ROUNDTABLE DISCUSSION 1

Electronic Justice

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Salvador Ortiz: This first roundtable discussion is titled "Electronic Justice". The moderator will be Doctor Rolando de Lassé Cañas, friend of the INAP, INAP associate, Bachelor of Law from the ITAM, Master in Public Administration from our Institute, Doctor of Law from the National Autonomous University of Mexico. He has been Legal Head of the IFE and the National Institute of Copyright. He used to be Technical Secretary of the Mexican Association of Law Enforcers and is currently working in the Electoral Court of the Judicial Power.

He is going to moderate this first table, I give the floor to him. Thank you.

Rolando de Lassé Cañas: Thank you very much, good morning. It is an honor to moderate this discussion, which will have top-level experts in the topics to be addressed in this first session entitled "Electronic Justice".

I will introduce the speakers, whose brief résumé will be read when it is their turn to speak. Each one of the speakers will have 15 minutes to present his ideas. This is one of the roundtable's rules. The speakers will be: Doctor Julio Téllez Valdez; Carlos Matute González MD; Otilio Estaban Hernández MD; Alberto Gustavo Caballero MD and doctor Jesús Suárez Zendejas.

I would like to present tour first speaker, Doctor Julio Téllez Valdez and tell you a little bit about his résumé. Bachelor of Law from the La Salle University; PhD. in Legal Informatics and Computer Law in Montpellier, Paris.

Currently, doctor Téllez Valdéz is a full-time type "B" researcher in the Institute of Legal Research of the UNAM; Level 2 national researcher in the National System of Researchers and as most of you surely know the author of a great number of books and

papers regarding this topic. Welcome doctor Téllez, I yield the floor to you.

Julio Téllez Valdez: Thank you. I appreciate the invitation to participate in this symposium regarding "Electronic Government", instrument to strengthen trust in the INAP.

I will be very brief to comply with the time we have been given. I will talk about electronic justice, as you can see in the screen, about this pile of papers or of records that sometimes cannot be processed because it is humanly impossible.

Electronic justice can be found within the area of cyberjustice. Cybernetics were conceived by Norbert Wiener in 1948 in his work *Cybernetics or Control and Communication in the Animal and the Machine*. He later wrote another text called *Social Semantics*. I highly recommend this book, which was published by the Economic Culture Fund. I hope you can read Norbert Wiener's book someday.

Regarding cyberspace, William Gibson thinks it is a collective hallucination experienced daily by millions of people who use computers. The truth is it is a group of data constellations that flutter inside our minds. Cyberspace is truly fascinating.

Article 17th of the Political Constitution of the United Mexican States, points out that law enforcement must be prompt, expeditious and free. Unfortunately, on many occasions, not always, these postulates cannot be met. Ergo, law enforcement in Mexico is not prompt, expeditious or free.

The question is: Can new ICT technologies help to enforce these postulates? I think so, definitely.

Let me tell you really fast that legal informatics has an area devoted to documents; storage and retrieval of legal documents of all kinds: legislative, jurisprudential, doctrinaire, etc., also their control and management where we can find electronic justice.

We could talk about office automation, in these case legal offices; and of legal or judiciary informatics and metadocumental legal informatics which refers to systems of legal experts which can be very important and helpful to make legal decisions; however, this time I will not speak about this.

Electronic justice or cyber justice could help us make law enforcement more efficient, reduce costs in legal processes, avoid ignoring records and try to enforce this postulate; general theory of process and procedural courses strongly emphasized what the economy and procedural concentration are.

Enunciating and not limiting, which areas could be automated within the legal process? I am talking about justice administration, because Gustavo Caballero Torres will talk to you about the use of these technologies in law enforcement.

Reorganizing the situation: notifications, automated documentation system, procedures for automated management of hearings, reengineering, administrative processes, better control of records, also a better control of criminal records which is very important; security systems for legal documents through the use of encryption and e-mail notifications.

I want to add something I consider very interesting. We have always assumed justice administration is limited to jurisdictional bodies; this is not true, non-jurisdictional bodies can officially administer justice.

This came up because of the alternate methods to solve disputes or controversies through well-known figures such as arbitration, conciliation, among others.

This administration of justice can be enforces by either jurisdictional or non-jurisdictional bodies. These alternate methods of solving controversies have been successful in non-jurisdictional bodies; therefore, they have been implemented within the structure of jurisdictional bodies. That is why you can

see that different courts of justice have mediation, arbitration and conciliation centers. This has been very successful because it has allowed them to reconcile parties without having to start up the procedural machinery which can be slow and expensive.

This cyber justice, in terms of alternate methods to solve controversies, is strongly aided by technology. Some areas are: will autonomy of the parts, power to openly elect a conciliator, an arbitrator, a neutral one. You could also solve international issues through this same technology, physical presence would not be necessary.

This would entail shorter, simpler and sensitive extrajudicial processes. We would already essentially know how much it would cost and last; this does not happen a lot of times in jurisdictional justice. You can be sure when the process starts, but never when it is going to end. Clients become surprised when their lawyer asks them for more money to solve the same problem. People don't really like that. It undermines the image of the institutions that administer justice. We already know that some legal institutions, such as the ones administering justice, do not have the recognition one could hope for.

It also has to guarantee privacy, confidentiality and the reduction of emotional hostility between the parties. Alternate methods aim to solve issues more amiably.

But I am getting ahead of myself. The screen shows some cyber-tribunal cases or electronic justice. Some other countries implement the Maastricht Strategy, online but office, Squire treaty. Europe has a project called e-justice; they also have a prototype court in the city of Liege, Belgium, famous for its e-Resolution.

One of the pioneers of e-justice is the virtual court of the judicial power of Nuevo León; which has been exceedingly successful. Through electronic devices: smart phones, blackberries and such, you can access records, send documents, promotions and if you wish you can receive notifications or subpoenas.

This has been very functional in the State of Nuevo León; evidently justice now has more credibility. Imagine not having to go anywhere. This gives you more time to take care of your affairs. The situation in Nuevo León has been highly successful. It is very simple. Through a document you request access to records, if and only if you are authorized and have legal persona. Not everyone can access said records. There are elements of security that prevent unauthorized people from accessing said information.

Another successful example is the e-records of the Judicial Power of the State of Queretaro. Unlike Nuevo León, it is not free, although it is not pricey, lawyers can easily amortize the cost. This cost depends on the number of records one want to access. Or one can visit the Court and access the records for free. The advantage, the good thing about it is accessing them remotely, from the office or anywhere you are. Imagine taking care of your affairs remotely. Lawyers will provide their clients with a better service; however, bodies that enforce justice will acquire greater credibility.

I cannot say it enough times, a Judicial Power that has a good budget and operates adequately will always make the Legislative and Executive Powers look good. I cannot understand why the Executive and Legislative powers seem to be in cahoots to reduce or limit the budget of the Judicial Power. States that have an adequate budget for the judicial power have an overall better public image.

It is only fair to recognize the Judicial Power has a representative image within the world of Law, a very important role in public administration.

Recently, the Federal Court of Fiscal and Administrative Justice implemented online trials. It took 18 months to realize it was not ready and it took 8 months more to be finished. It started to operate last August. Currently, one can choose between virtual and traditional trials.

I do not mean to be skeptical. I am thrilled with the idea of implementing these technologies; I have been talking about this for more than 30 years. I was the first person to talk about this in Mexico. You can understand I am very happy to know these are starting to be implemented; however, this has to be done correctly. If not, it could produce a bad image, the idea that technology does not benefit, but hinders.

I also want to establish that the Federal Court of Fiscal and Administrative Justice had enough time and money; there cannot be any excuses. I hope it works appropriately.

I would like to take some time to talk about electronic records. Most commonly, courts only use paper records; although some of them can become deteriorated very quickly, cities by the sea suffer from such deterioration that some records cannot be read anymore. Paper records often take up a lot of space, which can be very unpleasant, uncomfortable and does not take into account ecological matters. Paper used in records means deforestation and removal of bark and pulp. I think of it as a true ecocide that needs to be taken care of. E-records can make things easier; in the end, records end up in archives so why not have them digitalized?

Let us imagine a lawyer that gets into court at quarter to three and wants a copy of some records. If you can remotely access them through the Internet and want them physically, print them yourself. This is already happening in e-commerce, boarding passes, electronic invoices. What happens now? Print them yourself; significant cost savings.

E-documents is also a hot topic, the law already mentions data messages. We have to be very careful in terms of their probative value, unfortunately I cannot talk about this because I do not have enough time. E-documents are instruments that have a written message intended to last a long time, written in a conventional language called bits that contain magnetic supports. This is very important because of the role they are now playing.

Finally, I would like to tell you it is not enough to think of technology as an instrument within justice administration; these technologies can become objects of regulation. Such is the case of the probative value of e-documents. Imagine a judge, a magistrate receiving an e-document as means of evidence; he would probably not know how to assess it.

Thank you very much.

Rolando de Lassé Cañas: Thank you very much Doctor Julio Téllez. Unfortunately time is of the essence and I am sure everyone here would like to listen to you more than 15 minutes, which is still very little time to listen to what you know about the subject. I thank you doctor for complying with the periods of time established for this symposium. Next, we will hear Mr. Carlos Matute González; Bachelor of Law by the Ibero-American University and Bachelor of Public Administration by the School of Mexico. He obtained his master's degree of Law in the UNAM. He also teaches in several universities. He is currently a magistrate in the Federal Court of Conciliation and Arbitration. Mr. Mature, thank you very much for coming this morning. I call on you.

Carlos Matute González: Doctor, thank you for your kind presentation. I will try to give you a brief summary of everything that has to be done before the process Doctor Téllez most magnificently mentioned can take place.

It is great news everyone is in favor of e-trails and online trials. It is wonderful everyone wants legal informatics. However, if they are to exist, an infrastructure is needed, a change of culture and the idea that this is better than traditional processes.

The picture in the doctor's first slide reminds me of the courthouse I work in everyday, secretaries covered in papers, I can barely look at my secretary underneath a pile of records. Half of the tribunal spends their days stamping, numbering and sewing to bind records, which is value added to their work. It is a very small

added value, and it is not a senseless job, but maybe –just maybe– we could be doing it better.

What am I going to talk about? I am the author of a little book titled "*Administrative modernization of the Federal Judiciary Council*" published on 2007-2008; it tries to synthesize the events that took place in the Council in the 2000-2007 period when minister Góngora Pimentel and minister Mariano Azuela presided over it.

As many of you are surely thinking, we cannot talk about administrative modernization without mentioning informatics. Everything we do in the Federal Judiciary Council to change processes, is strongly related to informatics and two people: Pablo Alejandro Luna Ramos and Alejandro Briones Hernández, two brilliant computer specialists.

What is the real problem? How can we avoid substitution, supplantation or forgery of electronic documents? There are some systems called HML related to security. How do we engineer secure electronic signatures, systems that cannot be hacked into? All of these are technical problems related to security.

On the one hand we have HML and on the other what I call manual binding (sewing) of records. Which is more efficient? Everybody talks about their own experience; nonetheless, there is no single study that tells us which gives us more certainty: electronic or record sewing.

Using this new language, let's talk about the *delete* option, a record disappears; that is, the paper record cannot be found: what is the percentage of forgery? What is the risk or forgery in e-documents and paper ones? Nobody has answered this; everyone thinks paper can be forged less; however, nobody really knows because they have not studied it. Everybody expresses their opinion without the appropriate knowledge.

This is an important and essential point in the change of culture. When we realize the level of security is smaller in paper documents, we lawyers will change our ways and support the new system: paperless culture. This is a fundamental step.

To achieve this, what should we do? Promote infrastructure. What is infrastructural growth? We cannot expect to automate an institution of justice if the staff does not computers. This was the main problem we had to solve at the end of the 20th century in the Judicial Power. We wanted to discuss modernity when only the judge or the magistrate had a computer they did not know how to use; they were not used to work in a computer and there was only one printer. That has happening in the Judicial Power of the Federation in the years 1997 and 1998; so let us not imagine the situation in other localities.

We acquired a network and connected every computer to a national network; we already had the cables, installation and infrastructure. We bought Internet services instead of using the little device that got plugged into the phone and made noises because we could not get connected, information came and went.

Secondly, was our power grid going to support some many computers? Yes? No? No. Doctor Tellez's comment comes true: an 18 month project becomes a 24 month one. Why? I did not plan correctly; I did not foresee that first I had to buy computers after an administrative procedure to get them approved. Then I have to make an administrative procedure to remodel every building so that they have electronic capacity and structured cabling to connect all of the country.

What did we do first? One by one. That is, one employee of the Judical Power, one computer; exactly what we want to achieve in Education. We want to connect the world to our computers one kid at a time, if we do not give a computer to every kid, we cannot be connected. One by one: one employee-one computer. First element.

Second element, connect ourselves to the national network even though this can mean a whole world of trouble. A first network with nine regionalized nodes, with concepts from the judicial power; then, a five-node network, outsourcing to make it more efficient and cheaper.

We started to see an efficient communications system; in 2005 someone, whose name I do not remember, thought we could upload all of the scanned records. The second day into the project the whole network crashed down, we did not have enough capacity.

Why? They were not documents that could be edited, just scans of judicial records; we obviously had to start all over again.

Another person, whose name I also do not remember, suggested we should scan judicial records, we started to do this and someone said that if the page had the stroke of a pen the information could not be copied and pastes; therefore, scanning was no good to us.

These learning experiences of the Judicial Power were fortunately transmitted through AMIJ. Electronic justice does not thrive on good wishes, we have to be prepared in terms of infrastructure, culture and training.

Training. People that have been working for 30, 50 or 60 got a computer at work and said: yeah great, no what do I do with it? What is it good for? Some training had to be done, 22 or 23 thousand workers of the Judicial Power were trained in situ or online. Online training has to be created because we could not move everyone to get trained or bring them to Mexico City or give in situ training.

How did we start training the staff to work better in a computer? How do you learn to use Word? How do you stop being afraid of a computer? Turning the computer on was our first problem, teaching people how to turn on the computer. Then they had to learn to communicate. Everyone wanted the printer to be next to them. We had to get multifunction printers, eliminate fax

machines and get rid of typewriters because they still had their computer and typewriter.

These profound changes must be done little by little. We still had stencils in the year 2000, those that used a purple gel to copy sentences. They did not want to get rid of them, if the power went out, what were they going to do? It was backup equipment in case of a power shortage.

I can tell you more anecdotes. Getting rid of the typewriters was a real challenge. They clung to them like chewing gum to a boot sole. They had to be removed one by one to generate space for people.

The third element not only entailed getting rid of paper, but also use infrastructure for people and service, not archives and paper. 60% of our jurisdictional bodies are clogged with archives and paper. This requires a specific construction, type of service and way of addressing the public.

When you tell employees: Hey, let's build virtual courts. They answer: What are we going to do? I only staple, sew or number records, what am I going to do? There is a problem in generating added values to jurisdictional bodies.

Everything that happens in jurisdictional bodies happens in law firms; nonetheless, law firms adapt more quickly because of market needs, public offices do not work this way,

What else can we say? The Council addresses three important points in administrative modernization, computing modernization. First, documents. How could we create e-documents that could be easily accessed? We started to scan historical records, somewhat successfully.

Secondly, how do we establish control and management systems within the courthouses? I do not mean e-records, but government books, shift agreements, management of internal jurisdictional

bodies and bodies of the Council and its administrative areas. Subsequently, generate systems to make administrative work and management easier, I do not want to talk about jurisdictional issues.

Why? It would seem that people who have other professions, not administrative ones, better understand that processes that will be automated have to be homologous and uniform.

Why is this important? Because when we tell lawyers: we have to carry out some procedures before automation; they say: what for? Every procedure is in the Amparo Law, I do not have to carry out any procedure. The Amparo Law is very good, as well as the Federal Code of Civil Procedures; however, they do not allow me to carry out the identification, homologation, documentation, implementation of the process and finally, automation. That is, I have to create my own closed documents so that the lawyer cannot impose his own criteria in the automation process.

The Judicial Power took ten years working in the Electronic Sistem; four or five magistrates' full time work of ten years who tried to homologate these processes to create a metadocumental system of legal areas.

The administrative part was even more successful. Everything went great until 2007, when it was decided that instead of using homemade systems, we would use SAT built systems; anyone who has interacted with SAT, well, I do not even have to say what could happen. SAT is a metadocumental system that allows intelligent administrative processes; it is the newest informatics strategy of the Judicial Power in administrative terms. This information is important.

Finally, I want to emphasize as Doctor Julio Téllez said, computers cannot substitute humans. It is great to think about informatics and immediately think of quickness, expeditiousness and free of charge; however, some defendants would prefer a slower trial to enjoy a convenient situation.

On the other hand, remember the four lies Austin says every lawyer tells: it is practically going to be free, it is going to be quick, you are sure to win, and when the three first statements are not true, he ends up saying: the judge was bribed.

Informatics does not make these vices disappear, it is only an instrument. Thank you very much.

Rolando de Lassé Cañas: Thank you so much Mr. Matute. Your information on legal informatics used in administrative tasks in the administration of justice was very clear. If the Judicial Power has these problems, we should take a look at local powers or local committees or boards of Conciliation and Arbitration, which you had an extensive knowledge of. The other side of the 123rd article of the Constitution, administrative structures with very few resources that still cling to typewriters.

I know welcome Otilio Esteban Hernández MD. Bachelor of Science Physics and Mathematics by the National Polytechnical Institute, he also has a master's degree in Public Administration by INAP. He was the Heas of the Electoral Court Unit of the Judicial Power of the Federation and is currently the General Director of the Supreme Court of Justice's Systems.

I am sure he will have very interesting things to say about these topics. I yield the floor to you.

Otilio Esteban Hernández: Thank you very much. It is an honor to be in this roundtable discussion sharing the information we have online for all of the citizenry in the Supreme Court's webpage.

The Supreme Court of this country is a high-level body of the Judicial Power, which intended to revise its webpage to make it more user-friendly. Last November a new webpage was launched, its goal is to provide information in a more direct and concrete manner; information regarding the development of jurisdictional functions and those related to support tasks and administrative functions.

The Supreme Court of the Nation has a great number of archives which include important information regarding rulings issued by the Supreme Court and also information about jurisprudence, thesis, promotions, notifications, lists of issues to be addressed in each public session in Plenary Sitting and First and Second Courtrooms.

As I was saying, we analyzed this information and tried to avoid duplication of the already existing information. A new version of the webpage the Supreme Court wants to launch was made available.

The web address can be seen in this slide. Furthermore, we are complementing this with direct contact through social networks: Twitter. Once the sessions have finished, especially plenary sitting ones, they are analyzed and put into Layman's terms, avoiding legal jargon, and published through Twitter.

We currently have 40 thousand followers, which we think is an important number. These followers usually collaborate actively and participate by giving their opinions and feedback regarding the available information. We invite you to participate and visit us.

It is a very important way of informing the staff of the contents of plenary sessions. These are streamed live on Monday, Tuesday and Thursday. One can access them on computers and other mobile devices such as phones, tablets, Ipods and operating systems like Android and Blackberry.

No matter where you are, these devices allow you to access the main page and click the image that usually appears there and access plenary sessions live. When these sessions are not taking place, you can access the programs of the judicial channel, where most of the topics are of jurisdictional nature.

The Supreme Court's webpage also has a search engine to access information. Before, this webpage had three search engines,

which were rolled up into one. This search engine is evolving. You can observe periodic changes to thematize and classify information according to specific topics that are receiving special attention.

We are already working on specific topics, like human rights. As well as strengthening our search engine, so that the information can be retrieved using only a word; and not what we call informatics noise.

As you can see in this slide, we classify the information according to sources of information where the document can be found. Shortly we will classify our information in a very concrete way, like the human rights topic. In the future, when I find a document, I will also find the following information; the retrieved document also relates to final judgments, this one with jurisprudence, and also with regulations and also to a specific series of concepts.

This way you can find information in a clear and easy way without having lots of useless information, which can be a reason people stop using this search engines.

Soon you will also be able to use a new version of the search system to look for jurisprudence thesis and thesis. This a new version created to be operated under web environment.

As you know, thesis could be purchased in DVDs. This meant people could not quickly access information. The "*iuses*" had a publication period; thus, lawyers, judges, magistrates and even ministers could not access this information directly. We are trying to keep this system updated. The *ius* used is being updated every month. This new version which will be available soon, will allow you to search for information constantly. A short time after a ruling is published; it will be updated in the webpage. The DVD's functionality will be included into this system. This system is already a Beta version and is being evaluated by some lawyers, internal and external, and will soon be available.

The Supreme Court's webpage is well-known because it has a great number of regulations, both federal and local. These regulations include the Political Constitution of the United Mexican States in Spanish, English and French.

A very important thing is that a group of people is constantly updating this information. This guarantees the validity of this information and that the published regulations are still valid.

We also have an additional service. If you are looking for a regulation and cannot find it, our phones are listed in our webpage. You can call and ask for help to find a document or regulation that you need. Use this service; it is there for you and the general public.

Since last April, ministers of the Government and Administration Committee allowed the webpage to publish the *Federal Judicial Weekly and its Gazette*. This is a very important advance. Before, these volumes were distributed and they ended up in a bookcase somewhere without being used.

We made this information available to you. The information of each month will be published within the first ten days of the next month. The webpage since last year's April has published this information and is being updated constantly. We try not to fall behind and publish the information on the first five days of the month.

We invite you to check it out. We also have an information service, which closely follows incident of non-compliance of rulings. As you can see, we include the last day to fulfill these non-compliances. If authorities do not comply, public employees can even be fired; all of these is published so people interested and authorities can know about the state of these incidents and fulfill their duties.

I also want to tell you about the internal actions. The Supreme Court is working very hard in topics related to the use of

technology to fulfill its tasks, especially jurisdictional ones. Internally we have implemented and infrastructure to carry out in a very short time many functions and notification, i.e. via electronic means. The informatics structure is already in its place. We are currently working on the regulations areas. I want to talk about this subject because many users are not familiar with it. I am happy this presentation took place, it allows us to talk about the implementation of these new technologies; briefly, you will have the power to access this information expeditiously. Not only notifications, but promotions as well can be accessed this way.

There is also another important subject: information regarding human rights. Our webpage also includes a very specific section where you can find international treaties that are related to new regulations. The carrousel that appears in our main page has a specific link that allows you to access the information, which has to be taken into account by all human rights judges. Please visit it. With this I end my presentation. Thank you so much.

Rolando de Lassé Cañas: Thank you very much Mr. Otilio Esteban Hernández. I think the greatest challenge faced by the Supreme Court according to Mr. Otilio's presentation is making all of the information available to the public. Updating this webpage is very important because it is the way all of us can access the work done in Court.

They say information that is more than three or five clicks away, I cannot remember which, is not functional. People look for specific things and do not want to get lost in all of the information. Congratulations on your efforts in the Supreme Court.

The three previous speakers have shared their knowledge and have based their presentations on their points of view regarding justice implementation. Our following speaker will base his presentation on the implementation of new technologies in law enforcement.

I want you to welcome Major Gustavo Alberto Caballero Torres, Bachelor in Engineering by the National Autonomous University

and has a master's degree in technological information security by UNITEC. He also is specialized in informatics security by the University of Salamanca, Spain; as well as cybercrimes and collaborates with the international group to fight child pornography along with the FBI and the National Corps of Spain and New Zealand.

He currently works as Head of the Cybernetic Police of the Attorney General's Justice Office in the Federal District. Major, I call on you. Thank you so much.

Gustavo Alberto Caballero Torres: Thank you very much for that presentation. I am glad to be part of this roundtable and to be able to share with you what e-crime is. In Doctor Téllez's we saw a chronology of the evolution of digital systems in justice administration.

Mr. Matute González has shown the radical change that happened when typewriters were replaced by computers and how courthouses are clogged with records related to criminal processes. Mr. Otilio showed us how the Supreme Court has tried to make available sources of information, very important information for researches, especially because information related to the persons were are investigating is available.

I will speak of the world of cybernetic intelligence in criminal, law enforcement areas, e-crime. Thus, it is important for you to know what the Cybernetic Investigation Unit is. This presentation will be interactive; we will use the Internet and see some examples related to these technologies against other technologies. This might sound redundant, e-crime technologies versus technologies used by the criminal world.

What is the state of Mexico's technological structure? It is very important for you to know the state of our technology to establish and differentiate it from criminal areas found out there.

The Federal District and its surrounding areas are home to over 25 million people; this population index means spurs a high criminal

index. The streets are like the Internet, the only difference is the Internet does not have frontiers.

In my presentation I share this information with you: 10% of the population has more than two cell phones and 100% has a cell phone; 50% of them have internet connection. Information and technological evolution makes forces us to compete against criminals.

We do not have to forget administrative areas. One of the previous speakers talked about public administration systems. Everything is digital nowadays. Databases are digital, people interact through websites, such as the ones shown in previous presentations.

Data from the years 2007-2009 can be provided by organizations devoted to making Internet studies. Please take a look and place yourselves in any of the provided references. In 2007 the most used Internet service was e-mail, it had 83%. In 2009 it went down to 70%, other activities were send and receive instant messages, go into a chat room, send e-postcards, create and maintain blogs, access blogs and have a website. In 2009 there was a reduction, studies are being made to determine data from 2011; the main parameter is receiving an e-mail. Who has not gotten an e-mail that invites you to enter a bank website and provide information? I think all of us have gotten this type of Spam mail that leads to a criminal Internet activity; we could be talking of electronic fraud. We are talking about phishing, someone gets an e-mail inviting him to enter a bank website and edit their personal data and password.

Social network knowledge. How many social networks do you know? Most people have Facebook, a YouTube and Twitter account. There are over 8 thousand communities, 8 thousand social networks; however, the first ones are the ones that control the market. Child pornography, pedophilia, fraud and extortion networks can be found in these sites.

Nowadays, Facebook is used to find underage minors and force them to have a sexual encounter through a Web Cam. Minors

are forced to do this with friends and grooming, in which an adult seduces a minor, befriends him and later request physical contact. Sexual abuse, crimes or elements of crime can be happening through YouTube, which forces us to investigate these crimes. Twitter represents 20%, we also have Hi5, Badu, Sonico, Linkedin and MySpace. The Cybernetic Investigation Unit has people in charge of intelligence areas to help the prosecution when investigating IT crimes.

We are talking of crimes in general, a murder that could have been committed by a person they met in Facebook; this is real, we have investigated some cases where the killer had contact with his victim 10 minutes before the crime or extortions made using cell phones .

We are we headed? We are headed into the mobile world; computers will be replaced by tablets and the mobile world. Judgments can be consulted using a tablet. Many activities can be made using wireless networks, including criminal activities. This group of people monitors their screens and the Internet to find criminal activities that can be found in our Penal Code.

To exemplify this, I will refer to the work done in this unit. In 2011 we had 2,124 investigations related to criminal activities that include organization, planning, execution and perpetration of the crime using technology: e-mail, social networks, Twitter, Gmail, mobile device or cell phones. 1,178 of them were cell phone analysis and radio communication; 638 were investigations and website and e-mail location related to specific crimes which we can all be victims of. 263 were forensic analysis of computing equipment to obtain investigation lines or data to show victim-aggressor correlation to once more establish a line of investigation or digital evidence.

Twenty-three people were arrested; 12 of them for child pornography and organized crime, kidnapping minors; two people were arrested for violent pedestrian robbery related to the use of technology; seven people for electronic fraud and two people for credit card cloning.

Crimes committed through these technologies and which the Cybernetic Investigation Unit focuses most on are those organized using the Internet: sex crimes involving minors: harassment, abuse, corruption of minors, pimping, child pornography, human trafficking and rape. All of them using the Internet. There is a problem in the legislative and penal areas, our constitutional articles lack penal descriptions that describe criminal conducts.

We have worked closely with the Legislative Assembly of the Federal District to modify some penal descriptions, to integrate electronic concepts: what clusters, networks, clouds and e-mail are. Many concepts in the judicial area can be fuzzy and criminals can avoid being convicted. Fortunately, the Cybernetic Investigation Unit has disarticulated three important national cells of pedophilia; there have been already two convictions won by the prosecution that helped disarticulate and stop these groups.

The problem goes beyond this; in the Federal District we have an IP called rito Kmd who creates an account in Gigatribe. We have another person in Quintana Roo named "Palotinto", one in Jalisco called "Yuqui-37" and another one in the Federal District. They can all be found on the Internet. They commit crimes by exchanging, commercializing and distributing child pornography of sexually abused kids. Whose jurisdiction are they under? Where is the crime scene? Where is the criminal behavior executed? It is a problem due to the lack of specification in legislative areas; we are trying to change this. This is the real problem.

The same example, as seen on the screen, we are online. This is the most recent way to hide criminal acts on the Internet: cloud computing, which store a great number of information systems, a lot of information to exchange, computers do not store information, everything is saved online.

Let us go online and Google search for the Attorney's Office webpage www.pgj.df. You can see it on the screen, in the future you can know more about these technologies used by criminals and technologies used by the Cybernetic Investigation Unit to fight these criminal acts.

This icon has a panel that says: cybernetic; then we enter some slides designed so you can know more about cybercrime, concepts, internet modus operandi, history and statistics. You can also find our contact information: the unit's e-mail, phone number to report a crime, get help and be sent to the corresponding authorities.

I have nothing further to say, thank you for your invitation. Thanks.

Rolando de Lassé Cañas: Thank you very much Major Alberto Caballero. This way of preventing crimes through the use of technology is very interesting. As the Major states, nowadays tablets, PCs or laptops have become open doors through which criminals enter our house, have access to our families and intimate secrets. It is an important point of view and a warning sign for all of us, we must be careful and know all of the services offered by the government in the webpage. Thank you very much Major, very interesting presentation.

Our last expert is a close friend, Doctor Jesús Suárez Zendejas; BA, MD and PhD of Law, university teacher in various high level education institutions. He has advised various public and private institutions in legal informatics topics. He has collaborated in the legal knowledge page and also collaborates in the online master degree program of the INAP and is a great friend to all of us. He also was my master's thesis director. Thank you very much. Welcome.

Jesús Suárez Zendejas: Doctor Rolando, it is an honor to share Doctor Julio Tellez's experience with you. I cannot stop reading your BA thesis which is 30 years old, where you talked about Informatics Law and Legal Informatics' first moments.

I would advise you to write the Major's e-mail; it is better to have it and not need it than to need it and not have it. We should also think about what he asked us: how many of us use Telcel? How many of us use a tablet? I would also be good for him to ask this: how many of you have downloaded a program without a license? Or how many of you have downloaded a dirty photograph?

I would like to personally congratulate Otilio. The Court has a clear before and after the Internet; now that Otilio is the Director of Systems in the Court he has promoted systems. I always brag to my students I know him and that he is my friend.

Our highest Judicial Power representative, according to the 1st article of the Organic Law of the Judicial Power, section 1, is the Supreme Court of Justice followed by the Electoral Court, Judiciary Council and other courts; however, the head is the Supreme Court which now represents one of the three powers.

I once again gladly listen to magistrate Matute, living this change has been very important and encouraged the idea of change.

I will now talk about my topic. Legal knowledge webpage have a before and after. Zuckerberg, Apple and Bill Gates had a dream; the Mexican Association of Administrators of Justice also had one, the Technical Secretary had a vision, which is now called Legal Knowledge Page.

Google carries out a billion searches a month, we previously asked this: who answers these queries? Today, they are answered by monografías.com, buenastareas.com and rincondelvago.com. I am not saying this is bad; however, I sometimes see master degree or PhD homework and when I look at the source of this good homework, a summary of human rights at the bottom of it, it says: Ramón Joel, third grade high school student. High level education homeworks cannot have sources done by Ramón Joel, who can be a good student; in fact he can be a very good student; the point is he is not certified.

Those billion Google queries have very few certified answers; however, Access is very complicated. Just now Major Caballero gave us numbers and the complexity of those numbers related to electronic justice which are very low: 1%. INEGI says there are 30 million people that have access to the Internet and have a computer, a very small number. 10% of them use e-government services (3 million) and only 10% of them use online justice. That

is, less than 300 thousand people are currently using the Internet to access justice online.

What bothers me is that ninety something percent of these people write papers using monografías, rincón del vago y buenas tareas. Not bad, but not good. I like social networks, but I like social knowledge networks even more. My Facebook has more deleted than accepted people, whenever I read someone posts that their dog has a stomachache I start thinking it is time to stop reading that user's posts. Rincón del vago, buenas tareas, diapositivas and Wikipedia used to be this way. I love Wikipedia, but it clearly states: the user can edit this webpage. I have written in Wikipedia about Robert de Niro, mi movie hero; however, I have not written a single word about Law in Wikipedia or Monografías. The Supreme Court, the Law Faculty of the UNAM, the Institute of Penal Investigations, the Chamber of Deputies, the state's judicial powers can go to hell with their certified information.

I have said this a million times: new regulations for new societies and also new instruments and new ways to see Law and implement it and these regulations. What is happening now? I introduce to you the Legal Knowledge Webpage: the Court, plus 120 justice administrators, alongside 500 experts. The people who participated in this discussion: Major Caballero, Mr. Matute and Otilio hands us over their information for the Legal Knowledge Webpage.

If I mention the Legal Knowledge Webpage, it means my information comes from a certified source, an expert, a researcher sharing his knowledge. Who owns the Legal Knowledge Webpage? The Mexican Association of Justice Administrators; 120 bodies that administer justice that have provided information. The first ones to access this information are judges, then researchers who provide knowledge and also consult certain topics.

Our goal? To have Law students, Public administration connoisseurs, administrating bodies and law enforcers visit the webpage. They provide and search for information. How does

this fit in the 21ˢᵗ century? Half of the lawyers will be litigating, young lawyers like you will soon have a master's degree or a PhD; I can see you visiting Starbucks. In Starbucks you can take out your laptop, access online trials and start revising records and moments later you can access the Legal Knowledge Webpage, creating bulletins, downloading laws, make appointments, visit the UNAM, there is no single university that has not been invited; the University of del Valle has been invited of course alongside their coordinators: Fernando and Edmundo. TEC, the Libre de Derecho, all of the experts have been concentrated in a single place. Why? Because it's the 20ᵗʰ century, nowadays, we cannot ask university students to find their information on human rights by visiting doña Carita and buying a monograph, cutting it and copying the information it contains. "Here is my paper –master's degree in human rights– I got the information out of a monograph". This is what we do when we access monografías.com.

Let's stop doing this and start using this instrument created by this institution. Some constitutional article states: "Power is divided into Legislative, Executive and Judicial powers", the Judicial power should do something and launch this Legal Knowledge Webpage. Let's integrate every justice court into the Legal Knowledge Webpage. Affairs in Puebla, Tlaxcala, Nuevo León, the state of México and the Federal District could be found in a single place.

Who is invited? CIDE, INAP of course with all of its experience in Administrative Law, Ibero, La Salle, del Valle, all of the powers and experts of course. We have invited personally and institutionally some people.

Imagine the information regarding informatics law that Mr. Julio can provide. UNAM and the Institute for Legal Investigations have already agreed to provide information and want us to be the bridge to the jurídicas.unam.mx webpage. This is the Legal Knowledge Webpage, a universal search engine of legal, law and judicial intent topics. A desk for justice administrators, we have the right be selective. In this sense, only 6 thousand administrators

of justice will have access to this desk. 99% of the resources are available to the public; 1% is destined to be an online training system and sensitive assistance.

It bothers us to be half an hour in a webpage, searching for something, nobody helps us and we visit monografias where the topics can be easily found. What is AMIJ? The presence of all justice administrators. The Legal Knowledge Webpage groups all of the information in one webpage and the service the justice administrator receives is the knowledge of the other courthouses and bring people closer to it. How? Provide information. Data and information are provided, knowledge is generated. It will be a great instrument for us. It is curious, sometimes we go to some universities and realize the teacher has the interpretation of Constitutional articles 1,2,3,4 and 5 which has been downloaded from Wikipedia. We think something is wrong, not Wikipedia, not the students and not the people in general.

Why access a justice congress online within e-government? Government has three powers; online justice had federal and local intent. This is a great advance. We have amendments, constitutional penal, oral trials, electronic means and technological ones to make human rights reforms. Doctor Sepulveda will be with us later to speak about this. This intent to administer justice and administrating bodies and finally we make way for the Legal Knowledge Webpage.

I am honored to share this with all of you, magistrate Matute, doctor Rolando, Mr. Otilio, Doctor Julio Téllez and of course you, Major thank you for your attention, thank you so much.

Rolando de Lassé Cañas: Thank you Doctor Jesús Suárez, the webpage is amazing and it is amazing that Google has become a way to access information. Googling is an academic sport, we should be careful. As Doctor Jesús Suárez has said, not every source we access is wrong; it is awfully simple to upload erroneous information that can be perceived as true; this information then appears in other documents and a negative chain is formed.

Thank you so much to all the speakers for their magnificent reflections. We now have time for some questions. Unfortunately, we only have time for three questions. Would anyone like to ask our speakers a question?

Isaac Silva: My question is for Major Gustavo Caballero. You mentioned that you commonly investigate e-mails and chat logs. If a person has certain pointers, how do we report them? Will they be investigated?

Gustavo Alberto Caballero Torres: Our e-mail is available to everyone on the webpage. E-mails are analyzed on a daily basis. Specialized staff analyzes every e-mail and requests made by users. Users are investigated if they pose a threat to legally protected rights.

If you get an e-mail and someone threatens you or wants to extort you, we analyze its contents. We ask for the following things: e-mail contents and history. I would like to emphasize the history is e-mail history, the basis of everything.

Does someone know the complete heading of an e-mail? The heading of an e-mail includes sender and receiver; the complete one can be specified where it says: configure: show complete heading; this can be done in Yahoo! Mail and other e-mails services. This complete heading will show you some documents called LOPS, electronic technical history of our e-mail; where our e-mail was before it came to us. That technical data interest us, we analyze the content and if it is a possible criminal conduct we pass it on the police.

If we get an e-mail that says: "My girlfriend posted" or "He/she is sending me", they are situations which are probably not criminal ones. We investigate the e-mail's origin; you must remember an e-mail generates the first digital sign.

Everything we do online generates a digital fingerprint and that fingerprint that initiates a criminal path will lead us back to this

origin. Doctor Julio talked about the arrest of the murderer of Toulousse, some Jewish children died and a later attack that killed two French soldiers.

The key tofinding him some hours ago, this happened in the morning in France, the attacker died during a shoot-out against French policemen; that digital fingerprint was generated when he came online.

Everything has a beginning, e-mails, social network connections as well as consulting a webpage. Thanks for your question.

Rolando de Lassé Cañas: Thank you Major.

Question: Good morning. Doctor Jesús Suárez Zendejas, you spoke about something very interesting, oral trials according to the Jne 16ᵗʰ reforms; this question is for Major Gustavo Caballero. This digital fingerprint you speak about, in an oral trial, the control judge is part of the investigation. Who validates or how is he going to validate this evidence? The police's investigation stage provides evidence, which has to be handled by the judge, the control judge, otherwise it is not valid. An adversarial trial also admits expert testimonies to contradict the prosecution's argument or case theory. I want to know how you legitimize this electronic fingerprint, what body tells the judge what that e-fingerprint is and if it can be considered as evidence.

Gustavo Alberto Caballero Torres: Your question is very interesting in the topic of oral trials. In this new path, work done by the police is going to be very important, even more than in the last few years. We are going to take the stand to give evidence, convince everyone immediately; a record will generate a report and we are going to portray it as a real case, we will analogously see a theoretical case.

You are being extorted through an e-mail. An investigation is carried out, a typical police investigation does not take into account this electronic information originated from the e-mail

used by the suspect; who was arrested, and we are now in trial, procedural stage. This e-mail was investigated because of a report. Our investigation follows technical procedures stated in the National System of Public Security Law which authorized every police unit, state and national; preemptive and investigation, to have a scientific unit to investigate said crimes.

The members of this unit, cybernetic investigation unit, are trained in methodological investigation of crimes and they also have a professional academic training in information technologies.

The data generated by this electronic registry generated online will be requested by the authorities, the prosecution. Why are they going to ask for it? The police is going to say: this man used an electronic network, an Internet network through phone lines or Telmex's services, we can assume this because Telmex rules the internet market.

The prosecution will request this technical data and Telmex's legal representative of Internet connections, connections, registries, not communications or wiretaps, will hand over the documents to know who the owner of the landline is, who bought the modem service contract with a 2Wire and "x" serial number, a landline that has a certain ID address; which sent an e-mail between 3.15 and 45 seconds and 3.17 and 50 seconds.

The e-mail company will also give the prosecution with information regarding certain addresses and IPs if those e-mail accounts. This is how the document the prosecution requested and which was handed over by the legal representative results in the arrest of this man. This is how the trial is sustained, the police investigation was here, this was done in the Internet, this instrument was used, the prosecution was informed, it ordered "x" company to hand over the registry and that is how we got here. Not forgetting the other evidence put forth in a criminal process: electronic or digital, field investigation, witness reports and the father's sworn statement: yes, mi son is online every afternoon from 3 pm to 4pm. Witnesses are very important. "Yes, every day

from 3 to 4 he uses it". The crime was committed between 3 and 4. This is how a witness would testify before a judge. Thank you very much.

Rolando de Lassé Cañas: Thank you very much. We have time for one more question before finishing this discussion.

Pregunta: Mr. Otilio, if we check statistics from the two previous years regarding how much people trust the Court, we can see there has been a slight decrease. The webpage you present is certainly very important, I can tell, I have not personally visited this website. I visited its previous webpage and the change is noteworthy.

My question is: Statistically, how many people are accessing the Court's webpage? How many of them are common people, not lawyers, not justice administrators? Common people who check the webpage to know what the Court is doing. Is this webpage a way to regain society's trust? Or is it just another instrument for academics interested in this topic? Thank you.

Otilio Estaban Hernández: We have very basic statistics. Before we updated our webpage there were no statistics or documents to obtain this information, the servers did not have the capacity to store it. Some statistics were saved, immediate statistics. Currently, we do have some statistics. One of the few things we could identify is that the most visited area is the ius. After the analysis, we found out it was jurisdictional information.
The webpage was launched on November, but we have not studied these statistics. We plan doing one to know the users' new trends are. The page was been running for three months, we consider statistics could yield uncertain results; however, the Human Rights Coordination and Consultants of the Presidency are very interested in these statistics; they want know how people are using this page.

We are also working on microsites, which will face this lack of information and try to get closer to the general public. Statistics

showed that the people who access our site the most are law professionals, lawyers, judges and secretaries. This is the only data we have until now. We do not have more statistics.

Rolando de Lassé Cañas: Thank you very much for coming and thanks to our speakers.

Salvador Ortiz: The National Institute of Public Administration, through the Virtual Center of Public Administration, thanks you for your presence, both public and speakers.

I thank you for sharing this experience, knowledge and collective intelligence in this discussion and especially this experience and knowledge.