

H.B. 2783

(No. 212)

(Approved September 27, 2006)

AN ACT

To add a fifth paragraph to Section 2.016 of Act No. 201 of August 22, 2003, as amended, for the purpose of authorizing unrestricted contracting and reaffirming the control of the expenses for contracting and making official use of communications technology equipment and gear in the Judicial Branch and for other purposes.

STATEMENT OF MOTIVES

The Constitution of the Commonwealth of Puerto Rico in its Article V establishes the Judicial Power. Likewise, Act No. 201 of August 22, 2003, as amended, known as the “Judiciary Act of the Commonwealth of Puerto Rico of 2003,” in its Section 2.001 reiterates this constitutional mandate in terms that indicate that the Judicial Power of the Commonwealth of Puerto Rico shall constitute a unified judicial system as concerns its jurisdiction, operations and administration. The latter shall be constituted by the Supreme Court as court of last instance, the Court of Appeals as intermediate court and the Court of First Instance, bodies which together shall constitute the General Court of Justice.

The Judicial Branch anchored in the fundamental principles and objectives established in Section 1.002 of the Judicature Act of 2003, shall be independent and accessible to the citizens; render services equitably and sensibly within a humanistic approach and shall operate under systems for

the effective and expeditious management of cases without impairment to the substantive and procedural rights of the citizens. In order to comply with its duties and responsibilities, the Judicial Branch at present consists of a work team committed to public service of 4, 671 employees and officials of which approximately 838 are male and female marshals and 384 are male and female judges. These employees and officials fulfill their mission throughout the following thirteen (13) judicial regions: San Juan, Bayamón, Arecibo, Aguadilla, Mayagüez, Ponce, Guayama, Humacao, Caguas, Aibonito, Utuado, Carolina and Fajardo.

Because of the nature of the work conducted in the courts and other dependencies of the Judicial Branch, the Office of Courts Administration makes sure that its officials have at their disposal the best communications technological tools and others that will allow them to capably meet their responsibilities.

The previously described conditions have been achieved by always observing strict criteria of sound public administration and control of public expenses. This rigorous administrative conduct of the Judicial Branch was further evidenced during the current fiscal year when in consideration of the crisis the Treasury was undergoing, the Judicial Branch adopted an Economy Plan which it kept in effect throughout the year.

Aware of the essential and fundamental function of the Courts of Puerto Rico directed toward guaranteeing respect for the rights of the citizens who approach the courts claiming for their services, the responsibility of promoting the disposition of matters within an accessible and secure environment and in order to validate and guarantee the effective and timely exercise of their jurisdiction, it is imperative that even maintaining observance of the highest measures of financial and

administrative control, we may be able to provide the Judicial Branch with the mechanisms that may turn what has been set forth into a reality.

It is thus that through the present Act it is provided that the Judicial Branch may be able to obtain the communications media and such access to technology that will allow it to maintain an agile and high quality service for the citizens it serves.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-A fifth paragraph is hereby added to Section 2.016 of Act No. 201 of August 22, 2003, as amended, to read as follows:

“Section 2.016.-Office of Courts Administration

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It is hereby provided that the Office of Courts Administration may contract without restrictions for the official use of communications technological equipment and gear in the Judicial Branch, in compliance with the obligation of providing the citizens with agile systems and procedures, guaranteeing the security during judicial proceedings as well as in the effective and timely exercise of the jurisdiction and to provide tools that will enable its employees, officials and judges to capably fulfill their duties.

It is likewise reaffirmed that the Judicial Branch shall continue in compliance with the control of the expenses for contracting and making official use of communications technology equipment and gear pursuant to Article VI, Section 9 of the Constitution of the Commonwealth of Puerto Rico; Act No. 201 of August 22, 2003, as amended,; Act No. 286

of December 20, 2002; Act No. 177 of December 21, 2001; and Act No. 345 of September 2, 2000; as well as according to the criteria that govern sound public administration.”

Section 2.-The Chief Justice of the Supreme Court of Puerto Rico and through his/her delegation, the Administrative Director of the Courts shall issue directives as well as approve the rules, regulations, norms and procedures needed for the implementation of this Act.

Section 3.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 212 (H.B. 2783) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to add a fifth paragraph to Section 2.016 of Act No. 201 of August 22, 2003, as amended, for the purpose of authorizing unrestricted contracting and reaffirming the control of the expenses for contracting and making official use of communications technology equipment and gear in the Judicial Branch and for other purposes,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 27th of November of 2006.

Francisco J. Domenech
Director