



Judicial Branch
of Puerto Rico

EDUCATIONAL GUIDE:

SUPREME COURT OF PUERTO RICO

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INTRODUCTION

The Judicial Branch of Puerto Rico is strongly committed to drive various initiatives to educate and provide guidance to the community on a wide range of subjects. To help these initiatives, the Judicial Branch created the Office of Education and Community Relations (EduCo), which, among other duties, oversees the Judicial Branch Education Program.

The Judicial Branch Education Program effects educational and orientation strategies by means of several projects, such as the Educating and Informing from the Courts Project, aimed at standardizing, centralizing, supporting, and documenting the educational and informative activities carried out in the judicial regions, at the Court of Appeals, and at Supreme Court of Puerto Rico.

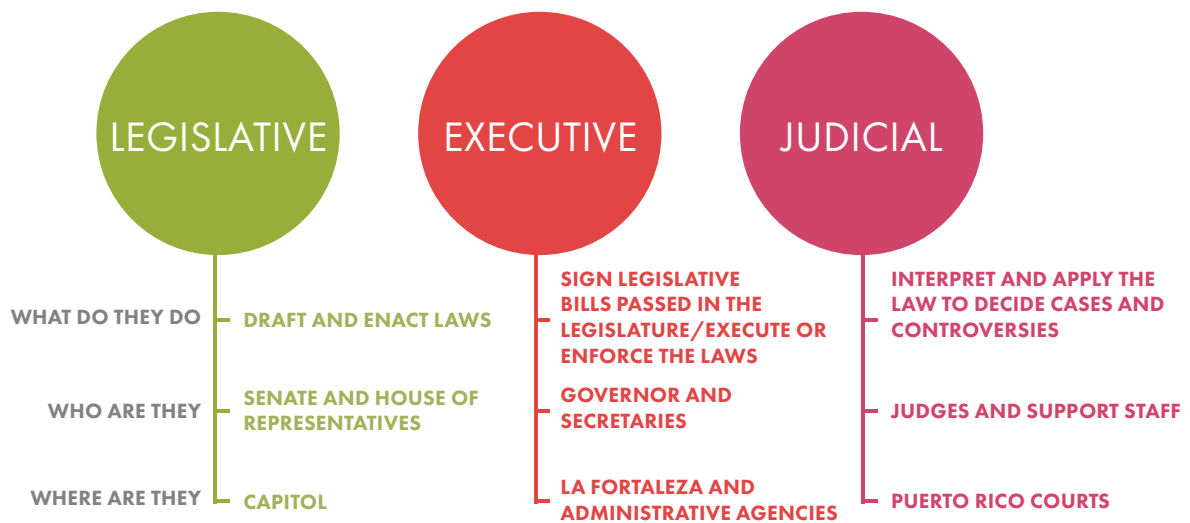
In line with the above, this visitor's guide has been prepared for educational tours of the Supreme Court. These guided educational tours allow visitors better understand how our government system works, the role of the Judicial Branch, and the duties and services provided by the Supreme Court and its divisions. These visits seek to encourage a connection between the community and the Judicial Branch, as well as to promote greater trust in the services offered by the courts.

This educational guide contains information that will be referenced during the guided educational tours. It is also useful for developing and implementing educational and orientation strategies directed toward the community. This educational guide, nevertheless, should not be considered an exhaustive treatment of the Judicial Branch and the Supreme Court, for which reason the information provided here may be supplemented with additional reading material.

This document will be revised periodically. Any questions, comments or suggestions regarding the information contained here may do so by writing to: educos@poderjudicial.pr.

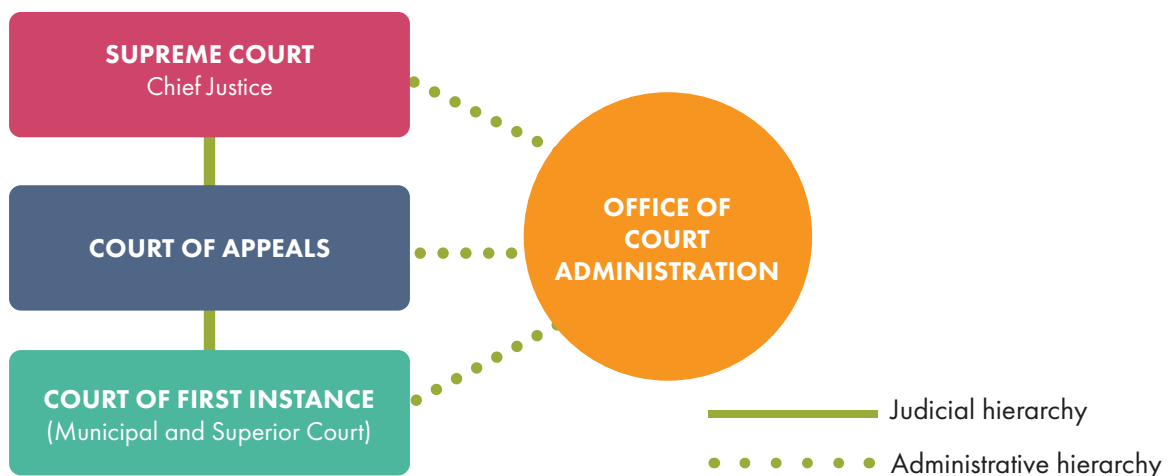
SUMMARY: OUR SYSTEM OF GOVERNMENT AND THE JUDICIAL BRANCH¹

The Constitution of the Commonwealth of Puerto Rico, adopted on July 25, 1952, organizes the Government of the Commonwealth of Puerto Rico in three separate branches:



This separation of powers means that the government has different responsibilities, powers, and duties, whereby distributing and establishing a balance of power.

The Judicial Branch is responsible for the administration of justice in Puerto Rico. It consists of a Court System, collectively known as the General Court of Justice. This organizational structure is divided into two areas: judicial and administrative functions. On one hand, the judicial function refers to the organization and composition of the courts in Puerto Rico: the Supreme Court, the Court of Appeals, and the Court of First Instance. On the other hand, the administrative function deals with the operation and administration of the Judicial Branch. This task falls to the Chief Justice and an Administrative Director, who heads the Office of Court Administration.



1. For more information, please consult the *Educational Guide: Our Government and Court System* and the informative pamphlet *The Court System and Government*, available at the Judicial Branch website.

COURT OF FIRST INSTANCE



- This court is created by statute and it is the first level in the court system.
- It is where the public can physically go when they have not been able to resolve a problem or controversy, or when wish to assert their rights.
- The cases are decided by 1 Judge.

COURT OF APPEALS



- This court is created by statute and it is the second level in the court system.
- It is an appellate court where parties who are dissatisfied with the lower court's decision express their position in writing.
- The cases are decided by a panel of not less than 3 Judges.

SUPREME COURT



- The highest-ranking court, at the third level, created under the constitution. Cases are decided by the full Court consisting of 9 Justices.
- This is an appellate court where parties file all documents in the record of the case. As a general rule, parties do not express their position orally, unless the Supreme Court schedules a session to hear oral argument.
- Main duty: Interpreting the Constitution and examining the constitutional soundness of the laws and of the actions of officials of other branches of government.
- It regulates the legal profession and ensures the ethical practice of the bar. It also has regulatory powers to adopt rules of evidence, rules of civil and criminal procedure, and administrative regulations.

HISTORICAL TIMELINE

SUPREME COURT OF PUERTO RICO

Real Audiencia (1831-1898)



On June 19, 1831, by royal decree, King Ferdinand VII of Spain established the first court of appeals with jurisdiction over the territory of Puerto Rico, which is the reason why it was known as the *Audiencia Territorial* [Territorial Court]. Subsequently, on July 23, 1832, the *Audiencia Real* [Royal Court] was founded by royal decree and established in an old manor house located on what at the time was called *Calle Allen* in San Juan, which today we know as *Calle de la Fortaleza*.

The *Real Audiencia* had various functions, such as:

- Examining the applicants to the bar; notaries, who attest and authorize public deeds and other acts; and solicitors.
- Resolving questions of jurisdiction concerning the different insular courts.
- Passing on petitions for protection brought by the Church.
- Decide appeals from the cases of all lower courts in the Island.
- Decide matters concerning actions taken by governors on behalf of those who consider themselves the wronged party.
- Decide causes concerning offenses against the governor and other public officials related with the discharge of judicial functions.

The *Real Audiencia* operated with only one court of justice until 1854, when a second court was created to pass on matters of general application or to act on as advisor to the governor. During its 66 years of existence, the composition of the court changed several times. One of the most notable changes occurred in 1855 when the Prosecutorial Department was separated from the *Real Audiencia*, and in 1861, when the governor was excluded from presiding over the latter.

Supreme Court (1898 - 1952)



In 1898, with the change of sovereignty, the Supreme Court was created to replace the *Real Audiencia*. By way of an order, the Supreme Court was created as one court of justice comprising seven justices, including the chief justice. This court would decide all cassations.

By 1900, a civil government was established, and a Supreme Court was instituted, with one chief justice and four associate justices appointed by the President of the United States.

Supreme Court (1952 up to the present)



In 1952, the Constitution of the Commonwealth of Puerto Rico established a unified judicial system with power vested in the Supreme Court. Initially, the Supreme Court was comprised by one chief justice and four associate justices. In 1961, through law and as requested by the Supreme Court, the composition was increased to eight justices, and in 1975 it was reduced to seven justices. In 2010, its members were increased to nine justices. This is the present composition of the Supreme Court.

SEAL

WHAT IS THE SEAL OF THE SUPREME COURT?

The official seal of the Supreme Court consists of a circular purple field with a golden band encircling the seal bearing the following inscription: "ESTADO LIBRE ASOCIADO DE PUERTO RICO, TRIBUNAL GENERAL DE JUSTICIA," which translates to Commonwealth of Puerto Rico, General Court of Justice. Appearing in gold below the book are the words "TRIBUNAL SUPREMO," or Supreme Court. The seal contains the following symbols:

- a gold-colored segment of the sun lies overhead with six rays shining toward the center, representing divine power, the majesty of the law, wisdom, love, mercy, and honesty.
- Superimposed on the sun is a hand holding the scales of equality and justice in blue, representing the truth.
- Between the scales, a white lamb bearing a flag with a cross and banner lies on a red book.



COMPOSITION

WHAT IS THE CURRENT COMPOSITION OF THE SUPREME COURT?

The Constitution establishes that the Supreme Court shall comprise a Chief Justice and four Associate Justices. Nevertheless, our Constitution provides that the number of justices may be changed through a law or at the request of the Supreme Court itself. In 2003, through the Judiciary Act of 2003, the Legislative Assembly decided that the Supreme Court should be composed of a Chief Justice and six Associate Justices. In 2010, the number of justices increase from seven to nine.



The current composition of the Supreme Court

(standing)

- Hon. Ángel A. Colón Pérez, Associate Justice
- Hon. Roberto Feliberti Cintón, Associate Justice
- Hon. Edgardo Rivera García, Associate Justice
- Hon. Luis F. Estrella Martínez, Associate Justice

(sitting)

- Hon. Erick V. Kalthoff Caraballo, Associate Justice
- Hon. Rafael L. Martínez Torres, Associate Justice
- Hon. Maite D. Oronoz Rodríguez, Chief Justice
- Hon. Mildred G. Pabón Charneco, Associate Justice

REGULATORY POWER

The Constitution and the law have vested in the Supreme Court extensive regulatory powers and important duties. As a result, Supreme Court staff continuously study new rules that have been adopted, the development of case law, and the state of judicial proceedings.

What are some of the regulatory powers the Supreme Court has?

The Supreme Court has the power to:

- Approve and submit drafts rules to regulate judicial matters (such as the Rules of Civil Procedure, Criminal Procedure, and Evidence) for the consideration of the Legislative Assembly.
- Adopt the necessary framework for the administration of courts (such as the Rules of the Supreme Court, of the Court of Appeals, and for the Administration of the Court of First Instance).
- Regulate the admission to the practice of law and of the notarial profession in Puerto Rico.
- Regulate the bar by adopting rules of professional conduct and for disciplinary proceedings applicable to the judiciary and to attorneys (through rules of conduct, such as the Canons of Professional Ethics and the Canons Judicial Ethics)

AUTHORITY AND OPERATION

What is the competence of the Supreme Court?

The competence of the Supreme Court is provided by the Constitution and the law. The Constitution established and delegated to the Judicial Branch, specifically to the Supreme Court, authority to pass on the constitutionality of the laws and actions taken by the State. This means that the Supreme Court has the main duty of interpreting the provisions of the Constitution and of the laws of the Commonwealth of Puerto Rico, as well as the official actions taken by the other branches of government, by applying such interpretation to specific cases and controversies. This is what is known as **constitutional review**.

Furthermore, the Judiciary Act of the Commonwealth of Puerto Rico of 2003 confers specific competences to the Supreme Court. Thus, this statute empowers the Supreme Court to hear at first resort (**original jurisdiction**) applications for extraordinary remedies, such as *mandamus*, *habeas corpus*, *quo warranto*, injunction, prohibition, and any other legal remedy and cause determined by law.

Also, the Supreme Court reviews the decisions rendered by the lower courts in cases covering all subjects of Puerto Rican and federal law, unless the federal courts have **exclusive jurisdiction** over the matter. Generally, cases before the Supreme Court involve a novel controversy with no clear precedent or present matter of great public interest which warrants the intervention of the Court.

CASES FILED WITH THE SUPREME COURT

- **Appeal:** A petition by which a party requests that an appellate court set aside, vacate, or modify a decision rendered by a lower court. Through a writ of appeal, the Supreme Court reviews all final judgments rendered by the Court of Appeals where a court has held a law, resolution, rule or regulation of a government or administrative agency, or municipal ordinance to be unconstitutional. An appeal is also available in cases where there is a conflict between prior decisions of the Court of Appeals. Issuing a writ of appeal, as opposed to a writ of certiorari, is not discretionary, but rather mandated by law. In other words, the Supreme Court must hear the matter.
- **Certiorari:** A petition filed with the Supreme Court to review, at its discretion (the Court decides whether it will hear the matter), any other final judgment or resolution, or interlocutory orders issued by the Court of Appeals.
- **Intra-jurisdictional Certification:** A writ issued by the Supreme Court at its discretion, on its own initiative or on motion of a party, to take cognizance and dispose of any case pending before the lower courts where the constitutionality of a law, resolution, rule, or regulation is at issue.
- **Inter-jurisdictional Certification:** A writ issued by the Supreme Court at its discretion to take cognizance of any matter certified to it by the Supreme Court of the United States, by a United States Court of Appeals, by a United States District Court or by any of the highest appellate courts of any state of the United States of America, when so requested by any such courts, where there is any legal matter involving questions of Puerto Rican law before the petitioning court that may determine the outcome of the case and with regard to which, in the opinion of the petitioning court, there are no clear precedents in the decisions of the Supreme Court of Puerto Rico.
- **Administrative Appeal:** An appeal from a final judgment made by the Property Registrar which denies an entry in the Registry of Property.
- **Mandamus:** A petition to command a Court, a corporation, or a person to discharge their duties as provided by law.
- **Habeas Corpus:** A petition questioning whether a person has been unduly detained or imprisoned.
- **Quo Warranto:** A petition to challenge the authority of any person or corporation to render a decision.
- **Injunction:** A petition to demand that a person do or cease doing a specific action to prevent that such course of action cause imminent or irreparable harm to a person when there is no other remedy at law.
- **Writ of Prohibition:** A petition to order the stay of a case pending in a lower court because the court does not have jurisdiction to hear the matter or to prevent a legal right from being defeated, among other reasons.
- **Disciplinary Complaints:** A proceeding brought against an attorney to pass on a given matter concerning professional ethics.

How does the Supreme Court work?

Article V, Section 4 of the Constitution provides that the Supreme Court shall operate in accordance with the rules adopted by it, sitting *en banc* or in divisions of not less than three Justices. By virtue of the authority conferred by the Constitution, and through Resolution ER-2011-05 of November 22, 2011, the Rules of the Supreme Court of Puerto Rico, as amended, were adopted. These rules govern the operation of this court sitting *en banc* or in divisions. *In re Reglamento Tribunal Supremo*, 183 DPR 386 (2011).

What is *en banc*?

This refers to the way in which the Supreme Court will decide a case pending disposition. The Supreme Court sitting ***en banc***, meaning all the Justices of the Supreme Court, will entertain all civil and criminal actions brought to it and will intervene in matters concerning the discipline and rehabilitation of judges and lawyers. This includes issuing (hearing) and denying (not hearing) discretionary writs and any other matter the Supreme Court so decides.

Generally, the decisions rendered by the Supreme Court *en banc* are adopted by a majority of the participating Justices. However, no law may be declared unconstitutional, except by a majority of the total number of Justices who make up the Supreme Court.

What are divisions?

The Supreme Court may organize itself in one or more divisions to quickly pass on and dispose of pending matters. This mechanism is known as sitting in **divisions**. Each division is made up of no less than three Justices organized by seniority, or the length of service as a Justice at the Supreme Court.

When is the Supreme Court in session?

The Supreme Court is in **session** as of the first working day of October of each year through the last working day of the following month of June, unless otherwise provided by the Court. Ordinarily, the divisions will sit on the first three Fridays of each month, and the Court will sit *en banc* the last Friday of each month to discuss and examine the recommendations of the divisions.

During recesses, per agreement of the full Court, the Supreme Court will sit in divisions of not less than three Justices. If these divisions, known as the Summer Divisions, are not ordered, one or more Justices will be designated as Judge in Chambers, who will be available to hear any matter brought during recess.

The recommendations rendered by Judges in Chambers during the recess will be shared and circulated in writing to the full Court once a new term begins.

How are matters heard before the Supreme Court?

Generally, matters before the Supreme Court are heard initially by the divisions. When a **petition** is filed, it is assigned to a specific Division. The Justice presiding over said Division will then assign it to another Justice who will study the petition and present his or her position to the other Justices. Usually, each Justice is assigned eight petitions to study and present the matter to the Division.

Once the case is presented to the Division, the Justices will render a decision recommending whether to grant or deny the petition. If the Justices decide not to issue the writ, the Supreme Court will deny the petition. A party who disagrees with this decision may file up to two motions to **reconsider**. In so doing, the reconsideration will be heard by another Division.

On the other hand, if most of the Justices sitting in the Division vote to recommend issuing the writ sought, the petition is referred to the full Court, sitting *en banc*, for a final decision. If the Court *en banc* decides not to issue the writ, the Court will deny the petition. If a party does not agree with the decision denying the petition, the party may file up to two motions for reconsideration, which will be heard by the full Court. If the full Court, sitting *en banc*, decides to grant the petition and issue the writ, the merits of the case will be heard.

Does the Supreme Court hear oral arguments when passing on the merits of a case?

The Supreme Court is an appellate court, which means that parties file all the documents that are part of the record of the case that has been heard by the Court of First Instance and by the Court of Appeals. Usually, the parties do not physically go to the Supreme Court to argue their position. Nevertheless, when necessary, the Supreme Court may hold **oral argument**. This may be at the request of a party or because the Court has decided so **motu proprio**, or on its own initiative.

How is a case adjudged?

Ordinarily, once the full Court has decided to grant a petition and issue the writ, the case will be assigned to the Justice who initially studied it in the Division. Pursuant to the Rules of the Supreme Court, the Justice will then have 365 days from the assignment date, or 270 days if oral argument was heard, to share or circulate a draft of his or her position paper. A **position paper** refers to a proposal on how to resolve a case, either through **judgment**, **opinion**, or any other pronouncement made by a Justice.

Once the position paper is circulated, unless a Justice disqualifies himself or herself or takes no part in the decision, the remaining Justices will have between 20 or 30 days to examine the position paper and state their position regarding the case in writing. During this time, any Justice may request an addition term of 15 or 30 days to study the position paper and examine the case file to issue their own position. Once the respective position papers have been notified in writing, the other Justices have five to ten days to express their position thereto.

A position paper may be **certified** as the decision of the full Court or a majority of Justices agrees to it. All position papers in a case—such as judgments, opinions, separate or explanatory votes—are simultaneously certified, unless due to the nature of the case a majority of the Court have decided on a different course of action or when a Justice has reserved the right to file his or her position.

What is a disqualification?

Disqualification refers to the voluntary decision not to hear or take part of a specific proceeding because there is a conflict of interest or for any other justified reason.

What is the difference between a concurring opinion and a majority opinion?

An opinion rendered by the Supreme Court may be considered as a **per curiam** decision, or the opinion of the court, when all the Justices agree with the decision and no particular Justice delivers the opinion. This is understood as a decision by all the members of the Court. However, when a majority reaches a decision, the decision of the Court is issued through a **majority opinion**, which is the position paper with which most of the Justices agreed with. A particular Justice will then deliver the opinion of the Court. Alongside this opinion, the other pronouncements by the other Justices must be published, either **concurring opinions** (where a Justice agrees with the result of majority opinion, but on different grounds) or **dissenting opinions** (where a Justice disagrees with the majority opinion) or any variant of these.

What other types of decisions can the Supreme Court issue?

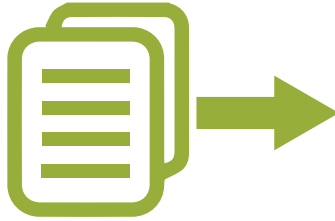
On some occasions, the full Court will meet to pass on administrative matters which require the approval of a majority of the members of the Court in order to take effect. The decision so reached by a majority are issued through a **Resolution**, and if any additional pronouncements shall be made through separate votes, either concurring or dissenting.

PROCEEDINGS BEFORE THE SUPREME COURT

DIAGRAM-EXAMPLE

WRIT

- A party who is dissatisfied with a Judgment rendered by the Court of Appeals decides to seek review with the Supreme Court.
- The party prepares and files a petition for a writ of certiorari.



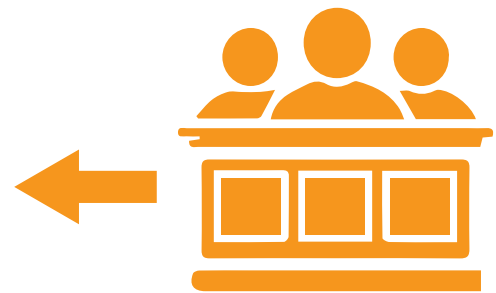
DIVISIONS

- Upon examining the petition with all related attachments, the Justice assigned to the case will discuss it with the members of the Division.
- The Justices decide whether to **recommend** granting the petition and issuing the writ.



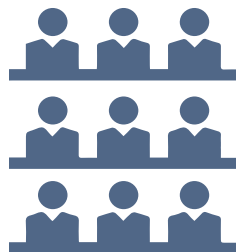
EN BANC

- A majority of full Court decides whether to grant the petition and issue the writ.
- This process ensures a collegiate decision. All Justices have the opportunity to participate in the decision.



POSITION PAPER

- The Justice assigned to the case will examine the record and papers in the case file and draft a position paper with his or her proposal on how to decide the case.
- The position paper is circulated to all members of the Court.



MAJORITY OPINION

- The Justices study the position paper and express their own position in writing. The papers are circulated.
- A majority of the Justices adopt the position paper as the majority opinion and, consequently, the position paper will become the decision of the case.
- Other Justices may join a dissenting opinion delivered by another Justice.

DECISION OF THE SUPREME COURT

- The Justice delivering the opinion of the Court certifies the decision.
- The Clerk of the Supreme Court certifies all opinion and written pronouncements concerning the case.
- The full Court orders that the opinion be published.



PUERTO RICO SUPREME COURT GROUNDS

The Supreme Court has been housed in various buildings throughout the years:



Real Audiencia Building



**Santo Domingo Barracks
(formerly Dominican Convent)**



Capitol Building of Puerto Rico

Presently, the Supreme Court is located at the entrance of the San Juan Islet between the Polvorín [Powder Magazine] and the Fortín de San Gerónimo. There are three buildings on these grounds:



Library



**Annex Building (Former
Library) (1985)**



Main Building (1956)

LIBRARY

- Designed by the architecture firm Sierra Cardona Ferrer, it is the most modern of the buildings on the Supreme Court grounds, built in 2011.
- The services offered by the Library are primarily geared towards Justices and their law clerks, as well as the rest of the staff who work at the Supreme Court. In addition, the Library provides support to all Judicial Branch libraries, as well as other government agencies, and to the public. For more information on library services, please consult to the section concerning *Administrative Organization*.



Reference, Circulation and Consultation



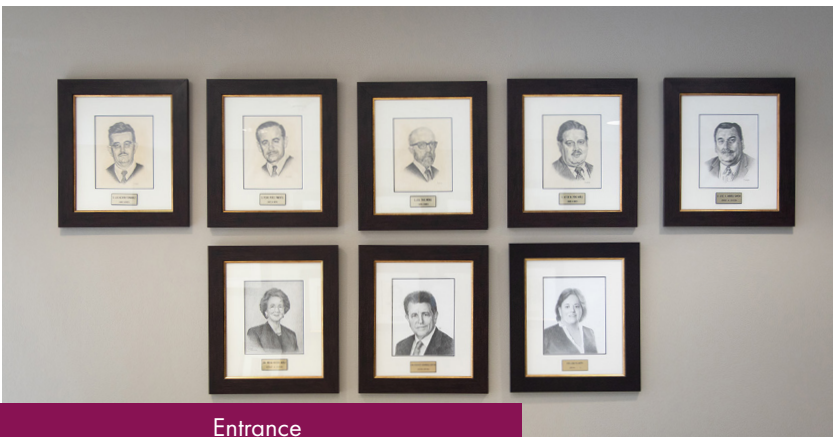
Multi-Purpose Room

Special events are held in the Multi-Purpose Room of the Library, such as: orientations, talks, and educational activities for students. In addition, the public visiting the Supreme Court for guided tours are received in this room.

The Historical Foundation of the Supreme Court of Puerto Rico received on loan from the Hon. Miriam Naveira Merly, former Chief Justice, her private collection of works by artist Francisco Rodón. The lobby of the Library houses the exhibit *Rodón, at the Supreme Court*. The exhibition, which comprises certain works by Rodón from 1970s up to the present, is open to the public.



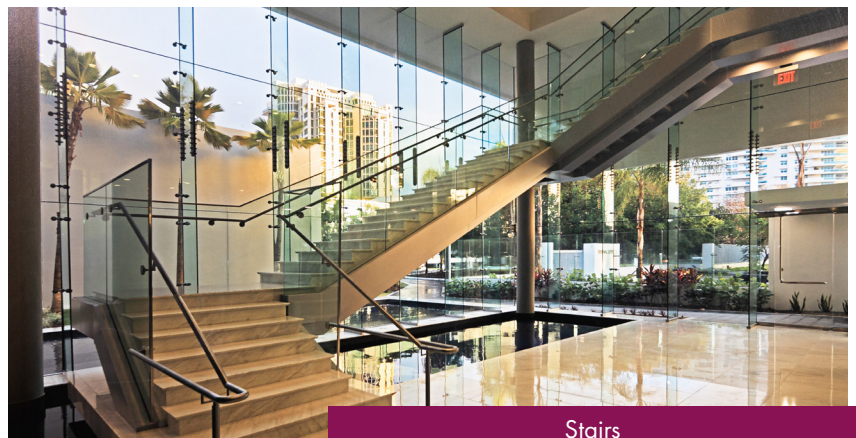
Lobby-Rodón, at the Supreme Court



Entrance

At the entrance of the Library, there is a collection of portraits of Supreme Court Justices drawn with graphite on paper. The collection begins with portraits of two illustrious justices from the turn of the 19th Century up to the last Chief Justice: José Severo Quiñones, José Conrado Hernández, Emilio del Toro Cuebas; Martín Travieso; Andréu García; Miriam Naveira Merly; Federico Hernández Denton, and Liana Fiol Matta.

From the stairs of the Library, through the clear glass, the main historical building—the seat of the Supreme Court—can be seen floating above the pool, facing the axis of Luis Muñoz Rivera Park.



Stairs

ANNEX BUILDING

- This is also known as the Former Library.
- It was built to house the books acquired under the administration of Chief Justice José Trías Monge.
- This building houses the chambers of two Associate Justices, in addition to the following administrative offices:
 - Mailroom
 - Bar of Examiners
 - Secretariat of the Judicial and Notarial Conference



Architect Osvaldo Toro (1985)

MAIN BUILDING

- The building was inaugurated on February 4, 1956. It is historical landmark and an example of the Modern Movement in Puerto Rico.
- It houses the chambers of six Associate Justices and the chambers of the Chief Justice, the Courtroom, and several administrative offices.
 - The Bureau of Translations
 - Office of the Reporter of Decisions
 - Marshal's Office
 - Central Investigations Panel
 - Office of the Clerk of the Court
- The main lobby has no doors, creating a broad and open space, representing access to justice.
- The main elements are the dome, the monumental spiral staircase, and the reflective pool, representing transparency and lightness. The stairs access the main area on the second floor, where, the Courtroom, at the center, flanked by the Justices' chambers, is surrounded by balconies with a view of the gardens.

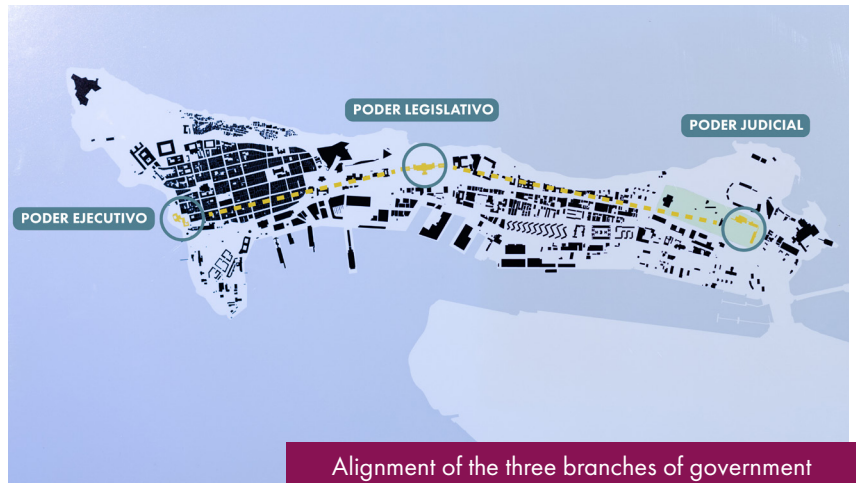


Architects Osvaldo Toro and Miguel Ferrer



Spiral Staircase

- The seat of the Supreme Court was built in alignment with the adjoining park, following a straight line towards the peace pavillion. In addition, a straight line traverses the Supreme Court, the Capitol (Legislative Branch) and La Fortaleza (Executive Branch).
- The northern face of the building looks towards the other branches of government, representing a system of checks and balances among the three powers. The eastern side of the building faces Isla Grande, auguring the creation of modern country.



Courtroom

- The Courtroom is also used to hold swearing-in ceremonies and special events.
- The bench is circular, the Justice sit at the same distance from each other, in such a manner that they can see each other, fostering a more intimate environment. Each Justice is seated according to seniority, starting at the center with the Chief Justice. To the right, the most senior Associate Justice sits, and to the left, the next most senior Associate Justice, and so forth and so on.
- The dome allows natural light to enter the Courtroom and perfect acoustics means that microphones are not necessary. The dome symbolizes that only God is above the law.
- From the bench to the public seating area: to the right, the Clerk's desk; to the left, the Marshal's lectern next to the desk reserved for the courtroom clerks' who operate the recording system *For The Record*.
- The Courtroom displays a collection of oil paintings depicting several Justices by two renowned Puerto Rican artists, Ramón Frade and Miguel Pou.

ADMINISTRATIVE ORGANIZATION

The Supreme Court has several offices and units providing support to execute its judicial, administrative, and regulatory functions. In addition, to properly discharge the duties of examining and deciding petitions or matters before the full Court or its divisions, the Justices individually receive administrative support from their administrative assistants and law clerks.

What is a law clerk?

In general terms, a law clerk is a Judicial Branch employee who works with a specific Justice and advises on administrative and legal matters, or with the Central Investigations Panel, which is the office that conducts research and writing projects related to the petitions filed with the Supreme Court.

What are the functions of a law clerk?

In general terms, law clerks are in charge of keeping the Justice informed of the development of the cases that are brought before the Supreme Court. The following are some of the main duties of a law clerk:

- Handle the cases that will be discussed by the Divisions or the full Court (prepare a summary of the case file and submit recommendations).
- Conduct research on the specific controversies in the cases assigned to the Justice to be decided on the merits.
- Draft position papers for the cases assigned to be resolved on the merits.
- Draft summaries of the position papers circulated by other Justices and make recommendations as to the position that the Justice should adopt.
- Draft dissenting and concurring opinions in response to the circulated position papers, or separate votes when dealing with a resolution.
- Assist with deciding motions for order in aid of jurisdiction (decisions that an appellate court may issue to avoid substantial harm to any party or that affects the jurisdiction of a court)
- Conduct research and prepare drafts related to professional ethics cases.
- Evaluate applications for admission *pro hac vice* (applications filed by lawyers who are members of the bar in any other state or territory of the United States or in the District of Columbia, requesting authorization to practice law in Puerto Rico in special cases).

Law clerks assigned to the Central Investigations Panel are tasked with examining all petitions filed with the Supreme Court. These law clerks draft memoranda, which are later forwarded to all the Justices, relating the particulars of the case with special emphasis on the controversy and the decisions reached by the lower courts. The memoranda also include brief statement of the applicable law and a recommendation as to the merits of the case.

What studies do you need to be a law clerk?

The first step to becoming a law clerk is to pass the bar examination, which, in turn, requires that the person obtain a law degree, or *Juris Doctor*, from a duly accredited academic institution. Before passing the bar examination, law clerks are called as legal technicians and may discharge all the duties of a law clerk but receive a different salary.

Do you need a specific bachelor's degree?

No. To request admission to a Law School, the applicant may obtain a bachelor's degree in any field.

How and where do I apply to work as a law clerk?

The application process and requirements to apply for a position as a law clerk varies. Therefore, it is highly recommended that the applicant contacts directly the office of the judge with whom he or she wished to work to find out the specific requirements.

What are some of the essential skills that a law clerk must have?

Excellent research, critical thinking, and writing skills are essential to discharge the duties of a law clerk.

What are the offices or administrative units under the Supreme Court?

There are several offices under the Supreme Court:

- Puerto Rico Judicial Academy (located at the Office of Court Administration)
- Library
- Judiciary Evaluation Commission (located at the Office of Court Administration)
- Committee on Character of Applicants for Admission to the Bar
- Board of Bar Examiners
- Administrative Services Bureau
- Bureau of Translations
- Office of Notarial Inspection (located at the San Juan Judicial Center)
- Office of the Continuing Legal Education Program (located at the Office of Court Administration)
- Marshal's Office
- Office of the Reporter of Decisions
- Central Investigations Panel
- Office of the Clerk of the Court
- Secretariat of the Judicial and Notarial Conference

Due to space constraints and administrative decisions, not all offices are located on the grounds of the Supreme Court.

PUERTO RICO JUDICIAL ACADEMY

What is the Puerto Rico Judicial Academy?

In 2003, the Puerto Rico Judicial Academy (PRJA) was created to establish and oversee a judicial education system in the Judicial Branch. The administration of the judicial education system falls on the Academic Board, consisting of the Chief Justice of the Supreme Court, the Administrative Director of the Courts, a Judge of the Court of Appeals, a Judge of the Court of First Instance, and the Executive Director of the PRJA.

What are the functions of the PRJA?

These are some of the functions carried out by the PRJA:

- Provide continuing education, general formation, and professional development, and address the specific professional training needs of all the members of the judiciary.
- Offer courses, seminars, talks, orientations, and workshops on subjects relating to substantive and procedural law.
- Organize, draft, and publish the course program of each semester.
- Coordinate education activities for judicial support staff.
- Create tools (manuals or handbooks) to help in the discharge of judicial duties.
- Develop the curriculum for specialized personnel of the Judicial Branch.
- Prepare advisory opinions on different areas of law, legal practice, and professional ethics.

Contact Information

 (787) 474-3777, extensions 2801, 2803, and 2819

 (787) 764-3289

 academiajudicial@poderjudicial.pr

COURT LIBRARY

Which libraries are part of the Judicial Branch?

Judicial Branch libraries are specialized libraries that contain legal publications, both in printed and digital format. These libraries provide the necessary resources, services, and referrals so that judges and other officials may carry out their job of dispensing justice. Library services are available to lawyers and the public, who may to examine the resources available at the libraries.

The libraries at the Judicial Centers keep a basic collection of legal sources of Puerto Rico and US law. The libraries at the San Juan Judicial Center and at the Court of Appeals have a more extensive collection, while the Supreme Court Library has the largest collection of resources at the Judicial Branch.

A few facts about the Supreme Court Library:

- Library services are available to visitors. To coordinate a visit, you can contact the Library via email or telephone, Monday through Friday, from 8:30 a.m. through 5:00 p.m.

- There is free wireless internet connection, access to an intranet tool for legal research, and access to the online legal research databases such as MicroJuris and Westlaw.
- During tours of the Library, library personnel provide access to the library vaults, a restricted area where printed bibliographical sources of the Supreme Court and the Judicial Branch are kept.
- The Library houses the largest collection of the Judicial Branch, with over 80,000 titles specializing in legal resources. Some of the available collections are:
 - Puerto Rican statutes and caselaw
 - United States federal statutes and caselaw
 - Spanish legislation and caselaw
 - Collection of treatises and dissertations from various jurisdictions and on different areas of law
 - Legislative material and regulations
 - Law reviews
 - Rare books (collection of legal publications dating from the 19th Century covering the Spanish ultramarine legislation applicable to the Philippines, Cuba, and Puerto Rico)

Contact Information

 (787) 723-6033, extensions 2152, 2154, and 2155

 (787) 289-0143

 bibliotecadeltribunalsupremo@poderjudicial.pr

JUDICIARY EVALUATION COMMISSION

What is the Judiciary Evaluation Commission?

An official body of the Judicial Branch charged with periodically evaluating the performance of acting judges for administrative purposes and professional development purposes. The Commission also examines judges' applications for reappointment and promotions.

The main purpose for these evaluations is to identify the judge's strengths and areas of best performance, and the areas that need reinforcing. Once deficiencies are identified, the Commission works to correct them with continuing legal education programs or with the PRJA. The goal is to always maintain the excellence of the judiciary and that judges may fully and efficiently meet the demands of the general public and strive to facilitate and streamline access to justice to all.

How does the Commission carry out these evaluations?

Periodic evaluations are carried out every three years on the judicial performance of judges, in addition to evaluations initiated because of an application for reappointment and promotion. The information gathered during these evaluations is strictly confidential, and judges never learn the identity of the those who participate in the evaluation process.

To participate in these evaluations, the Judicial Branch website list of the judges who are currently under evaluation and provides an evaluation form and an answer sheet.

Contact Information

 (787) 641-6600, extensions 5886, and 5888

 comisionevaluacionjudicial@poderjudicial.pr

COMMITTEE ON CHARACTER OF APPLICANTS TO THE BAR

What is the Committee on Character of Applicants to the Bar?

It is the administrative body that review the overall competence (physical, mental, and moral condition) of applicants to the bar in Puerto Rico.

BOARD OF BAR EXAMINERS

What is the Board of Bar Examiners?

The administrative body that aids the Supreme Court in discharging its inherent power to determine who is qualified to practice law and the notarial profession in Puerto Rico.

The Board of Bar Examiners ensures that applicants meet the requirements provided by the Supreme Court through regulation, such as age, place of residence, education, and legal education. In addition, the Board prepares, administers, corrects, and grades the bar examinations for admission to the Puerto Rico bar with the assistance of its technical and advisory personnel.

Once the results of the bar examination are made public, the Board of Bar Examiners publishes a notice in one daily newspaper of general circulation in Puerto Rico, stating the names and places of residence of the applicants who passed the bar examination, inviting any person who may have objections to the admission of any applicant to the practice of law to come forth with such objections to the Board. The Board of Bar Examiners subsequently refers any complaints received concerning an applicant to the Committee on Character of Applicants to the Bar.

Contact Information

 (787) 723-6033, extensions 2109, and 2111

 junta.examinadora@poderjudicial.pr

ADMINISTRATIVE SERVICES BUREAU

What is the Administrative Services Bureau?

The Administrative Services Bureau is responsible for the planning, directing, coordinating, supervising, and assessing activities related with the operation and administration of the Supreme Court, such as: personnel, budget, procurement, infrastructure and facilities, maintenance, information systems, and other related operations. The Bureau also has a Human Resources Unit responsible for personnel management. The Bureau also acts as a liaison between the Office of Court Administration and the Supreme Court in matters pertaining to administrative matters, as required.

BUREAU OF TRANSLATIONS

What is the Bureau of Translations?

The Bureau of Translations, under the Office of the Clerk, was created by Law No. 87 of May 31, 1972. Among its duties, the main function of the Bureau of Translations is to translate into English the decisions of the Supreme Court of Puerto Rico, which are published in a limited collection, known as the *Official Translations of the Opinions of the Supreme Court of Puerto Rico*.

The Bureau of Translations is also charged with translating into the English and certifying the translation of documents issued by the Court of First Instance to interested parties to be used in cases or proceedings before federal courts or agencies in Puerto Rico and the United States.

How do you request a translation of a document issued by a court?

A party interested in obtaining an official translation of a document issued by the court that has been entered in the record of a case (such as judgments, resolutions, or orders) must present a certified copy of said document, provided the date of certification is not over a year old, and include the appropriate internal revenue stamps. A certified copy of the document must be personally delivered or sent by mail to the Bureau.

The amount of internal revenue stamps depends on the number of pages to be translated. Once the certified copy is received, personnel at the Bureau of Translations will confirm whether the translation can be made and the total amount of internal revenue stamps that must be presented.

How much does a translation cost?

Fees in the form of internal revenue stamps for translations are: \$25.00 for the first page, plus \$5.00 for each additional page. The certification costs an additional \$5.00. If a party interested in receiving certified copies of opinions of the Supreme Court or documents issued by the Court of First Instance that have previously been translated, the cost is \$6.00 for the first page, plus .60¢ for each additional page. The certification costs an additional \$1.00.

Veterans from the United States Armed Forces are exempt from paying translation fees, provided the person presents the *DD Form 214 - Certificate of Release or Discharge from Active Duty*, issued by the United States Department of Defense.

Contact Information

 (787) 723-6033, extensions 2066, and 2091

 (787) 729-8928

 traducciones@poderjudicial.pr

OFFICE OF NOTARIAL INSPECTION

What is the Office of Notarial Inspection (ONI)?

The ONI was created under Law No. 75 of July 2, 1987, as amended, known as the Puerto Rico Notarial Act. It is the official body in charge of overseeing and orienting notaries practicing in the Commonwealth of Puerto Rico. It is also responsible for serving the public who visit any of its several offices. Regarding its role in a disciplinary proceeding, the ONI may review and make recommendations on matters referred to it by the Supreme Court involving complaints filed against notaries pertaining to their notarial duties.

The ONI falls under the Office of the Chief Justice of the Supreme Court of Puerto Rico.

What services does it offer to the community?

Among its services, the ONI administers the General Register of Notarial Competences, which includes:

- Registry of Non-Contentious Notarial Matters
- Registry of Marital Agreements
- Registry of Trusts
- Registry of Power of Attorneys
- Registry of Wills
- Notarial Reports Unit

Through these registries and the notarial reports unit, the ONI issues notices pertaining to the execution of public deeds that are required by law, as well as requests for certification concerning these public deeds. Certifications are necessary in judicial, and registry transactions, among others. Each certification issued by the General Register of Notarial Competences has a cost of \$5.00, paid in internal revenue stamps.

Contact Information

 (787) 763-8816

 (787) 766-4985

 oficinadirectorodin@poderjudicial.pr

 Avenida Muñoz Rivera
Esquina Coll y Toste Parada 37

OFFICE OF THE CONTINUING LEGAL EDUCATION PROGRAM

What is the Office of the Continuing Legal Education Program (CLEP)?

The CLEP is attached to the Supreme Court. The office is in charge of ensuring that all active attorneys practicing law or the notarial profession in Puerto Rico meet the requirements provided by the Rules of the Continuing Education Legal Program, as amended.

What services does the CLEP offer?

The CLEP serves law professionals and continuing legal education providers. Some of the program's basic functions are the following:

- Provide orientation to law professionals on the regulatory requirements that they must meet.
- Verify that law professionals comply with their duty to take continuing legal education courses.
- Approve continuing legal education courses offered by providers and evaluate whether they meet the regulatory requirements.
- Award credit hours to law professionals for courses taken.
- Serve notice of noncompliance to law professionals, as applicable.
- Refer to the Supreme Court a law professional's noncompliance with continuing legal education requirements, among others.

Who must comply with the Rules?

All law professionals with active status as registered in the Office of the Clerk of the Supreme Court. Law professionals who have been suspended by the Supreme Court, either temporarily or for a specific period of time, must comply with the Rules.

How do I obtain CLEP application forms related to the CLEP?

All forms concerning the CLEP are available in PDF format at the Judicial Branch website. These forms may also be requested directly with the Office of the Continuing Legal Education Program by email to educacioncontinua@poderjudicial.pr.

Applications and other documents may be submitted in person, by fax, regular mail, or email.

Contact Information

 (787) 641-6600, extensions 5783, and 5739

 educacioncontinua@poderjudicial.pr

 268 Avenida Muñoz Rivera

MARSHAL'S OFFICE

What is the Marshal's Office?

This office is responsible for the safety and security of the court personnel, of the building and property of the Supreme Court, and maintaining order in the Courtroom.

Some of the duties of the Marshal's Office are:

- Supervise marshals, which includes, among other duties, executing judicial actions and mandates, and serving summons, citations, and orders of the Court.
- See to the internal needs of the Supreme Court and provide support to the judiciary and the Judicial Branch staff in the discharge of their official duties.

OFFICE OF THE REPORTER OF DECISIONS

What is the Office of the Reporter of Decisions?

This office responsible for, among other matters, drafting the syllabus for opinions to be published and judgments rendered by the Supreme Court that will not be published, compiling, editing, and publishing the collection *Decisiones de Puerto Rico* and the *Digesto de Puerto Rico*.

Likewise, this office answers linguistic and legal consultations from judges, law clerks, and the rest of the Judicial Branch staff. In addition, it executes any task assigned by the Chief Justice and Justices of the Supreme within its competences.

For the benefit of the legal profession, this office provides an organized compilation of all decisions rendered by the Supreme Court, which is sent to law schools, to the federal court, and other government agencies.

CENTRAL INVESTIGATIONS PANEL

What is the Central Investigations Panel?

Originally, its main task consisted of assisting the Supreme Court in examining cases brought to be decided on its merits that had been under submission for six months or more, in order of filing date. Once this task was completed, the Panel mostly studies cases filed before the Supreme Court recommending either to grant or deny the filed application. On a weekly basis, the Panel presents to the full Court a list of cases evaluated and pending evaluation.

OFFICE OF THE CLERK OF THE COURT

What is the Office of the Clerk of the Supreme Court?

The Office of the Clerk of the Court, under the direction of the Clerk and aided by a Deputy Clerk, several Assistant Clerks and additional office personnel, is where all cases or applications filed before the Supreme Court are processed. At the Clerk's Office, petitions, miscellaneous motions and professional ethics complaint against lawyers and members of the judiciary are filed. To perform its task, the Clerk's Office prepare a docket showing the status

of each case, as well as automated data on several aspects concerning the specialized tasks the Clerk's Office performs. Likewise, the Clerk's Office keeps a roll of lawyers admitted to practice law and the notarial profession in Puerto Rico.

By delegation of the Supreme Court, the Clerk's Office carries out the initial proceedings for professional ethical complaints filed against lawyers. Once this initial intervention is completed, the Clerk's Office refers the complaint to the Supreme Court to decide the matter. The Clerk's Office serves notice of all decisions rendered by the Court to the parties involved, as well as to other individuals and entities.

Personnel at the Clerk's Office provide orientation to the members of bar and to the community who visit the office daily in search of information pertaining to their cases and other matters.

The Clerk's Office keeps the Supreme Court abreast, through periodic reports, of the time a case has been pending and the movement of cases under submission before the Court.

Contact Information

 (787) 723-6033 extension 2072

 787) 289-0157

 unired@poderjudicial.pr

SECRETARIAT OF THE JUDICIAL AND NOTARIAL CONFERENCE


What is the Secretariat of the Judicial and Notarial Conference?

The Supreme Court created the Judicial Conference in Puerto Rico for the purposes of assessing the state of the judicial system, develop plans, suggest measures to improve the judicial system and court proceedings, and draft and recommend legislation and regulation, and, in general, address issues related with the judicial system. This office plans and coordinates the sessions of the Judicial Conference and provides legal and technical support to the standing and ad hoc committees of the Judicial Conference. At present, there are seven standing advisory committees: Committee on Rules of Evidence, Committee on Rules of Civil Procedure, Committee on Rules of Criminal Procedure, Committee on Rules of Minors' Affairs, Committee on Judicial Reform and Administration of the Court of First Instance, and Committee on Equality and Gender, and Committee on Notarial Rules.

In addition, the Secretariat offers support to the Chief Justice and Associate Justices with special assignments; produces research on the operation of the justice system in Puerto Rico; drafts proposed rules, regulation, and administrative orders; and collaborates with the other divisions of the Judicial Branch.

Contact Information

 (787) 723-6033, extension 2072

 (787) 289-0157

 SecretariadoConferenciaJudicialyNotarial@poderjudicial.pr



Judicial Branch
of Puerto Rico