection on the matter (UNICEF, 2015).

To illustrate this point, the Team presents three commonly cited statistics within Bolivian articles and news outlets: In 2014 the Bolivia Child Welfare Agency estimated that on a national level, there was an annual average of 14,000 cases of rape of children and women (Ibargüen, 2014). In the same year, the Office of the Ombudsman published a study citing 326 cases of child sexual violence; of which 141 pertained to minors between 0 to 12 years of age who were victims of sexual aggression including rape, indecent touches, and corruption of minors; and 185 cases pertaining to adolescents between 13 and 17 years of age which were victims of rape, intent of rape, and prostitution (Defensoría del Pueblo, 2015). Two years later, in 2016, the Special Police Force Against Violence reported that on average, every day, 5 children and women were victims of rape at a national level (Los Tiempos, 2016).

These examples vary according to certain factors, which make it difficult to understand the prevalence of the problem:

- The ages of victims vary in these statistics; some statistics combine data on abuse of minors with data pertaining to legal adults, while others limit the data to only victims under 18 years of age;
- The types of crimes cited vary among statistics;

- Some statistics only mention rape, while others include caresses, intent, and prostitution;
- The statistics do not present a clear understanding for the specific term “sexual abuse” as a crime type;
- The first statistic cited (14,000 cases per year) is an estimation which is much greater than the figures that follow, because it includes an additional estimated percentage for the cases which were not reported;
- The second statistic (326 per year) represents a much smaller quantity, because it comes from an analysis of only cases reported to the media; and
- The third statistic (5 cases per day) comes from the average number of complaints that the Special Police Force Against Violence received in the first five months of 2016.

One might justify these differing factors considering the specific needs of each entity in their particular analysis and/or limited access to information. However, in the general review of figures, the Team did not find consistent analysis among cited sources (or others) to provide longitudinal or reliable data regarding the state of child sexual violence in Bolivia. That is to say, a lack of consistency in the definition of the problem, and therefore the data that exists, makes it almost impossible to understand if there was a reduction or increase of the problem of child sexual violence in recent years.

It is important to note that this report presents findings for a performance study, not a prevalence study. Nevertheless, the end goal for a public justice system is not to merely improve the judicial management of criminal cases, but also eradicate the problem. The lack of official prevalence statistics on child sexual violence in Bolivia makes this difficult to measure. The Team considers it important that the future implementation of this study’s recommendations should be paired with an official inter-institutional prevalence study in order to effectively measure impact (refer to the section at the end of this report “Future Studies”).

FUNCTIONAL DEFINITION OF CHILD SEXUAL VIOLENCE

For the scope of the study, the Team selected a working definition for child sexual violence according to international norms and considering two key factors; (i) child sexual violence is understood as every unwanted sexual contact that includes penetration (forced vaginal, anal or oral penetration or drug facilitated sexual assault) and/or fondling that is perpetrated by an adult or someone physically stronger against an infant, child, or adolescent under eighteen (18) years of age, that violates his or her physical, psychological, sexual integrity and goes against his or her liberty and dignity; and (ii) it is perpetrated with a power imbalance, through psychological manipulation, threat, deception, or force, based on a bond of affective, emotional, or economic dependency (UNICEF, 2016).

The perpetration of child sexual violence does not distinguish between social class, cultural or educational level, or socioeconomic status and it is considered a social and public health problem (UNICEF, 2016). Many survivors of sexual violence suffer as consequence in the immediate period after the assault and over their lifetime. These include guilt, anger, anxiety, depression and post-traumatic stress disorder. Survivors of sexual violence are more susceptible to behavioral disorders, cognitive problems, low academic performance, and other difficulties (Pereda Beltran, 2010). Furthermore, individuals who have been victimized as children are more likely to suffer sexual assault as adults, thus placing them at a higher risk in their lifetime (World Health Organization, 2002). There are many implications for a community suffering a high prevalence of sexual violence, as it spans across a person’s lifetime and between psychological and social spheres. The current population of Bolivia is 38% children and adolescents (UNICEF, 2017), therefore, protection against sexual violence is considered a key indicator for the future development of the country’s citizens.

INTERNATIONAL POLICY FRAMEWORK FOR CHILD AND HUMAN RIGHTS

The Plurinational State of Bolivia is recognized as a founding member of the United Nations and part of all international and regional human rights treaties and norms. These include the Geneva

Declaration of the Rights of the Child in 1959, the ratification of the Convention on the Rights of the Child in 1990, the Declaration on Children in 2007, and the Declaration of the Integration of the Prevention of Crime and Criminal Justice in 2015.

Under the ratification of these international norms, the child is universally recognized as a human being with the right to develop physically, mentally, socially, morally, and spiritually with liberty and dignity. A child's right to special protection for physical, mental, and social development, the right to be the first to receive help under any circumstance, and the right to protection against any form of abandonment, cruelty, and exploitation are recognized within this international framework (OHCHR, 2014).

NATIONAL POLICY FRAMEWORK

In the past ten years, Bolivia's national legislation has undergone several key changes to strengthen the fundamental priority of the protection of human rights of women and children and specifically for the attention for victims of sexual violence.

CONSTITUTION OF THE PLURINATIONAL STATE

On the most fundamental level, the Constitution of the Plurinational State provides for the protection of children, giving priority to their interests over others (CPE, Art. 58 & 61).

Regarding development, the constitution establishes that every child and adolescent has a right to holistic development, including the right to live and grow up in the comfort of their biological or adoptive family and, when necessary, have a right to a foster family (CPE, Art. 59).

The constitution establishes that society and families guarantee that priority be given to the child's best interests and that they understand the preeminence of their rights and priority in receiving protection, that they provide support in whatever circumstance, and that they give priority of care in public and private services to ensure quick, opportune access to justice with specialized, personal assistance (CPE, Art. 60).

Furthermore, the constitution prohibits and punishes every form of violence against children, both within the family and within society. It states that their rights, security, and institutional protection mechanisms shall be objects of special regulation (CPE, Art. 61).

CRIMINAL PROCEDURE CODE MODIFIED (LAW NO. 1970)

The Criminal Procedure Code of Bolivia (Law No. 1970) passed on March 25, 1999, and implemented on May 31, 2001, constituted a substantial change in the country's criminal justice system. Its implementation required the abandonment of an inquisitorial procedural system in court and introduced a new concept of citizen judges (Mogrovejo, 2004). The change impacted child sexual violence cases by instituting oral hearings in an effort to increase the speed of the criminal procedure.

CRIMINAL PROCEDURE CODE MODIFIED (LAW NO. 2033)

Law No. 2033 (Law of Protection of Victims of crimes against sexual liberty) enacted October 29, 1999, protects the life, physical and psychological integrity, security, and sexual liberty of every human being. It modifies, repeals, and includes new classifications of crimes in the Criminal Code, specifically in the chapter of "Crimes against sexual liberty." The newly introduced classifications were:

- Rape, which indicates the use of physical violence or intimidation with anal or vaginal defilement, including with objects;
- Child rape, which indicates the prior definition, but with an increase in penalty for those who victimize minors under 14 years of age;
- Rape in unconscious state, with an increase in penalty if the act includes putting the

victim in a state of unconsciousness;

- Statutory rape, sexual intercourse through seduction or deception of a person between 14 and 18 years old;
- Aggravated rape, if the act produces serious psychological trauma; if the perpetrator is a family member, educator, guardian, or boss; if more than one person is involved; if lethal weapons were used; additionally, if there were oppressive or degrading conditions and the victim dies, it is categorized as murder;
- Indecent abuse, if obscene and lewd crimes are committed without sexual intercourse, the punishment is less severe, except when the victim is less than 14 years old;
- Corruption of minors, when someone corrupts or assists in corrupting the morals of a person under 18 years old; and
- Aggravated corruption, if the victim is less than 14 years old; if it is done for profit; if the crime is committed with deception, violence, intimidation, or coercion; if the victim has a mental illness or psychological impairment; if the perpetrator is a family member, educator, or guardian (CPP, Art. 101; CPP, Art. 308- 321; CPP, Art. 311; CPP, Art. 322).

CRIMINAL PROCEDURE CODE MODIFIED (LAW NO. 007)

In May 2010, Law No. 007 modified the criminal normative system, incorporating for the first time the conclusive hearing. The change was intended to have a positive impact for cases of child sexual violence in the sense of trying to relieve workload and achieve greater celerity in the criminal process.

LAW OF THE JUDICIARY (LAW NO. 025)

The present law of June 24, 2010 aims to regulate the structure, organization and functioning of the Judicial Branch. It establishes the principles that sustain the judicial organ, including the speed of justice as well as the attributes for each level of court. In accordance with article 45 of Law No. 025, the Departmental Tribunals of Justice are composed of the appeals court judges, who also comprise the Plenary.

The following jurisdiction is specified for each level of court within the TDJ:

CRIMINAL APPEALS COURTS have jurisdiction to: (1) Substantiate and resolve the appeal and judgment appeals, according to law; (2) Resolve the resolutions presented by their judges and secretaries; (3) Resolve the challenges presented against appeals court judges; and (4) Others established by law (Article 58). There are no specialized criminal appeals courts on the subject of corruption and/or violence against women crimes.

CRIMINAL SENTENCING COURTS have jurisdiction to: (1) Approve the act of conciliation in matters brought to their knowledge; (2) Reject the conciliation certificate, when the conciliation is considered to violate constitutional rights; (3) To know and resolve the trials for non-reconciled private action crimes; (4) To know and resolve the trials for crimes of public action, sanctioned with a non-custodial penalty or with a prison sentence whose legal maximum is four or less years; (5) Flagrant public action trials according to the immediate procedure established by law; (6) The procedure for repairing the damage, when a conviction has been handed down; and (7) Others established by law (Article 75). In accordance with the specified jurisdiction for this level of the court, Law No. 025 also defines the same for specialized criminal sentencing courts, whose primary focus includes corruption and violence against women crimes, including child sexual violence (art. 72 bis).

CRIMINAL SENTENCING TRIBUNALS have jurisdiction to: (1) Determine the substantiation and resolution of the criminal trial in all crimes of public action, sanctioned with imprisonment of more than four years, with the exceptions established in the law (art. 76). In accordance with the specified jurisdiction for this level of the court, Law No. 025 also defines the same for specialized criminal sentencing tribunals, whose primary focus includes corruption and violence against women crimes, including child sexual violence (art. 72 ter).

CRIMINAL PRE-TRIAL COURTS have jurisdiction to; (1) Approve the act of conciliation in matters if the law so permits; (2) The control of the stages of the investigation, in accordance with the faculties and duties provided for by law; (3) Issue the corresponding Judicial resolutions during the preparatory stage and the application of opportunity criteria; (4) The substantiation and resolution of the abbreviated process; (5) Resolve the application of the immediate process for flagrant crimes; (6) Conduct the trial preparation hearing and resolve on the issues and incidents raised therein; (7) Decide on the suspension of the process under review; (8) Decide on requests for international judicial cooperation; (9) To know and resolve on the seizure of property and its incidents; and (10) Others established by law (art. 74). In accordance with the specified jurisdiction for this level of the court, Law No. 025 also defines the same for specialized criminal pre-trial courts, whose primary focus includes corruption and violence against women crimes, including child sexual violence (art. 77).

FINAL MANDATE COURTS have jurisdiction to; (1) Apply the provisions of the Criminal Code, the Law on the Execution of Penalties and the Penitentiary System; (2) Keep the criminal record according to jurisdiction and inform the appropriate authorities; (3) Attend visits to correctional facilities; (4) Control the execution of sentences and security measures issued by the competent Judicial bodies; (5) Compliance with the conditional suspension of the process, the sentence and the execution of the precautionary measures of a personal nature; (6) The review of all sanctions imposed during the execution of the sentence that unequivocally result contrary to the purposes of amendment and re-adaptation of convicted perpetrators; (7) Monitor the rehabilitation policies of the convicted; and (8) Others established by law (art. 80). There are no specialized final mandate courts that focus on corruption and/or violence against women crimes.

COMPREHENSIVE LAW TO GUARANTEE A LIFE FREE OF VIOLENCE FOR WOMEN (LAW NO. 348)

On March 9, 2013, Law No. 348, the Comprehensive Law to Guarantee a Life Free of Violence for Women, was introduced. This law establishes the eradication of violence as a national priority and as a public health problem, focusing on prevention, protection, and holistic services for victims of violence, as well as the punishment of the aggressors. This law established new specialization requirements among the police, public prosecutors, and courts. It created the Special Police Force Against Violence as a specialized agency of the Bolivian Police in charge of prevention, support, investigation, identification, and arrest of alleged perpetrators of acts of violence toward women and families. It also created courts and tribunals which specialize in these particular crime types.

With the enactment of the law, the following definitions in the criminal code were modified (Law No. 348, Art. 308):

- Rape, a crime punishable with deprivation of liberty for fifteen (15) to twenty (20) years to those whom through intimidation, physical violence, or psychological violence carry out sexual acts with an individual of any gender in a nonconsensual manner; sexual intercourse, through the penetration of the virile member or another part of the body, or of whatever object vaginally, anally, or orally, with lewd purposes; and whoever, under the same circumstances, even in the absence of physical violence or intimidation, takes advantage of the victim's serious mental illness or lack of intelligence or whatever disability that may inhibit ability to resist (Ley 348, Cap. 2).
- Rape of a minor, a crime committed against an individual of any gender under the age of fourteen (14) years old, punishable with deprivation of liberty from twenty (20) to twenty-five (25) years, even if there is no use of force or intimidation and there was shared consent. *In the case that one of the aggravated circumstances highlighted in Article 310 of the Criminal Code is involved and the penalty reaches thirty (30) years, the penalty will be given without the right of pardon. Consensual relations between adolescents who are twelve (12) years or older will remain exempt of this punishment, as long as the age difference is not greater than three (3) years between both parties, and that violence or intimidation was not involved (Ley 348, Art. 308 bis).*

- Sexual abuse, a crime under the same circumstances and means referred to in Articles 308 and 308 bis, in which nonconsensual sexual acts that do not constitute penetration or sexual intercourse are carried out; punishable with six (6) to ten (10) years of deprivation of liberty. When relevant, the aggravated circumstances cited in Article 310 shall be applied, and if the victim is a child, the sentence will be ten (10) to fifteen (15) years (Ley 349, Art. 312).

CODE FOR CHILDREN AND ADOLESCENTS (LAW NO. 548)

In July 2014, the Code for Children and Adolescents (Law No. 548) was established to prioritize the care and protection of child and adolescent victims. On a structural level, this law lays out the need for the development of a Plurinational Plan for Children, which includes the Integral Program of Fighting against Child Sexual Violence and offers general references the implementation of prevention and holistic care policies (UNICEF, 2015).

LAW OF DECONGESTION AND IMPROVING EFFICIENCY OF THE PROCEDURAL CRIMINAL SYSTEM (LAW NO. 586)

On October 30, 2014, Law No. 586 was established to implement procedures to streamline the processing of criminal proceedings, which would result in relieving the congestion in the preliminary stage of the criminal system and reduce the delay of justice in order the guarantee "fast, opportune, and effective" justice under the framework of the Plurinational Constitution of the State (Ley 586, Art. 1). This new law annuls the application of conclusive hearings and the role of civilian judges.

STAGES OF CRIMINAL PROCEDURE

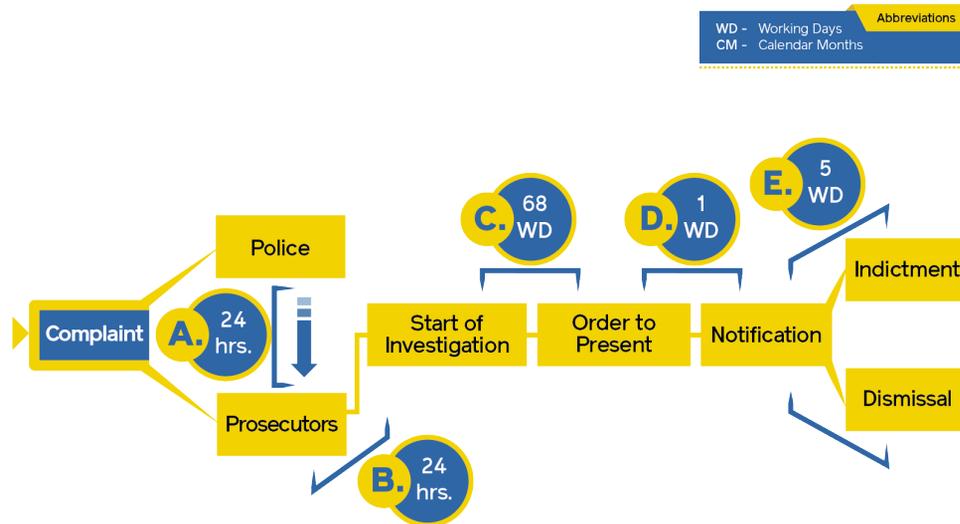
Under the Criminal Procedure Code of the Republic of Bolivia (Law No. 1970) enacted March 25, 1999, and modified by Law No. 007 in May 2010, any process in cases of child sexual violence shall have a maximum duration of three years, counting from the first act of the procedure (CPP Art. 133).

From the reception of a complaint by the police or prosecutor's office until the final sentence, the criminal process is divided into four key stages:

- **PRELIMINARY STAGE**, this stage is measured from the time of reception of the complaint by the court, until the date of the emission of the indictment or case rejection (CPP, Art. 300).
- **PREPARATORY STAGE**, this stage is measured from the date when the accused is notified of the indictment, until the date of the ruling for the emission of a formal charge or case dismissal; if the process has a formal charge, then from the date of the emission of the charge until the date of the emission of the opening order for trial (CPP, Art. 134).
- **TRIAL STAGE**, there is not a defined term for the duration of trial, but this stage consists of the start of trial until the reading of the verdict and the notifications to the parties.
- **APPEALS STAGE**, this stage is measured from the date of the appeal and the submission to the appeal court until the judge's ruling; a case may be appealed three times in total.

In April 2017, the Team facilitated a workshop with seven pilot offices from the La Paz TDJ in order to review the cited terms in the Criminal Procedure Code for each stage of the process. Certain points of confusion were identified in regards to the language for defining specific terms. There were varying interpretations of how to calculate maximum times (deadlines) for each stage of the criminal process. In order to develop a shared understanding and uniform interpretation, the following series of flowcharts were created at the workshop. These flowcharts were used to define the calculations for research indicators and the subsequent findings of the study:

Figure 1: Flowchart of Preliminary Stage (Complaint - Indictment)



A. Within twenty-four (24) hours, the police shall send the Prosecutor’s Office any precedents and obtained objects, unless the prosecutor arranges for the delivery at an earlier time (CPP, Art. 288).

B. The prosecutor shall analyze the content within twenty-four (24) hours in order to: (1.) formally indict the attributed act if it provisionally qualifies given all legal requirements. (2.) Order police proceedings to continue until completion (CPP, Art. 289).

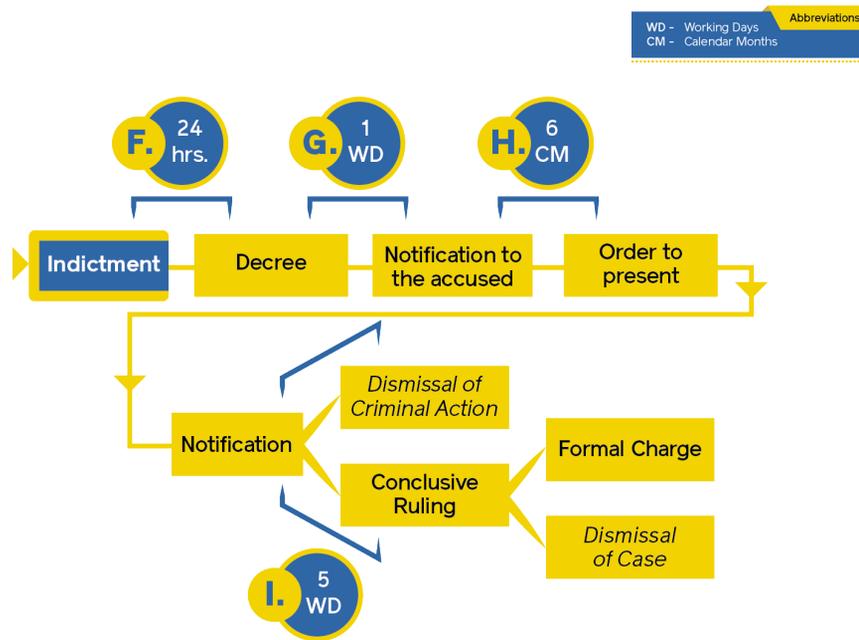
C. Upon the commencement of investigations (marked by the date of reception by a court), the deadline shall be set to be no more than eight (8) working days after the fact, with a possible extension of sixty (60) working days³ in cases of child sexual violence for a maximum total of sixty-eight (68) working days (Ley 348, Art. 94; CPP, Art. 300).

D. Given that communication of the extension to the judge of the pre-trial court is obligatory, the judge shall order the prosecutor to present the case within the previously mentioned sixty-eight (68) working days through the Prosecutor’s Office (CPP, Art. 300).

E. Upon being ordered to present, the prosecutor shall have a deadline of five (5) working days to send the indictment or case rejection ruling (CPP, Art. 301). For cases with an indictment, the deadline begins being measured from the last notification of the indictment from the judge to the accused (CPP, Art. 134).

³ When the investigation proves complicated, the prosecutor is able to request the judge of the pre-trial court for an extension of the period

Figure 2: Flowchart of the Preparatory Stage (Indictment - Formal Charge)



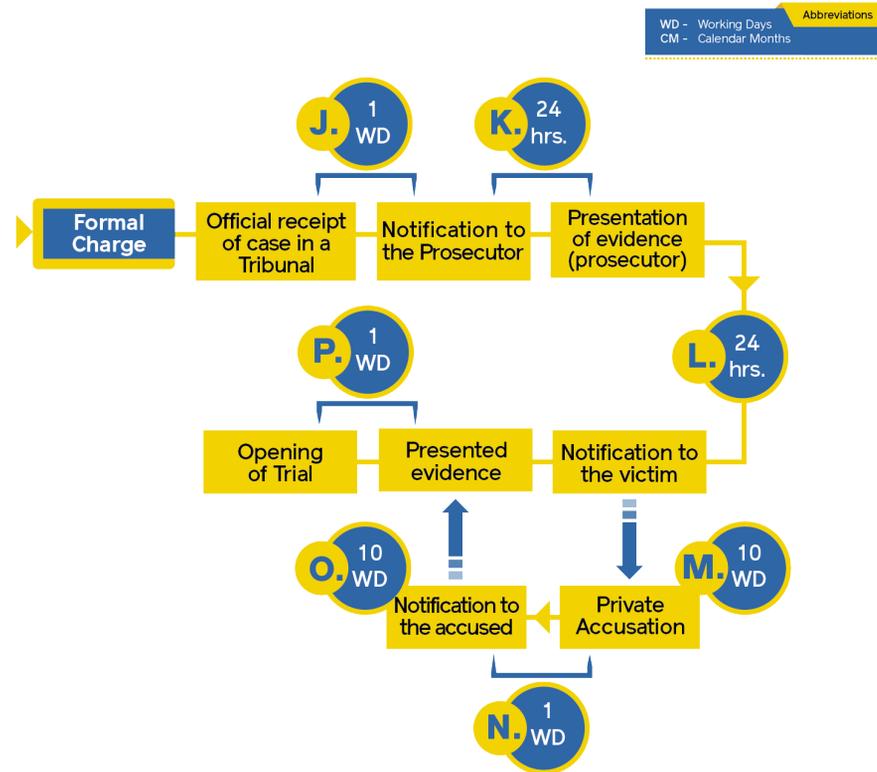
F. The indictment shall be dictated within the twenty-four (24) hours of the presentation of the records that initiated the decision (CPP Art. 132).

G. The parties shall be compulsorily notified by the following day (1 working day) after the dictation (CPP, Art. 160).

H. The preparatory stage must be completed within the maximum deadline of six (6) calendar months after the start of the process (CPP, Art. 134).

I. If the preparatory deadline passes and the prosecutor does not accuse or present another conclusive request, the judge shall order the District Prosecutor to complete the deadline within five (5) working days. After this period, if the request has not been presented by the Prosecutor's Office, the judge shall declare the termination of the criminal action, unless the process might continue on the basis of the plaintiff's action, without detriment to the personal responsibility of the District Prosecutor (CPP, Art. 134).

Figure 3: Flowchart of the Preparatory Stage (Formal Charge - Opening of Trial)



J. Upon receiving the formal charge at the competent Pre-trial Court or Tribunal, the judicial authority shall notify the Public Ministry within the following day (1 work day);

K. The physical presentation of evidence shall be submitted within the following twenty-four (24) hours.

L. The judge, or the presiding judge of the Sentencing Tribunal, shall notify the victim or the complainant within twenty-four (24) hours of having received evidence for the charge from the Prosecutor’s Office;

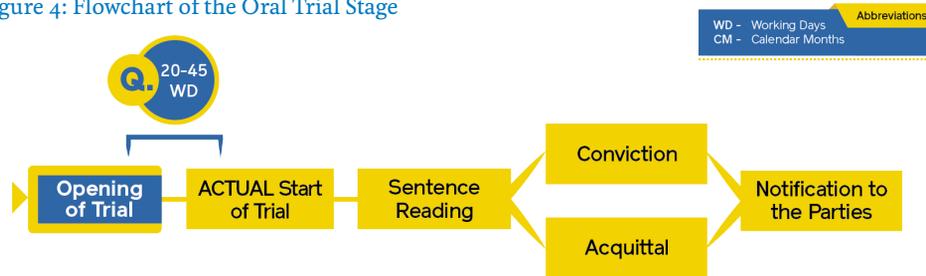
M. In order to present a private accusation or to adhere to the prosecutor’s accusation, evidence for the charge must be provided within ten (10) working days.

N. The resolutions are required to be notified to the accused the following day (1 work day) (CPP, Art. 16o).

O. Once the deadline given to the victim/complainant has passed with or without a formal statement, the accused shall be notified of the prosecutor’s accusation, the complainant and the submitted evidence, so that within ten (10) working days following the notification, evidence may be physically presented.

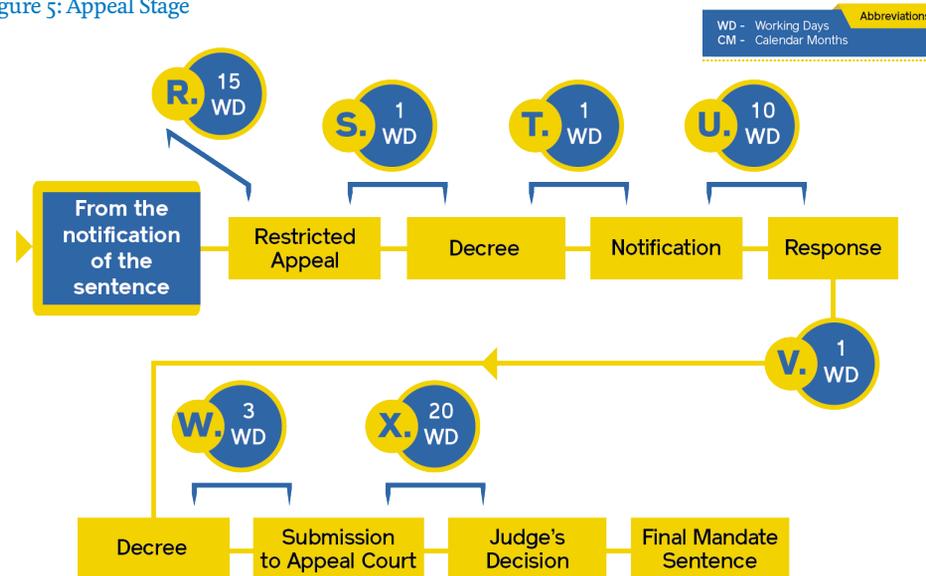
P. Once the deadline given to the accused has passed, with or without a formal statement, the judge of the Sentencing Tribunal shall dictate the opening of trial (Ley 586, Art. 34o).

Figure 4: Flowchart of the Oral Trial Stage



Q. The judge or the tribunal in which the trial was opened shall indicate the day and hour for the trial to be held within the following twenty (20) to forty-five (45) working days. The secretary shall immediately notify the parties he/she shall convene the witnesses, the expert witnesses, and the jury when necessary; he/she shall request all necessary objects and documents, and shall take all other necessary measures for the organization and development of the public trial (CPP, Art. 343).

Figure 5: Appeal Stage



R. The restricted appeal shall be filed in writing with fifteen (15) working days from the notification of the sentence (CPP, Art. 408).

S. The appeals court will have one (1) working day to submit the decree

T. The parties shall be compulsorily notified by the following day (1 working day) of the ruling being dictated (CPP, Art. 160).

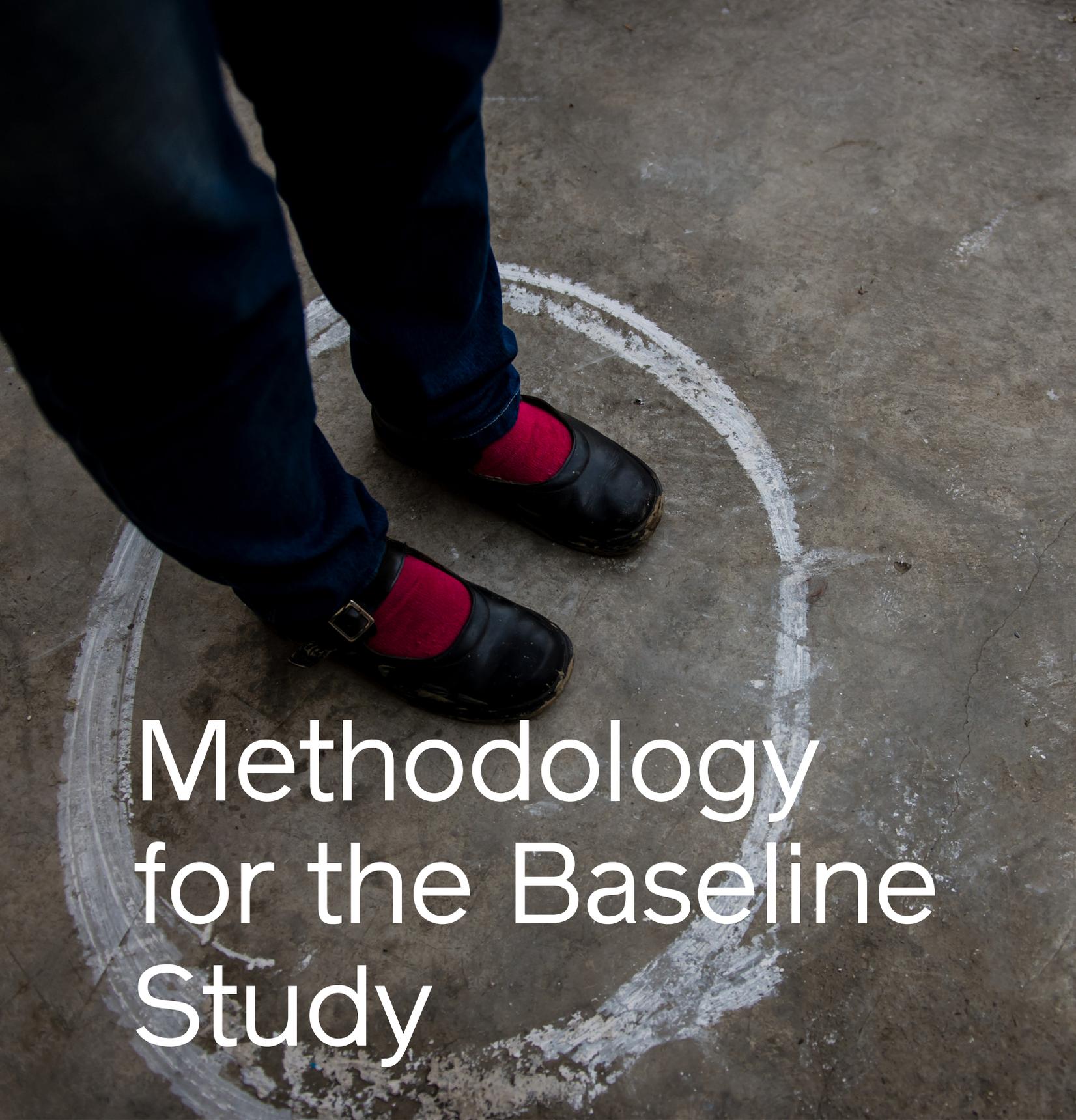
U. Upon submitting the appeal, the other party shall be notified so that they may respond within ten (10) working days (CPP, Art. 409).

V. The appeals court will have one (1) working day to submit the decree

W. Once the deadline is passed, with or without response, the decisions are delivered within three (3) working days to submit to the tribunal and parties (CPP Art. 409).

X. Upon conclusion of the hearing, the resolution will be dictated within a maximum term of twenty (20) working days for the Judge to submit his/her decision (CPP, Art. 411).

The cessation process has not been considered in these flowcharts because it was not a process considered in the study.



Methodology for the Baseline Study

METHODOLOGY FOR THE BASELINE STUDY

In order to analyze data about the efficiency of the public justice system in processing cases of child sexual violence during the last 10 years in La Paz; the Team utilized a mixed methods approach, to answer the following general research questions:

1. *What is the average time to process a case of child sexual violence from start to finish?*
2. *What is the performance of the judiciary in each stage of the criminal process for cases of child sexual violence?*
3. *How does the public justice system treat victims during prosecution of child sexual violence cases and minimize re-traumatization?*
4. *How is the prosecution of child sexual violence cases prioritized in the public justice system of La Paz?*

Three main sources for the data collection were identified; (1) the digital public database IANUS “Tracking System for Criminal Cases”, which was later changed to the SIREJ system, “Integrated Judicial Registration System”; (2) the review of judicial control case files (“case files”); and (3) interviews with officials of the public justice system. The Team developed key findings with a convergent design, collecting all data at the same time to compare and triangulate the final results.

PUBLIC DATABASE IANUS

To initiate the study, the Team consulted with the primary public database IANUS of the La Paz TDJ. The system was designed and installed in 1999 as a computer application for registering judicial actions in all nine judicial districts of Bolivia as well as the Supreme Court. IANUS served as the main public database until its replacement by the SIREJ system in May 2017.

According to its original design, IANUS was intended to include the following functionalities (Checchi, 2010):

- Registry and distribution of all incoming cases;
- Consultation to locate case files in the court offices;
- Preparation of data for visits to detention centers;
- Elaboration of memorandums and other pertinent documentation via templates;
- Preparation of statistical reports;
- Control of procedural deadlines; and
- Control for judicial efficiency.

DEFINING THE POPULATION

Within the scope of this study, IANUS was used to define a study population to understand public justice system performance. The term “population” defines the total series from which the sample is defined or taken for the study; or in this case, the total number of child sexual violence cases entering the La Paz TDJ according to the IANUS registry system in the last 10 years and in consideration of the following parameters:

- All cases with a date of reception and assignment of an IANUS number by a La Paz pre-trial court between January 1, 2007 and December 31, 2016; and
- Of these, filtering only for cases classified with one of the following crime types; sexual abuse, indecent abuse, rape of a child or adolescent, statutory rape, rape, or rape in a state of unconsciousness⁴.

According to these parameters, the Team accessed the IANUS system in February 2017 to determine that there was a total of 4,303 cases of child sexual violence entering the judicial system in the last 10 years.⁵

⁴These six types of offenses are considered under the functional definition of child sexual violence indicated in the previous section.

⁵This number represents the total number of child sexual violence cases registered in the function “libros” of the IANUS system with a start date between 1/1/2007 and 12/31/2016. The population is subject to coverage error given that there is an unknown percentage of adult victims included within the total number of rape cases presented.

Table 1: Total Child Sexual Violence Cases Initiating in La Paz (2007-2016)

CRIME TYPE	COUNT
Indecent Abuse	621
Sexual Abuse	544
Statutory Rape	406
Rape	2187
Rape of a Child/Adolescent	492
Rape (in a state of unconsciousness)	53
TOTAL	4303

Source: IANUS System. (Accessed February 24, 2017).

LIMITATIONS

In the course of gaining access to the IANUS system and extracting the data needed to define the population, certain limitations were identified with the functionality of the system. The lack of options for generating reports and the lack of a standardized format for entering and managing content made it difficult to analyze the majority of existing data in the system. For this reason, the Team collaborated with an IANUS system engineer (public official of the TDJ) to extract reports with a function called "Libros" that registers all incoming cases for pre-trial courts. These lists only included the IANUS number, place of origin of the process and crime type at the time of filing the complaint. With this information, the Team was then able to filter for the 4,303 cases presented above.

In addition, due to system limitations, this defined population is subject to coverage error. There are ineligible units within the population of the 4,303 cases. Ineligible in this study signifies a case included in the population where the victim was over 18 years of age at the time of the act, where the case originated outside of the city of La Paz or prior to 2007. The coverage error related to the age of the victim exists because the IANUS system does not offer a filtering function according to the age of the victim and in Bolivia the legal definition for rape includes any victim over 14 years of age. Therefore, it was impossible to limit the inclusion of rape cases according to a specific age range. The decision was made to include all cases of "rape" registered in IANUS, recognizing a problem of over-coverage as the more favorable option versus a potential under-coverage and therefore exclusion of child victims between the ages of 14-18 years old.

The Team recognizes that most authorities know the limitations of the IANUS system within the judiciary. For this reason the judicial system migrated judicial data to the new system, SIREJ in late May 2017, with the purpose of improving reporting functions for the judicial offices. As of June 2017, the Team began to consult the new system. Although it was not possible to extract more sophisticated reports during the time of this study, it is noted that the system has the potential to do so in the future. For this reason, the Team will give detailed recommendations in upcoming sections of this report for consideration for the future development of SIREJ.

CASE FILE REVIEW

SAMPLING STRATEGY

Considering the aforementioned limitations of the IANUS system, it was determined that in order to conduct an in-depth analysis of public justice system performance, the data accessible in IANUS alone was not sufficient. In order to conduct a more detailed analysis, it was therefore determined that a case file review within the judicial offices would be necessary⁶. Given the timeline for conducting the study and the limited capacities of the Team, it was not feasible to review case files for all 4,303 cases identified in the study population. Therefore, a representative sample was identified for a more precise analysis.

The Krecjje Morgan formula (1970) was applied to define a sample size of 353 cases, calculating for a 95% confidence level and a $\pm 5\%$ margin of error. Simple random sampling was utilized to identify the specific case files to be analyzed so that all units defined within the population had an equal opportunity to be selected and analyzed as part of the sample.

The sampling strategy selected was based on the presumption that of the total number of complaints of child sexual violence that are filed with the Bolivian public justice system, only 0.5% of all cases reach a verdict (Claure, Casanovas & Rolando, 2011). With so few cases reaching a verdict, it was determined that an analysis of all cases sampled from their starting point would be most informative to understand how cases are moving forward in the penal process and understand primary reasons why so few are moving forward (versus examining only cases that have already reached a verdict).

DESIGNATING A RESERVE SAMPLE

Two additional factors were considered in relation to this sampling strategy; (1) the non-response rate for missing case files (“unknown units”); and (2) coverage error for those cases included in the sample that do not meet the parameters of the study (“ineligible units”)⁷.

It was not possible for the Team to forecast the rates for these two factors. Therefore, the Team defined a reserve sample of 177 additional cases (50% of the original sample size) using the same simple random sampling strategy. The Team entered the field for data collection and released additional units from the reserve sample as needed. Operating under a field substitution method, researchers would replace “unknown” or “ineligible” cases with a substitute (reserve) unit that was not originally selected in the sample but was part of the population (Korinek, Mistiaen & Ravallion, 2006). All substitutions were made in the field according to a strict protocol⁸ to ensure the reliability of results.

RELIABILITY OF RESULTS

Due to the technical nature of the case file review, certain measures were necessary to control for the quality and reliability of the study. The Team implemented a data analysis plan, a standardized research instrument, a research guide, a series of training sessions and ongoing monitoring and auditing of procedures.

DATA ANALYSIS PLAN

The Team created a data analysis plan⁹ which defines the key indicators of interest for the case file review. In summary there are 14 areas of investigation which are divided according to the stages of the criminal process:

⁶Data collection authorized by the District Human Resources Department of the Magistrates Council- La Paz in accordance with memorandums CMLP/U.R.H. Numbers 458/2017 – 470/2017.

⁷Parameters for “eligible unites” defined in section “Defining the population”.

⁸A copy of the research protocol can be requested by contacting IJM.

⁹Data Analysis Plan in Appendix A.

Table 2: Areas of Investigation for Case File Review

Overall: (#/%) of cases that have reached a verdict
Total time from the start of the judicial process until reaching a guilty verdict
Cases with Alternative Resolutions (Plea Bargains)
Pre-Judicial Stage (before entering the public justice system)
From the start of the judicial process until reaching an indictment
Notification of the indictment
From the indictment until reaching a formal charge
Dismissed cases
From the formal charge by the prosecutor until reaching a private charge by the complainant
From the formal charge until the opening of trial
Oral Trial
From the verdict until the resolution of appeals
From the guilty verdict until finalization of appeals
Demographics

Each area of investigation contains a specific number of sub-indicators. For each sub-indicator, the data analysis plan includes the technical definition, anticipated findings or presumptions, specific sources and/or documentation where the information can be found as well as the relevant formulas for calculations.

RESEARCH INSTRUMENT

After defining the indicators of interest, the Team developed a standardized research instrument¹⁰, which was printed and taken to the courts to be manually filled with relevant data during the case file review. A committee of IJM lawyers reviewed the content and format of the instrument and the final version was field tested before its implementation in the study. The numbering of each section of the research instrument corresponds to a research guide prepared by the Team to direct field researchers in the correct way to gather the necessary data.

In total, the research instrument includes 72 possible fields to enter data, organized into six key sections to be completed by the researcher:

- Section 1: File Identification (includes key data about the case file’s crime type, court of origin, current location and start date);
- Section 2: Victim Information (includes demographic information about the victim(s) as well as their participation in the criminal process);
- Section 3: Perpetrator Information (includes demographic information about the perpetrator(s) and details for detention measures);
- Section 4: General Information About the Criminal Process (includes key dates from the date, location and time of the abuse until the most recent advancement of the case in the criminal process);
- Section 5: Plea Bargains (includes data only for cases that reached an alternative resolution via a plea bargain);
- Section 6: Summary of Case File (includes the date when the case file review was completed, the name of the researcher and their signature).

¹⁰ A sample of the research instrument can be found in Appendix B.

In the event a case file was missing from its respective judicial office, an alternative 1-page instrument was used to capture relevant data.

RESEARCH GUIDE

The Team designed a research guide¹¹, which includes technical definitions for the data to be gathered from the case file reviews. Within this same guide there is a step-by-step protocol for filling out the research instrument. All researchers were required to comply with this protocol in each assigned case file review. The protocol was particularly important as it related to field substitution, creating a uniform methodology in terms of declaring a case file “unknown” or “ineligible”.

CASE STUDIES

Before entering the field, each researcher participating in the data collection received a training facilitated by IJM. During this training, each participant conducted a minimum of two case studies, reviewing actual case files with the research tool and gathering the necessary data in a supervised environment. Their work was reviewed by IJM and errors were noted for correction.

IMPLEMENTATION

Upon completion of the training series, the team of researchers (external consultants and interns) entered the field in June 2017. Trained interns were assigned to specific offices for the case file reviews. Each intern received a list of their assigned case files to search and review with the following preliminary data:

- Court of origin;
- IANUS number;
- Type of crime;
- Names of the defendant and complainant; and
- Current location of the process according to most recent data registered in SIREJ.

IJM facilitated introductions in the majority of court offices to present interns to judicial staff and review the objectives of the study as well as their corresponding roles.

On the designated days for review, the intern would enter the office of origin for each of her assigned cases and present the case number (IANUS number) to a staff member (often the secretary or clerk). This staff member would assist in searching for the physical case file according to their office organizational system and registry. When a case file was found, the intern would review and fill out a research instrument according to the instructions in the research guide.

During the review and data collection process, there was a full-time supervisor present in the courts to support interns with difficulties as they arose. The supervisor was a Bolivian attorney with experience in cases of child sexual violence. This person provided ongoing quality control to ensure the research instrument was filled correctly. Upon completing a case file review, the intern was required to report to an office where the supervisor was located to deliver and review her work before moving on to the next case.

In addition to the ongoing field supervision, IJM also maintained deadlines for the advancement of the team. Weekly meetings and monthly reports were delivered to IJM to ensure best practices in the course of data collection.

DATA MANAGEMENT AND ANALYSIS

After reviewing and approving each completed research instrument, the field supervisor would deliver the documents for transfer to digital format. A statistician specializing in data management was assigned to receive and transfer 100% of the research instruments to a digital database. This

¹¹ A copy of the research guide can be requested by contacting IJM.

transcription of data was carried out with two programs:

- The Census Surveying and Processing System (CSPro) was used to enter the data from each instrument; this is a free program oriented to censuses and surveys designed to capture information by using templates and basic data validation (United States Census Bureau, 2017);
- Afterwards the data was imported to Excel for a second cycle of inspection and validation.

An Excel document containing all collected data was then delivered to a second consultant for quantitative analysis. The final preparation and analysis of data was carried out using the program SPSS³². The final database includes information for 107 variables including the calculations from the original data analysis plan. The tables and graphs for this report were prepared in collaboration with an IJM employee, according to the overall logic and structure of the study.

AUDITING THE DATA COLLECTED

There were two rounds of audits of the final data. The first audit consisted of a duplication of 20% of the case file reviews from the original sample. The second audit consisted of a review of 10% of cases, comparing data filled out manually in the research instruments with the transcription in the final database.

IJM duplicated 74 case file reviews (20% of the original sample) as an audit to verify the data collected and identify possible discrepancies that could affect the final study. During the course of the audit, observations and errors were cited to correct before proceeding to the final analysis³³. Although this process identified minor circumstantial errors, for which the consultants corrected in the case file reviews, nothing was noted to indicate an overall threat to the validity of data gathered.

In addition to the duplication of case file reviews, the consultant managing the SPSS database performed a second audit for consistency. The coding dictionary used to enter data uniformly in the database was reviewed to crosscheck variables and values originally recorded in the Excel document. Then a general cleanup was performed to create a more uniform/consistent coding dictionary. Afterwards, 26 cases were randomly selected (10% of the final sample) and the registered data in the database was crosschecked with the original information entered in the research instrument. According to this audit, errors were found in 5% of the values entered in the database. These instruments were reviewed a second time and the data was adjusted to ensure final accuracy in the database. Despite this level of error identified in transcription from research instruments to data entry in the database, no fraud or overall data manipulation was detected in either audit procedure.

ETHICAL CONSIDERATIONS

During the case file review and audit activities there were two main factors for ethical consideration:

1. Confidentiality: Each member of the research team, including professionals and interns, signed a non-disclosure agreement. With this document, they recognized the highly confidential nature of the information to be reviewed in case files and the expectation to maintain highest security with the data gathered.
2. Shared Understanding: Judicial authorities operating in the offices where data was to be gathered were notified of the objectives and timelines of the study via official memorandums from the La Paz TDJ explaining the scope, approval and the role each office held in the study³⁴.

IJM maintained a constant presence in the courts to oversee these two elements of project activity and to ensure shared understanding among stakeholders regarding project advancements.

³² A copy of the final database can be requested by contacting IJM.

³³ A copy of the full audit report can be requested by contacting IJM.

³⁴ Instructive Number 001/2017- S.P.- T.D.J

LIMITATIONS

The unforeseen high non-response rate is a key limitation to this study. That is, the percent of case files that were not found within their respective judicial offices according to the registry in the IANUS system (“unknown units”). The Team had considered it very probable that a certain percentage of case files would not be found, however the exact proportion was unknown. For this reason, the reserve sample was assigned. Nevertheless, the size of the reserve sample was not sufficient to maintain the original sample size of 353 case file reviews. Based on the 244 case files that were found, the Team was required to adjust the final sample size for analysis. In this sense, the 244 case files correspond to a sample size with a 94% confidence level and a $\pm 6\%$ margin of error. Additionally, among the case files that were found, a large percentage contained incomplete information. Therefore, certain indicators for analysis lack information from all 244 cases. In order to maintain some level of reliability with the study, a third sample size calculation was made. Considering the same population, the margin of error was expanded to $\pm 10\%$ and the confidence level was lowered to 90% allowing for a minimum sample size of 67 case file reviews.

In the subsequent sections all results will be presented with clear references regarding the total number of case files being analyzed (value n). When a presented finding includes less than 67 cases (value n is less than 67), the Team considers these solely descriptive results and they should not be considered representative at the departmental level for La Paz.

INTERVIEWS WITH PUBLIC JUSTICE SYSTEM AUTHORITIES

SELECTION CRITERIA

Qualitative methods were incorporated in this study to go beyond the surface-level description of system performance. Incorporating the perceptions of key actors sought to provide further insight to the analytical scheme for how and why certain challenges exist and have impact on the administration of justice as well as compare authorities’ perceptions with the realities that were identified in the quantitative data.

The participants for the interviews were identified according to a discretionary sampling with maximum variation (heterogeneity). The sample was therefore based on the expert judgment of technical leads in IJM who identified the necessary entities of the public justice system whose participation would represent the diverse characteristics of participants across the system. From this diverse representation, the analysis could then identify the common themes representative of the public justice system as a whole. The Team recognizes that this representation lacks the perspective of victims and/or their families; however, the ethical considerations of this study prohibited their participation.

The designated entities are represented in the table below. After identifying the entities and the desired number of interviewees per entity, the Team sent official memorandums to the corresponding director of each department. The final selection of interviewees was based on the discretion of each director to choose which members of their staff would participate in the study.

Table 3: Original Sample for Interviews

ENTITY	COUNT
Supreme Court	2
Magistrates Council	6
La Paz Departmental Tribunal of Justice	1
Courts, Tribunals and Appeals Courts	13
Public Ministry	8
Child Welfare Agency	6
Ombudsman	2
Penitentiary System	2
Specialized Police Force Against Violence (FELCV)	4
Public Defense	5
Anti-Trafficking Division	1
TOTAL	50

RELIABILITY OF RESULTS

To ensure the reliability of results, the Team implemented a data analysis plan, an interview instrument and an interview guide. Consultants were trained in the effective use of these resources via case studies before entering the field.

DATA ANALYSIS PLAN

The analysis plan for this portion of the study was formed on a grounded-theory approach (Strauss & Corbin, 1990) while also considering the presumption that there is an inherent delay of justice for child sexual violence cases. The interview was structured to formulate key themes based on interviewees' responses regarding the impact of relevant organizational structures and activities.

The research questions formulated for the interviews were focused on exploring the various stages of the criminal process, the established terms defined by the CPP, perceived strengths and weaknesses and how procedural challenges impact access to justice.¹⁵

INTERVIEW INSTRUMENT

After defining the areas of investigation, the Team elaborated an interview tool¹⁶, which was printed and brought to each interview session for the interviewers to take notes on relevant data. In addition to the interview tool, consultants utilized audio-recorders to capture the information.

The interview tool is structured according to the following key sections:

- An interview script to gain verbal informed consent from all interview participants;
- Section 1: Introduction (includes five questions related to general information about the interview participant);
- Section 2: Specialization (includes three questions related to the participants' level of specialization in child sexual violence);

¹⁵ Data Analysis Plan in Appendix A.

¹⁶ A sample of the interview tool is located in Appendix B.

- Section 3: Procedural Deadlines (includes eight questions to assess for participants' level of understanding of procedural deadlines as defined by the CPP and perceived strengths and weaknesses);
- Section 4: Experience of the Victim (includes five questions to assess participants' perceived understanding of the experience of the victim in the criminal process);
- Section 5: General Analysis (includes eight questions to assess participants' general perceptions about the public justice system in Bolivia).

CASE STUDIES

Each consultant facilitating interviews received training before entering the field. This training was facilitated by IJM and focused on the effective use of the interview tool and guide. As part of this training, each participant conducted two preliminary interviews or “case studies” with volunteer authorities to test the instruments¹⁷. As a result of the case studies, final adjustments were made to the instrument. This training process provided opportunity for IJM to directly observe consultants and give feedback to ensure the proper interview structure was followed and to reduce potential for variation in the interviewing style.

IMPLEMENTATION

The Team assigned three consultants to facilitate all of the interviews between June and September 2017. Each consultant brought prior interviewing experience and an advance context for the Bolivian public justice system. The majority of interviews were facilitated in the offices of the respective authority. At the beginning of each interview, the consultant requested permission to audio record. Participants had the option to deny recording, in which case the consultant was required to take more comprehensive notes. In total, 9 participants declined having their interview audio-recorded.

Upon completing an interview, the same consultant verified the coherency of their interview notes for an external audience and delivered a copy with the audio recording to a transcription specialist. Notes and recording were delivered according to strict timelines to ensure the integrity of information.

Interviews that were not recorded were required to have finalized notes within two days. Recorded interviews were transcribed within seven days. If an interview lasted less than 20 minutes with any participant, the consultants were required to complement this interview with an additional interview from the same entity.

DATA MANAGEMENT AND ANALYSIS

The process for analyzing the data gathered from interviews was divided in two coding cycles; the first round carried out during data collection and considering all interviews; and the second with a portion of interviews at the end of the data collection process. Coding is defined as the qualitative method for taking short words or phrases that represent a summary or capture the essence of a piece of data, in this case, extracted from the interview transcripts (Saldana, 2009). In the first cycle, a specialist from the team of consultants analyzed all of the transcripts. This consultant was one of the three who also conducted the interviews. The specialist identified main topics in this first cycle according to frequency of responses, identifying these codes in a codebook in Excel.¹⁸ From these findings, the consultants prepared and delivered a preliminary descriptive analysis to IJM.

An IJM employee reviewed this analysis and complemented the first descriptive cycle with a second cycle of in vivo coding, thereby re-coding the information for a portion of the interviews¹⁹ with direct quotes or short phrases taken directly from the interview participants (Saldana, 2009). With this information, IJM initiated a more focused coding process to begin

¹⁷ The results from these trial interviews are not included in the final results of this study.

¹⁸ The first cycle codebook can be requested by contacting IJM.

¹⁹ The second cycle codebook can be requested by contacting IJM.

developing categories for the qualitative data. At this stage of the coding process, additional interview transcripts were incorporated for re-coding until no new categories emerged. This process included 20 re-coded interviews. The identified categories were grouped according to main crosscutting themes that related to the results emerging from the quantitative portion of research. The final contextualization and triangulation of results was prepared by IJM.

In order to maintain the confidentiality of participants, quotes used to support key findings will not be personally identified. Rather, these quotes will be prefaced in general terms according to the “interviewees” or “authorities of the public justice system”.

AUDITING INTERVIEW TRANSCRIPTS

IJM conducted an audit of 10% of the interviews, comparing the audio recording with the prepared transcript in order to verify the data from audio recordings was transcribed reliably. IJM determined the transcribed data was reliable and no circumstance of fraud or manipulation of data was detected in this audit process.

ETHICAL CONSIDERATIONS

In accordance with the principles of protecting the safety, dignity and privacy of each person involved in the study, the following practices were maintained in each interview:

- Before initiating the interview, the participant was notified of the scope of methodology and anticipated outcomes;
- Each participant was notified of their right to refuse the interview as well as their right to end the interview at any time;
- Confidentiality of participants was respected in the course of the study and final publication;
- Verbal consent was requested from each participant at the start of the interview;
- No identifying information is included in the present report; and
- No person under the age of 18 years old was interviewed or personally identified in the course of this study.

LIMITATIONS

The Public Ministry, the Ombudsman, the Penitentiary System and the Public Defense Service did not participate in the interviews. Despite various attempts made through written notes, constant monitoring, phone calls and personal visits to relevant directors, their participation was not secured. For this reason, substitutions were assigned to supplement missing interviews. The final sample²⁰ of authorities interviewed is presented in the table on the next page:

Table 4: Final Sample for Interviews

ENTITY	COUNT
Supreme Court	2
Magistrates Council	6
La Paz Departmental Tribunal of Justice	0
Courts, Tribunals and Appeals Courts	17
Public Ministry	0
Child Welfare Agency	7
Ombudsman	0
Penitentiary System	0
Specialized Police Force Against Violence (FELCV)	4
Public Defense	0
Anti-Tracking Division	1
Ex-Prosecutors (Public Ministry)	3
Departmental Social Services (SEDEGES)	1
Specialized Police Force Against Crime (FELCC)	2
TOTAL	43

In the original sample, the Team sought a representation of authorities according to their knowledge of the system and what they theorized would be an adequate representation of the public justice system as a whole. The lack of participation of the Public Ministry is a significant limitation to this study. Although the Team managed to facilitate interviews with ex-prosecutors, the lack of input from active members of the Public Ministry implies significant gaps in information and understanding. This data therefore provides an incomplete perception from public justice system authorities about the main research questions.

Due to a lack of availability and/or collaboration from specific entities, the quality of the sample was reduced and the sampling process for interview substitutes was converted to convenience sampling. The final participants included in the analysis are based on their willingness to participate. It is important therefore to note that the final qualitative results that are presented should be reviewed and validated by additional members to achieve a higher level of representativeness for the public justice system as a whole.



Results

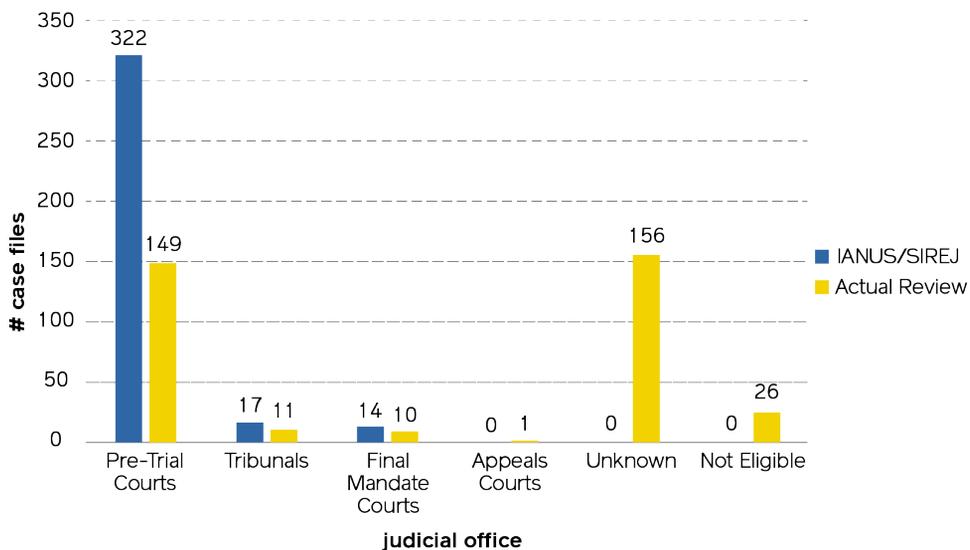
RESULTS

In this section, quantitative results are analyzed according to the information obtained from the review of case files for a representative sample of the total population of child sexual violence cases initiating in La Paz during the past 10 years. According to the parameters for confidence level and margin of error specified in the methodology sections for this study, when referring to a result where the value n is less than 67, it is considered a descriptive reference²¹. That is to say that these data, although illustrative, are not considered representative at the departmental level; they are a descriptive analysis of the observed case files. With the lack of quantitative information for certain study variables, qualitative results were triangulated where possible to enrich and explain the main findings of the research.

This section is divided into three key topics; (1) Access to Information; (2) Demographic profile for child sexual violence cases; (3) an analysis of each stage of the criminal process. The key findings presented throughout this section in highlighted text boxes are considered representative at the departmental level for La Paz.

ACCESS TO INFORMATION

Graph 1: Registered Location of Case Files According to IANUS/SIREJ vs. Actual Review in Judicial Offices (n=353)



Source: IANUS System. (Accessed February 24, 2017). Judicial Control Case Files for Child Sexual Violence 2007-2016. La Paz.

Of the 353 randomly selected cases for the original sample, the IANUS system (later SIREJ) registers the current location of the corresponding case file according to the distribution presented in the graph above. Upon entering the courts and searching for the designated case files to review, only 171 eligible case files were found (48% of the original sample). In addition, there were 26 case files found and determined to be “not eligible” for the purposes of this study, based on the fact that either the victim was not a minor at the time when the abuse occurred, the case initiated prior to 2007 or the case originated outside of city of La Paz. For the remaining 156 case files, no physical documentation was found in the course of the study.

In an effort to include additional units (case files) to analyze and according to the original methodology, cases from the reserve sample were released in the course of the collection as substitutions for the missing case files. Of the 177 additional cases of the reserve sample, only 73 eligible case files were found to be included in the final sample for analysis. An additional 6 case files were found but also considered to be “not eligible” for the same reasons cited above. In

²¹ 90% level of confidence and $\pm 10\%$ margin of error.

total, the Team conducted a search for 530 case files, accounting for the 353 cases of the original sample and the additional 177 of the reserve sample.

Table 5: Actual Location for Case Files in the Final Sample According to the Physical Review

JUDICIAL OFFICE	CASE FILES FOUND	
	COUNT	%
Pre-Trial Courts	215	88.1
Tribunals	16	6.6
Appeals Courts	1	0.4
Final Mandate Courts	12	4.9
TOTAL	244	100.0

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

The final sample is defined with the 244 eligible case files that were found in their designated judicial offices²². According to the location of case files at the time of the study, it is already possible to identify an accumulation of processes in the preliminary and preparatory stages, since most of the cases are located in a pre-trial court. Very few case files were located in the tribunals, appeals courts or courts issuing the final mandate.

Key Finding 1: (Access to Information) 48% of case files are missing within their respective judicial office. (n=530)

In total, 254 case files or 48% of the total between the original and reserve samples are missing.²³ After consulting the IANUS/SIREJ system to locate where the case was last registered, going to this office in person to review the registry books with office personnel and searching through all shelves and present case files, there was no physical documentation found to provide further information about the outcome or advancement for each of these 254 cases.

²² As previously cited, this sample size indicates a 94% confidence level and $\pm 6\%$ margin of error for the population of cases of child sexual violence in La Paz. "Eligible" is defined by study parameters outlined in the previous methodology section. The "not eligible" case files found (32 case files) are not accounted for in any part of the study analysis.

²³ Refer to appendix C for a full list of the 254 missing case files.

Table 6: Missing Case Files Registered in the System as “Platform”

START YEAR	COUNT	%
2007	3	5.0
2008	1	1.7
2009	4	6.8
2010	1	1.7
2012	4	6.8
2013	1	1.7
2014	14	23.7
2015	27	45.8
2016	4	6.8
TOTAL	59	100.0

Source: IANUS System. (Accessed during May-August, 2017).

The inability to locate case files may be attributed to a variety of factors. According to the last registered action in IANUS/SIREJ, 59 of the missing case files are registered with the term “Platform”. This term signifies that a case is located at the reception window in the office of New Complaints in the La Paz TDJ. The Office of New Demands is responsible for receiving the first document and registering the case in IANUS/SIREJ. However, the table above shows cases with a start year as early as 2007.

This finding demonstrates that the system’s records do not match the reality. It is important to note that for these 59 cases, there is no way to verify their current status within the TDJ of La Paz given the erroneous data in the system and the lack of a verifiable physical case file. Essentially, these cases are considered completely “unknown” in the La Paz Departmental Tribunal and in order to verify any further details, a follow-up investigation in every judicial office as well as the Prosecutor’s office would be required in order to determine if the case could be found.

Although the criminal procedure code specifies that the prosecutor is the primary custodian of the investigative case file (Art. 280), He or she is nevertheless required to notify the pre-trial court with the start of investigations. Upon receiving this notification, the pre-trial court is responsible for monitoring the deadlines for relevant resolutions (Law No. 025, Art. 95). In this sense, according to legislation, both the TDJ and the Public Ministry are required to proactively coordinate the advancement of the case in the preliminary and preparatory stages. A case that has been assigned an IANUS number indicates it has formally initiated this process of co-vigilance by both entities, thereby requiring clear documentation about the case within both the TDJ and the Public Ministry.

However, in interviews with public justice system authorities, the reality of this stage of the criminal process was described differently. A more reactive posture was expressed in regard to case advancement during the preliminary and preparatory stages. Challenges and causes for failure were directed towards the shortcomings of others. Many interviewees identified the key role the Public Ministry plays for carrying out the investigation, as expressed by one interviewee:

“Everything revolves around what the prosecutor tells us.”

This reactive posture implies a lack of felt responsibility on the part of other key judicial actors in the courts during the early stages of the criminal process, and may therefore contribute to

the high quantity of missing case files in the corresponding courts. This also reveals a lack of adequate organizational systems, specifically in pre-trial courts to handle the incoming caseload each year and properly archive inactive cases.

DEMOGRAPHIC PROFILE AND PARTICIPATION OF THE VICTIM IN THE CRIMINAL PROCESS FOR CHILD SEXUAL VIOLENCE CASES (2007-2016)

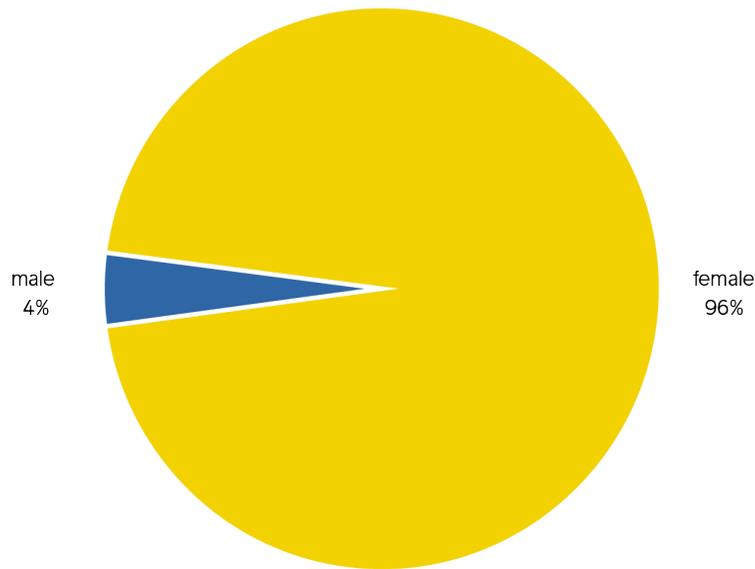
A prevalent theme that emerged from the interviews was related to the complex characteristics of child sexual violence cases. Interviewees identified the complexity of the problem, its impact and the specialized response that is necessary. Given that the needs of victims of sexual violence are unique, the interviewees confirmed the criminal process should follow steps, which give preference and priority to these needs. As one interviewee commented:

"A victim of theft is not the same as a victim of sexual violence, the information that she has to give us is totally different, consequently, the people who are going to be in direct contact with the victims are the people who have to have the ability to know how to act in front of them, and this is not necessarily being a psychologist."

Therefore, in the analysis of procedural performance for cases of child sexual violence, it is relevant to first consider who is involved in the process. The demographic characteristics presented below are taken into account with the notion that the consideration of these unique characteristics is part of the effective administration of justice.

DEMOGRAPHIC PROFILE FOR VICTIMS OF CHILD SEXUAL VIOLENCE

Graph 2: Victims of Child Sexual Violence by Gender (n=232)



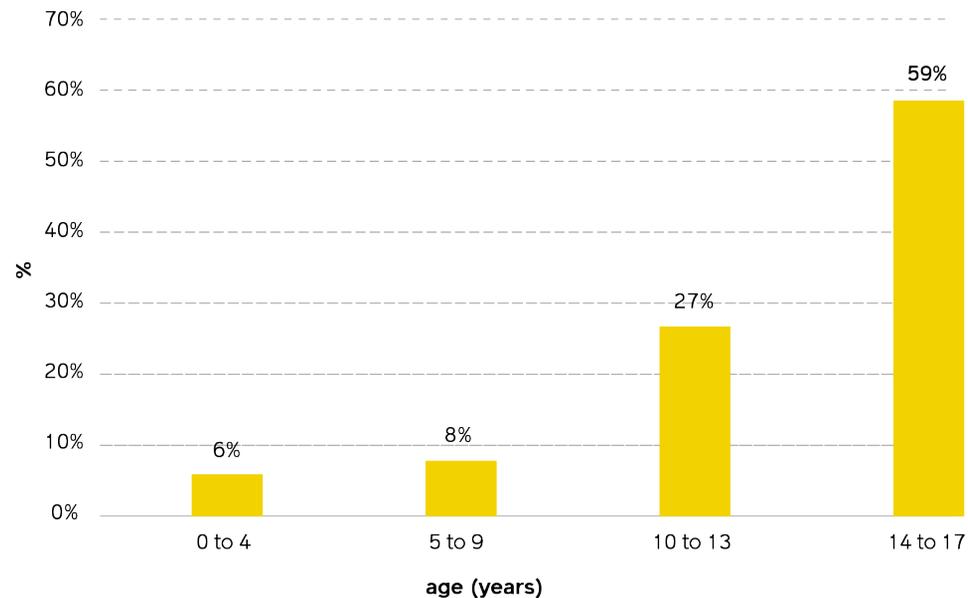
Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

96% of victims of child sexual violence are female and 4% are male according to the case files reviewed that contain information regarding the victim's gender (n = 232). 96% of the case files reviewed record only one victim and 4% of the cases have multiple victims with a maximum of 6 victims in one observed case.

“Sex offense trials are more difficult...to preside [over] from a legal and technical standpoint, a personal and emotional viewpoint, and a public scrutiny and public pressure perspective”

(Bumby & Maddox, 1999).

Graph 3: Age of the Victim at the Time when the Abuse Occurred (n=100)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

59% of victims of child sexual violence are between 14 and 17 years of age at the time when the abuse occurred (n = 100). 6% are 4 years old or younger at the time of the abuse. The youngest victim of child rape was less than 5 months old when the abuse occurred.

According to the available information, 56% of child sexual violence abuse takes place in a private residence, including the victim's home, the perpetrator's home or the personal residence of another unspecified person. The second most frequent place where abuse takes place is public transportation, as observed in 17% of cases, including taxis, buses and public transportation stations (n = 103).

During the case file review, difficulties arose in verifying the exact ages for the majority of victims. In 144 case files, an exact birth date for the victim is not found. Therefore, it was not possible to calculate exact ages for 59% of the total sample. With the interest of ensuring that the cases being analyzed involved minors according to the working definition for child sexual violence, the Team conducted an additional review of these cases and the accessible data.

Of the 144 case files lacking the victim's birth date, in 85% the victim could be verified as a minor based on other data present. Relevant data to support these conclusions were:

- Crime type, considering that any case registered as indecent abuse, sexual abuse or child rape requires that the victim is a minor according to the legal definitions;
- Child Welfare Agency registered as complainant, in any case where this agency presented as a complainant on behalf of the victim it was presumed the victim was a minor; and
- Narrative or text included in resolutions where there was reference to the victim such as "a 12-year-old student" or "the 5-year-old daughter", etc.

In 15% of the case files lacking the victim's birth date, it could not be verified with certainty that the victim was a minor at the time of the abuse. Therefore, considering the overall sample of 244 cases, it is possible that 8.6% of the cases analyzed (21 cases) involve a victim over 18 years of age²⁴.

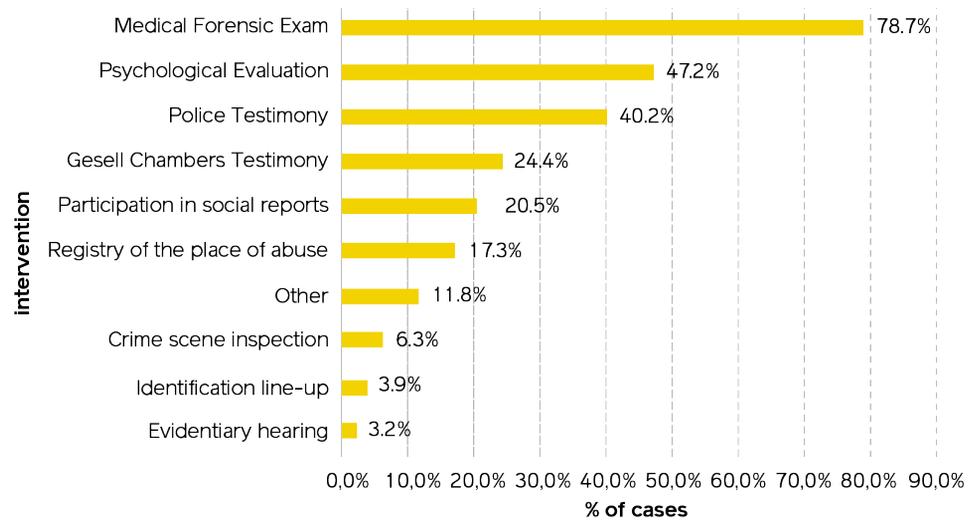
²⁴This margin of error is attributed to the coverage error specified when defining the population for the study. Please refer to "Limitations" in the quantitative methodology section.

National legislation dictates that priority should be given for cases where the victim is a minor. It is alarming therefore that the existing structures of the judicial system do not provide clearer ways to verify this information.

VICTIM'S PARTICIPATION IN THE CRIMINAL PROCESS

Key Finding 2: (Specialized Attention) in 24% of cases, the Gesell Chambers are utilized to document the victim's testimony. (n=127)

Graph 4: Percent of Cases by Type of Direct Intervention of the Victim (n=127)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

The above graph summarizes the percent of cases in which the victim was required to participate in one or more of the presented direct interventions. For each of these interventions, the victim is required to report to a police station, a doctor's office, the courts and/or the scene of the crime to provide relevant information solicited by the prosecutor or judge. A victim's participation in each of these activities is correlated to the stage at which the case has advanced. The three intervention types presented with the highest percentages of cases where the victim participated are often the standard actions conducted at the start of investigations. The CPP does not establish a minimum series of direct interventions required by the victim, however Law No. 348 stipulates that judicial authorities should take the necessary measure to avoid re-victimization in the course of the investigative process.

In order to accomplish this, according to interviews with authorities, the Gesell Chamber was identified as one of the major strengths of the Bolivian public justice system in recent years. It was identified as an example of best practice in providing specialized and prioritized care to victims who are minors. This practice provides an ideal protection for the victim while intervening directly in the criminal process, and a more appropriate environment outside the court to provide his/her testimony. In accordance with the needs of a child or adolescent victim, the Gesell Chamber is viewed as reducing the potential for re-traumatization in the process of giving his/her statement.

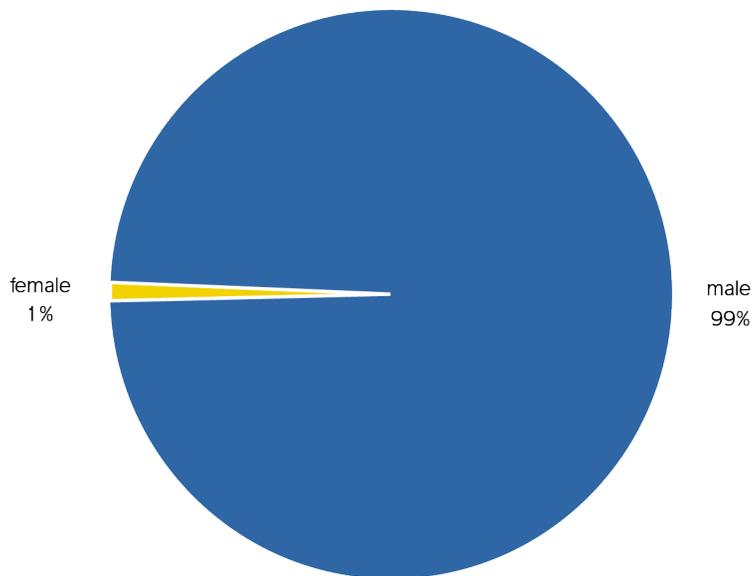
24% of the reviewed case files demonstrate the use of the Gesell Chamber (n = 127). Therefore, its effective implementation is not being achieved in the majority of cases where minor victims continue to participate in evidentiary hearings, crime scene inspections and testimonies given at police stations.

The theme of victim intervention in the criminal process was identified by interviewees as a major inefficiency of the public justice system. Interviewees view the repetitive participation of the victim in the criminal process as unnecessary and a poor use of time and resources. Interviewees were asked how many times a victim should be required to participate during the process. The majority responded that a single intervention should be sufficient, up to two interventions as a maximum. At the same time, authorities estimate that the reality requires victims to participate an average of up to six times in the course of the criminal process.

According to the case file review, the victim is required to participate in an average of 2 to 3 direct interventions. This average includes cases that are still in process, therefore it is very likely that the average number of interventions will go up. For example, in the more advanced cases observed that have reached a verdict, the victim is required to participate an average of 4 times (n = 7).

DEMOGRAPHIC PROFILE FOR ALLEGED PERPETRATORS OF CHILD SEXUAL VIOLENCE

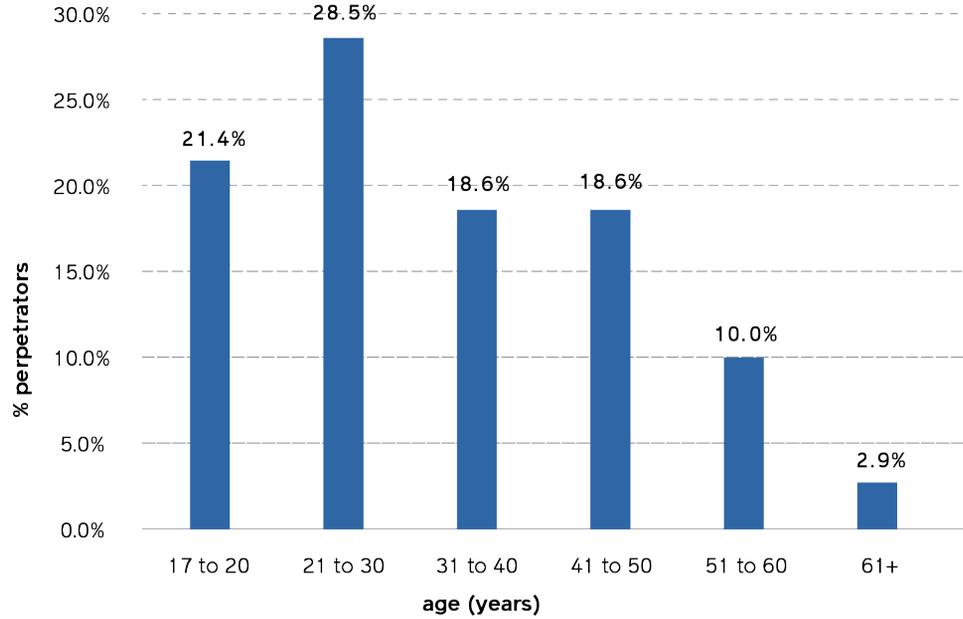
Graph 5: Alleged Perpetrators of Child Sexual Violence by Gender (n=237)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

Ninety-nine percent of alleged perpetrators of child sexual violence are male and 1% are female according to the case files with accessible information regarding gender (n=237). In 86% of the cases the abuse is committed by a single alleged perpetrator and in 14% there are multiple alleged perpetrators

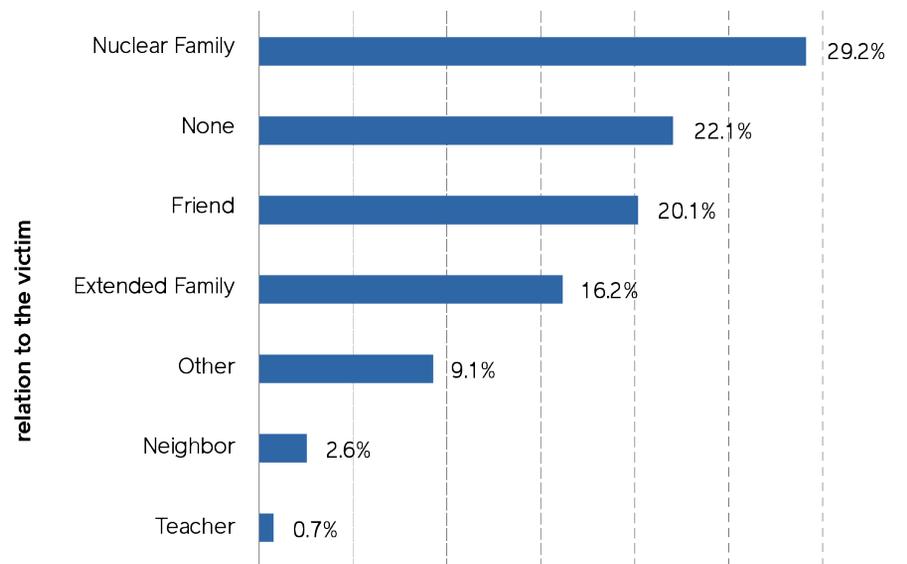
Graph 6: Age of the Alleged Perpetrator When the Abuse Occurred (n=70)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

Of the 70 case files that were analyzed that contain data on the exact age of the alleged perpetrator, ages are fairly widespread. Fifty percent of alleged perpetrators are between 17 to 30 years old²⁵ and 37% of aggressors are between 31 to 50 years old.

Graph 7: Relation of the Alleged Perpetrator to the Victim (n=154)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

69% of alleged perpetrators of child sexual violence are someone known to the victim, being members of the nuclear or extended family, friends, neighbors or teachers (n = 154). Only 21% of the reviewed cases establish that the aggressor had no previous relationship with the victim.

“There are stereotypes that sexual violence involves a stranger hiding behind a bush waiting for their victim” (Kilpatrick et al., 2007), when the reality is that the vast majority of abuse is committed by someone known to the victim. This is an important demographic factor for

²⁵ Until enactment of Law 548 in 2014, perpetrators who were 17 years old were tried as adults in criminal court. The modified norm places 17-year olds as adolescents in conflict with the law.

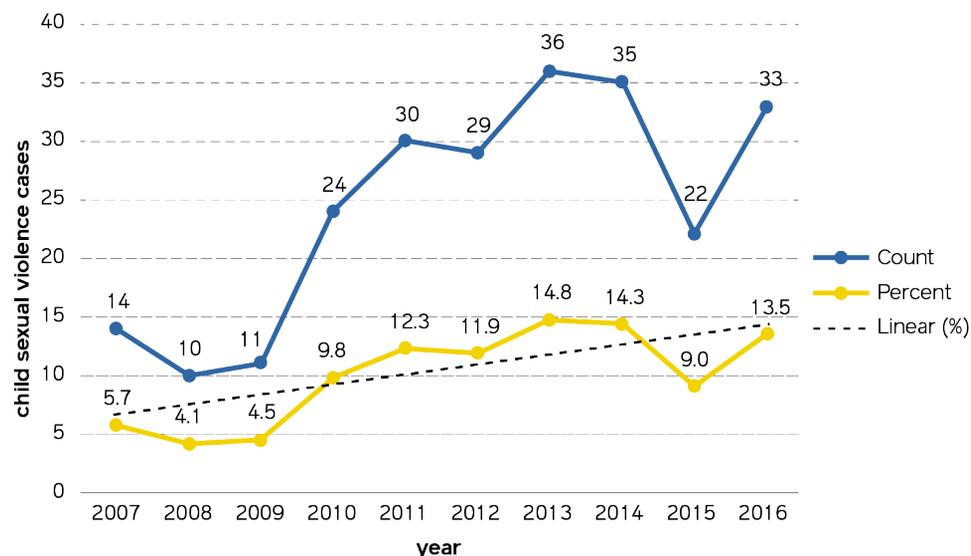
consideration in the prosecution of sexual violence cases because there is potential within the immediate or extended family to influence the decision to continue with the criminal process, or not. Furthermore, studies have shown that when the aggressor is a member of the family and the victim participates in the court procedure, where she or he must be in contact with the aggressor, the emotional and psychological reactions of the victim are unique and can create a greater risk for re-traumatization (Weiss & Berg, 1982).

GENERAL PROFILE FOR CHILD SEXUAL VIOLENCE CASES

In the following sections, any disaggregation by crime type will be presented according to the terminology specified in the most current legislation. Therefore, the crime “indecent abuse” is re-classified as “sexual abuse” according to Law No. 348.

Key Finding 3: (Workload) There is a 7.8% increase in the total number of cases initiating a criminal process over the past ten years.

Graph 8: Trend for New Child Sexual Violence Cases Initiated by Year (n=244)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz.

The graph above presents the gradual increase in the number of sexual violence cases initiating a criminal process in the department of La Paz between 2007 and 2016. The line labeled “count” shows the number of cases entering the judiciary each year, from the total sample of 244 case files analyzed in the study. The line labeled “percent” shows the representative percent change of cases entering the judiciary each year. In general, the public justice system experienced a 7.8% increase in new child sexual violence cases entering the judiciary in the last 10 years.

It is interesting to consider this trend in light of relevant legislative changes during the same time period:

- In May 2010, Law No. 007 amended the CPP and introduced the conclusive hearing to the criminal procedure. This change was intended to expedite processes ready to go to trial. In the graph above, in 2011 there is an increase of child sexual violence cases

entering the judiciary in comparison with previous years. However, by 2012, the total number of new cases has reduced.

- In March 2013, Law No. 348 was enacted in response to a social outcry against gender-based violence after the murder of a renowned female journalist by her husband. Law No. 348 encourages women and vulnerable persons to report acts of violence and created expanded access to the public justice system with new definitions for sexual violence. This likely explains the increase in complaints filed for 2013 and 2014.
- Law No. 586 enacted in October 2014 responds to the problem of workload within the public justice system and created a series of legislative and policies changes in order to “decongest” courtrooms. The impact of this legislation may be visible starting in 2016, with another spike in the total complaints filed.

Considering this general trend in child sexual violence cases in the past ten years and in light of the recent legislative changes, interviewees provided both positive and negative perspectives about how these changes have impacted the administration of justice. However authorities acknowledge that the legislative change alone doesn’t equate to societal change or improved coordination among the different actors of the public justice system. It is clear that there exist significant discrepancies between written law and its practical application in the Bolivian public justice system. Furthermore, how the challenges identified in judiciary performance have larger implications to the effective participation of all public justice system actors, including police, prosecutors, lawyers and child welfare agencies. As one interviewee expressed:

“The subject [child sexual violence] is quite broad, so we should focus and analyze the issue as it relates to various actors, for example how the Public Ministry intervenes and how the judge intervenes, and look for prevention mechanisms against the perpetration of these crimes.”

An overarching theme was identified that at the inter-institutional level, the public justice system is not unified in the application of relevant laws, particularly as it relates to roles between the TDJ, the Public Ministry, the Police and the Child Welfare Agencies. Instead, each entity relies on internal instructions, notifications and the willingness of individual professionals to coordinate effectively. Anecdotal examples of successful inter-institutional coordination were provided in the interviews, referring to “sometimes” or “in one case”; however, no standardized practices for effective coordination were identified at the system level.

While these anecdotal examples demonstrate a certain amount of relief for judicial authorities in order to coordinate for case management and advancement, the examples given that relate to the current reality for inter-institutional coordination present short-term solutions.

The topic of resources is also strongly linked with interviewees’ perceptions of their capacity to fulfill roles and responsibilities outlined the current normative framework. Interviewees noted a lack of adequate personnel to comply with what is described as a “humanly impossible” workload. As one interviewee summarizes:

“The laws are fabulous, the legislation is protective, but there are no operational means; the human and economic resources needed to implement the law.”

Material deficiencies were identified, as authorities report lacking basic office supplies such as paper and toner in order to prepare notifications. In reference to this reality, one interviewee describes:

“This is very significant in order to meet deadlines, because if we can’t notify, the term doesn’t move forward and the cases are paralyzed.”

Additionally, there was an expressed lack of adequate work spaces in the courts. In relation to a recent office move, one interviewee explained the situation:

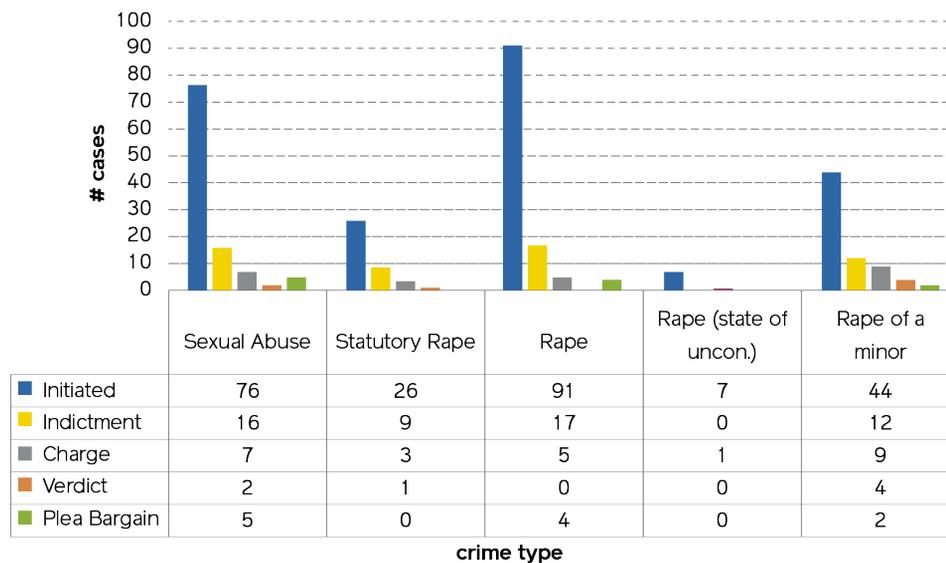
"We didn't even have the necessary furniture to hold hearings, and for this reason we had to suspend hearings for a week because the parties didn't even have a place to sit."

Interviewees agreed on the importance of complying with the stipulated deadlines outlined in the criminal procedure code, and demonstrated their knowledge of their respective roles within the system. In general, problems for effectively applying this legislation were not rooted in the will or competency of the judicial authorities themselves, but rather a lack of operational means to do so:

"We have to demand from police, the public prosecutor's office and the judiciary that these deadlines be complied with, but we cannot demand them for the sake of demanding; we must provide them with all the necessary supplies and resources."

In this sense, the interviewees acknowledge that improved public justice system performance is not only based in legislation but also the effective coordination among all public justice system actors in addition to the allocation of adequate resources and infrastructure.

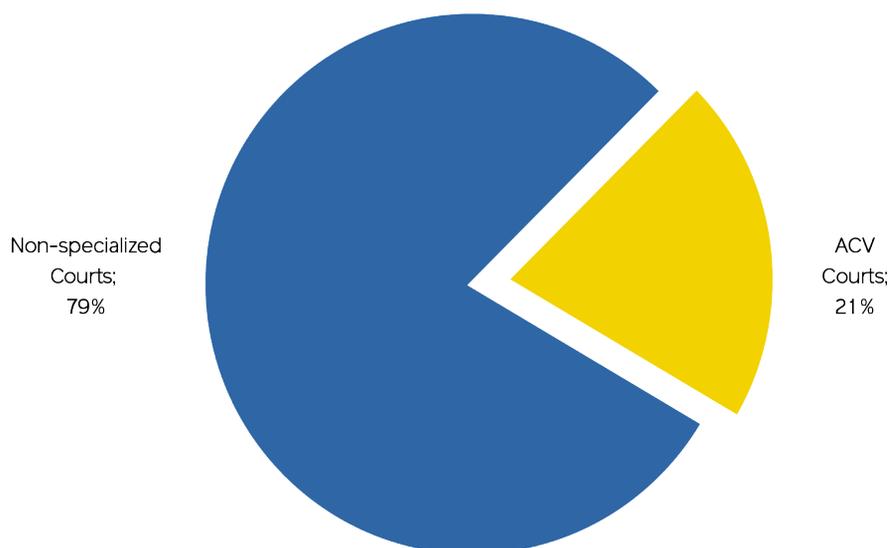
Graph 9: Proportion of Cases by Crime Type and Advances in the Criminal Process (n=244)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

The graph above shows the distribution of cases according to their crime type and their respective advancement in the criminal process. Cases of rape and sexual abuse represent the majority (68.4%) of child sexual violence cases initiated in the last 10 years. In relation to cases moving forward to the formal indictment, statutory rape cases have the greatest proportion (34.6%) of processes moving forward, while only 18.7% of rape cases move forward to this stage. Of those cases which have reached a formal indictment, cases of rape of a minor have the highest proportion (20.5%) move forward to a formal charge as well. This crime type also has the largest proportion reaching a verdict via the common criminal procedure.

Graph 10: Percentage of Child Sexual Violence Cases Located in a Specialized Anticorruption and Violence against Women Court (ACV) (n=244)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

With the enactment of Law No. 348 in 2013, specialized courts and tribunals were created to handle cases of violence against women. According to the study, 21% of cases of child sexual violence are currently managed by one of these specialized courts. For the remaining 79% of cases managed by a non-specialized court, further analysis presents the following distribution by year of initiation of the judicial process:

Table 7: Child Sexual Violence Cases in Non-Specialized Courts (n=193)

START YEAR	COUNT
2007	14
2008	10
2009	11
2010	24
2011	30
2012	29
2013	36
2014	33
2015	5
2016	1
TOTAL	193

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

This distribution demonstrates that despite recent legislation and the creation of specialized courts, new cases of child sexual violence continue to enter non-specialized courts for various factors not analyzed in this report. Nevertheless, this is an important factor for consideration in terms of resolving the current workload of pending child sexual violence cases in La Paz, given that the majority of cases initiated in the last 10 years are not receiving specialized attention. This finding has significant implications not only for victims but also the accused, since the normative framework establishes that both require the attention of specialized judges. Furthermore, a clear picture of the total number of new cases of sexual violence entering the judicial system is crucial in order to assess for future expansion of specialized offices, whether courts or tribunals, to reflect the current workload, so that specialization of courts should not only reflect an improved quality of services but also reflect the necessary capacity to address the quantity of cases in need of this specialized service.

The theme of specialized attention for child sexual violence cases is directly connected with the appropriate application of the regulations stipulated in Article 70 of Law No. 348. It specifies the need for specialized training of authorities, but within the interviews, authorities identified that adequate training simply is not the reality:

"We have had training, but very little in regards to the existing law of violence against women [Law No. 348]...more information is required, greater execution of procedural content and the mechanisms to properly apply this law."

Authorities reported that their own levels of training and specialization in the subject of sexual violence are limited. Of the few trainings received, authorities identified various deficiencies expressing that trainings were generic in nature, short and lacking applicable information:

"They [the trainings] are very short, lasting one or two days, which to me, is not training; they just inform you, and that's not what we need. Yes it's helpful, but there should be courses in order for us to become specialists..."

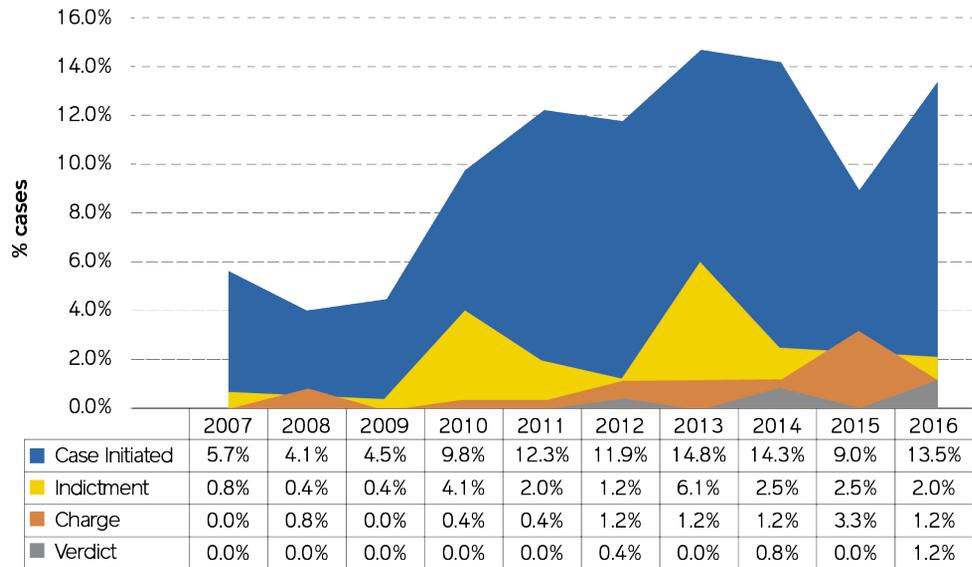
According to the interviewees, the attention provided by the authorities has been identified as a key determinant for families and their trust in the public justice system:

"Knowing how to approach the victim; the child, the girl, the adolescent or woman; can generate confidence and they will provide us with all the needed information...the treatment of the victim is decisive."

However, interviewees report a high level of discomfort interacting directly with victims of child sexual violence. In the interviews, authorities were asked if in their role they have direct contact with the victim. Of those who answered yes, most report that these interactions have a negative emotional impact on them personally. Only 15% of authorities who have direct contact with victims report that these interactions are positive, in terms feeling they were able to complete their work or fulfill their role as a public authority.

STAGES OF THE CRIMINAL PROCESS FOR CHILD SEXUAL VIOLENCE CASES

Graph 11: Percent of Cases Initiated, Indictments, Charges and Verdicts Reached by Year (n=244)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

The CPP establishes the non-extendable and peremptory deadlines for the administration of justice in cases of child sexual violence. In accordance with these defined deadlines, the study seeks to analyze public justice system performance in each stage of the criminal process from start to finish. The graph above gives a representative view of overall system performance, demonstrating that most cases are accumulated ("bottlenecks") in the early stages of the process and do not move forward.

This overwhelming accumulation of cases that have initiated a criminal process but have not moved forward, implies a disproportional workload for the pre-trial courts, where the majority of the workload from the past 10 years is still located.

“Delayed justice is justice denied.”

William E. Gladstone

According to the interviews, the theme of workload was the most frequent issue identified in regard to obstacles for efficient administration of justice and meeting the established deadlines. Given that the majority of workload is in the preliminary stage, and that this workload has shown an increase over the past 10 years, the public justice system is at risk for noncompliance from the very first stage of the criminal procedure.

During the interviews, authorities were asked to discuss their office’s workload. However, all interviewees spoke in general terms about this concept. When asked for the exact number of child sexual violence cases received by their office on an annual basis, the interviewees only used descriptive terminology of “approximately”, “around” and “more or less” to estimate the range of cases arriving to their office.

Given the findings cited in the previous section related to access to information and missing case files, the lack of exact knowledge for workload is understandable. This is alarming, specifically for pre-trial courts, because the combination of a high workload and missing case files creates an opportune environment for impunity.

Table 8: Actual Advances of Child Sexual Violence Cases in the Criminal Process (n=244)

MOST RECENT ADVANCEMENT	COUNT	%
Initiated	71	29.0
Rejected	114	46.7
Formal Indictment	14	5.7
Notification of Indictment	8	3.3
Dismissal	1	0.4
Formal Charge	4	1.6
Private Charge	7	2.9
Receipt of the Docket	3	1.2
Opening of Trial	2	0.8
Trial Initiated	3	1.2
Verdict	1	0.4
Appeals	0	0.0
Final Mandate	5	2.0
Plea Bargain	11	4.5
TOTAL	244	100.0

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

This table presents the current distribution of the 244 case files across the various advancements of the criminal process, considering the most recent action registered for each case. According to this distribution of the cases, approximately 76% of the cases initiated during the last 10 years have not concluded the preliminary stage (Initiated or Rejected).

COMPLAINTS FILED WITH THE PUBLIC JUSTICE SYSTEM

There is an average delay of 21 calendar days, from the reported date when the abuse occurred until the date when the victim, family or guardian files the complaint with the police or Public Ministry (n = 72). In 22 case files reviewed, the complaint was made on the same day or within the first 24 hours from when the abuse occurred. The maximum delay for filing the complaint was 253 calendar days in one observed case file.

There is an average delay of 8 calendar days from the date when the complaint was filed until the start date of the judicial process. 66.4% of cases meet the established deadline according to the CPP, initiating the judicial process within the maximum 48 hours (n = 143).

PRELIMINARY STAGE

Key Finding 4: (Dead Times) 29% of cases remain in the preliminary stage of the criminal process, with only an initiation of investigations. (n=244)

Upon the initiation of investigations (marked by the date of reception of the case by a pre-trial court), the CPP establishes a deadline of 8 working days, with possible extension of sixty workdays, for the prosecutor to gather evidence in cases of child sexual violence. The maximum term is therefore established as 68 workdays from initiation of investigations until reaching a formal indictment or rejection of the case, thus ending the preliminary stage (Ley 348, Art. 94; CPP, Art. 300).

The study reveals that of cases initiated in the past 10 years, 29% of cases are stagnant in the preliminary stage, and have been waiting an average of 829 business days to move forward or be rejected (n=244). Of these cases, the reported maximum is 2,287 business days and the minimum is 134 business days.

If the prosecutor considers there is sufficient evidence related to the occurrence of the abuse, he or she will draft a formal resolution of the indictment including a description of the events, the personal identifying information of the alleged perpetrator and a request for detention measures if applicable (CPP, Art. 302).

Of the cases that achieve a formal indictment in order to move forward in the process, the following descriptive results are presented, for which only 40 case files containing the relevant data were analyzed:

- 57.5% of cases reach a formal indictment in the established timeframe;
- Prosecutors delay an average of 112 business days to issue a formal indictment;
- Although prosecutors delay in issuing this resolution, only 1.6% of case files contain an injunction issued by the pre-trial court;
- Of the injunctions issued, there is an average delay of 126.5 working days, thereby demonstrating that this practice was not effective in enforcing the stipulated deadlines for the prosecutor (n=4).

Key Finding 5: (Bottlenecks) 47% of cases are rejected in the preliminary stage. (n=244)

According to Article 304 of the CPP, the prosecutor may reject the complaint or the police proceedings when they conclude that the abuse did not occur, it was not possible to identify the alleged perpetrator, the investigation does not provide sufficient evidence to proceed, or there exists a legal obstacle for advancing the case.

The study reveals that 47% of cases accumulate in this stage of the process, accounting with a formal rejection from the prosecutor (n=244). In accordance with the case file review, the following results present further details about rejected cases:

Table 9: Motives for Rejection (n=105)

REASON	COUNT	%
Abandonment	65	61.9
Lack of Evidence	30	28.6
Abuse did not occur	5	4.8
Procedural Deadline Expired	3	2.9
Complainant murdered during investigation	1	0.9
Prosecutor reassigned	1	0.9
TOTAL	105	100.0

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

In approximately 62% of rejected cases, the reason for rejection is due to the abandonment of the process by the victim/complainant (n=105). Prosecutors delay an average of 506 business days to reject a case, with a minimum of 50 days and a maximum of 1,530 business days (n=54). Only 4% of the reviewed case files account with a formal rejection within the established period of 68 working days.

External research establishes that a long process where repeated actions are required by the victim is one of the main reasons for which victims abandon the case (Shafran & Bayliff, 2015). Given that these cases remain pending an average time period longer than two years before reaching a resolution, implies that the complainant is awaiting a response from the judicial system. It is not surprising therefore, that a large quantity of complainants abandon the process.

According to CPP Art. 305, parties have the right to be notified of and contest to a case rejection. However, according to the case file review of rejected cases, there was nothing identified in these case files to indicate that the pre-trial judge has received proper documentation from the prosecutor's office to understand if the complainant has been notified and/or subsequent objections. Therefore, it is unclear if these cases have been properly closed or still await notification to the parties.

Direct contact with the judicial system can act as a reminder of the abuse and requires many victims to "re-live the moment", thereby causing emotional damage and potential for re-traumatization. In relation to the drawn-out periods of waiting for a case to move forward, one interviewee explains his perception of the victim's experience:

"The interest diminishes, as well as the support and attention for these victims, and when time passes and arrives to the moment of opening trial, the interest is lost and they [victims] are gone..."

Furthermore, in relation to the prolonging of the criminal process, one interviewee explains:

"You can see how the child or the victim is truly immersed in this wrongful process, and the prolonging of reaching a resolution only generates greater psychological instability and a true re-victimization."

The interviewees express that this is a reality understood and used by the defense who employ tactics to postpone the process in hopes of discouraging the complainant from continuing:

"In one way or another, they [the defense] try to delay the actions, they look for elements and provoke errors."

These views imply a perception that the public justice system is reactive to the impulses of the parties. In this sense, the outcomes of a reactive system have potential to be manipulated by these same

actors. To address this, the authorities interviewed expressed a need for the public justice system to be more proactive and unified at the inter-institutional level:

“Now, when cases don’t move forward or when there are rejections, the child welfare agencies blame the police, the police blame the prosecutor and the prosecutor the judge, but in this way we will never find justice.”

At the national level, Bolivia is among the lowest ranking countries for citizens’ confidence that the judicial system punishes the guilty, according to the World Justice Project (CIUDADANIA, 2014). A key aspect for a functioning judicial system is the public’s confidence in the equity and quality of justice administered by that system (UNODC, 2011). The results presented in this section related to delays in filing the complaints, the stages where many cases are stagnant with no formal response from the system, as well as the high number of cases abandoned by families, all have strong implications related to a low public confidence in the judicial system.

PREPARATORY STAGE

Key Finding 6: (Bottlenecks) 14% of cases reach the preparatory stage of the criminal process via the common procedure. (n=244)

In accordance with Articles 133 and 160 of the CPP, the preparatory stage of the criminal process begins on the date of notification of the indictment to the alleged perpetrator. The preparatory stage should not exceed a maximum period of six months, at which point the prosecutor shall send the conclusive resolution of investigations to the pre-trial court with either a formal charge or case dismissal.

Interviewees expressed a general perception that the majority of cases are stagnant or “asleep” during the preparatory stage. As one authority expressed:

“Judges are not complying with Judicial control...we have had cases in which the indicted have been detained for more than two years.”

A primary theme attributed to inefficiency in this stage and why so few cases arrive to this stage are attributable the “micro-stages” of the criminal process related to notifications as well as the remission and/or return of case files. These micro phases of the process are not all clearly regulated by law.

Of the total case files analyzed, 54 cases account with a formal indictment. The following descriptive results analyze several of these “micro-stages” in more detail during the preparatory stage:

Table 10: Development of Cases in the Preparatory Stage (n=54)

DESCRIPTION	COUNT
Formal Indictment	54
Notification of Indictment	34
Injunction for formal Charge	13
Notification to the Prosecutor	12
Extinguished due to prosecutor's lack of presentation of formal charge	1

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

- Cases with a formal indictment are stagnant prior to beginning the preparatory stage, where the courts delay an average of 27 working days to send notification of the indictment to the alleged perpetrator (maximum = 334 calendar days, minimum= less than one calendar day)
- In 63% of cases with a formal indictment, courts issue the required notification to the alleged perpetrator (n=54);
- Only 56% of cases with a formal indictment and proper notification to the perpetrator move forward to obtain a formal charge (n=34);
- On average, cases delay 13 months to complete the preparatory stage (conclusion of the investigation);
- Only 33% of these cases complete the preparatory stage within 6 months from the date of notification of the indictment to the date of the formal charge or dismissal; and
- Cases delay an average of 501 calendar days between the date of the resolution of the formal charge to the date when a sentencing tribunal issues the order to open trial.

Unfortunately, in the majority of case files reviewed, it was not possible to verify data regarding the micro-stages to elaborate further on the dead times during the preparatory stage. However, with the descriptive data presented above, as well as the small number of cases moving forward, it is very likely that in most cases the notifications are not being carried out properly.

TRIAL STAGE

Key Finding 7: (Bottlenecks) 4% of cases reach trial via the common criminal procedure. (n=244)

According to the CPP Article 343, the order to open trial sent by the judge or court must indicate a start date for trial within 20 to 45 working days following the date of remission of the same order. Although procedural regulations do not establish a fixed term for the trial stage, a total term of no more than three (3) years is defined for the entire procedure. This is further supported under the procedural principles of Article 86 of Law No. 348, where judges, prosecutors, police and other justice operators should be governed under the guarantee of immediacy and continuity in the trial stage.

Only 4% of child sexual violence cases reach this stage through the common criminal process (n=244). All study results presented for this stage of the criminal process are descriptive and represent an analysis of less than 10 cases.

On average, tribunals delay 95 working days from the date of remission of the order to open trial, to the actual trial start date (maximum = 282 calendar days, minimum = 12 calendar days).

Interviewees attributed the delays in this stage to constant variation in the scheduling of hearings as well as their frequent suspension:

"The hearings...should be in continuous days, even allowing for overtime, which is in accordance with our Code, but it is not done, and we are told that in each court, each judge has their different practice, some that postpone, others that want to finish it [hearings] in half an hour, others in a day..."

Table 11: Motives for Suspending (From the Order to Open Trial until Actual Start of Trial) (n=10)

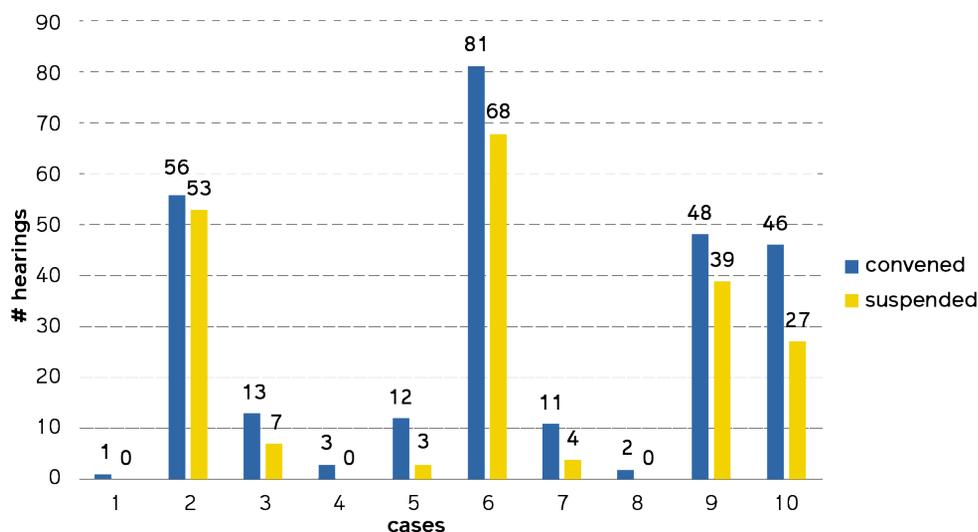
RESPONSIBLE FOR THE SUSPENSION	%
Judge	27.9
Prosecutor	55.7
Victim/Complainant/DNA	57.4
Accused	14.8
Defense Lawyer	11.5
No record	6.6
Other	3.3

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

According to the available information in the case file review, the average duration of hearings cannot be determined, but in accordance with the suspension records, the reasons for suspending hearings can be verified.

A suspension may be attributed to the absence of multiple parties and/or authorities. Therefore, the sum of percentages in the table above is greater than 100%. Of the case files reviewed, there are an average of 6 suspensions from the opening order until the actual start of trial (the date of the first hearing). Most instances of suspension are attributed to the absence of the prosecutor (55.7%) and/or the victim, the complainant or the DNA²⁶ (57.4%).

Graph 12: Hearings Convened for Continuation of Trial versus Hearings Suspended (n=10)



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

In cases of child sexual violence, there are an average of 20 suspensions in the continuation of trial, which on average represent 74% of the hearings convened in this stage of the criminal-process.

²⁶ Acronym for Bolivian Child Welfare Agency

Table 12: Motives for Suspending (Continuation of Trial) (n=8)

RESPONSIBLE FOR THE SUSPENSION	%
Judge	6.7
Prosecutor	45.2
Victim/Complainant/DNA	38.0
Accused	9.1
Defense Lawyer	13.5
No Record	3.4
Other	9.6

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

The highest percentage suspension instances in this stage are attributed to the absence of the prosecutor (45.2%) followed by the victim, complainant or DNA (38.0%).

In Article 338 of the CPP, “the judge or president of the tribunal directs the hearing and shall order all necessary actions for the development of the trial, guaranteeing the execution of the accusation and defense.” This role of the judge during hearings is further emphasized in Article 339 of the CPP where the judge is authorized to exercise a disciplinary role, “imposing disciplinary actions on the parties, including lawyers, authorities, and witnesses.” In this sense, a judge should be empowered to take a more proactive role in reducing the prevalence of so many suspended hearings.

Interviewees primarily attributed the delay in the trial stage due to the participation of the prosecutor (or lack thereof). The perceptions of authorities interviewed present a negative attitude toward the structure within the Public Ministry. Interviewees expressed that the new structure leaves prosecutors “lost” in the criminal process with a “humanly impossible” workload:

“The compliance of prosecutors greatly depends on the Public Ministry... I see that in some cases prosecutors do not even know where they are, and are struggling, not knowing if they have hearings or for whom.”

Similarly, another authority explains:

“The famous corporate structure in the Prosecutor’s Office, which recently was displayed as an achievement, in quality offers nothing...the victim is re-victimized by having a prosecutor who is completely unfamiliar with the case, grabs the case file, and once again starts from scratch...”

Key Finding 8: (Access to Justice) 2.5% of cases reach a verdict via the common criminal procedure. (n=244)

There are only six cases included in the case file review that have completed the trial stage and reached a verdict via the common criminal procedure. Due to the very few cases observed in this stage of the criminal process, the authors of this study can only discuss descriptive findings in this section. Nevertheless, these findings can be useful to consider common elements that characterize the cases that are successful in reaching the final stages of the criminal process. For these cases, the following descriptive characteristics are presented about the cases:

- The victims are female in 100% of cases with an average of 12 years of age (maximum age = 16 years old, minimum age = 3 years old);
- Victims participate in an average of 4 direct interventions with the public justice system;
- In 100% of cases, victims participate in a psychological evaluation and 29% of cases utilize the Gesell Chamber to take the victim's statement;
- 100% offenders are male and have an average of 35 years of age (maximum age = 56 years old, minimum age = 20 years old);
- In 85% of the cases, the aggressor is someone known by the victim;
- 100% of the cases include multiple complainants; the Public Ministry, the DNA and the family; 57% of cases include all three as complainants²⁷;
- 28.5% of cases were appealed at least once;
- The average time to reach a verdict in these cases was 3.3 years (minimum=1.9 years, maximum=5.1 years); and
- 71% of the cases with a verdict also account with the final mandate for the verdict.

It is alarming that less than 3% of all cases of child sexual violence reach a final resolution. To reiterate from the previous section, a judicial system where citizens do not see a high potential for alleged perpetrators to be found guilty can have strong implications for public confidence in the system.

PLEA BARGAINS

Key Finding 9: (Alternative Resolutions) In 4.5% of cases, the prosecution presents a plea bargain as an alternative resolution.

The accused or the prosecutor may submit an abbreviated procedure (plea bargain) as an alternative resolution for the case. This requires agreement from the defendant and defense lawyer. The defendant voluntarily renounces their right to an ordinary oral trial, freely presenting the recognition of guilt (CPP, Art. 373 & 374). This request may be made to the pre-trial or tribunal judge.

Since cases with plea bargains follow a shorter procedural route, the study presents these results separately from the general results. This section is considered a descriptive analysis of the 11 cases that account with a plea bargain.

Table 13: Stage of the Criminal Process When the Plea Bargain is Requested (n=11)

STAGE	COUNT	%
Before the formal charge	6	54.5
At the start of trial	4	36.4
Before dictating the verdict	1	9.1
TOTAL	11	100.0

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

²⁷ According to Bolivian criminal procedure code, the prosecutor's office, the child welfare office and/or the victim or family can file as formal complainants. With the six cases that have reached a sentence, the majority shows a minimum of 2 or all 3 registering as complainants. This varies from the majority of open cases (that have not reached a verdict) where there is only one registered complainant

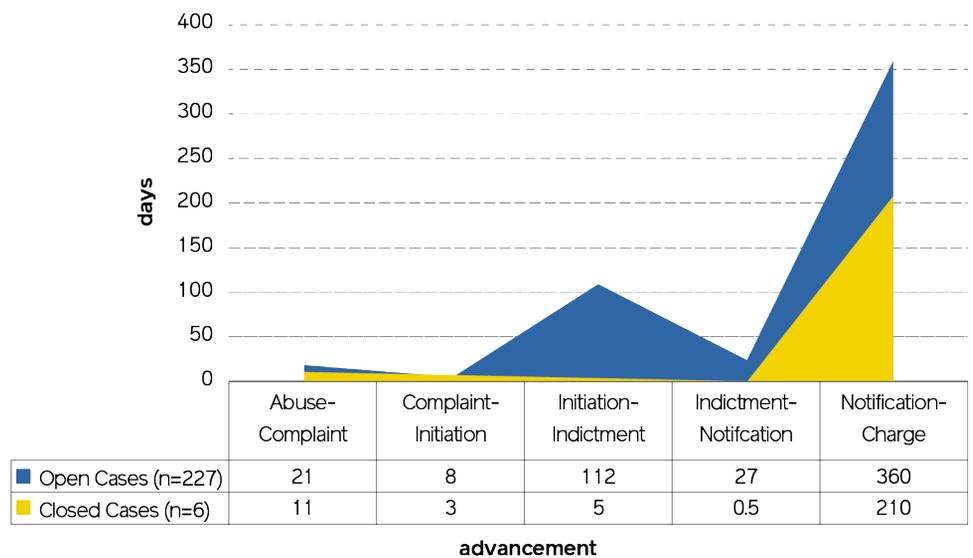
In 54.5% of the cases that account with an abbreviated procedure, the prosecutor submits the plea bargain before reaching a formal charge. The average time between the start of investigations and the presentation of the plea bargain is 26.5 months (minimum = 6.5 months, maximum 56.4 months).

36.4% of the cases with a plea bargain also account with the final mandate for the verdict. It was not possible to determine the average time between the presentations of the plea bargain until reaching a verdict due to the limited information found in these case files.

Alternative resolutions are important to consider, particularly in cases of child sexual violence. Abbreviated procedures imply reduced participation from the victim in the process, and they can therefore seek restoration sooner. The low number of cases accounting with a plea bargain in this study indicates that cases are not being properly evaluated for this alternative measure by prosecutors and defense lawyers.

PERFORMANCE COMPARISONS OF CASES IN THE CRIMINAL PROCESS

Graph 13: Average Performance of Open Cases vs. Closed Cases in the Preliminary and Preparatory Stages



Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

After analyzing the characteristics of cases that have reached a verdict, there are significant differences in how these cases move forward in both the preliminary stage (95% faster) and preparatory (53% faster) in relation to the cases that are still open (have not yet reached a verdict). Given that the trends for closed cases only represent 4% of the total cases observed, it can be concluded that these cases are the exception, not the norm, for procedural performance in the public justice system. The graph above shows that by analyzing all cases from the time of filing the complaint and initiating the judicial process, the general bottlenecks in the early stages of the criminal process can be more clearly identified.

Table 14: Comparison of the Average Time in Procedural Deadlines between Open Cases, Closed Cases and Cases Processed by a Specialized Court

ADVANCES IN THE CRIMINAL PROCESS	DEADLINES ACCORDING TO CPP	OPEN CASES (have not yet reached a verdict)	CLOSED CASES (6 cases that have reached a verdict)	CASES IN SPECIALIZED COURTS
Abuse- Complaint Filed	Not specified	21 calendar days	11 calendar days	11 calendar days
Complaint Filed-Initiation of Criminal Process	24-48 hours	8 calendar day	3 calendar days	2 calendar days
Initiation- Indictment	8-68 working days	112 working days	5 working days	113 working days
Indictment-Notification	"the following day"	27 calendar days	0.5 calendar days	29 calendar days
Notification- Charge	6 months	12 months	7 months	-----
Charge-Order to Open Trial	30 calendar days	501 calendar days	633 calendar days	-----
Order to Open Trial- Trial Start	20-45 working days	123 calendar days	86 calendar days	-----
Trial Start- Verdict	Not specified	-----	205 calendar days	-----
Verdict- Final Mandate	Not specified	-----	466 calendar days	-----
TOTAL TIME	3 YEARS	~ 5 YEARS	~ 3.3 YEARS	-----

Source: Judicial Control Case Files for Child Sexual Violence Cases, 2007-2016. Department of La Paz

^aThis period is counted according to the sub-terms defined in the CPP: Once the accusation has been filed, there are 24 hours to issue the referral, the court then has 24 hours to send a response and then 24 hours to accept the case; within 24 hours of acceptance the prosecutor is notified, he/she then has 24 hours to present evidence, within 24 hours the court must issue a decree accepting the evidence and then notifying the victim within 24 hours; afterwards the victim has 10 calendar days to present a private accusation or evidence and the court must issue a decree of acceptance within 24 hours and then notify the accused within 24 hours; the accused then has 10 calendar days to present evidence, after which the court must issue within 24 hours the order to open trial.

CONCLUSIONS

- In general, the study concludes that the prosecution of child sexual violence cases in La Paz does not comply with any of the established deadlines specified in the CPP. There are examples of success with the seven cases identified that did reach a final verdict and moved forward more quickly in the preliminary and preparatory stages. Nevertheless, for the majority, there exist alarming delays in the early stages of the penal process that contribute to so few cases moving forward to trial or reaching a final resolution.
- Child sexual violence cases are not receiving specialized attention as the norm stipulates, given that specialized courts handle only 21% of cases over the last 10 years. During interviews, authorities report limited training on the treatment of victims of sexual violence as well as their own general discomfort during direct interactions with victims. Furthermore the use of the Gesell Chamber was only observed in 24% of cases for taking the victim's testimony.
- Although further investigation would be required, this study reveals a variety of implications for low public confidence in the judicial system. The study reveals a delay in the victim reporting the crime (delaying an average of 21 calendar days) and the abandonment of the process by the victim or the victim's family in 62% of rejected cases. At the national level, Bolivia is among the lowest ranking countries for citizens' confidence that the judicial system punishes the guilty, according to the World Justice Project (CIUDADANIA, 2014). This study gives further support to these findings, given only 2.5% of cases of child sexual violence in the last 10 years have reached a verdict.
- There is a lack of adequate case management and administration in courtrooms which is contributing to a high risk for impunity in the Bolivian public justice system as demonstrated by the finding that 48% of case files are lost in their respective courts or tribunals.
- The proportion of child sexual violence cases entering the system each year compared to the amount reaching a resolution (verdict) is minimal as shown by the finding that only 4% of cases even reach the trial stage. The study reveals the main bottlenecks in the preliminary stages; 47% of initiated processes are rejected and 29% have only initiated investigations. Among the 22% of cases that do move forward in this stage, the case delays an average of 112 working days to reach a formal indictment.
- Workload was the primary obstacle for efficient administration of justice and compliance with the established procedural deadlines. However, among authorities interviewed, there is not an exact understanding for the number of cases entering and leaving their offices annually. This qualitative finding demonstrates a lack of adequate monitoring and evaluation for needs assessment purposes in the sense of structural and human resources.
- Lack of coordination between the TDJ and the Public Ministry delays justice in all stages of the criminal procedure, as demonstrated by the results of the study. Coordination is described throughout the study as the key points in the criminal process where both the court and the prosecutor have shared responsibilities to ensure the case is moving forward. In the preliminary stage, prosecutors take an average of 112 business days to submit a formal indictment. Given this delay, the corresponding role of the courts is to issue injunctions. Nevertheless, pre-trial courts only order injunctions in 4% of the cases. For cases that achieve a formal indictment, the courts take an average of 27 calendar days to notify the alleged perpetrator. Of the cases that enter the trial stage, delays are observed due to lack of adequate coordination as it related to programming and carrying out hearings. Before starting trial, cases experience an average of six suspensions, primarily due to the absence of the prosecutor



Recommendations

RECOMMENDATIONS

The results presented in this study demonstrate a need for the judicial outcomes to improve in cases of child sexual violence. The main findings of the study are directly linked to administrative factors that contribute to the delay of justice. Therefore, it is important that the Magistrates Council take and analyze the results presented in this study and look for the additional information that is required to understand and take action at the national level. With the arrival of the new 2018 administration, it is an opportune time to begin closing the gap in certain areas of public justice system performance. In this spirit, the Team has developed the forthcoming recommendations as a contribution to the work of authorities in this period of transition and for future authorities.

The following recommendations were formed in consideration of the baseline study data (review of judicial control case files) and interviews with authorities of the public justice system. In this first version of the publication, the Team directs all recommendations to the new 2018 administration of the Magistrates Council, as the national leader for the general administrative direction of the Bolivian judicial system. After their review and validation of key findings, it will be necessary to look for channels to broaden the dialogue at an inter-institutional level, incorporating the Public Ministry and the Supreme Court.

The Team considers that the following recommendations are feasible activities for implementation at a broader level in Bolivia. Each recommendation in this section is complemented by examples or "case studies" based on actual activities that have been implemented within the judicial offices of the pilot project in 2017²⁹.

The following recommendations are considered interconnected, rather than separate categories, with each one directly impacting the other. As demonstrated in the results of the study, the challenges of the judicial system are interrelated. In the same way, the Team recognizes the need to strengthen the system with a similar interrelated and systematic approach. In order to comply with the existing normative framework, there is a need to form a more collaborative environment in order to provide a holistic response in the administration of justice. This coordination requires the investment of material resources, investment in the training of public servants, and new established operational norms that create more consistent interaction between institutions.

PROFESSIONAL DEVELOPMENT OF PUBLIC JUSTICE SYSTEM AUTHORITIES

ADOPT REGULAR AND ONGOING TRAINING PRACTICES FOR ALL PUBLIC OFFICIALS INVOLVED IN THE ADMINISTRATION OF CHILD SEXUAL VIOLENCE CASES. Staff create the perception for the public of the integrity and transparency of the operations of the courts (UNODC, 2011). Therefore, professional development should be considered perhaps one of the most important investments of the public justice system. Training should be made available at regular intervals throughout the career of a public official; including their onboarding and/or orientation, in anticipation of new legislation and its subsequent enactment, and to provide constant follow-up to ensure the implementation of best practices.

According to a report written by the United Nations Office on Drugs and Crime, the majority of officials in the judicial system are non-judicial personnel (UNODC, 2011). Professional development activities should therefore be expanded to consider not only judges, but also non-judicial personnel including secretaries, assistants, prosecutors, lawyers, police, social workers, psychologists and physicians.

²⁹ These case studies do not represent all of the activities of the pilot project, rather, they are the most salient results which offer evidence that recommended activities are possible within the Bolivian context.

Training for officials should serve two purposes; (1) to train in their roles and job profiles; and (2) to specialize and develop national standards for proper treatment and attention to child victims of sexual violence.

Training activities related to professional roles and job profiles should provide new staff entering the system with the proper guidance and orientation in order to contribute and serve most effectively. These activities generate confidence, stability and security among the team and therefore a better overall performance in the office. This information should also be communicated at the inter-institutional level to educate about roles and work profiles across entities in order to understand how roles crossover and complement each other.

CASE STUDY #1: INTRODUCING PROFESSIONAL PERFORMANCE REVIEW PRACTICES IN THE PILOT COURTS

According to a survey conducted in a workshop in April 2017 with judges, secretaries, clerks and other support staff of the seven pilot offices in the La Paz TDJ, 84% of respondents reported that they did not receive an orientation when they started in their current role. In addition, 75% of respondents reported that they did not receive a review of their professional performance within the past 12 months. Therefore, the pilot project placed emphasis on empowering staff in each office with resources and best practices in this area. The offices received tools to perform professional performance reviews between supervisors and support staff. The tools placed emphasis on the evaluation of efficiency, consistency and ethics. After 6 months of implementation of activities, 4 of the 7 pilot offices completed at least one round of professional reviews among the members of their offices. In addition to this practice of individual reviews, each pilot office was introduced to the SMART goal concept (Martinez Bernabeau, 2015). With this concept, the offices worked as teams to identify and meet specific, measurable, achievable, realistic goals and timely goals during the implementation of project activities during May to November 2017. These activities served to understand better how to collaborate as a team within their judicial office.

In order to develop more specialized attention for victims of child sexual violence, all professionals who interact with the procedural chain from the preliminary stage until the final mandate should have access to ongoing training and resources.

CASE STUDY #2: WORKSHOP SERIES “UNDERSTANDING TRAUMA, FOR ACTORS IN THE JUDICIAL PROCESS”

During September to November 2017, staff from the seven pilot offices attended a workshop series focused on “Understanding Trauma, for Actors in the Judicial Process.” The series consisted of three modules which were held over the course of three months. The speakers included three international professionals and one national professional:

- A social worker specializing in neurobiology,
- A prosecutor and a federal judge specializing in testimonial aids for minor victims, and
- A social worker specializing in inter-institutional coordination for the proper treatment of victims of sexual violence.
- This activity provided authorities of pilot offices the opportunity to gain more specialized training in trauma as it relates to the effective administration of cases of child sexual violence.

An important aspect of the workshop series was its interactive design, incorporating ongoing feedback from the participants. Each module was structured to allow time for dialogue, questions and individual follow-up with the speakers. In addition, the design of the content was directed by the participants themselves. As a follow-up to the first module, officials participated in round table discussions to elaborate additional areas of thematic interest. The second and third modules were structured according to the themes that emerged from this participatory session.

Those who completed all three modules received a certificate of 8 curricular hours. There was an average of 19% increase between the pre/posttests scores with an average score on the final exam of 80%.

The workshop series was originally designed to be inter-institutional. In addition to the seven pilot offices, members of the community and prosecutors of FEVAP (La Paz) were invited. Each module included the participation of 5-15 members of the community. However, due to a high workload, prosecutors did not participate.

The workshops were videotaped and will be presented to the Public Ministry and the Magistrates Council for continued and ongoing use in the future.

Judicial authorities should inform the training content in order to increase probability for effective future application of new information. Authorities within the Bolivian public justice system should not be viewed as passive beneficiaries, rather the experts of their own context and specific needs. Therefore, trainings should not be imposed nor solely designed by external actors. For future trainings, alternative approaches should be considered that facilitate a learning environment where trainers also participate in the learning process and participants are encouraged to define their own problems and explore their own solutions as a group (Leroux-Martin, & O’Connor, 2017).

It is also important to consider the community (victims and their families) as necessary actors involved in the design of future trainings. These are necessary perspectives to be incorporated when dealing with topics related to the protection of the dignity of the victim.

The public justice system should increase accessibility and centralize training outlets. This should include an expanded campaign to raise awareness about existing trainings as well as the creation of new opportunities. “Information provides the seeds of innovation and transformation of systems” (Leroux-Martin, & O’Connor, 2017). The public justice system is entering a period where they will be introducing a multitude of new policies and legislation. Therefore, training should be considered as an important precursor of change management. The creation of centralized learning systems is paramount for both individual operators within the system as well as relationships between members and departments, more so in a transition period.

CASE MANAGEMENT AND ADMINISTRATION

STANDARDIZE THE MANAGEMENT AND ADMINISTRATION PROCEDURES WITHIN JUDICIAL OFFICES. Research shows that the standardization of management and administration processes can help in creating more capable employees and guarantee more consistency in the administration of justice (UNODC, 2011). New administrative processes should specify standardized rules for the registration of incoming cases and their subsequent movement through the public justice system. There should also be a single procedure for archiving old cases that is implemented in all offices at the departmental and national level.

Implement a broader use of technology to facilitate new administrative processes. Officials should be provided operational mechanisms to begin a transition from paper-based offices to digital systems. With digital systems where updated data is recorded and maintained, a variety of technological tools could be introduced to increase efficiency and reduce the likelihood of error or oversight with pending or archived cases in judicial offices.

A series of standardized checkpoints could ensure the efficient movement of case files between offices and provide the necessary requirements for their reception in a new office according to the stage of the criminal process. This practice could reduce the number of cases returned or observed. These checks could be something as simple as check list, which is linked to the case file in the IANUS/SIREJ system.

Automated alarms could also give notification for cases reaching a deadline, thus guiding how to prioritize workload. For example, the judge's role in judicial control could be strengthened if the current computer system (SIREJ) could give early warnings regarding the completion of certain procedural terms. In this sense, the judge would not be required to lose valuable time with the ongoing review of the physical case files for relevant information.

Formalize implementation of new administrative processes via a protocol that is ratified at the national level. As mentioned in Case Study #3 above, a protocol was developed in 2017 with the intent of improving administrative practices. In order for this protocol to remain relevant, it will be important that this document maintains constant feedback from the level of system operators. In addition, this document must be flexible to evolve with the transition with efforts to design the new procedural code. The protocol would not be considered legislative, rather a logistical tool in which officials have a shared platform to define the application of the norm and to effectively coordinate between institutions.

CASE STUDY #3: ELABORATION OF A PROTOCOL ON BEST PRACTICES FOR THE MANAGEMENT OF JUDICIAL OFFICES IN CRIMINAL PROCEEDINGS

In June 2017, the pilot offices approved the "Protocol on Best Practices for the Management of Judicial Offices in Criminal Proceedings". The content for this document was elaborated by the judges, secretaries, clerks and interns of the pilot offices during a series of workshops and meetings during February to May 2017.

The content of the protocol includes the following key elements:

- Professional profiles of public officials (judges, secretaries, clerks, and interns) with a focus on the administrative role for each member;
- Administrative guidance for effective case management including a new process of registering active cases in an Excel document with automatic alarms for the relevant deadlines of the criminal procedure;
- Standardized templates to generate the necessary memorandums, orders and resolutions more efficiently; and
- A guide to facilitate professional performance reviews with office staff and the creation of SMART goals as an office.

To date, pilot offices have varied in their level of implementation of the protocol, as the document awaits final approval at the national level. This protocol is not considered a "magic formula" to achieve system transformation. However, all members of the pilot project recognize that the development and implementation of this protocol is an important beginning for greater coordination and reorganization within their offices³⁰.

The implementation of new processes should be focused on supporting judicial authorities, not adding to their workload. In order to accomplish this, it will be necessary to introduce change alongside adequate training, as previously mentioned. The potential success for change in the public justice system will be largely influenced by the effective and ongoing professional development of its officials in their roles and responsibilities.

CONSISTENT INTER-INSTITUTIONAL COORDINATION

ESTABLISH REGULAR INTER-INSTITUTIONAL MEETINGS TO DETECT FAILURES IN COORDINATION AND TO INFORM CRITERIA FOR IMPROVED COORDINATION. "Relationships are both the basis of conflict and its long-term solution" (Loode, 2011). The Bolivian public justice system is composed of inter-institutional relationships and the effective administration of justice depends on good coordination among its members.

Investing in group processes allows a more comprehensive understanding of the reality of the system. In terms of establishing more regular inter-institutional meeting practices, activities could be structured as focus groups (formal or informal), committees and/or coalitions. There is not one perfect method for bringing groups together; however, with increased direct interaction, there is greater probability for reduced prejudices and stereotypes between entities. In addition, this level of interaction can create an increased sense of shared responsibility where officials hold each other accountable to their individual roles and the overall objectives of the system (Loode, 2011).

Elaborate critical routes or mapping of the administrative tasks related to key stages of criminal procedure and the various entities involved. The creation of additional inter-institutional protocols that map necessary routes of coordination between the Police, the Prosecutor's Office, child welfare and the penitentiary system, would also serve to eliminate obstacles for delayed justice in child sexual violence cases. Specifically, as these relate to the programming of trial or when the case merits an abbreviated procedural route via plea bargaining A clearly mapped

³⁰ A copy of the protocol can be requested by contacting IJM. This document has been presented to the Magistrates Council and is pending final approval at the national level.

route for communication and notification of relevant information to the DNAs, prosecutor's office and penitentiary system would provide proactive measures to ensure participation from the different actors and reduce the prevalence of suspended hearings as well as unnecessary prolongation of trial when an alternative resolution is merited.

CASE STUDY # 4: DEVELOP SHARED UNDERSTANDING AMONG JUDICIAL AUTHORITIES

In the course of the pilot project, regular meetings were convened in various formats, including workshops, lectures, training sessions and work groups. More than 75 hours of meetings between the pilot offices took place between April to November 2017. These activities provided opportunities for constant interaction between judges, secretaries, clerks and interns of the seven pilot offices. In addition, these group activities incorporated the participation of representatives of the Magistrates Council, members of the community, and international experts.

The meetings developed new competences and a joint momentum for authorities to review their current practices and implement new ones. A constant scheduling of activities and training, created space for authorities to repeatedly review changes and their anticipated benefits. Additionally, this shared space served to provide solutions to simple problems that were encountered along the way and generate increased dialogue between different areas of the judiciary.

As a result of this group process, the pilot offices identified the need to replicate similar activities in conjunction with the Public Ministry. The pilot offices specifically expressed the desire to create connections for greater coordination with the new corporate structure.

Consider incorporating an external neutral party to operate as convener and facilitator at inter-institutional meetings. When new inter-institutional activities are starting, participation can be difficult to ensure due to distrust and perhaps fear among authorities (Looode, 2011). A neutral convener can help reduce tension and guide more honest dialogue. In addition, a facilitator can support the process of forming new collective perceptions, by allowing different ideas of actors to crossover in a shared and safe environment (Leroux-Martin & O'Connor, 2017).

The Bolivian judicial system will be proposing a new procedure code. In order to have professionals who are prepared to operate within a new system, all trainings and practices must be established that consider effective interinstitutional coordination. During the preparatory stages leading up to future implementation of a new code, inter-institutional meetings will be necessary. The advantages of incorporating an external party should be considered to support and facilitate activities and also to draw collective perceptions and feedback from multiple entities.

The administrative protocol that was developed during the pilot project is also an important step for the new structure. This product should also be considered and put into active practice during the transition period.

MONITORING AND EVALUATION OF PUBLIC JUSTICE SYSTEM PERFORMANCE

CREATE CENTRALIZED, VISIBLE AND MEASURABLE INFORMATION ABOUT THE WORKLOAD AND PERFORMANCE OF THE PUBLIC JUSTICE SYSTEM. "Justice must not merely be done, it must also be seen to be done" (UNODC, 2011). The process of monitoring and evaluating workload and performance data is a prime indicator for the efficiency and transparency of the criminal process. The current reality of the system must be understood in order to measure impact of new processes, resources and professional development. If information is more accessible, it will be easier for the operators of the system to identify challenges and capitalize on strengths.

Expand the functionality of the SIREJ system to give judicial offices the capacity to generate more detailed reports. There should be standardized mechanisms for the creation of reports related to judicial office performance. These mechanisms should be designed in an accessible manner for use by judicial authorities, not just by system engineers. Standardized reporting procedures for data that is maintained within a single system, would significantly reduce administrative time that is required to track this data manually. It would also eliminate the risk for loss of information with staff turnover.

A more advanced reporting functionality in SIREJ would also serve the Magistrates Council in understanding the reality of the system as a whole with real-time statistical data and increase capabilities for making informed administrative policy decisions. Furthermore, reporting functions would equip the Magistrate's Council with greater capacities to monitor consistency within judicial offices for updating data and maintain accurate registries.

In the future, authorities should consider an integrated database for the TDJ, Public Ministry, Child Welfare Agencies and Police, where a more coordinated tracking of cases and their movement across entities could be facilitated. In all aspects of future database functionality, the system should include special mechanisms to alert authorities for cases of child sexual violence and the prioritization that these cases require.

CASE STUDY # 5: DEVELOP INTERMEDIARY MONITORING AND EVALUATION METHODS WITH EXCEL

At the beginning of the pilot project, no office was able quantify with specific numbers their workload or compliance with deadlines stipulated in the CPP. Therefore, each office collaborated with staff from IJM to create a specialized spreadsheet in Excel to register active cases in digital format.

The following pilot offices developed and implemented this new tool in 2017:

- Second Court of Instruction ACV;
- First Court of Judgment ACV;
- First Court of Judgment ACV;
- First Criminal Chamber; Y
- Fourth Final Mandate Court.

Over the course of six months, these offices registered more than 3000 cases, incorporating data for the advances of active cases from 2016 and 2017 in their respective offices. The Excel forms are equipped with alarms relevant to each stage of the criminal process. The registered dates for a case will automatically highlight in different colors according to approaching procedural deadlines.

During a workshop in November 2017, these pilot offices were able to report exact numbers for their 2017 workload as well as compliance with stipulated deadlines due to the information tracked in Excel.

The process of recording data in Excel, is considered as an "intermediary" between old manual processes of recording case data in written ledgers and more automatic processes in the future. A significant limitation to consider is that the Excel spreadsheet requires constant monitoring, and authorities in each office must therefore commit to reviewing and updating these sheets daily. Furthermore, this process creates extra work in terms of having to register data in both the Excel spreadsheet and the SIREJ computer system. However, the offices who have tested these tools during the pilot project demonstrate the commitment to continue utilizing this process, expressing that it is currently more reliable than SIREJ, which is often offline or slow in uploading new data.

In 2018, the Team intends to review the content and format of the Excel spreadsheets with SIREJ system engineers. While SIREJ is relatively new and under development, the Excel templates may serve as a preliminary structure in order incorporate similar and more automated mechanisms within the SIREJ system. In the long term, this would eliminate the existence of the multitude of individual systems within judicial offices, and would create more centralized monitoring and evaluation practices.

The Bolivian public justice system is not far off from the adaptation of technology on a wider scale and the disposal of the paper-based registry system. However, these recommendations related to an expansion of digitized case management also imply structural modifications. These changes would require the implementation of new policies and professional development as well as operational mechanisms (protocols or critical routes) in order to achieve effective implementation.

RESOURCES

Re-organize the distribution of existing human resources for the administration of justice. The public justice system is limited in its capacity to prioritize child sexual violence cases. This is due to the lack of resources within the judicial offices and the Public Ministry. However, investing in this area does not necessarily imply the need to look for new resources, rather

identify ways to re-organize existing resources and seek to increase collaboration and acquiring of external resources.

Create formal agreements with universities and incorporate student interns to support administrative tasks within judicial offices. In accordance with these agreements, university courses could be created so that students interested in public service could choose an academic track to complete prerequisites for an internship. Upon receiving the necessary training in the academic environment, the student could apply through a centralized system at the university to begin an internship in the courts or prosecutor's office. Although this type of collaboration does exist, it currently depends on the initiative of each individual judicial office. A more formalized and centralized structure would provide a constant source of high-quality interns, who are already trained to enter and support the offices.

Furthermore, interns would not have to be recruited only from law programs. Students from the social sciences could be trained to support interaction and attention to the public. Systems engineering students could be trained to support monitoring and evaluation processes and the expansion of technology in the courts. This process could also be considered as an investment in the training and preparation of future human resources for the public justice system. It is evident that for the optimum functionality of the public justice system, the collaboration from more than just judicial authorities is needed; on the contrary, for the system to operate, professionals from a variety of areas are needed, thereby justifying the presence of students from the social sciences and engineering, among others.

Create formal agreements with nongovernmental organizations (NGOs) to form a victims' advocates program to support families in the criminal process. The abandonment of processes by the family is a loss of resources of the public justice system. In other words, filing a complaint and initiating the judicial process implies the use of human and material resources of the public justice system. When the case is abandoned, this investment of resources is lost, and worse, without any type of resolution for justice.

The public justice system should consider collaborating with NGOs to create a systemic victim advocacy program. Systemic victim advocacy refers to the use of trained advocates who are outside the public justice system, but who are trained in the criminal process to support victims and their families. This could be a future strategy to improve the general response and results related to the participation of victims in the criminal process. NGOs, under formal agreements, could recruit, train and mobilize community members as specialists who would provide support to victims and their families. These specialists could conduct follow up on cases, facilitate notifications to the families and accompany victims to the relevant hearings.

There is a necessary balance required of the interests of the victim with the objectives of the judicial system and public safety. A community advocates program would provide relief to an overloaded system, particularly the child welfare agencies, incorporating specialists whose primary focus is the safety and well-being of the victim. Although a program of this nature could not address 100% of the workload, authorities could prioritize services for highest-need cases. One expert describes the process of systemic advocacy as "holding the victim's hand while they walk through hell" (Koss, 2006). Research shows that a reliable adult is one of the most powerful factors for the victim's recovery (Youngclarke, Ramos, & Granger-Merkle, 2004). In this sense, the incorporation of advocates to support victims also has the potential to reduce situations of recidivism (re-victimization of the same victim and/or family members) and thereby also reduce the future use of other public justice system resources.

Transition to more proactive practices for the distribution of material resources. Under the same logic of monitoring and evaluation for court performance, there should also be processes to monitor and evaluate the use of material resources within each judicial office. An analysis of average annual consumption would allow for anticipatory rather than reactionary mechanisms for the delivery of materials. For example, with toner for printing, offices are currently required

to request refill cartridges when they run out. In this sense, it creates a reactive situation to the need. If the offices had a projection of the amount of toner they use in relation to workload (as well as clear reporting mechanisms for reporting workload), officials of the Directorate of Administration and Finance (DAF) who are responsible for the distribution of materials, could coordinate regular deliveries according to the projected use in each office. This would reduce the time spent waiting for replacement materials to arrive and ensure that DAF is projecting the adequate materials to be made available for judicial operations.

Implement new technological tools to support administrative work within the public justice system. Differentiating from the other recommendations within this section, this recommendation would imply an additional budgetary cost. However, these costs are minimal in relation to the long-term benefits.

Two technological tools have been identified, which could streamline the organization and administration of cases; (1) radio frequency identification (RFID) systems; and (2) video recording equipment.

With high workloads and large quantities of case files, RFID technology would save valuable time for judicial authorities. It is a simple and proven technology that has had success in a variety of settings for case file management including governmental agencies at the departmental and national level (Bachelder, 2007).

The following description of RFID technology has been informed by a technical report published by Motorola, a primary RFID vendor (Motorola, 2012):

Case files are marked with a sticker which includes an RFID with a unique identification number. RFID scanners are installed in strategic locations within the offices to track each movement of the case file and update a computer system accordingly. Officials can consult the system from anywhere there is an installed application, in order to view the current location of the file. Also, there are hand-held scanners, which give audio and visual alerts when moving closer to a case file. With these scanners, staff can accurately locate case files and perform inventories.

This technology also tracks the dates of delivery or return of files between offices and the current official who responsible for the file. Effective tracking of this information would assist in monitoring compliance with deadlines and improve workflow among the multiple entities that handle the file.

Furthermore, RFID technology increases the security of judicial offices in terms of the entry and exit of confidential documents. Alarms can be activated to sound when a file leaves the office without completing the proper check-out procedure. Alerts can also be sent to other offices, to notify that a case file has been sent and awaits confirmation for reception.

The installation of video recording equipment in courts and tribunals would also serve as a solution to decongest the backlog of cases in the judicial system. Video-recorded hearings reduce the time required for secretaries in transcribing hours of trial time and provide immediate access and transparency to the content of the hearing.

Although these installations require more significant investment, it would be one that is fully justified taking into account reduced costs for personnel and reduced material resources. Installation could be gradual and incorporate external resources and donations.

CASE STUDY # 6: INSTALLATION OF VIDEO RECORDING EQUIPMENT IN THE PILOT OFFICES

During the pilot project, video recording equipment was installed in the seven pilot offices. The equipment installed included the following elements:

- 3 microphones (GM 115 Classic Gooseneck);
- 3 microphone stands (GMB 35);
- 1 Berhinger Table;
- 1 Camera (Dome Model 1HD);
- 1 digital video recorder;
- 1 hard drive for the recorder;
- 1 passive balun for camera;
- 1 electrical supply;
- 80 audio cables;
- 20 network cables; and
- 1 desktop computer.

The company Autored was hired to conduct the installations. Each installation cost 21,612.84 bolivianos (including equipment plus labor) for a total of 151,290.62 bolivianos for the seven pilot offices. The cost was covered by a donation obtained by International Justice Mission (main project member).

Installations were completed in the first week of August 2017. The secretaries of each office received a technical training provided by Autored. After four months of implementation there were more than 120 trial hours recorded between the pilot offices who had begun implementing video-recordings in their hearings.

In a focus group with pilot offices discussing the impact of the installations of video recording equipment, a secretary of the appeals court estimated that half of her work-week (20 hours) is spent transcribing hearings. She estimated that for one hour of trial time it takes an hour and forty-five minutes to transcribe it.

Therefore, it could be estimated that more than 200 work hours (equivalent to more than 25 working days) were saved, since the implementation of video-recording equipment in these courts.



Lessons Learned

LESSONS LEARNED

CHALLENGES IN COLLECTING DATA

QUANTITATIVE DATA

In relation to challenges for gathering quantitative data via the case file review, obstacles arose in the access to information and collaboration from several judicial offices.

At the start of the case file review, the La Paz TDJ initiated a full migration of data from the former IANUS system to the current SIREJ system. This migration took place over several days, and despite assistance from system engineers, it caused considerable delays in terms of scheduled advancements for this phase of the study. For some cases, it was impossible to locate the case file in the SIREJ system while it was under migration due to the limited and/or incomplete information available. This obstacle was overcome after the system completed its full migration.

Once the necessary data were available to locate the case files, a second obstacle arose with the limited collaboration of the staff from several judicial offices. Despite the official authorizations of the Magistrates Council and the President of the La Paz TDJ that provided clear instructions for collaboration from judicial personnel, several offices provided minimal support to the study.

Many of the case files selected for the study sample were inactive and/or archived cases. However, upon entering the courts, investigators observed that most offices did not have an updated archive registry nor a reliable way to easily locate these case files. Most personnel disengaged from searching for case files that entered the office prior to their time and did not take responsibility for previous administrative practices in the office. Therefore, the consultants or interns assigned to each office were required to perform comprehensive physical searches through the office's entire inventory of unorganized case files.

Some courts stored case files in the judge's office, where daily hearings are scheduled. This caused obstacles in the search for case files given that researchers were required to enter during non-work hours and weekend to locate the needed information.

During the search for case files in judicial offices, most spaces were very small, and since researchers were not permitted to remove files from the offices, they were required to conduct the reviews in cramped spaces, often times standing while transcribing the necessary information.

QUALITATIVE DATA

During the qualitative data collection via interviews with judicial authorities, there were several challenges regarding the programming and participation of specific entities.

In order to initiate the interviews, two lead consultants contacted the identified participants to schedule the date and time for the interview in accordance with the interviewee's schedule. In this way a calendar of interviews was prepared. However only 5% of the originally scheduled dates were maintained. Since the majority of interviews were scheduled during work hours, unforeseen work demands prevented the majority from fulfilling their commitment. Therefore, 95% of the originally scheduled interviews were rescheduled, and the overall timeframe for completing this activity was doubled; originally forecasting two months and delaying more than four months to complete the interviews. On average, an interviewee requested to change their scheduled interview four times.

With certain entities, despite constant follow-up, they did not offer representatives to participate in the interviews. This challenge was overcome, in part, with the assignment of substitute interviews. However, this practice also implied additional and unforeseen time for consultants to coordinate new contacts and interviews.

FUTURE STUDIES

The study presented in this report contains limitations in methodology and information available. In the spirit of improving and expanding research activities, the Team proposes the following future studies. For each of these proposed future activities, the Team reiterates that the involvement and collaboration of the Public Ministry would provide a more comprehensive awareness of the reality at the systemic level.

A REPLICATION OF THE CURRENT BASELINE STUDY IN OTHER DEPARTMENTS OF BOLIVIA: At the general level, IJM, as the technical lead for this study, presents the information with the intention of demonstrating a methodology that could be replicated in other departments in Bolivia. Replications of the study would offer the opportunity to compare public justice system performance in La Paz with other region of the country, and begin to illustrate a more representative reality at the national level. It would be of special interest to note differences in the results presented between urban studies and one conducted in the provinces. For future studies, all details related to cost and research tools will be made available.

A PARTIAL REPLICATION OF THE BASELINE STUDY, ANALYZING ONLY CLOSED CASES: A change to the sampling strategy could be considered to analyze cases that have reached a verdict. Although the current study presents that only 2,5% of all cases entering the system arrive to this stage (via the common procedure), an analysis of closed cases could give context to the other side of the system for understanding, *What are the common characteristics of cases that have success in the Bolivian public justice system?* Furthermore, with a larger sample to analyze in the trial stage, the study could offer more reliable information regarding the possible bottlenecks and dead times in this stage of the criminal process. A study of this kind would also lend further insight regarding the state of convicted perpetrators who are yet to be detained.

A PARTIAL REFORMULATION OF THE QUALITATIVE RESEARCH QUESTIONS AND A SECOND ROUND OF INTERVIEWS WITH JUDICIAL AUTHORITIES: Due to the need to comply with stipulated deadlines for completing the current study, the quantitative and qualitative data collection were conducted simultaneously. Therefore, there were certain gaps in triangulating final results. To have a more comprehensive mix-methods analysis, the study could be adjusted to follow a sequential explanatory design. Under the new design, at the end of the quantitative data collection (case file review), the qualitative data collection stage (interviews) would begin. The qualitative research stage would seek a more focused explanation of quantitative results according to authorities' perceptions.

A PREVALENCE STUDY: As stated in this report, there is no reliable data on the prevalence of child sexual violence in Bolivia. Prevalence is understood as the number of instances of child sexual violence at a particular point in time, whether they are reported or not. Prevalence studies are important in that they reveal the burden of the problem in society and can define the need for services. In this sense, Bolivian authorities should consider a prevalence study as high priority, *considering not only reported cases of child sexual violence*, but looking outside the public justice system to include instances that exist and go unreported. A prevalence study will also allow comparisons between regions and/or longitudinal comparisons over time. With the arrival of the new federal administration and preparation for the enactment of a new criminal code, this data will better position the public justice system to measure the impact of future reform activities.

A SOCIO-CULTURAL STUDY OF CHILD SEXUAL VIOLENCE: Although this study is considered a public justice system performance study, in the course of researching system performance several social and cultural themes surfaced that should be further explored. In order to fully understand the problem of child sexual violence and effective means for its eradication, the perceptions and experiences of victims, families and members of the community are also necessary. Within this type of study, perceptions of the aggressor

could also be considered. A socio-cultural study would also lend further insight to the quality of attention and social services accessible to victims and aggressors during the criminal process and determine need for future development of programs and policies to improve treatment for both parties.

AN EVALUATION OF ANNUAL OFFICE SUPPLY USE/CONSUMPTION: A mandatory practice could be implemented in the judicial offices where each office completes a monthly inventory for the office materials consumed. At the end of the year, these inventories could be analyzed and used to calculate projections in relation to workload for future budgets. The monitoring of materials and costs could also form a baseline to measure future reductions with changes or implementation of new technologies and/or practices.

In conclusion, this report sheds light on a multitude of challenges for the public justice system (bottlenecks, dead times and missing case files). Fundamentally, these challenges are administrative and attributable to actors within the system as well as resources, or lack thereof. The activities with pilot courts in La Paz demonstrate it is possible to reduce the impact of these challenges with minimal financial investment. They also represent the commitment, creativity and will from actors within, to contribute to improving public justice system outcomes.

This report calls for the current administration to increase and institutionalize trainings and collaboration at the internal and inter-institutional level. This is an opportune time for national leaders to make visible a new vision of service to the Bolivian people. As such, this report is offered as a resource to learn from the past and move towards a future where there is a more transparent, organized and rapid justice for all citizens.

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APPENDIX A: DATA ANALYSIS PLAN

DATA ANALYSIS PLAN Base Line: Investigative Study of the Public Justice System in La Paz April-August 2017 International Justice Mission					
Revision of Criminal Cases in the Public Prosecutors Office, Pre-Trial Courts, Trial Courts, and Appeals Courts					
No.	Indicator	Description	Source	Specific Calculation of the Indicator	Analysis Strategy Disaggregation
1	(# /%) of cases that have reached a verdict	How many cases with complaints filed have reached a conviction and verdict (in Sentencing Court).	Case file revision- "verdict Resolution"- Document (Pre-Trial/Trial/Appeals)	Base Line: [# of case files that have reached a verdict] divided by [# total amount of case files reviewed]	Year the process started Key stages of legislation (1/1/07-17/5/10) (18/5/10-8/3/13)(9/3/13-29/10/14) (30/10/14-31/12/16) Year verdict is issued Type of Crime State of Existing Precautionary Measures
2	Average time and range between the start of the process and the verdict	Period of time (calendar months) between the date of reception of the process and the date of the reading of the judgment (within Sentencing Court).	Case file revision- Report of Start of Investigations and the Sentencing Document (Pre-Trial/Trial/Appeals)	Average: [date of reading of judgment] minus [start date of the process] the average over all of the case files that have reached a verdict (Counted in calendar months) Range: The maximum and minimum number of the calculation [date of reading of judgment] [start date of the process] (counted in entire calendar months)	Year the process started Type of Crime
3	(%) of cases that reach a verdict in the time established	The proportion of cases that reach a verdict (in Sentencing Court) in 3 calendar years (or months) between the date the process was started and the date of the reading of the judgment.		Percentage: [# of case files that reach a verdict within 36 calendar months] (divided by [# of case files that reach a verdict + # of case files that have been suspended for more than 36 months])	
4	(%) of cases that reach a plea bargain	The proportion of cases that reach a plea bargain.	Case file revision- Brief of the Solicited Plea Bargain (Pre-Trial/Trial/Appeals)	Percentage: [# of case files that reach a plea bargain] divided by [# of total reviewed case files]	Year the process started Type of Crime
5	Average time between the start of the process until the plea bargain	Period of time (business days) between the start date of the process until the date that the plea bargain was solicited.		Average: [date the plea bargain was solicited] minus [start date of the process] the average of all the case files that reached a plea bargain (counted in business days)	
6	Average time between the plea bargain and the verdict	Period of time (business days) between the date the plea bargain was solicited and the date of the reading of the judgment.	Case file revision- Brief of the Solicited Plea Bargain (Pre-Trial/Trial/Appeals)	Average: [date of the reading of the judgment] minus [date the plea bargain was solicited] the average over all the case files that reached a plea bargain AND a verdict (counted in business days)	Phase in which it is solicited and how long it takes due to the fact it was solicited in.

7	Average time and range between the act and the denouncement	Period of time (calendar days) between the date of the first abuse (the act) and the date of the denouncement* in the Public Prosecutor's Office or to the police	Case file revision- Account of the Acts, Formal Charge, Indictment or Charge Form (*Public Prosecutors Office/Pre-Trial/Trial/ Appeals)	Average: [date of denouncement] minus [date of the first act] the average over all of the revised case files (counted in calendar days) Range: The maximum and minimum number of the calculation [date of denouncement] minus [date of the first act] (counted in calendar days)	Year the process started
8	Average time between the denouncement and the start of the process	Period of time (hours) between the date and time of the denouncement* in the Public Prosecutor's Office or to the police and the date and time of receipt of the process in Pre-Trial court	Case file revision- Account of the acts, Formal Charge, Indictment or Charge Form (*Public Prosecutors Office/Pre-Trial/Trial/ Appeals)	Average: [time of the start of the process] minus [time of the denouncement] the average of all the revised case files (counted in hours)	
9	(% of cases that initiate the process in the time established	The proportion of cases with 48 hours (or less) of time between the time of the denouncement* in the Public Prosecutor's Office and the time of receipt of the process in Pre-Trial court	Case file revision- Order to Present Document of the Judge (Pre-Trial/Trial/ Appeals)	Percentage: [# of case files that began the process within 48 hours] divided by [total amount of revised case files]	
10	Average time and range between the start of the process and the order to present	Period of time (business days) between the date of receipt of the process and the date of the order to present by the judge of the charge	Case file revision- Order to Present Document of the Judge (Pre-Trial/Trial/ Appeals)	Average: [date of the order to present] minus [start date of the process] the average of all the case files that reach an order to present (counted in business days) Range: The maximum and minimum number of the calculation [date of the order to present] minus [start date of the process] (counted in business days)	
11	(% of cases that reach an order to present in the established amount of time	The proportion of cases that reach an order to present (order to present document) of the charge within 68 business days from the date the process was received.		Percentage: [# of case files that reach an order to present within 68 business days] divided by [total # of revised case files with an order to present + # of case files that have been suspended for more than 68 business days since the start date of the process]	(% of suspended cases that have surpassed this amount of time
12	Average time and range between the order to present and notice is given to the departmental public prosecutor	Period of time (business days) between the date of the order to present by the judge of the charge and the date that the departmental public prosecutor is notified	Case file revision- Act of Notification (Pre-Trial/Trial/ Appeals)	Average: [date departmental public prosecutor was notified] minus [date of the order to present] the average of all case files that complete a notification (counted in business days) Range: The maximum and minimum number of the calculation [date departmental public prosecutor was notified] minus [date of the order to present] (counted in business days)	
13	(% of cases where the departmental public prosecutor is notified in the time established	The proportion of cases that reach the notification of the departmental public prosecutor by the next business day after the order to present of the charge		Percentage: [# of case files that complete a notification within the next business day] divided by [# total number of case files reviewed with a notification+ # of case files that have been suspended for more than one business day past the order to present]	(% of suspended cases that have surpassed this amount of time

<p>14</p> <p>Average time and range between the notification of the departmental public prosecutor and the presentation of an indictment or rejection</p>	<p>Period of time (business days) between the date the departmental public prosecutor was notified and the date of the official stamp of the indictment or formal rejection.</p>	<p>Case file revision- Formal Indictment (Pre-trial/Trial/ Appeals)</p>	<p>Average : [date of official stamp of the formal indictment] minus [date the departmental public prosecutor was notified] the average of all the cases that reach a formal indictment (counted in business days)</p> <p>Range : The maximum and minimum number of the calculation [date of the official stamp of the formal indictment] minus [date the departmental public prosecutor was notified] (counted in business days)</p>	<p>Type of Resolution (Indictment or Rejection)</p>
<p>15</p> <p>(%) of cases with an indictment or rejection in the time established</p>	<p>The proportion of cases that complete an indictment within 5 business days from the date the departmental public prosecutor was notified and the date of the official stamp of the formal indictment.</p>	<p>Case file revision- Decree of the Judge about the Formal Indictment and the Act of Notification of the Accused (Pre-trial/Trial/ Appeals)</p>	<p>Percentage: [# of case files that reach an indictment or rejection within the 5 business days] divided by [total # of revised case files with a formal indictment or rejection + # of case files that have been suspended for more than 5 business days since the date the departmental public prosecutor was notified]</p>	<p>(%) of suspended cases that have surpassed this amount of time Reasons for rejection</p>
<p>16</p> <p>Average time and range between the decree of the judge with the indictment and the notification of the accused</p>	<p>Period of time (business days) between the day of the decree and the day of the notification of the accused</p>	<p>Case file revision- Decree of the Judge about the Formal Indictment and the Act of Notification of the Accused (Pre-trial/Trial/ Appeals)</p>	<p>Average : [date the accused was notified] minus [date of decree of the judge] the average of all case files that reach a notification of the accused (counted in business days)</p> <p>Range : The minimum and maximum number of the calculation [date of notification of the accused] minus [date of the decree of the judge] (counted in business days)</p>	<p>(%) of suspended cases that have surpassed this amount of time</p>
<p>17</p> <p>(%) of cases that notify the accused of the indictment in the time established</p>	<p>The proportion of cases that notify the accused of the indictment the day after (1 business day) the date of the decree of the formal indictment by the judge</p>	<p>Case file revision- Notification Act and the Order to Present to the Departmental Public Prosecutor Document (Pre-trial/Trial/ Appeals)</p>	<p>Percentage: [# of case files that reach a notification of the accused within the next business day] divided by [total # of revised case files with a notification of the accused + # of case files that have been suspended for more than one business day since the date of decree of the judge]</p>	<p>(%) of suspended cases that have surpassed this amount of time</p>
<p>18</p> <p>Average time and range between notification of indictment to accused party and the order to present</p>	<p>Period of time (calendar months) between the date of the notification of indictment to the accused party and the date of the order to present by the judge for the accusation</p>	<p>Case file revision- Notification Act and the Order to Present to the Departmental Public Prosecutor Document (Pre-trial/Trial/ Appeals)</p>	<p>Average: [date of the order to present] minus [date of the notification of the accused party] the average of all the case files that reach an order to present (counted in calendar months)</p> <p>Range : The maximum and minimum number of the calculation [date of the order to present] minus [date of notification of the accused party] (counted in calendar months)</p>	<p>(%) of cases suspended that have surpassed this amount of time</p>
<p>19</p> <p>(%) of cases with an injunctions in the time established</p>	<p>The proportion of cases that reach injunction of the accusation within 6 calendar months from the date of the notification of the accused party</p>	<p>Case file revision- Decree of the Judge about the Formal Indictment and the Act of Notification of the Accused (Pre-trial/Trial/ Appeals)</p>	<p>Percentage: [# of case files that reach a injunction within 6 months] divided by [total # of revised case files with a injunction+ # of case files that have been suspended for more than 6 months since the date of the notification of the accused party]</p>	<p>(%) of cases suspended that have surpassed this amount of time</p>

<p>20</p> <p>Average time and range between the order to present and the notification of the departmental public prosecutor</p>	<p>Period of time (business days) between the date of the order to present document by the judge of the indictment and the date the departmental public prosecutor is notified</p>	<p>Case file revision- Comminatoria Document and the notification of the Departmental Public Prosecutor and Notification Act (Pre-trial/Trial/ Appeals)</p>	<p>Average: [date the departmental public prosecutor was notified] minus [date of the order to present] the average of all the case files that reached a notification (counted in business days) Range: The maximum and minimum number of the calculation [date the departmental public prosecutor was notified] minus [date of the order to present] (counted in business days)</p>	<p>(%) of suspended cases that have surpassed this amount of time</p>
<p>21</p> <p>(%) of cases that notify the departmental public prosecutor in the established amount of time</p>	<p>The proportion of cases that reach an order to present that notify the departmental public prosecutor within the next day (1 business day) after the date of the notification of the departmental public prosecutor</p>	<p>Case file revision- Formal Indictment (Pre-trial/Trial/ Appeals)</p>	<p>Average: [# of case files that notify the prosecutor within the next business day] divided by [total # of revised case files that notified the prosecutor+ # of case files that have been suspended for more than one business day past the date that the departmental public prosecutor was notified]</p>	<p>Type of Resolution (Indictment or Dismissal of Case)</p>
<p>22</p> <p>Average time and range between the notification of the departmental public prosecutor and the presentation of the indictment or the dismissal of the case</p>	<p>Period of time (business days) between the date the departmental public prosecutor was notified and the date the indictment or dismissal of case document with the official stamp of the charge was presented by the Public Prosecutors Office.</p>	<p>Case file revision- Formal Indictment (Pre-trial/Trial/ Appeals)</p>	<p>Average: [date of presentation of indictment] minus [date the departmental public prosecutor was notified] the average of all case files that reach an indictment (counted in business days) Range: The maximum and minimum number of the calculation [date of the presentation of the indictment] minus [date the departmental public prosecutor was notified] (counted in business days)</p>	<p>(%) of suspended cases that have surpassed this amount of time Reason for the dismissal of the case</p>
<p>23</p> <p>(%) of cases with an indictment or dismissal of case in the time established</p>	<p>The proportion of cases that reach an indictment or dismissal of case within 5 business days from the date the departmental public prosecutor was notified</p>	<p>Case file revision- Resolution to dismiss the penal action (Pre- trial/Trial/ Appeals)</p>	<p>Percentage: [# of case files that reach a presentation of indictment within 5 business days] divided by [total # of revised case files with an indictment+ # of case files that have been suspended for more than 5 business days from the date the departmental public prosecutor was notified]</p>	<p>(%) of suspended cases that have surpassed this amount of time Reason for the dismissal of the case</p>
<p>24</p> <p>(# /%) of closed cases for failure to present the indictment to the public prosecutor</p>	<p>The number of cases that reach a Resolution to dismiss the penal action for failure to present the indictment to the public prosecutor (officially requested by the party)</p>	<p>Case file revision- Formal Indictment and Official Receipt of the Case by the Trial Court (Pre- trial/Trial/ Appeals)</p>	<p>Number: [# of case files that reach a Resolution to Dismiss the Penal Action] Percentage: [# of case files that reach a Resolution to Dismiss the Penal Action] divided by [total # of revised case files]</p>	<p>(%) of suspended cases that have surpassed this amount of time Reason for the dismissal of the case</p>
<p>25</p> <p>Average time and range between indictment and the official receipt of the case in the trial court</p>	<p>Period of time (business days) between the official stamp of indictment on the indictment document and the date when the case reaches the penal court and the judge signs it (official receipt of the case).</p>	<p>Case file revision- Formal Indictment and Official Receipt of the Case by the Trial Court (Pre- trial/Trial/ Appeals)</p>	<p>Average: [date of official receipt of the case by the trial court] minus [date of official stamp of indictment] the average of all the case files that reach an official receipt of the case (counted in business days) Range: The minimum and maximum number of the calculation [date of the official receipt of the case by the trial court] minus [date of the official stamp of indictment] (counted in business days)</p>	<p>(%) of suspended cases that have surpassed this amount of time Reason for the dismissal of the case</p>

26	Average time and range between the official receipt of the case and the notification of the Public Prosecutors Office for the presentation of evidence	Period of time (hours) between the time that the case reaches penal court and the judge signs (the official receipt of the case) and the time of the notification of the Public Prosecutors Office	Case file revision- Official Receipt of the Case Document And Notification of the Public Prosecutors Office Act	Average: [time the Public Prosecutors Office was notified] minus [time of the official receipt of the case in court] the average of all case files that reach a notification (counted in hours) Range: The maximum and minimum number of the calculation [time the Public Prosecutors Office was notified] minus [time of the official receipt of the case in court] (counted in hours)	
27	(%) of cases that reach the notification of the Public Prosecutors Office	The proportion of cases that notify the Public Prosecutors Office within 24 hours from the time of the official receipt of the case in penal court.		Percentage: [# of cases that reach a notification within 24 hours] divided by [total # of case files with a notification + # of case files that have been suspended for more than 24 hours since the time of the official receipt of the case in court]	(%)of suspended cases that have surpassed this amount of time
28	Average time and range between the notification and the presentation of evidence in court	Period of time (hours) between the time the Public Prosecutors Office was notified and the time of the presentation of evidence in court.	Case file revision- Notification Form and Presentation of Evidence (Pre-Trial/ Trial/ Appeals)	Average: [time of the presentation of evidence] minus [time the Public Prosecutors Office was notified] the average of all case files that reach a presentation of evidence (counted in hours) Range: The maximum and minimum number of the calculation [time of the presentation of evidence] minus [time the public prosecutors office is notified] (counted in hours)	
29	(%) of cases that present evidence in the time established	The proportion of cases where the Public Prosecutors Office presents evidence in penal court within 24 hours of the time of the notification		Percentage: [# of case files that reach a presentation of evidence within 24 hours] divided by [total # of revised case files with a presentation of evidence + # of case files that have been suspended more than 24 hours from the time the Public Prosecutors Office was notified]	(%) of suspended cases that have surpassed this amount of time
30	Average time between the presentation of evidence and the notification of the victim	Period of time (hours) between the presentation of evidence in court and the time the victim is notified.	Case file revision- Presentation of Evidence Brief and Notification of Victim Form (Pre-Trial/ Trial/ Appeals)	Average : [time the victim was notified] minus [time the evidence was presented] the average of all case files that reach a notification of the victim (counted in hours) Range : The maximum and minimum number of the calculation [time the victim was notified] minus [time the evidence was presented] (counted in hours)	
31	(%) of cases that notify the victim in the time established	The proportion of cases where the judge notifies the victim within 24 hours since the time of the presentation of evidence.		Percentage: [# of case files that reach a notification of the victim within 24 hours] divided by [total # of revised case files that reach a notification of the victim+ # of case files that have been suspended for more than 24 hours since the time the evidence was presented]	(%)of suspended cases that have surpassed this amount of time

32	Average time and range between the notification of the victim and the issuance of the particular accusation	Period of time (business days) between the date of the notification of the victim and the date of the official stamp of indictment of the particular accusation	Case file revision- Notification of Victim Form and the Official Stamp of Indictment of the Particular Accusation	Average: [date of the official stamp of the particular accusation] minus [date of the victim was notified] the average of all case files that reach a particular accusation (counted in business days) Range: The maximum and minimum number of the calculation [date of the official stamp of the particular accusation] minus [date the victim was notified] (counted in business days)	
33	(% of cases with an accusation in the time established	The proportion of cases where the accusation is issued within 10 business days between the date of the notification of the victim and the date of the official stamp of indictment of the particular accusation		Percentage: [#of case files that reach a particular accusation within 10 business days] divided by [total # of revised case files with a particular accusation + # of case files that have been suspended for more than 10 business days since the date the victim was notified]	(% of suspended cases that have surpassed this amount of time
34	Average time and range between the particular accusation and the notification of the accused for the presentation of evidence of acquittal	The period of time (business days) between the date of the official stamp of the indictment of the particular accusation and the date the accused party is notified	Case file revision- Presentation of the Formal Accusation Brief and the Notification of the Accused Party in the File Form (Pre-Trial/Trial/ Appeals)	Average: [date the accused party is notified] minus [date of the official stamp of the particular accusation] the average of all case files that reach a notification of the accused party (counted in business days) Range: The maximum and minimum number of the calculation [date the accused party was notified] minus [date of the official stamp of the particular accusation] (counted in business days)	
35	(% of cases that notify the accused party in the time established	The proportion of cases where the date of the notification of the accused party for the surrendering of evidence of acquittal is within 10 business days from the date of the official stamp of the indictment of the particular accusation		Percentage: [#of case files that reach the notification of the accused within 10 business days] divided by [total # of revised case files with the notification of the accused for the surrendering of evidence- #of case files that have been suspended for more than 10 business days since the date of the official stamp of the particular accusation]	(% of suspended cases that have surpassed this amount of time
36	Average time and range between the surrendering of evidence of acquittal until the Opening of Trial	Period of time (business days) between the date of the surrendering of evidence of acquittal by the accused party and the date of the Opening of Trial document	Case file revision- Stamp of reception of document Opening of Trial Document (Pre-Trial/Trial/ Appeals)	Average : [date of the Opening of Trial document] minus [date of surrendering of evidence of acquittal] the average of all case files that reach an Opening of Trial document (counted in business days) Range : The maximum and minimum number of the calculation [date of the Opening of Trial document] minus [date of surrendering of evidence of acquittal] (counted in business days)	
37	(% of cases with an Opening of Trial within the time established	The proportion of cases that reach their Opening of Trial document one business day after the day of the surrendering of evidence		Percentage: [#of case files that reach an Opening of Trial document within the next business day] divided by [total # of revised case files with the Opening of Trial document + # of case files that have been suspended more than one business day past the date of the surrendering of evidence of acquittal]	(% of suspended cases that have surpassed this amount of time

38	Average time and range between the Opening of Trial and the date given for the commencement of trial	The period of time (business days) between the date of the Opening of Trial document, and the date given in this document for the commencement of trial	Revised Opening of Trial Document (Pre-trial/Trial/ Appeals)	Average : [date given for commencement of trial] minus [date of Opening of Trial document] the average of all case files that reach an Opening of Trial document (counted in business days) Range: The maximum and minimum number of the trial] minus [date of Opening of Trial document] (counted in business days)	
39	Average time and range between the commencement of trial and the commencement of trial	Period of time (business days) between the date given for the commencement of trial in the Opening of Trial document and the actual first date of the commencement of trial.	Revision of the Opening of Trial document and the acts of convened hearings (Pre-trial/Trial/ Appeals)	Average : [date of actual commencement of trial] minus [date given on the Opening of Trial document] the average of all case files that reach an actual commencement of trial (counted in business days) Range : The maximum and minimum number of the calculation [date of the actual commencement of trial] minus [date given on the Opening of Trial document] (counted in business days)	
40	Average time and range between actual commencement of trial and the verdict	Period of time (business days) between actual date of commencement of trial and the date of the reading of the verdict in Sentencing Court.	Case file revision- verdict Document (Pre-trial/Trial/ Appeals)	Average: [date of the reading of the verdict] minus [date of actual commencement of trial] the average of all case files that reach a verdict (counted in business days) Range: The maximum and minimum number of the calculation [actual date of commencement of trial] minus [date given on Opening of Trial document] (counted in business days)	
41	(#) average of suspended hearings between the first date given in the Opening of Trial document and the actual commencement of trial	The number of suspensions occurring between the date given for the commencement of trial in the Opening of Trial document and the actual date of the commencement of trial	Case file revision- Hearing Act (Pre-trial/Trial/ Appeals)	Average: [# suspensions before the actual commencement of trial] the average of all of the case files that reach the actual commencement of trial	Reason for Suspension (% of Instances)- Judge, Public Prosecutors Office, Victim/Child Welfare Agency, Accused Party, Defense Lawyer, No Record, Other Suspended Hearings that have been nominal
42	average (#) of hearings called between the actual commencement of trial and the verdict	The average number of called hearings (total including suspended and executed) between the date of the actual commencement of trial and the date of the reading of the verdict (including commencement of trial and reading of the verdict as "called hearings")	Case file revision- Suspended and Executed Hearings Act (Pre-trial/Trial/ Appeals)	Average: [# of called hearings from the actual commencement of trial to the reading of the verdict] the average of all the case files that reach a verdict	
43	average (#) of suspended hearings between the actual commencement of trial and the verdict	The average number of suspensions occurring between the date of the actual commencement of trial and the date of the reading of the verdict	Case file revision- Acts of Suspensions (Pre-trial/Trial/ Appeals)	Average: [# of suspensions from the actual commencement of trial to the reading of the verdict] the average of all case files that reach a verdict	Reason for Suspension (% of Instances)- Judge, Public Prosecutors Office, Victim/Child Welfare Agency, Accused Party, Defense Lawyer, No Record, Other
44	average (#) of hearings executed between the actual commencement of trial and the verdict	The average number of hearings executed and finished between the date of the actual commencement of trial and the date of the reading of the verdict		Average: [# of hearings executed from the actual commencement of trial to the reading of the verdict] the average of all case files that reach a verdict	

45	average (#) of hours to reach a verdict	The average number of total hours (average) that the executed hearings last, from (and including) the actual commencement of trial to the reading of the verdict	Case file revision- Acts of Executed Hearings (Pre-Trial/Trial/ Appeals)	Average: [the sum of all the hours of executed hearings from the commencement of trial to the reading of the verdict] the average of all case files that reach a verdict	
46	(%) of hearings that delay in resolving a action due to an bstacle presented by one of the parties	The proportion of detained hearings that have occurred due to the request of some of the parties	Case file revision- Executed Hearings Acts (at the end where they transcribe the reason for detainment) (Pre-Trial/Trial/ Appeals)	Average: [# detentions from the actual commencement of trial to the reading of the verdict] the average of all case files that reach a verdict	Reason for detention: Judge, Expert Witness (accusation), Witness (accusation), Expert Witness (Defense), Witness (Defense)
47	Average time and range between accusation and the verdict	Period of time (business days) between the date of the official stamp of indictment on the Formal Accusation and the date of the reading of the verdict	Case file revision- Formal Accusation And verdict Document (Pre-Trial/Trial/ Appeals)	Average: [date of the reading of the verdict] minus [date of the official stamp of indictment of accusation] the average of all the case files that reach a verdict (counted in business days) Range: The maximum and minimum number of the calculation [date of the reading of the verdict] minus [date of the official stamp of indictment of accusation] (counted in business days)	
48	(%) verdicts that reach Appeals Court	The proportion of presented cases that have reached the process of appeals.	Case file revision- look for Appeals brief, look for all appeals (Pre-Trial/Trial/ Appeals)	Percentage: [# of cases with a verdict that reach an appeal] divided by [total # of cases that reach a verdict]	
49	average (#) of appeals per case	The average number of appeals (only restricted appeals) within a case	Case file revision- look for Appeals brief, look for all appeals (Pre-Trial/Trial/ Appeals)	Average: [total # of appeals within the case file] the average of all cases that reach an appeal	
50	Average time and range between the verdict and the receipt of the case reference by the Appeals Court	The average time (business days) between the date of the reading of the verdict and the date that the Appeals Court receives the case (from the final appeal)	Case file revision- verdict Document And Cover Sheet that has the location of the Case in Appeals Court (refer to the Reception Stamp) (Pre-Trial/Trial/ Appeals)	Average: [date that the Appeals Court receives the case with the final appeal] minus [date of the reading of the verdict] the average of all case files that reach an appeal (counted in business days) Range: The maximum and minimum number of the calculation [date that the Appeals Court receives the case] minus [date of the reading of the verdict] (counted in business days)	

51	Average time and range between the reading of the verdict and the notification of the verdict to the parties	The period of time (business days) between the date of the reading of the verdict and the date that the parties are notified	Case file revision- Revision of the Final Trial Hearing Act And the Notification of the Parties Act (Pre-trial/Trial/ Appeals)	Average: [date of the notification of the verdict] minus [date of the reading of the verdict] the average of all case files that reach a verdict (counted in business days) Range: The maximum and minimum number of the calculation [date of the notification of the verdict] minus [date of the reading of the verdict] (counted in business days)	
52	Average time and range between the presentation of the appeal and the notification of the appeal to the parties	The period of time (business days) between the date of the presentation of the final appeal (only restricted appeals) and the date of the notification of the appeal to the parties	Case file revision- Date of the stamp of receipt of the appeal and date of the notification of the other party in the form of notification	Average: [date of the notification of the final appeal] minus [date of the presentation of the appeal] the average of all case files that reach an appeal (counted in business days) Range: The maximum and minimum number of the calculation [date of the notification of the appeal] minus [date of the presentation of the appeal] (counted in business days)	
53	Average time and range between the response to the appeal and the referral of the case to the Appeals Court	The average time (business days) between the date of the response to the final appeal and the date of the referral of the case to the Appeals Court	Revision of Case File- Notification Document And Judge's Decree about the Response to the Appeal	Average: [date of the reference of the case to the Appeals Court] minus [date of the response to the final appeal] the average of all case files that reach an appeal (counted in business days) Range: The maximum and minimum number of the calculation [date of the referral of the case to the Appeals Court] minus [date of the response to the appeal] (counted in business days)	
54	(% of cases that are referred to Appeals Court in the time established	The proportion of cases that are referred to the Appeals Court within 3 business days from the date of the response to the final appeal.	Judge's Decree about the Response to the Appeal	Percentage: [# of case files that have been referred to appeals court within the three business days] divided by [total # of case files that have been referred to appeals court + # of case files that have been suspended for more than three business days since the date of their response to the final appeal]	(% of suspended cases that have surpassed this amount of time
55	Average time and range between the referral of the case to the Appeals Court and the ruling of the Appeals Court	The period of time (business days) between the date of receipt in the Appeals Court and the date of the decision (ruling) in Appeals Court	Case file revision- Ruling of the Appeal	Average: [date of the ruling of the Appeals Court] minus [date of the receipt in Appeals Court] the average of all case files that reach a ruling of the appeal (counted in business days) Range: The maximum and minimum number of the calculation [date of the ruling of the Appeals Court] minus [date of the receipt in Appeals Court] (counted in business days)	

56	(%) of cases that get a ruling from the Appeals Court within the time established	The proportion of cases that reach a ruling within 20 business days since the date of the receipt of the case by the Appeals Court		Percentage: [# of case files that reach a ruling within the 20 business days] divided by [total # of case files that reach a ruling + # of case files that have been suspended for more than 20 business days since the date received in Appeals Court]	
57	Average time and range between the verdict and the confirmed verdict	Average period of time (business days) between the date of the reading of the condemning verdict (Sentencing Court) and the date of the confirmed verdict (within Sentencing Court).	Case file revision-Confirmed verdict Document (Pre-Trial/ Appeals)	Average: [date of confirmed verdict] minus [date of the reading of the condemnatory verdict] the average of all case files that reach a confirmed verdict (counted in business days) Range: The maximum and minimum number of the calculation [date of the judge's decision in Appeals Court] minus [date of the official receipt of the case in Appeals Court] (counted in business days)	State of Detention Measures
58	(%) of cases that reach a confirmed verdict	The proportion of cases that reach a confirmed verdict (within the Sentencing Court).		Percentage: [# of case files that reach a confirmed verdict] divided by [# of case files that reach a verdict]	
59	Principle obstacles perceived for reaching a charge within the stipulated time	The perceptions (and their frequency) of interviewed officials when explaining the reasons why a charge was unable to be reached within 68 days (business days) from the date of the accusation.	Interviews with Officials	What are the key resources you need to be able to complete your role during the proceedings? What are the most significant obstacles that do not allow you to complete your role during the time established?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)
60	Principle obstacles perceived for reaching an accusation within the stipulated time	The perceptions (and their frequency) of interviewed officials when explaining the reasons why an accusation was unable to be reached within 6 calendar months from the date of the charge.	Interviews with Officials	What are the key resources you need to be able to complete your role during the proceedings? What are the most significant obstacles that do not allow you to complete your role during the time established?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)
61	Principle obstacles perceived for reaching a verdict within the stipulated time	The perceptions (and their frequency) of interviewed officials when explaining the reasons why a verdict was unable to be reached within 3 calendar years from the date of the charge.	Interviews with Officials	What are the key resources you need to be able to complete your role during the proceedings? What are the most significant obstacles that do not allow you to complete your role during the time established?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)
62	Officials' understanding of inter-institutional coordination protocol in cases of sexual violence	The formal protocols understood (and their frequency) among interviewed officials.	Interviews with Officials	Do you know any attention protocol in cases of sexual violence against children? Which protocol? How are you implementing this protocol in your office? If protocol does not exist, what are you applying?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)

63	(%) of officials that received specialized training in managing cases of sexual violence	The proportion of interviewed officials who have received trainings focused on sexual violence (could be about trial processes, definitions, impact and/or treatment of the victim).	Interviews with Officials	Have you received any training focused on the them of sexual violence against children? (Can be from your education or career) What agencies/organizations offered the training? What topics did the training cover?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)
64	Identified Needs	What are the general needs that officials say are key for the bettering of attention in cases of sexual violence.	Interviews with Officials	Do you think authorities at the national level in Bolivia actually proportion the sufficient attention and resources for the investigation and processing of cases of sexual violence against children? In your opinion, what are some of the challenges in the response of the Bolivian justice system to cases of sexual violence against children?	Professional Position (Judge, Public Prosecutor, Lawyer, Social Worker, Administrator, etc.)
65	(%) of cases with multiple complainants	The proportion of cases presented by Child Welfare Agency, Public Prosecutors Office and/or the Family (Complaint).	Case file revision- Appearance Document or Formal Accusation	Percentage: [# of case files that have more than one complainant] divided by [total # of revised case files]	Type of Complainant (Child Welfare Agency, Public Prosecution, Family, SEDEGES, SLIM) verdict Ruling
66	Average (#) of victim testimonies within the criminal proceedings	The number of incidents where the victim has to directly participate in the criminal proceedings.	Case file revision- Proceedings (Public Prosecutors Office/Pre-trial/Trial/ Appeals)	Average: [# of instances where the victim participates] the average of all revised case files	Age of the victim Proceeding: Police testimony/Goessel Chamber Testimony/Psych interview/Participation in Social Reporting/Registration of Location of Act/Crime Scene Investigation Hearing/Investigative Line Up/Preview of Evidence/Hearing to Present DNA Evidence/Trial/Other
67	Maximum (#) of proceedings where the victim directly participates	The perception of officials on the justice system in terms of how many times a victim should participate in the criminal proceedings.	Interviews with Officials	What are the specific motives for contact with the victim? From your perspective, throughout the case, how many times should the victim be interviewed by state institutions	Proceeding: Police testimony/Goessel Chamber Testimony/psych interview/Participation in Social Reporting/Registration of Location of Act/Crime Scene Investigation Hearing/Investigative Line Up/Preview of Evidence/Hearing to Present DNA Evidence/Trial/Other
68	Average (#) of instances of dictated repair in the verdict due to harm experienced by the victim	With judges, how frequently do they dictate the form of repair of harm both by the perpetrator and the state	Interviews with only Judges	In your experience dictating verdicts, how frequently do you establish measures in relation to the reparation of harm experienced by the victim? (Estimate a percentage- 50%, 100% etc.)	
DEMOGRAPHIC ANALYSIS OF THE VICTIM/VICTIMS					
A	Age of victim	How old was the victim when the act occurred	Case file revision- Relating of the acts, Formal Charge (Public Prosecutors Office, Pre-trial/Trial/ Appeals)	[date of when the act occurred] minus [date of birth]	Years
B	Gender of the victim				Male/Female/Cannot be found
C	Location of the act	In what zone (if applicable) did the act occur			Particular Residence, Schools, Other
DEMOGRAPHIC ANALYSIS OF THE PERPETRATOR/PERPETRATORS					
D	Age of perpetrator	How old was the perpetrator when the act occurred			Years

E	Gender of the perpetrator			Male/Female/Cannot be found
F	Relationship to victim	What is the relationship (if applicable) of the perpetrator to the victim at the time when the act occurred	Case file revision- Relating of the acts, Formal Charge (Public Prosecutors Office, Pre- trial/Trial/ Appeals)	None/Nuclear Family/Extended Family/Friend/Neighbor/Teacher/Other/Cannot be found
G	Precautionary Measures	In what state is the perpetrator found		Precautionary Measures (First Precautionary Hearing) Precautionary Measures (Actual) Free/House Arrest/Pre-trial Detention/Fugitive without default of appearance judgment/Declared Fugitive/Detention with verdict/Other/Cannot be found

APPENDIX B: RESEARCH INSTRUMENTS

 "Investigative Study of the Bolivian Public Justice System" TOOL FOR COLLECTING AND ANALYZING CASE INFORMATION from the period of January 1, 2007 -		Start Time:
1.0 File Identification		
1.1 Process Number:		
1.2 In which pre-trial court, tribunal, or appeals court is the case currently located according to the IANUS/SIREJ system?		
1.3 Was the case found in the same place specified in 1.2?	<input type="checkbox"/> No <input type="checkbox"/> Yes (Yes) Skip section 1.4, continue with 1.5	Write-in actual location <input type="checkbox"/> Not found
1.4 Actual location of case file:	<input type="checkbox"/> Regression <input type="checkbox"/> Advance <input type="checkbox"/> Archives <input type="checkbox"/> Unknown	
1.5 Court of Origin:	<input type="checkbox"/> Pre-Trial Instructional Criminal Court of La Paz <input type="checkbox"/> Pre-Trial Instructional Anticorruption and Against Violence Toward Women Court of La Paz	
1.6 Was the case found in a rotational court?	<input type="checkbox"/> No <input type="checkbox"/> Yes (Yes) Write the name of the rotational court:	
1.7 Start date of the process: (dd/mm/yy)		
1.8 Criminal Offense/Crime Type in the Complaint:	<input type="checkbox"/> Indecent Abuse <input type="checkbox"/> Sexual Abuse <input type="checkbox"/> Statutory Rape <input type="checkbox"/> Rape <input type="checkbox"/> Rape in Unconscious State <input type="checkbox"/> Rape of Minor	
Criminal Offense/Crime Type in the Indictment:	<input type="checkbox"/> Indecent Abuse <input type="checkbox"/> Sexual Abuse <input type="checkbox"/> Statutory Rape <input type="checkbox"/> Rape <input type="checkbox"/> Rape in Unconscious State <input type="checkbox"/> Rape of Minor	
Criminal Offense/Crime Type in the Charge:	<input type="checkbox"/> Indecent Abuse <input type="checkbox"/> Sexual Abuse <input type="checkbox"/> Statutory Rape <input type="checkbox"/> Rape <input type="checkbox"/> Rape in Unconscious State <input type="checkbox"/> Rape of Minor	
Criminal Offense/Crime Type in the Sentence:	<input type="checkbox"/> Indecent Abuse <input type="checkbox"/> Sexual Abuse <input type="checkbox"/> Statutory Rape <input type="checkbox"/> Rape <input type="checkbox"/> Rape in Unconscious State <input type="checkbox"/> Rape of Minor	
Upon finding a case with an abbreviated proceeding, stop filling out the form and skip to section 5.0		
2.0 Victim Information		
2.1 Number of Victims:	If there is more than one victim, fill out the information corresponding to sections 3.2 -3.6 in the annex for each of the victims.	
2.2 Birth date: (dd/mm/yy)	Minor at time of act <input type="checkbox"/> Male <input type="checkbox"/> Female	Revision by: <input type="checkbox"/> Only includes year <input type="checkbox"/> Not found
2.3 Gender:		
2.4 Proceedings in which the victim directly participated:	<input type="checkbox"/> Police Statement <input type="checkbox"/> Technical Crime Scene Inspection <input type="checkbox"/> Forensic Medical Examination <input type="checkbox"/> Declaration in Gessell Chamber <input type="checkbox"/> Identification Line-up <input type="checkbox"/> Other: <input type="checkbox"/> Psychological Expertise Session <input type="checkbox"/> Preview of Evidence <input type="checkbox"/> Other: <input type="checkbox"/> Participation in Social Reports <input type="checkbox"/> Presentation of DNA Evidence Hearing <input type="checkbox"/> Other: <input type="checkbox"/> Record of the Place of the Act <input type="checkbox"/> Oral Trial <input type="checkbox"/> Other:	

3.0 Perpetrator Information	
3.1 Number of Perpetrators:	<input type="checkbox"/> If there is more than one aggressor, complete the information corresponding to 3.2-3.6 in the annex for each one of the aggressors.
3.2 Birth date: (dd/mm/yy)	<input type="checkbox"/> Only includes the year <input type="checkbox"/> Not found
3.3 Gender:	<input type="checkbox"/> Male <input type="checkbox"/> Female
3.4 Relation to the victim:	<input type="checkbox"/> Nuclear Family <input type="checkbox"/> Extended Family <input type="checkbox"/> Friend <input type="checkbox"/> Neighbor <input type="checkbox"/> Professor <input type="checkbox"/> Other: <input type="checkbox"/> Not Found
3.5 Preventative Measures: (first preventative hearing)	<input type="checkbox"/> Free <input type="checkbox"/> House Arrest <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Other: <input type="checkbox"/>
3.6 If aggressor was declared fugitive:	<input type="checkbox"/> Information about Preventative Measures not found <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.6 if the accused was declared fugitive
3.7 Current Preventative Measures:	<input type="checkbox"/> Free <input type="checkbox"/> House Arrest <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Imprisoned with sentence <input type="checkbox"/> Other: <input type="checkbox"/>
3.8 If perpetrator was declared fugitive:	<input type="checkbox"/> Information about Preventative Measures not found <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.8 if the accused was declared fugitive
4.0 General Information about the Penal Process	
4.1 Date when the act occurred: (dd/mm/yy)	<input type="checkbox"/> Only includes the year <input type="checkbox"/> Not found
4.2 Location where the act occurred:	<input type="checkbox"/> Residential Address <input type="checkbox"/> High School/School <input type="checkbox"/> Other
4.3 Date and time of filing the complaint:	Date (dd/mm/yy): <input type="checkbox"/> Unknown Time: <input type="checkbox"/>
4.4 Complainant: <small>Mark all that apply with an 'X'</small>	<input type="checkbox"/> Family <input type="checkbox"/> Public Ministry <input type="checkbox"/> CPS <input type="checkbox"/> Social Services <input type="checkbox"/> SLIM
4.5 Does the process have an order to present the indictment?	<input type="checkbox"/> Yes Document <input type="checkbox"/> (Yes) Date of Order to Present (dd/mm/yy): <input type="checkbox"/> No Document <input type="checkbox"/> not found
4.6 Does the process have a notification of order to present to the Prosecutor's Office (for the indictment)?	<input type="checkbox"/> Yes Document <input type="checkbox"/> (Yes) Date of notification (dd/mm/yy): <input type="checkbox"/> No Document <input type="checkbox"/> not found
4.7 ¿El proceso cuenta con imputación formal o rechazo?	<input type="checkbox"/> Yes Document <input type="checkbox"/> (Yes) Date of stamp of reception of indictment or formal dismissal from the Prosecutor's Office (dd/mm/yy): <input type="checkbox"/> No Document <input type="checkbox"/> not found
4.8 Dismissal confirmed by the Prosecutor's Office?	<input type="checkbox"/> Yes Document <input type="checkbox"/> (Yes) Date of dismissal confirmation from the Prosecutor's Office (dd/mm/yy): <input type="checkbox"/> No Document <input type="checkbox"/> not found

4-9 Does the process have a notification to the accused?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of notification (dd/mm/yy):	Notes:												
4-10 Does the process have an order to present the charge?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of Order to Present (dd/mm/yy):	Notes:												
4-11 Does the process have a notification of order to present to the Prosecutor's Office (for the charge)?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of notification (dd/mm/yy):	Notes:												
4-12 Does the process have a formal charge or a dismissal of case?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of reception stamp of the formal charge or dismissal of case by the Prosecutor's Office (dd/mm/yy):	Reason for dismissal of case (if applicable):												
4-13 Has the case been suspended for lack of the prosecutor's presentation of the charge?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of Ruling (dd/mm/yy):	Notes: was it suspended at the request of the complainant or an official?												
4-14 Does the process have an official receipt of case in a Tribunal?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of official receipt of the charge (dd/mm/yy):	Notes:												
4-15 Does the process have the notification to the prosecutor to submit evidence?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of notification (dd/mm/yy):	Notes:												
4-16 Has the evidence in the process been presented?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of presentation (dd/mm/yy):	Notes:												
4-17 Does the process have the notification to the victim to submit evidence?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of notification (dd/mm/yy):	Notes:												
4-18 Does the case have a private accusation?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of the stamp of the private accusation (dd/mm/yy):	Notes:												
4-19 Does the process have the notification to the accused to submit evidence for acquittal?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of notification (dd/mm/yy):	Notes:												
4-20 Does the process have the document for opening of trial?	<input type="checkbox"/> Yes <input type="checkbox"/> Document not found <input type="checkbox"/> No	(Yes) Date of opening of trial (dd/mm/yy):	Notes:												
4-21 What is the date of the opening of trial according to the document? (dd/mm/yy)															
4-22 Was trial started on the same date listed in 4-20?	<input type="checkbox"/> No <input type="checkbox"/> Yes														
4-23 # of suspended hearings from the listed opening of trial to the ACUTAL oral trial:															
4-24 Reasons for suspensions:	Suspended Hearings														
4-24 Reasons for suspensions: ▲ If the case has more than 14 suspensions in this stage, the additional information may be recorded in the annex.	Parties	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Date	Judge	Prosecutor												

4-31 Type of Sentence:		<input type="checkbox"/> Conviction	<input type="checkbox"/> Absolved	
4-32	Does the process have a notification to the defense (of the sentence)?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of notification (dd/mm/yy): <input type="checkbox"/> Document not found
4-33	Does the process have a notification to the victim (of the sentence)?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of notification (dd/mm/yy): <input type="checkbox"/> Document not found
4-34	Does the process have a notification to the Child Protective Services (of the sentence)?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of notification (dd/mm/yy): <input type="checkbox"/> Document not found
4-35	Does the process have an appeal of the sentence?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the presentation of the appeal (dd/mm/yy): <input type="checkbox"/> Document not found
4-36	Total number of appeals:			
4-37	Does the process have a notification to the opposing party?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the reception of the answer to the appeal (dd/mm/yy): <input type="checkbox"/> Document not found
4-38	Does the process have a reception of the appeal in an Appeals Court?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of notification (dd/mm/yy): <input type="checkbox"/> Document not found
4-39	Does the process have a ruling on the appeal?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the appeal ruling (dd/mm/yy): <input type="checkbox"/> Document not found
4-40	Does the process have a final enforceable sentence?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the final enforceable sentence (dd/mm/yy): <input type="checkbox"/> Document not found
5-0P lea Bargain (not applicable to all cases)				
5.1 Crime Type:				
5-2 In what stage was it requested?		<input type="checkbox"/> Before the accusation	<input type="checkbox"/> During the opening of trial	<input type="checkbox"/> Before dictating the sentence
5-3 On what date was it requested?				
5-4 Does the process have a conviction?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the sentence (dd/mm/yy): <input type="checkbox"/> Document not found
5-5 Does the process have a final mandate?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	(Yes) Date of the final enforceable sentence (dd/mm/yy): <input type="checkbox"/> Document not found
6.1C complete Name:				
6.2S ignature:				
6.3L ocation:				
6.4D ate (dd/mm/yy):		Time (hours) to complete this revision:		

ANNEX - MULTIPLE VICTIMES			
Process Number:	Name of Intern:		
2.0A Victim Information (additional)			
2.2	<input type="checkbox"/> Minor? <input type="checkbox"/> Only included the year <input type="checkbox"/> Not found	<input type="checkbox"/> Male <input type="checkbox"/> Female	Revision by:
2.3	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Police Statement <input type="checkbox"/> Declaration in Gessell Chamber <input type="checkbox"/> Psychological Expertise Session <input type="checkbox"/> Participation in Social Reports <input type="checkbox"/> Record of the Place of the Act	<input type="checkbox"/> Technical Crime Scene Inspection <input type="checkbox"/> Identification Line-up <input type="checkbox"/> Preview of Evidence <input type="checkbox"/> Presentation of DNA Evidence Hearing <input type="checkbox"/> Oral Trial
2.4	Proceedings in which the victim directly participated:		<input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
2.2	<input type="checkbox"/> Minor? <input type="checkbox"/> Only included the year <input type="checkbox"/> Not found	<input type="checkbox"/> Male <input type="checkbox"/> Female	Revision by:
2.3	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Police Statement <input type="checkbox"/> Declaration in Gessell Chamber <input type="checkbox"/> Psychological Expertise Session <input type="checkbox"/> Participation in Social Reports <input type="checkbox"/> Record of the Place of the Act	<input type="checkbox"/> Technical Crime Scene Inspection <input type="checkbox"/> Identification Line-up <input type="checkbox"/> Preview of Evidence <input type="checkbox"/> Presentation of DNA Evidence Hearing <input type="checkbox"/> Oral Trial
2.4	Proceedings in which the victim directly participated:		<input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
2.2	<input type="checkbox"/> Minor? <input type="checkbox"/> Only included the year <input type="checkbox"/> Not found	<input type="checkbox"/> Male <input type="checkbox"/> Female	Revision by:
2.3	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Police Statement <input type="checkbox"/> Declaration in Gessell Chamber <input type="checkbox"/> Psychological Expertise Session <input type="checkbox"/> Participation in Social Reports <input type="checkbox"/> Record of the Place of the Act	<input type="checkbox"/> Technical Crime Scene Inspection <input type="checkbox"/> Identification Line-up <input type="checkbox"/> Preview of Evidence <input type="checkbox"/> Presentation of DNA Evidence Hearing <input type="checkbox"/> Oral Trial
2.4	Proceedings in which the victim directly participated:		<input type="checkbox"/> Other: _____ <input type="checkbox"/> Other: _____
ANNEX - MULTIPLE AGGRESSORS			
Process Number:	Name of Intern:		

3.0A Aggressor information (additional)		
Aggressor #2	3.2 Birth date: (dd/mm/yy)	
	3.3 Gender:	<input type="checkbox"/> Male <input type="checkbox"/> Female
	3.4 Relation to the victim:	<input type="checkbox"/> None <input type="checkbox"/> Nuclear family <input type="checkbox"/> Extended family <input type="checkbox"/> Friend <input type="checkbox"/> Neighbor <input type="checkbox"/> Teacher <input type="checkbox"/> Other:
	3.5 Preventative Measures: (first preventative hearing)	House Arrest <input type="checkbox"/> Detention <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Fugitive with sentence <input type="checkbox"/> Other:
	3.6 If aggressor was declared fugitive:	<input type="checkbox"/> information about preventative measures not found <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.6 if the accused was declared fugitive
	3.7 Current Preventative Measures:	<input type="checkbox"/> Free <input type="checkbox"/> House Arrest <input type="checkbox"/> Detention <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Fugitive with sentence <input type="checkbox"/> Other:
	3.8 If aggressor was declared fugitive:	<input type="checkbox"/> No se encuentra información de medidas cautelares <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.8 if the accused was declared fugitive
Aggressor #3	3.2 Birth date: (dd/mm/yy)	
	3.3 Gender:	<input type="checkbox"/> Male <input type="checkbox"/> Female
	3.4 Relation to the victim:	<input type="checkbox"/> None <input type="checkbox"/> Nuclear family <input type="checkbox"/> Extended family <input type="checkbox"/> Friend <input type="checkbox"/> Neighbor <input type="checkbox"/> Teacher <input type="checkbox"/> Other:
	3.5 Preventative Measures: (first preventative hearing)	House Arrest <input type="checkbox"/> Detention <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Fugitive with sentence <input type="checkbox"/> Other:
	3.6 If aggressor was declared fugitive:	<input type="checkbox"/> information about preventative measures not found <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.6 if the accused was declared fugitive
	3.7 Current Preventative Measures:	<input type="checkbox"/> Free <input type="checkbox"/> House Arrest <input type="checkbox"/> Detention <input type="checkbox"/> Preventative Detention <input type="checkbox"/> Missing without being ruled as fugitive <input type="checkbox"/> Declared Fugitive <input type="checkbox"/> Fugitive with sentence <input type="checkbox"/> Other:
	3.8 If aggressor was declared fugitive:	<input type="checkbox"/> No se encuentra información de medidas cautelares <input type="checkbox"/> Date of executive order of arrest (if it exists): <input type="checkbox"/> Only complete 3.8 if the accused was declared fugitive

								⚠ Only complete 3,8 if the accused was declared fugitive	
3-8	If aggressor was declared fugitive:	Date of decree:		Date of executive order of arrest (if it exists):					
3-2	Birth date: (dd/mm/yy)								
3-3	Gender:	<input type="checkbox"/> Male	<input type="checkbox"/> Female						
3-4	Relation to the victim:	<input type="checkbox"/> None	<input type="checkbox"/> Nuclear family	<input type="checkbox"/> Extended family	<input type="checkbox"/> Friend	<input type="checkbox"/> Neighbor	<input type="checkbox"/> Teacher	<input type="checkbox"/> Other:	
3-5	Preventative Measures: (first preventative hearing)	<input type="checkbox"/> Free	House Arrest <input type="checkbox"/> Arrest	<input type="checkbox"/> Preventative Detention	<input type="checkbox"/> Missing without being ruled as fugitive	<input type="checkbox"/> Declared Fugitive	<input type="checkbox"/> Imprisoned with sentence	<input type="checkbox"/> Other:	
<input type="checkbox"/> information about preventative measures not found Revision by:									
3-6	If aggressor was declared fugitive:	Date of decree:		Date of executive order of arrest (if it exists):					
3-7	Current Preventative Measures:	<input type="checkbox"/> Free	House Arrest <input type="checkbox"/> Arrest	<input type="checkbox"/> Preventative Detention	<input type="checkbox"/> Missing without being ruled as fugitive	<input type="checkbox"/> Declared Fugitive	<input type="checkbox"/> Imprisoned with sentence	<input type="checkbox"/> Other:	
<input type="checkbox"/> No se encuentra información de medidas cautelares Revision by:									
3-8	If aggressor was declared fugitive:	Date of decree:		Date of executive order of arrest (if it exists):					
⚠ Only complete 3,8 if the accused was declared fugitive									

Aggressor #4

Process Number		ANNEX - ADDITIONAL SUSPENSIONS												
4-0A General Information about the Criminal Process		Name of Intern:												
4.23 Reasons for the suspension:		Suspended Hearings:												
Parties	Date	15	16	17	18	19	20	21	22	23	24	25	26	27
Judge														
Prosecutor														
Victim														
Accused														
Defense Lawyer														
Lack of notification														
No record														
¿Aud Nominal? (Si/No/NE)														
Other														
Parties	Date	28	29	30	31	32	33	34	35	36	37	38	39	40
Judge														
Prosecutor														
Victim														
Accused														
Defense Lawyer														
Lack of notification														
No record														
¿Aud Nominal? (Si/No/NE)														
Other														

4.27 Reasons for the suspension:	Suspended Hearings													
	Parties	15	16	17	18	19	20	21	22	23	24	25	26	27
	Date													
	Judge													
	Prosecutor													
	Victim													
	Accused													
	Defense Lawyer													
	Lack of notification													
	No record													
Other														
	Suspended Hearings													
	Parties	28	29	30	31	32	33	34	35	36	37	38	39	40
	Date													
	Judge													
	Prosecutor													
	Victim													
	Accused													
	Defense Lawyer													
	Lack of notification													
	No record													
Other														

Process Number		ANNEX - ADDITIONAL COMPLETED HEARINGS																		
		Name of Intern																		
4-28	Dates and duration of completed hearings:	Completed Hearings																		
	Date (dd/mm/yy)	15	16	17	18	19	20	21	22	23	24	25	26	27						
	Duration (hours: min)																			
	Responsible for detention	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)
	No record (X)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)
		if the case has more than 14 completed hearings, the additional information may be included in the annex																		
	Dates and duration of completed hearings:	Completed Hearings																		
	Date (dd/mm/yy)	28	29	30	31	32	33	34	35	36	37	38	39	40						
	Duration (hours: min)																			
	Responsible for detention	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)	Expert Witness (A)
	No record (X)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)	Expert Witness (D)
		if the case has more than 14 completed hearings, the additional information may be included in the annex																		

 <p><i>"Investigative Study of the Bolivian Public Justice System"</i></p> <h2 style="text-align: center;">TOOL FOR COLLECTING AND ANALYZING CASE INFORMATION</h2> <p style="text-align: center;">from the period of January 1, 2007 - June 1, 2017</p>		<p>Start time:</p>
1.0 File Identification		
1.1 Process Number:		
1.2 In which pre-trial court, tribunal, or appeals court is the case currently located according to the IANUS/SIREJ system?		
1.3 Was the case found in the same place specified in 1.2?	<input type="checkbox"/> No <input type="checkbox"/> Yes	(Yes) Skip section 1.4, continue with 1.5 (No) Refer to the protocol to search for the case and note results in section 1.4
1.4 Actual location of case file:	<input type="checkbox"/> Regression <input type="checkbox"/> Advance <input type="checkbox"/> Archives <input type="checkbox"/> Unknown	actual location
1.5 Court of Origin:	<input type="checkbox"/> _____ Pre-Trial Instnctional Criminal Court of La Paz <input type="checkbox"/> _____ Pre-Trial Instnctional Anticorruption and Against Violence Toward Women Court of La Paz	<input type="checkbox"/> Not found
6.0 Summary of Case File		
6.1 Complete Name:		
6.2 Signature:		
6.3 Location:		
6.4 Date (dd/mm/yy):		Time (hours) to complete this revision:

"Investigative Study of the Bolivian Public Justice System"



INTERVIEW TOOL
from the period of April-August 2017

Start time:

Consentimiento consciente (verbal)

Do you have any knowledge about the focus of this project?

- The purpose of this study is to guide IJM in their collaborative work with Bolivian authorities and to share the results of the study with governmental partners and other NGOs in order to empower the Bolivian justice system.
- We are part of a research consultancy that was contracted by International Justice Mission (IJM) to collect information related to the average time it takes to process a case of child sexual violence and identify the bottlenecks in the justice system.
- The justice system = all state institutions that participate in criminal cases, from the start of the investigation stage to taking the case to trial. When I mention child sexual violence, I am including the crimes of sexual abuse, indecent abuse, statutory rape, rape, and any of these crimes with victims who are less than 18 years of age.
- These crimes are codified primarily in Law Number 348: Integral Law to guarantee women a life free of violence and Law Number 528: Children and Adolescent Code.
- We have signed an agreement with the Magistrate's Council, and Dr. Williams Davila S. as Department Representative in charge of supervising the project. You may communicate with him/her/them if you have any doubt or discomfort with your participation.

Do you have any knowledge about the focus of this interview?

- We would like to gather your knowledge, experiences, and point of view.
- You are not obligated to take part in this interview.
- Your privacy will be protected and you will not be personally identified in anyway.
- The interview will take approximately 30-45 minutes of your time.
- There are not any correct or incorrect answers to any of the questions.
- For us, your opinions and experiences are very important. The results of this study will be used to develop recommendation to accelerate justice proceedings for victims.

Do you have any questions about the study or your participation? [Interviewer, please clarify any doubts before accepting their consent]

Are you willing to participate in this interview?

Gave verbal informed consent to participate: Yes No

Will you allow us to record this conversation?

We would like to record this interview so as to not misinterpret any of your responses. We will not include your name on the recording, nor will we specifically identify you with anything you say. We will not share this recording with anyone outside of the research team.

Gave verbal informed consent to be recorded:

Yes No

Now we will begin with the questions. I will ask the questions and you may respond in whatever manner you prefer. I would like to thank you in advance for your active participation in helping us learn more about this matter.

Now, I will begin recording the interview.

Fecha de Entrevista			
Entrevista			
Entity		Consentimiento Verbal:	
Title		Participation <input type="checkbox"/>	Recording <input type="checkbox"/>

A. INTRODUCTION:			
1 How long have you been in your current position?	Start date: <input type="checkbox"/> dd/mm/yy	Only (#) years: <input type="checkbox"/>	
2 Have you worked with cases of child sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No	(Yes) How many cases per year: <input type="checkbox"/>	
3 Do you know of any protocol (written) for attention in cases of child sexual violence?	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	(Yes) Which Protocol?	
4 With what institutions would you have to coordinate in order to ensure that case advances? a. How do you accomplish these aspects of coordination?	(Yes) Are you implementing it?		
5 Do you know of any protocol (written) for interinstitutional coordination?	<input type="checkbox"/> Yes <input type="checkbox"/> No _____	(Yes) Which Protocol?	
(Yes) Are you implementing it?			

B. SPECIALIZATION	
<p>6 Have you received any trainings about child sexual violence? (It may be as part of your education or career)</p> <p style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p>(Yes) What agency facilitated it?</p>
<p>7 Do you know of any specialized trainings in child sexual violence that you could not attend?</p> <p style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p>(Yes) What themes did it cover?</p> <p>(Yes) Date of the training? (dd/mm/yy)</p>
<p>8 Are there any themes that you consider would be important to be trained in?</p> <p style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p>(Yes) What would be useful?</p> <p>(Yes) Who should offer the training?</p>

C. PROCEDURAL DEADLINES

<p>9 In which stage(s) of the process does your office intervene in cases of child sexual violence?</p>	<p> <input type="checkbox"/> Preparatory <input type="checkbox"/> Appeals <input type="checkbox"/> Oral Trial <input type="checkbox"/> Sentence <input type="checkbox"/> Enforcement </p>
<p>10 What is your role within this stage?</p>	
<p>11 Do you know the stages/deadlines of the criminal process?</p>	<p> <input type="checkbox"/> Yes (Yes) Explain? <input type="checkbox"/> No </p>
<p>12 What is the importance of completing these deadlines in carrying out your job? A. Do you meet the deadlines?</p>	
<p>13 How is the deadline interpreted?/So how do you interpret the deadlines for these stages?</p>	<p> <input type="checkbox"/> Work days <input type="checkbox"/> Calendar months Explain: <input type="checkbox"/> Calendar days </p>

<p>14 What are you doing to meet these deadlines? (that is to say the strengths or resources that you have or are implementing)</p>	
<p>15 What are some of the primary obstacles that impede the ability to meet these deadlines?</p>	
<p>16 How much time should a case of child sexual violence take from the indictment to the final sentence?</p>	

D. EXPERIENCE OF THE VICTIM	
17 Do you have direct contact with the victim?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Yes) Reasons for contact?
18 Do you feel comfortable having this type of contact with the victim?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Yes) Explain?
19 From your perspective, in the course of a case, how many times should a victim intervene during the process?	
20 Currently, do you know how many times (on average) a victim intervenes in the process?	
21 Do you think the authorities should participate in providing or coordinating services for victims of sexual violence? a. Explain what should be the role of authorities: b. Explain what should be the role of the private sector and/or NGOs:	

E. GENERAL ANALYSIS	
<p>22 Could you tell me three ideas that you think could lead to a significant reduction in child sexual violence?</p>	
<p>23 On a national level, do you believe that the authorities currently provide attention and sufficient resources for the investigation and prosecution of cases of sexual violence in Bolivia?</p>	<p>(Yes) Motivating factor?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>
<p>24 Let's talk about the recovery and reintegration of victims of child sexual violence - do you think that the authorities currently provide these resources?</p>	<p>(No) Non-motivating factors and additional resources needed?</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>
<p>25 What do you think are the challenges in the justice system's response to child sexual violence in the Bolivia?</p>	<p>(No) What other factors/resources?</p>

<p>26 What strengths can you identify in the justice system's response to child sexual violence?</p>	
<p>27 What do you understand about compensation for damages?</p>	
<p>28 Do you know of any cases where compensation for damages was granted as part of the sentence? Have you ever granted compensation for damages?</p>	
<p>29 Do you have any additional comments to include in this interview?</p>	

Time of Conclusion:	
Signature of interviewer: (Date)	<p>Any themes that emerged:</p> <p>Documents that were referenced during the interview:</p> <p>Things that stood out and/or the researcher's analysis of subjective factors, such as body language or the participant's reaction:</p>
Observations	

APPENDIX C: MISSING CASE FILES

ORIGIN	IANUS NUMBER	CRIME TYPE	ACTUAL LOCATION ACCORDING TO IANUS/SIREJ SYSTEM
4TH FINAL MANDATE COURT	201199201205887	Statutory Rape	4TH FINAL MANDATE COURT
8TH PRETRIAL COURT	201199200956105	Indecent Abuse	8TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200823756	Rape	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199201055913	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201360550	Sexual Abuse	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200821285	Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199200912658	Rape	5TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200937253	Rape	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200955240	Rape	9TH PRETRIAL COURT
8TH PRETRIAL COURT	201199200824899	Statutory Rape	8TH PRETRIAL COURT
3RD PRETRIAL COURT	201199200821186	Rape	3RD PRETRIAL COURT
5TH PRETRIAL COURT	201199200901163	Rape	5TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201138680	Rape	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199200966283	Rape	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199200818371	Statutory Rape	5TH PRETRIAL COURT
10TH PRETRIAL COURT	201199200707738	Rape	10TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201036923	Rape	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200933372	Statutory Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201100317	Indecent Abuse	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200707035	Statutory Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201039819	Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199200712911	Indecent Abuse	4TH FINAL MANDATE COURT
8TH PRETRIAL COURT	201199201072511	Rape	8TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200704709	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200800056	Rape	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200945482	Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201118607	Rape	5TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201131510	Rape	10TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200963050	Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199201263396	Indecent Abuse	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200919763	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200804520	Indecent Abuse	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199200800231	Statutory Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199201250537	Rape	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199201173903	Indecent Abuse	5TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201049964	Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199201044518	Rape	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199200953039	Rape	5TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201302753	Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199201180249	Rape in a state of unconsciousness	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199200931522	Rape	5TH PRETRIAL COURT
13TH PRETRIAL COURT	201199201425340	Rape	13TH PRETRIAL COURT
7TH PRETRIAL COURT	201199201066177	Indecent Abuse	7TH PRETRIAL COURT
7TH PRETRIAL COURT	201199200910913	Rape	7TH PRETRIAL COURT
8TH PRETRIAL COURT	201199201261010	Indecent Abuse	8TH PRETRIAL COURT
6TH PRETRIAL COURT	201199201120752	Rape	6TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201600767	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201537086	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201479437	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201503004	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201518442	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201549647	Rape	1ST PRETRIAL COURT ACV

1ST PRETRIAL COURT ACV	201199201529089	Sexual Abuse	1ST PRETRIAL COURT ACV
10TH PRETRIAL COURT	201199201273752	Rape of a minor (less than 14 yrs. old)	10TH PRETRIAL COURT
7TH PRETRIAL COURT	201199200801962	Rape	7TH PRETRIAL COURT
8TH PRETRIAL COURT	201199201237558	Rape of a minor (less than 14 yrs. old)	8TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201370277	Rape of a minor (less than 14 yrs. old)	5TH PRETRIAL COURT
10TH PRETRIAL COURT	201199200965039	Rape	10TH PRETRIAL COURT
3RD PRETRIAL COURT	201199201532752	Rape of a minor (less than 14 yrs. old)	3RD PRETRIAL COURT
12TH PRETRIAL COURT	201199201432635	Rape of a minor (less than 14 yrs. old)	12TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200950912	Rape	9TH PRETRIAL COURT
2ND PRETRIAL COURT	201199200714105	Rape	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199200711876	Indecent Abuse	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199200708937	Indecent Abuse	2ND PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201523878	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT	201199201442367	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT	201199201269455	Rape in a state of unconsciousness	1ST PRETRIAL COURT
6TH PRETRIAL COURT	201199200302130	Rape	1STPRETRIAL COURT
3RD PRETRIAL COURT	201199200955693	Indecent Abuse	1ST PRETRIAL COURT
5TH PRETRIAL COURT	201199201256537	Statutory Rape	1ST PRETRIAL COURT
5TH PRETRIAL COURT	201199201228560	Rape of a minor (less than 14 yrs. old)	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201303169	Rape of a minor (less than 14 yrs. old)	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201238674	Rape	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201272593	Rape	5TH PRETRIAL COURT
8TH PRETRIAL COURT	201199201239526	Indecent Abuse	8TH PRETRIAL COURT
1ST PRETRIAL COURT	201199201065058	Indecent Abuse	1ST PRETRIAL COURT
1ST PRETRIAL COURT	201199201252203	Indecent Abuse	1ST PRETRIAL COURT
13TH PRETRIAL COURT	201199201468600	Rape of a minor (less than 14 yrs. old)	13TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201506996	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201539091	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
9TH PRETRIAL COURT	201199201441535	Sexual Abuse	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200700526	Statutory Rape	4TH FINAL MANDATE COURT
1ST PRETRIAL COURT ACV	201199201539505	Statutory Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201601165	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201527092	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201545102	Rape	1ST PRETRIAL COURT ACV
11TH PRETRIAL COURT	201199200710590	Rape	11TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201477360	Sexual Abuse	1ST P RETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201547081	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201521195	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201537639	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201546042	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201530222	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201536445	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201536430	Statutory Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201536456	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201477368	Statutory Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201525072	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201600373	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201501092	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201532149	Rape	1ST PRETRIAL COURT ACV
10TH PRETRIAL COURT	201199201438810	Sexual Abuse	10TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201476011	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
4TH FINAL MANDATE COURT	201199200945769	Rape	5TH SENT TRIBUNAL
5TH PRETRIAL COURT	201199201403724	Sexual Abuse	5TH PRETRIAL COURT
6THPRETRIAL COURT	201199201005040	Rape	6TH PRETRIAL COURT
3RD PRETRIAL COURT	201199200816228	Rape	3RD PRETRIAL COURT
9TH PRETRIAL COURT	201199201060094	Rape	9TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201103590	Rape	9TH PRETRIAL COURT

6TH PRETRIAL COURT	201199201245350	Rape	6TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201174435	Rape in a state of unconsciousness	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201239656	Indecent Abuse	5TH PRETRIAL COURT
7TH PRETRIAL COURT	201199201426549	Rape of a minor (lessthan 14 yrs. old)	7TH PRETRIAL COURT
3RD PRETRIAL COURT	201199201263840	Indecent Abuse	3RD PRETRIAL COURT
9TH PRETRIAL COURT	201199200800713	Statutory Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201158846	Rape of a minor (less than 14 yrs. old)	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201034706	Rape	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200706278	Indecent Abuse	9TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201067626	Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201063899	Rape	5TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201036938	Statutory Rape	10TH PRETRIAL COURT
6TH PRETRIAL COURT	201199201202153	Rape of a minor (less than 14 yrs. old)	6TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201336177	Sexual Abuse	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201016776	Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT	201199200831111	Rape	5TH SENT TRIBUNAL
9TH PRETRIAL COURT	201199201313453	Rape in a state of unconsciousness	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201051261	Rape	5TH PRETRIAL COURT
6TH PRETRIAL COURT	201199200823179	Indecent Abuse	6TH PRETRIAL COURT
11TH PRETRIAL COURT	201199200801273	Rape	10TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201344790	Statutory Rape	10TH PRETRIAL COURT
5TH PRETRIAL COURT	201199200935940	Rape	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201069517	Rape	9TH PRETRIAL COURT
12TH PRETRIAL COURT	201199201464166	Rape	12TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201614530	Rape	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201477988	Rape	1ST PRETRIAL COURT ACV
2ND PRETRIAL COURT	201199200962402	Indecent Abuse	5TH SENT TRIBUNAL
9TH PRETRIAL COURT	201199200820348	Rape	9TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201132136	Indecent Abuse	5TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201376110	Statutory Rape	10TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201319835	Rape of a minor (less than 14 yrs. old)	10TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200929581	Rape	4TH FINAL MANDATE COURT
4TH FINAL MANDATE COURT	201199201061161	Rape	4TH FINAL MANDATE COURT
6TH PRETRIAL COURT	201199201274053	Indecent Abuse	6TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201173307	Rape	9TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201233509	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200704383	Indecent Abuse	4TH SENT TRIBUNAL
1ST PRETRIAL COURT	201199200903554	Indecent Abuse	5TH SENT TRIBUNAL
2ND PRETRIAL COURT	201199201260334	Rape	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199201225800	Indecent Abuse	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199200802328	Rape	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199201000736	Indecent Abuse	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199200707302	Rape	2ND PRETRIAL COURT
1ST PRETRIAL COURT	201199201331851	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT	201199201379075	Sexual Abuse	1ST PRETRIAL COURT
9TH PRETRIAL COURT	201199201228556	Rape of a minor (less than 14 yrs. old)	9TH PRETRIAL COURT
2ND PRETRIAL COURT	201199201330818	Rape	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199201338357	Rape	2ND PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200800886	Indecent Abuse	4TH FINAL MANDATE COURT
1ST PRETRIAL COURT ACV	201199201532337	Rape	1ST PRETRIAL COURT ACV
5TH PRETRIAL COURT	201199201406622	Indecent Abuse	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201155566	Rape	5TH PRETRIAL COURT
7TH PRETRIAL COURT	201199200919412	Rape	7TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201301047	Rape of a minor (less than 14 yrs. old)	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199201113882	Statutory Rape	9TH PRETRIAL COURT
2ND PRETRIAL COURT	201199200710257	Rape	2ND PRETRIAL COURT
2ND PRETRIAL COURT	201199201203260	Indecent Abuse	2ND PRETRIAL COURT

8TH PRETRIAL COURT	201199200804914	Rape	8TH PRETRIAL COURT
1ST PRETRIAL COURT	201199201417216	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201482070	Rape	1ST PRETRIAL COURT ACV
8TH PRETRIAL COURT	201199201038790	Rape	8TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201256540	Indecent Abuse	9TH PRETRIAL COURT
8TH PRETRIAL COURT	201199201228847	Rape in a state of unconsciousness	8TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201052960	Rape	10TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201480431	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201472019	Statutory Rape	1ST PRETRIAL COURT ACV
9TH PRETRIAL COURT	201199201226124	Rape of a minor (less than 14 yrs. old)	9TH PRETRIAL COURT
7TH PRETRIAL COURT	201199200812102	Statutory Rape	7TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201374416	Rape	10TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201276188	Rape of a minor (less than 14 yrs. old)	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199200707418	Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT	201199201031607	Rape	1ST PRETRIAL COURT
10TH PRETRIAL COURT	201199201301489	Rape of a minor (less than 14 yrs. old)	10TH PRETRIAL COURT
3RD PRETRIAL COURT	201199201173222	Indecent Abuse	3RD PRETRIAL COURT
1ST PRETRIAL COURT	201199201360020	Indecent Abuse	1ST PRETRIAL COURT
9TH PRETRIAL COURT	201199201017686	Statutory Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT	201199201449848	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT
8TH PRETRIAL COURT	201199200702000	Indecent Abuse	8TH PRETRIAL COURT
1ST PRETRIAL COURT	201199201106786	Rape	1ST PRETRIAL COURT
6TH PRETRIAL COURT	201199201156372	Rape	6TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201051004	Statutory Rape	4TH FINAL MANDATE COURT
1ST PRETRIAL COURT	201199200900080	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201477366	Sexual Abuse	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT	201199201169002	Indecent Abuse	1ST PRETRIAL COURT
1ST PRETRIAL COURT	201199200713631	Rape	1ST PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201032109	Rape	4TH FINAL MANDATE COURT
9TH PRETRIAL COURT	201199201063361	Statutory Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201540112	Sexual Abuse	1ST PRETRIAL COURT ACV
4TH FINAL MANDATE COURT	201199201065931	Statutory Rape	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199201158130	Indecent Abuse	5TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200931813	Rape	4TH FINAL MANDATE COURT
7TH PRETRIAL COURT	201199201017688	Rape	7TH PRETRIAL COURT
6TH PRETRIAL COURT	201199201020545	Rape	6TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201301776	Indecent Abuse	1ST PRETRIAL COURT ACV
5TH PRETRIAL COURT	201199201368931	Rape of a minor (less than 14 yrs. old)	5TH PRETRIAL COURT
5TH PRETRIAL COURT	201199201277035	Rape	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200933864	Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201510580	Sexual Abuse	1ST PRETRIAL COURT ACV
2ND PRETRIAL COURT	201199201061403	Rape	2ND PRETRIAL COURT
1ST PRETRIAL COURT	201199200804486	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT	201199201301195	Statutory Rape	1ST PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201341281	Sexual Abuse	4TH FINAL MANDATE COURT
3RD PRETRIAL COURT	201199200921573	Rape	3RD PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201381866	Rape	4TH FINAL MANDATE COURT
7TH PRETRIAL COURT	201199200924960	Rape	7TH PRETRIAL COURT
8TH PRETRIAL COURT	201199200900184	Statutory Rape	8TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201345766	Sexual Abuse	4TH FINAL MANDATE COURT
5TH PRETRIAL COURT	201199200812450	Rape	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200825763	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200812226	Rape	4TH FINAL MANDATE COURT
1ST PRETRIAL COURT	201199200937079	Rape	1ST PRETRIAL COURT
12TH PRETRIAL COURT	201199201422746	Sexual Abuse	2ND PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201316397	Rape	4TH FINAL MANDATE COURT
6TH PRETRIAL COURT	201199200713901	Rape	6TH PRETRIAL COURT

7TH PRETRIAL COURT	201199200819401	Rape	7TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201128946	Rape	4TH FINAL MANDATE COURT
1ST PRETRIAL COURT	201199200712333	Rape	1ST PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201477756	Sexual Abuse	1STPRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201537701	Rape	1ST PRETRIAL COURT ACV
10TH PRETRIAL COURT	201199201067102	Indecent Abuse	10TH PRETRIAL COURT
1ST PRETRIAL COURT	201199200800066	Rape	1ST PRETRIAL COURT
4TH FINAL MANDATE COURT	201199200713192	Indecent Abuse	4TH FINAL MANDATE COURT
8TH PRETRIAL COURT	201199200961142	Rape	8TH PRETRIAL COURT
8TH PRETRIAL COURT	201199201243830	Indecent Abuse	8TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201627842	Sexual Abuse	1ST PRETRIAL COURT ACV
3RD P RETRIAL COURT	201199201371422	Sexual Abuse	4TH FINAL MANDATE COURT, 7TH TRIBUNAL
1ST PRETRIAL COURT ACV	201199201531195	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
1ST PRETRIAL COURT ACV	201199201464761	Sexual Abuse	1ST PRETRIAL COURTACV
4TH FINAL MANDATE COURT	201199201234958	Rape	4TH FINAL MANDATE COURT
3RD PRETRIAL COURT	201199200963453	Rape	3RD PRETRIAL COURT
9TH PRETRIAL COURT	201199201257833	Rape in a state of unconsciousness	9TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200704272	Statutory Rape	9TH PRETRIAL COURT
11TH PRETRIAL COURT	201199201441660	Sexual Abuse	11TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200804065	Indecent Abuse	9TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201028266	Rape	10TH PRETRIAL COURT
5TH PRETRIAL COURT	201199200701488	Indecent Abuse	5TH PRETRIAL COURT
9TH PRETRIAL COURT	201199200829683	Rape	9TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201503835	Rape of a minor (less than 14 yrs. old)	1ST PRETRIAL COURT ACV
10TH PRETRIAL COURT	201199201139653	Rape	10TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201058802	Rape	9TH PRETRIAL COURT
10TH PRETRIAL COURT	201199201438589	Rape of a minor (less than 14 yrs. old)	10TH PRETRIAL COURT
9TH PRETRIAL COURT	201199201363595	Rape of a minor (less than 14 yrs. old)	9TH PRETRIAL COURT
1ST PRETRIAL COURT ACV	201199201518927	Rape	1ST PRETRIAL COURT ACV
9TH PRETRIAL COURT	201199200801362	Rape	9TH PRETRIAL COURT
4TH FINAL MANDATE COURT	201199201041943	Rape	4TH FINAL MANDATE COURT

APPENDIX D: FLOWCHART FOR KEY PROJECT ADVANCEMENTS

DATE	ADVANCEMENT	ENTITY	NOTES
December 28, 2015	Convenio de Cooperación Inter-Institucional	Project Agreement for Inter-Institutional Cooperation	MOU for inter-institutional cooperation signed by President Freddy Sanabria Taboada
May 12, 2016	Convenio de Cooperación Interinstitucional	Inter-Institutional Cooperation Project Agreement	MOU that established cooperative agreement for one year from signing date
November 11, 2016	Aprobación del Proyecto	Project Approval	Notification that the project 'Implementation of a Protocol on Best Practice for the Management of Courtrooms in Criminal Proceedings' is approved
January 12, 2017	Presentación del detalle del Proyecto	Detailed Presentation of the Project	Presentation to TDJ president Carmen del Rio Quisbert Caba to review project aspects and request support for advancement
February 17, 2017	Confirmación del oficinas pilotos	Confirmation of Designated Pilot Courts	MOU signed by all seven pilot courts to commence project activities
March 20, 2017	Autorización para recopilación de datos línea base piloto	Authorization for data collection in court case file review (pilot/field testing)	Pilot offices notified of authorized activities and to provide collaboration for the data collection process in order to advance the study
April 4, 2017	Declaración de comisión	Declaration of Commission	President Dra. Carmen del Rio Quisbert of the La Paz Departmental Tribunal remitted notification declaring judicial personnel of the pilot offices in commission to participate in a workshop on April 7-8, 2017
May 22, 2017	Autorización para recopilación de datos línea base general	Authorization for data collection in court case file review (base line study)	Petition to all judicial offices of La Paz to provide access to information and collaboration to aforementioned project staff in order to advance the study
June 6, 2017	Instructivo de colaboración en la recopilación de datos	Notification to collaborate in data collection process	President Dr. Juan Lanchipa Ponce of the La Paz Departmental Tribunal remitted notification to courts, tribunals and appeals courts, specifying details for required collaboration from judicial personnel in the base line study
June 13, 2017	Declaración de comisión	Declaration of Commission	President Dr. Juan Lanchipa Ponce of the La Paz Departmental Tribunal remitted notification declaring judicial personnel of the pilot offices in commission to participate in a validation workshop for the protocol on June 14, 2017
October 24, 2017	Declaración de comisión	Declaration of Commission	President Dr. Juan Lanchipa Ponce of the La Paz Departmental Tribunal remitted notification declaring judicial personnel of the pilot offices in commission to participate in workshops on November 6 and 16, 2017



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