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## **USAID Mexico Legal Education Program Performance Evaluation**

# **Final Report**

January 2016

Performance Evaluation of USAID/Mexico's Legal Education Program  
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## **Acronyms, abbreviations, and translations**

**ABA-ROLI** = American Lawyers Bar

**CAPI** = Computer Assistance Personal Interview

**CEEAD** = Study Center of Law Teaching and Learning (Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho, A.C)

**DO2** = Development Objective 2

**GOM** = Government of Mexico

**INACIPE** = National Institute of Penal Sciences (Instituto Nacional de Ciencias Penales)

**NCJS** = New Criminal Justice System

**SETEC** = Technical Secretary (Secretaría Técnica - Órgano Administrativo Desconcentrado de la Secretaría de Gobernación)

**USAID** = United States Agency for International Development

**USG** = United States Government

## I. Executive Summary

In 2008, the Mexican government approved a constitutional reform that called for a transformation of the country's judicial system. This new adversarial criminal justice system requires a new mindset and skills that police officers, prosecutors, public and private counsels, victim assistance services, judicial personnel and correctional officers must learn and implement. To help achieve the successful implementation of this new criminal justice system by 2016, including the training of key legal actors the USAID/Mexico 2015-2019 Country Development Cooperation Strategy established Development Objective 2 (DO2), which seeks to support the government of Mexico's implementation of 2008 Constitutional criminal justice reforms in all Mexican states. USAID contributes to DO2 by providing assistance the government of Mexico (GOM) in implementing the constitutional reform through programs that aim to provide technical assistance, legislative solutions, and institutional policies assistance to various actors and institutions involved in the implementation of this criminal justice reform, as well as by increasing public awareness and knowledge about the reform, in order to facilitate the transition to a new judicial system in Mexico.

This performance evaluation study assesses the effectiveness of USAID/Mexico Legal Education Program, developed by USAID, through the American Bar Association (ABA-ROLI) and Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD), from the perspective of program participants themselves. The evaluation involves data from focus groups, in-depth interviews, and a telephone survey about the effectiveness of USAID's implementing partners in Nuevo Leon, Puebla, Chihuahua, Coahuila, and Mexico City.

Overall, the vast majority of participants in this study report that participation on CEEAD or ABA-ROLI efforts to be very useful. They evaluated positively the structure and quality of activities, particularly, instructor preparedness, training facilities, and content activities. However, they also voiced the need for assistance programs to include longer training times, more hands-on practice or simulations for learning the trial procedures, and the participation of foreign instructors.

This study also assesses, from participants' perspective, the effectiveness of USAID-supported methodologies and approaches for aiding Mexico's transition to a new criminal justice system. Overall, respondents were receptive to the American assistance for the transition, also pointing CEEAD/ABA-ROLI/USAID as the most influential institutions in terms of legal education programming. In terms of content, respondents found effective their participation in CEEAD and ABA-ROLI activities to learn the rules of oral litigation, to acquire skills for witness interrogation, and to improve their overall legal practices. Conversely, respondents felt training activities were the least effective to prepare them on abilities of conditional suspension and techniques of trial and investigation.

This study finds that the majority of survey respondents perceive that the new system constitutes a significant improvement. However, respondents hold divergent opinions about the implementation progress and their preparedness for the new criminal justice system. First, respondents in the D.F. reported the lowest, and Chihuahua the highest, perceived advancement in the implementation of the new system. Similarly, only half of respondents considered law schools as prepared to train for the new criminal justice system, thus needing enhancement. Finally, respondents from Nuevo Leon felt the most prepared, while those in Puebla perceived themselves as least prepared; moreover, respondents perceived judges as the most prepared, followed by public prosecutors, lawyers, law students and victim legal advisers. In contrast, Police officers are perceived as the least prepared to face a new criminal justice system.

Regarding to the impact of CEAAD and ABA-ROLI activities, respondents report positive impacts of their participation. Respondents find that activities enhanced their ability to face the demands and challenges of the new criminal justice system, and their overall professional skills. Professors, in particular, that attended CEEAD activities attribute updates in their teaching style, use of teaching materials, and bibliography referenced to the training received. In spite of these activities in preparation for the new system, respondents indicated several obstacles to a successful transition. In particular, they point that state authorities and lawyers resist or lack the necessary knowledge to navigate the new justice system. Among law professors, the lack of teaching materials and the need to update law curricula are the most critical challenges. Finally, for lawyers the greatest challenge is the transition to oral litigation, new procedures for criminal investigation, and new intermediate hearing rules.

This evaluation also shed light to areas in which future activities may improve. Respondents would like greater practical training on litigation strategies and techniques, simulation sessions, interrogation techniques, and presentation of evidence. Future interventions should focus on police officers and private attorneys, as respondents mention them as the least prepared within the criminal justice system. This type of programs should continue until the new system consolidates. Support is particularly critical regarding the need to update the education of law students, to train professors with updated materials, have students practice the techniques of oral litigation, and to consolidate their theoretical and procedural understanding of the new criminal justice system. Future interventions should also require implementers to gather comprehensive contact information of all participants and to obtain from them the permission and commitment to be contacted later by USAID or an external auditor to evaluate the programs and/or obtain feedback. Finally, USAID should consider recommending exam certification for lawyers similar to us lawyer, as well as providing technical assistance for the exams design and implementation.

## II. Introduction and Background

In June 2008, Mexico reformed its constitution in order to transform its criminal justice system from a “mixed” system -with inquisitorial characteristics- towards an adversarial system.<sup>1</sup> The transition was justified by several reasons, most of them related to human right violations such as excessive duration of criminal trials, a very high rate of pre-trial imprisonment, lack of adequate counsel for defendants, trials without the presence of a judge in the courtroom, the absence of an operating exclusionary rule, as well as violations to victim’s rights, among others. In sum, the “mixed” system was characterized by a series of procedural rules and structural deficiencies that made it prone to injustices both for defendants and victims, and subject to unpredictable results and unfair outcomes.

The transition to an adversarial system occurs in a moment in which countries all around the world are abandoning inquisitorial and mixed systems, and making swift transitions towards adversarial systems.<sup>2</sup> For example, in the Latin America region during the past two decades, countries such as Argentina, Chile, Colombia, Peru and Costa Rica have enacted similar judicial reforms.<sup>3</sup>

The criminal procedural rules that were adopted in the Mexican constitutional reform are based on five main topics: victims’ rights, defendant’s rights, limits to police and prosecutorial practices during the investigation of crimes, trials and hearings with adversarial rules, and alternative dispute resolution mechanisms and restorative justice.

The incorporation of the new system supposes an enormous challenge for both private and public actors that intervene in the procedure. The new rules require a new mindset and skills that police officers, prosecutors, public and private counsels, victim assistance services, judicial personnel and correctional officers must acquire in a brief term that concludes in June 2016.

Specialized training for lawyers and law students is indispensable. In order to perform adequately in an adversarial system, they should acquire full theoretical comprehension of rules regarding police and prosecutorial practices. These practices include procedures that were not regulated in the inquisitorial system, such as stop and frisk practices, and warrantless searches and line-ups. Attorneys and students must also comprehend the new set of evidence rules, another key structural component of the reform, as trials will not be based on written evidence as in the “mixed” system, but will instead rely on witnesses and expert witnesses which will be examined and cross-examined in public hearings. The change in the rules of

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<sup>1</sup> For an in-depth analysis of adversarial, inquisitorial or continental and mixed systems refer to Craig. M. Bradley, *The Convergence of the Continental and the Common Law Model of Criminal Procedure*, *Crim. L. Forum*, Vol. 7, Iss. 2, (1996).

<sup>2</sup> David Alan Sklansky, *Anti-Inquisitorialism*, 122 *Harv. L. Rev.* 1634 (2009).

<sup>3</sup> Máximo Langer, *Revolution in Latin American Criminal Procedure: Diffusion of Legal Ideas from the Periphery*, 55 *Am. J. Comp. L.* 617 (2007).

evidence also demands new skills from attorneys, as adversarial system require new trial techniques for succeeding in court procedures.

In order to overcome these legal education challenges, the Mexican federal and state governments have developed efforts that include intensive training of public and private attorneys through certificated professors, which are financed by the federal budget, as well as technical support for the reform of law curricula in major universities. Nevertheless, other sources of funding such as international support have been crucial for both advising law schools in adapting their curricula, and in legal training of students, as well as public and private attorneys.

All Mexican states and federal entities have to adopt the new adversarial, accusatorial criminal justice system by June 2016. States must effectively implement the new laws and ensure their relevant institutions and actors are prepared to implement them. The most recent estimates indicate that there are approximately 1,600 law schools in Mexico (the vast majority private), and the quality and content of their curricula are not regulated by a single body. Mexican law schools must adapt their new curricula to the new criminal justice system and prepare a new generation of students to practice under it. Experienced and active attorneys who have practiced law under the previous system also need training to work under the new system. As such, Mexican bar associations play an important role in promoting continuing legal education for these attorneys and ensuring their ability to practice effectively under the new system.

Based on the current pressing needs resulting from the 2016 implementation deadline for the new criminal justice system and the anticipated requirements for technical assistance and training that will continue after the deadline passes, the USAID/Mexico 2015-2019 Country Development Cooperation Strategy established Development Objective 2 (DO2), which seeks to support the GOM's implementation of 2008 Constitutional criminal justice reforms in all Mexican states. USAID contributes to DO2 by providing assistance the government of Mexico (GOM) in implementing the constitutional reform through programs that aim to provide technical assistance, legislative solutions, and institutional policies assistance to various actors and institutions involved in the implementation of this criminal justice reform, as well as by increasing public awareness and knowledge about the reform, in order to facilitate the transition to a new judicial system in Mexico. This research constitutes an effort from the government of the United States of America to assess the performance of two projects.

This report presents the design and findings of an external performance evaluation of the USAID/Mexico Legal Education portfolio conducted by Data Opinión Pública y Mercados S.C. in collaboration with the Latin American Project for Public Opinion of Vanderbilt University and Proyectos Estratégicos Consultoría. The purpose of this study is to assess the effectiveness of USAID/Mexico Legal Education Program, developed by USAID, through ABA-ROLI and CEEAD, from the perspective of program participants themselves. That is, this study seeks to show through the opinions of program participants, the degree to which USAID/Mexico's legal education program has performed in its efforts to provide technical assistance, legislative solutions, and institutional policy assistance to various actors and institutions involved in the

implementation of this criminal justice reform.<sup>4</sup> The program led by ABA-ROLI consisted in the developing of specialized training activities for law students and attorneys in relevant matters of the new adversarial system. The courses developed by ABA-ROLI included trial skills programs, traditional criminal procedure classes, and moot court. On the other hand, the activities developed by CEAD consisted mainly in advising Mexico's top law schools on the reform of their law curricula and syllabi on criminal procedure courses.

The evaluation study employs both qualitative and quantitative research techniques with the following objectives: a) Evaluate the results of assistance provided to Mexican bar associations and law schools in terms of advancing and incorporating the accusatorial criminal justice system into legal education; b) Identify best practices and lessons learned from that assistance; and c) Identify outside factors that further the effectiveness of assistance provided to strengthen legal education and the quality of services provided by the legal profession in Mexico, as well as factors that hinder or inhibit success.

### **III. Evaluation Methodology**

#### **1. General Research Scope and Activities**

The objective of the evaluation is to determine what type of USAID-funded technical assistance, approaches and tools to support a series of stakeholders were effective or not and why. It also evaluates the overall effectiveness of the approaches and tools implemented in the context of preparing key stakeholders to work under the requirements and characteristics of the new criminal justice system in Mexico.

The evaluation includes both quantitative and qualitative data from different research activities with the following main stakeholders who are/were beneficiaries of USAID-funded activities:

- Education Institutions
- Law Students
- Law professor (bar members)
- Private Lawyers

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<sup>4</sup> Unlike an impact evaluation study, this performance evaluation study does not treat USAID/Mexico's legal education program as an intervention for which the study seeks to measure its effect on the transition to the new criminal justice system in Mexico. That is, this performance evaluation study is not based on a cause-effect model that assumes a counterfactual for factors outside of the legal education program that this study evaluates. Rather, this performance evaluation study focuses on assessing how participants' perceptions can yield information on how well the legal education program has performed in helping participants feel prepared for practicing law under the new criminal justice system. (For a definition of what USAID considers an impact evaluation see: [https://usaidlearninglab.org/sites/default/files/resource/files/IE%20Technical%20Note\\_2013\\_0903\\_Final.pdf](https://usaidlearninglab.org/sites/default/files/resource/files/IE%20Technical%20Note_2013_0903_Final.pdf))

The evaluation covers interventions carried out by USAID's implementing partners between 2010 and 2015 in the following five states: Nuevo Leon, Puebla, Chihuahua, Coahuila, and Mexico City

The performance evaluation was conducted by a multidisciplinary team and includes the following research activities: desk research, construction of a sampling framework to draw a representative sample for the quantitative component as well as recruiting for the qualitative one, personal and telephone in-depth interviews, focus groups, telephone and on-line survey, transcription of qualitative materials, data entry of quantitative interviews, processing and analyzing of results. The description and scope of these activities is discussed in the following pages.

A general report as well as detail status report for the qualitative and quantitative activities were sent to USAID weekly.

## **2. Desk Research**

The first phase of the evaluation study consisted in reviewing all relevant reports, evaluations and documents related to USAID/Mexico's legal education assistance activities as carried out by ABA-ROLI and CEEAD to aid the transition of lawyers, bar association and law schools to the new judicial system in Mexico. One objective of this desk review was to gain understanding of the design and implementation of USAID/Mexico's Rule of Law Portfolio. At the same time, the desk review served as an input for designing research instruments for in-depth interviews, focus groups, and the survey questionnaire. The desk review consisted of three main steps described below.

The first step included the identification of the most relevant documents needed to understand the scope of programming by ABA-ROLI and CEEAD. After a systematic review of the provided materials related to USAID/Mexico's legal education assistance activities, the Desk Review team identified the documents that best described the legal education efforts carried out by ABA-ROLI and CEEAD that this study would evaluate. The documents that were reviewed in the desk research are found in the appendices of this report.

In a second step, we identified the institutional strengthening and individual capacity building activities carried out by ABA-ROLI and CEEAD that best reflected USAID/Mexico's Rule of Law Portfolio, and also fit the criteria of our evaluation design in terms of USAID's evaluation questions, target beneficiaries, and geographical constraints.

Based on our identification of key programmatic efforts by ABA-ROLI and CEEAD for our evaluation, and guided by USAID's key evaluation questions, the third step of the desk review involved the development and design of research instruments for focus groups, in-depth interviews, and a survey. Questionnaire instruments were drafted with the purpose of creating the most relevant and meaningful measures of the experiences of public authorities, lawyers, law schools administrators, law professors and law students, and their perceptions of the

effectiveness of legal education activities for facilitating and accelerating the implementation of the new criminal justice system in Mexico. To this end, a series meetings were held to discuss instrument design and questionnaire drafts. USAID’s input was also solicited in this phase of instrument and questionnaire design. Copies of the final questionnaires for focus groups, in-depth interviews, and telephone survey are found appendices.

**3. Strategy to Construct the Sampling Framework**

We received a total of 14 documents from USAID containing lists of participants from different courses and/or trainings conducted by ABA ROLI and CEEAD from 2011 to 2015. These constitute the sampling framework. In total, there were 2,747 records distributed by the study implementer as follows:

- 252 records of participants in activities carried out by CEEAD in 4 files
- 2495 records of participants in activities carried out by ABA ROLI in 10 files

Upon reviewing and filtering the data received, we noted that the valid cases (those corresponding to states where an evaluation had been completed) reduced the survey frame to 1350; the remaining 1397 observations were records from other states, duplicate files for individuals (in some cases as many as 3 repetitions) and individuals whose information was incomplete (no email, telephone number, or institution).

Of these valid cases, names are provided for all individuals but the additional information available varied across individuals, types of individuals and courses. In sum, the following information was available:

<b>Total contacts from the 5 states being evaluated (Universe)</b>	<b>1350 cases</b>
Contacts/records with name and institution	876 cases
Contacts/records with name and telephone number	63 cases
Contacts/records with name and e-mail	1199 cases

In light of this situation, and bearing in mind that telephone calls were the primary mode of contact for completing these interviews, we developed a two-pronged strategy:

1. Search for e-mail and/ or telephone information for the cases for which we did not have this contact information, using the information from the institution as a reference, and
2. Send emails to those individuals for whom we only had an email address to request a telephone number in order to conduct the interviews.

Using the first strategy, we conducted Internet and social media searches, which yielded 69 telephone numbers, 70 e-mail addresses, and six contacts that were repeat information from other listings. We were unable to locate 40 individuals. In total (combining telephone numbers

and email addresses) we obtained information for 95 individuals, including telephone, email, or both of these.

Using the second strategy, we sent as many as three e-mails to 1093 individuals requesting a telephone number to conduct the interview. Of these, 179 e-mail addresses were not recognized by the server, we received 102 positive responses providing a telephone number, and the remaining 812 did not respond.

We reviewed those e-mail and telephone numbers for which we received no response in the first two weeks and decided to search them on social media. Using this tool, we obtained “new” information for 204 contacts.

Using the combination of the above-described strategies, we obtained a total of 694 telephone numbers. For some of these cases, we attempted to use a “snow-ball” strategy during the final week of fieldwork (contacts of the interviewees who had attended training courses at CEEAD and/or ABA ROLI).

As a last attempt and with the objective of completing as many interviews as possible, we decided to send e-mail invitations to complete the questionnaire online. We sent 600 invitations using this strategy.

In total, we attempted to interview a total of 1294 contacts for whom we were able to find sufficient information to contact them by some means (i.e., telephone and/or e-mail); this number of contacts constitutes the universe of the study about which we generate estimates in the quantitative component of this evaluation. Of all of the efforts listed here, we obtained 209 valid interviews, of which 178 were conducted by telephone and with 31 online respondents.

Given the sum of all of the listed individuals with the 1294 cases that we counted for the study, the effectivity quotient for all individuals listed was 16% overall, for those with telephone numbers it was 26%, and for the web invitations and other methods was 5%. Considering the size of the universe in the adjustment for the margin of error, the estimations have a variance of +/-6.2% for a 95% confidence level.<sup>5</sup>

7 interviewers participated in fieldwork, five researchers worked under the supervision of a coordinator on the reconstruction of the participant list and the sample, and three researchers programmed the web questionnaire, sent web invites, and worked on quality control. The data base was constructed between October 13 and December 8, 2015.

The first recommendation for future program is to require implementers to gather comprehensive contact information of all participants and to obtain from them the permission

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<sup>5</sup> Given the restrictions in the contact listing, the final sample was not selected probabilistically, but rather with a mix of self-selection (web) and convenience (from the list); as a result, these margins of error might not be sufficiently precise in the estimations.

(and commitment) to be contacted later by USAID or an external auditor on behalf of USAID to evaluate the programs and/or obtain feedback.

#### **IV. Evaluation Questions, Research Techniques and Scope and Structure of the Research Instruments**

##### **1. Main Evaluation Questions**

Following is a list of the main evaluation questions that guided the research design and analysis of the performance evaluation:<sup>6</sup>

- Which USAID-supported institutional strengthening and individual capacity building activities were most relevant and effective at increasing the abilities of bar associations and legal education institutions to improve the legal profession and facilitate their transition to Mexico's new criminal justice system?
- What have been the most effective USAID-supported methodologies and approaches carried out by bar associations and legal education institutions to support the legal profession to practice under the new criminal justice system? Why are they considered successful? What were the primary factors contributing to their success?
- Similarly, which USAID-supported methods or approaches have been less effective? Why are they considered so? What were the primary factors that hindered their success?
- To what extent did USG assistance contribute to and/or accelerate this transition?
- What have been the primary constraints (i.e. institutional, capacity, policy, political, etc.) that have impeded the abilities of legal education institutions and bar associations to provide quality services and successfully support the legal profession's transition to the new system?
- What other methods or technical recommendations should USAID consider in the design of future legal education activities?

##### **2. Research Techniques and Scope**

As stated above, the performance evaluation included a qualitative and a quantitative component that were conducted simultaneously. These research techniques complement each other and the findings discussed in the next section contain information from both components. The qualitative component included telephone and face-to-face in depth-interviews, as well as focus groups among faculty of participating universities. The quantitative component consisted of telephone interviews among students professors, lawyers and public officials. Following is a brief description of the scope of each components:

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<sup>6</sup> Source: Performance Evaluation of USAID/Mexico's Legal Education Program request for quotation, August 14, 2015.

## **Qualitative component**

In conducting focus groups and in-depth interviews, an interview guide was developed for both studies (see Appendices 2 and 3).

The main goal of this study was to identify what the strengths and weaknesses of education programs about the new legal system were at different institutions, schools, and universities in those Mexican states where the implementation of the new justice system was more advanced.

In addition, this study sought to confirm whether the teaching methods used in these classes and workshops were optimal, what factors contributed to their success. Also, we sought to understand which methods were the least effective, to what extent the US government has influence over the transition to the new system, and finally to provide recommendations and suggestions that practitioners can follow in the design of similar activities in the future.

Focus groups included 64 contacts obtained by the general listing sent by USAID, of whom we were able to recruit eleven participants in total: seven for the groups in Mexico City (five in the first and two in the second) and four for the group in Puebla.

For in-depth interviews, we began with a list of 52 possible contacts, of whom we were only able to interview six by November 18<sup>th</sup>. Starting on November 23<sup>rd</sup>, we implemented a new strategy, which involved including some contacts from the academic profile from the quantitative list, in conjunction with the former strategy, we were able to increase the number of interviews completed. In total, we completed 18 in-depth interviews, four more than the fifteen originally proposed. The distribution of these interviews is as follows: five in Nuevo Leon, four in Coahuila, five in Chihuahua, two in Mexico City, and two in Puebla.

For the contacts in Chihuahua, which did not include telephone numbers but only e-mail addresses, we identified (for some cases) the institution that the e-mail address appeared to belong to, and contacted these universities and high schools to locate these individuals. In this way, we were able to complete four interviews with participants from this state.

The primary reasons potential participants gave for not participating were: a) scheduling complications (they did not have a fixed schedule to take classes, or they take classes on line and, as a result, are hard to locate in their workplace), b) little availability or interest, and c) non-response to emails and/or insufficient or incorrect contact information.

## **Quantitative Component**

In constructing the instrument for the quantitative portion of the project, multidisciplinary teams worked to generate items about the substantive topics and main evaluation questions described above.

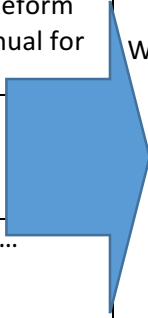
Using these topics, the teams generated a broad catalogue of questions that allowed the generation of a first version of the “long” questionnaire, which was used for the pilot study completed on October 30<sup>th</sup>. With the results from this pilot, a reduced form questionnaire was generated and approved by USAID, and this new instrument was used via the computer program (CAPI) beginning on November 2<sup>nd</sup>.

Even though the questionnaire was reduced in size for its final version, it still included the topics requested by USAID to evaluate the training sessions conducted by its providers. At the same time, the instrument addressed topics related to the specific profile of the individuals who attended these training sessions.

Using this instrument, 209 valid (complete) interviews were conducted; to that end, we made 1856 telephone calls and sent 600 e-mail invitations.

### 3. Structure of the Research Instruments

The design and analysis of the research instruments for both the qualitative and quantitative components of this study were designed based on the evaluation questions outlined above. These evaluation instruments contain the following general structure:

<b>General Structure of the Evaluation Instruments</b>	
Section 1. Evaluation of key aspect by type of activity: + Training (study tours) + Curriculum building + Dissemination/diffusion + Produced documents (Legislative framework, Guide for Reform of the Legal Profession and Legal Education in Mexico, Manual for Bar associations)	 <p>Which methods have been more or less effective</p>
Section 2. Evaluation of key content/components of specific activities	
Section 3. Perception of the impact of the different activities to ... + Improve legal profession + Facilitate transition to new criminal justice system + Accelerate transition to new criminal justice system	
Section 4. Enumeration of primary constraints to + Provide quality services + Support legal profession for the NCJS	
Section 5. Recommendation of other methods/techniques for future education activities	

As you can see from the table above, all of the main evaluation questions were included and are measured directly (sections 1 to 5) or indirectly by analyzing the results of the first three sections. From this general structure we produced a list of general (sections 1, 3, 4 and 5) and specific (section 3) questions that were reviewed and approved by USAID before the start of

fieldwork. The discussion guidelines for the focus groups and in-depth interviews, as well as the survey instrument for the quantitative component are shown in the appendices.

Regarding the scope of the qualitative and quantitative research instrument the next table shows a synthesis of the specific activities that were included. For each type of assistance effort carried out by CEEAD and ABA-ROLI we show its corresponding program objective/component, specific activities carried out, and stakeholders involved.

Scope of Work Quantitative Component		
Activity	Implementor	
	CEEAD	ABA - ROLI
<b>Training</b> (sections 1, 2 and 3)	<p><b>Objective 3:</b> Strengthen Teaching Capacity and Law School Curriculum</p> <p><b>Activities:</b> (1) Adversarial criminal procedures (2) Oral litigation techniques (3) Alternative methods of dispute resolution and alternative solutions to criminal proceedings</p> <p><b>Stakeholders:</b> students, professors</p>	<p><b>Component 2:</b> Strengthen the capacity of law schools to prepare students for the accusatorial system (named “Activity 3” in 2010 WP) and <b>Component 3:</b> Strengthen the Capacity of Bar Associations to Support Attorneys Under the Accusatorial System (named “Activity 2” in 2010 WP)</p> <p><b>Activities:</b> (1) Trial advocacy (2) Criminal defense clinics/mock trials (3) Accusatorial system</p> <p><b>Stakeholders:</b> students, professors and lawyers/bars</p>
<b>Curriculum</b> (sections 1, 2 and 3)	<p><b>Objective 3:</b> Strengthen Teaching Capacity and Law School Curriculum</p> <p><b>Activities:</b> (1) Personalized virtual consulting</p> <p><b>Stakeholders:</b> students, professors</p>	<p><b>Component 2:</b> Strengthen the capacity of law schools to prepare students for the accusatorial system (named “Activity 3” in 2010 WP) <b>Component 3:</b> Strengthen the Capacity of Bar Associations to Support Attorneys Under the Accusatorial System (named “Activity 2” in 2010 WP)</p> <p><b>Activities:</b> (1) First and second law school assistance (2) Continuing Legal Education Curriculum for Bar Associations</p> <p><b>Stakeholders:</b> students, professors, lawyers/bars</p>
<b>Diffusion / Dissemination</b> (sections 1, 2 and 3)	<p><b>Objective 2:</b> Raise Academic Community’s Awareness about their Role in the Adversarial Justice System</p> <p><b>Activities:</b> (1) Portal and social networks (2) Press conferences</p> <p><b>Stakeholders:</b> students, professors</p>	

*Note: whenever possible and relevant, sections 4 and 5 will be applied to the different stakeholders.*

## V. Discussion of Evaluation Results and Findings

This section discusses the results of the qualitative and quantitative components of this evaluation study in five subsections. First, we provide participants' performance evaluations of the activities carried out by ABA-ROLI and CEEAD as part of USAID/Mexico's Legal Education Program. Second, we discuss participants' opinions on the effectiveness of the methodologies used by these USAID-supported efforts in facilitating the transition to the new judicial system in Mexico. Third, we assess the impact of participation in ABA-ROLI and CEEAD activities on improving the legal profession in Mexico and facilitating the transition to the New Criminal Justice System (NCJS). Fourth, we outline the primary constraints participants identified in the provision of services and support for law professionals transitioning to the NCJS. Finally, we discuss participants' suggestions for improvements in future legal education programs in Mexico.

The discussion of results in the following sections is based on the analysis of data from focus groups, in-depth interviews, and a telephone survey. We conducted three focus groups (two in the Federal District of Mexico and one in Puebla) and 18 face-to-face in-depth interviews (in the D.F., Chihuahua, Monterrey, Puebla, Saltillo, and Torreón) with lawyers, law professors, law school administrators, and law students that have knowledge of and/or have participated in ABA-ROLI and CEEAD legal education efforts. We also conducted a survey of 209 telephone interviews across five states, including the D.F. (80), Chihuahua (25), Coahuila (3), Nuevo León (42), and Puebla (59). The sample, as reported in the main activity of the respondent, is composed of law students (12.4%), law professors (16.3%), law school authorities (2.4%), private lawyers (51.7%), law bar members (2.4%), public officials (11.0%), judges (1.9%), recent law school graduates (1.0%).<sup>7</sup> The sample included 95 women and 114 men.

There are two important methodological issues that need to be taken into account when interpreting the results in this report. First, in the case of the *qualitative* research employed for this study, we present the most recurrent findings, as reported by focus group and in-depth interview participants. It is important to note that the patterns we summarize in the report correspond to the opinions and experiences of focus group and in depth-interview participants, and they may or may not correspond to the opinions and experiences of the project beneficiaries as a whole. For conclusions drawn from a representative sample, we use results obtained from the *quantitative* "telephone survey" with selected beneficiaries of the program.

Second, in interpreting results obtained through the telephone survey, we provide information related to the extent to which differences are statistically significant, meaning that a difference between two values is statistically distinguishable from zero (no difference). Statistical significance analyses inform the degree of confidence a reader can have that differences between groups of participants are true differences and not simply the result of chance. Statistical significance in analyses of large survey datasets is typically specified when the p-value

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<sup>7</sup> Many respondents reported more than one occupation (for example lawyer and professor). Reported her is only the main occupation.

of a calculated statistic is less than 0.05, meaning that investigators are 95% confident that the null hypothesis of no difference can be rejected. When sample sizes are small, very strict cut-off levels for statistical significance can increase the risk of Type II errors: failing to detect a true result. Given the limited sample size of the telephone survey reported here, to minimize Type II errors we employ a more generous rule to reporting statistical significance: specifically, we consider differences that are significant at the 90% confidence level ( $p < .10$ ) to be sufficiently reliable and thus we report any differences significant at  $p < .10$  as “statistically significant.”<sup>8</sup>

This confidence interval, expressed in terms of a range surrounding that point, represents the margin of error for each data point, or average, displayed. It is expressed in terms of a range surrounding that point. In bar charts this confidence interval of 90% appears as a grey block. The dot in the center of a confidence interval depicts the estimated mean in bar charts. The numbers next to each bar in the bar charts represent the estimated mean values (the dots). When two estimated points have confidence intervals that overlap to a large degree, the difference between the two values is typically not statistically significant; conversely, where two confidence intervals in bar graphs do not overlap, the reader can be very confident that those differences are statistically significant at the 90% confidence level.

## **1. Performance Evaluation of Activities**

This section focuses on discussing participant’s overall evaluations of the legal assistance activities they participated in. Some of our key findings in this respect are the following:

- Survey respondents and focus group participants have overall positive evaluations of the CEEAD or ABA-ROLI activities they participated in.
- The vast majority of survey respondents (86.5%) reported their experiences as “very useful” for their transition to the NCJS.
- Instructor preparedness, training facilities, the content, and relevancy of training for transitioning to the NCJS are the most successfully perceived performance dimensions of legal education activities by CEEAD and ABA-ROLI.
- Short length of trainings, desire for more practical/simulations sessions, greater attendance of foreign instructors, and greater balance between theory and practice are dimensions which participants evaluated least positively.

The purpose of this study is to assess the effectiveness of USAID/Mexico Legal Education Program from the perspective of program participants themselves. To do this, we asked respondents in our sample whether they had participated any of a number of training and consulting activities carried out by CEEAD and ABA-ROLI including trainings on laws of criminal

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<sup>8</sup> For further information and detailed results, all of the transcriptions for the in-depth interviews and focus groups, as well a graphic and cross-tab reports can be found in the Appendix.

procedure of the NCJS, oral litigation techniques, methods for legal conflict resolution, law school curriculum development, and public dissemination of information about the legal education program.<sup>9</sup> The vast majority (95.2%) of respondents indicated having participated in at least one these activities<sup>10</sup>, while 66.5% participated in at least one CEEAD activity, and 80.4% in an ABA-ROLI activity.

Survey respondents generally gave positive evaluations of the activities they participated in as part of CEEAD or ABA-ROLI efforts. When asked to evaluate the usefulness of training courses or activities, 86.5% of respondents reported their experiences as “very useful” for their transition to the NCJS.<sup>11</sup> Participants of in-depth interviews mirrored these positive evaluations. An interviewee from Monterrey described the usefulness of activities saying, “...todo el contenido y obviamente toda la metodología, obviamente todo, es otro chip completamente, obviamente ya son las prácticas tienen un contenido de teórico pero es más práctico...” Another interviewee from an organization providing legal assistance in the area of human rights summarized his views saying,

*Bastante buena, me parece que nos dan las herramientas suficientes para poder hacer frente a este sistema, me queda claro que una capacitación no te hace (experto), por lo tanto los participantes tienen que buscar más capacitaciones porque esto es así, la constante capacitación es la clave del éxito de la implementación de esta reforma.*

On the other hand, 10.4% thought that courses or activities were “somewhat useful”, 2.6% said they were “a little useful”, and only 1 person (0.5%) thought that his or her experience was not useful at all. A professor from Saltillo that participated in an in-depth interview pointed at one reason that may limit the usefulness of the legal assistance activities saying, “Son efectivos, el problema es que no hay un seguimiento o sea no hay una parte dos.”

The tenor of evaluations in the focus groups was roughly equivalent, with positive evaluations of legal education activities more prevalent than negative evaluations. The statements by focus group participants often provide explanations for positive perspectives. One focus group participant from Puebla summarized his evaluation of ABA-ROLI courses saying, “Las capacitaciones de ABA-ROLI son muy completas porque literal[mente] estás como en ceros y entonces ya te empiezan a explicar paso por paso.” Another participant from a focus group in the D.F. explained his positive evaluation of activities a bit further, saying,

*Fue el inicio, esos cursos nos ayudaron a clarificar qué es el Sistema Acusatorio, cómo se puede litigar en el sistema y (es) muy importante que referencias podemos tener de cómo operan otras Clínicas en Estados Unidos y en México para de ahí arribar y hacer el*

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<sup>9</sup> See series F2 of the survey questionnaire for specific question wording of activities.

<sup>10</sup> Some respondents only participated in diffusion activities.

<sup>11</sup> See appendices containing survey questionnaire for specific wording of this question and all others analyzed in this results section.

*propio modelo de Clínica Penal en Sistema Acusatorio. Entonces eso es lo que yo creo que (la capacitación) aportó en sí.*

To further examine participants' evaluations of activities, the telephone survey asked respondents to think about the most recent activity he/she participated in and evaluate it on a number of performance dimensions. To do this, respondents indicated their level of agreement with statements describing the quality of the activity on 1 to 7 scale that was recoded from 0 (strongly disagree) to 100 (strongly agree) scale. Sample averages for each dimension are displayed in Figure 1. As shown, no dimension receives a score below 72.2 degrees, indicating a high mean level of satisfaction with the way CEEAD and ABA-ROLI activities were carried out.

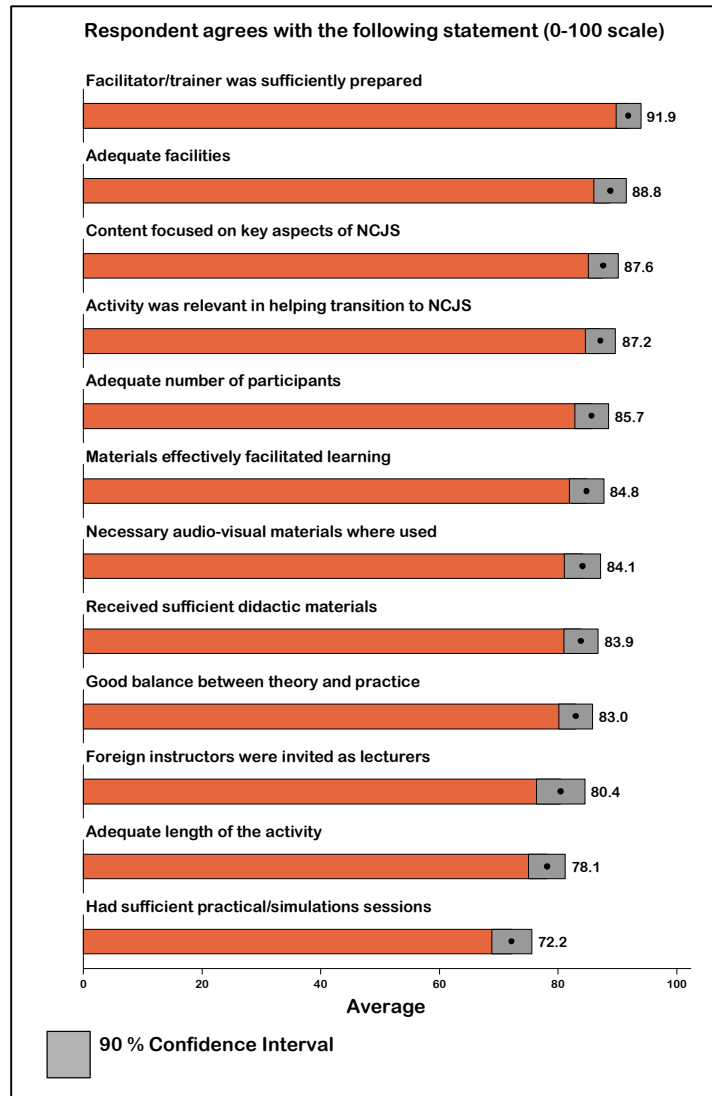
Participants gave the best average evaluation to the level of preparation of training instructors (91.9) and the lowest to the amount of hands-on practice or simulations included in training activities (72.2). In fact, pairwise comparisons of the differences between each of these dimensions and all other evaluated aspects of activities are statistically significant ( $p < .10$ ). In other words, relative to the rest of the dimensions that respondents were asked to evaluate, they evaluated instructors' preparation as the most positive aspect. An in-depth interview participant shared this positive views of trainers saying, *"A mí me parecieron excelentes los expositores con los que yo tomé las clases, me parecen muy capacitados y me gustó porque veíamos teoría y veíamos práctica también."*

In contrast, survey participants viewed the quantity of practice sessions and simulations as the least satisfactory aspect on a scale from 0 to 100. On this point, a focus participant from the D.F. explained,

*...que incluso están capacitando gente y mi pregunta y mi inquietud siempre ha sido ¿Cómo los están capacitando cuando tenemos nula experiencia en la aplicación del sistema?... Uno tiene que acudir a un juicio como parte en el proceso ... y hasta juez, MP (ministerio público/fiscal) y abogado, pero si es importante que nos acerquemos y entendamos cómo funciona, porque una cosa es la teoría y otra cosa es aterrizar en una práctica... Tratan de pensar en esa misma forma o sea el auto de formal prisión es como el auto de vinculación o sea hacer una homologación y no funciona así. Uno tiene que entender que son procesos completamente diferentes y partir de ese momento para poder avanzar, si seguimos pensando de la misma forma, es más porque aparte a veces nos hemos traído los viejos vicios que hacemos en el sistema tradicional, estamos acostumbrados algunos operadores del sistema pues a la corrupción, a cierto tipo de autonomía, ser discrecionales y esto ya no se puede hacer.*

Differences in average evaluations displayed in Figure 1 that are greater than four degrees are also statistically significant. This means that we can conclude with confidence that average perceptions of the adequacy of facilities and the content and relevancy of trainings with respect to the transition to the NCJS were evaluated significantly more positively than average views of activities' didactic materials, the balance of theory and practice, attendance of foreign instructors, length, and simulation sessions. Differences among average evaluations of number

of activity participants, the utility of materials for learning about the NCJS, and the use of audiovisual materials are not statistically distinguishable. That is, they receive similar performance evaluations, on average.



**Figure 1. Average Performance Evaluations of Activities**

Among focus group participants, positive evaluations of the structure of activities were common, although some pointed out that activities were sometimes carried out with limited time constraints. A professor from Puebla summarized this view saying, “*siento que fue un curso demasiado corto para toda la información que se tiene que dar.*” A focus group participant from the D.F. noted a similar opinoin saying, “*... la dinámica taller que tuvo ABA ROLI fue buena, digo en el caso mío tratar de hacer muchos ejercicios y que fuera constantemente, creo que el tiempo digo a veces es muy difícil poner los tiempos pero eran pequeñitos...*”. Another focus group participant expressed a similar perspective by saying,

*Me pareció muy breve, a mí me pareció muy breve porque era tema-taller, tema-taller, pero desafortunadamente los temas eran muy pequeños y me parece que justo en el que se nos dio a nosotros... en este incluyeron un módulo de género que me pareció demasiado general y muy poco aterrizado al objetivo del taller, era un taller de Litigación Oral, si hubiéramos tomado un taller de género pues qué lindo pero no era el (tema del) taller.*

However, another participant disagreed, stating, “...me gustó mucho porque si estuvieron los tiempos muy bien distribuidos, nos pusieron videos, nos pusieron a trabajar en equipo, hubo una muy buena interacción, hubo casos muy buenos, muy reales...”. And one participant from the D.F. explained that ABA-ROLI courses sometimes covered topics that other types of training programs did not:

*...yo había tomado cursos del Tribunal Superior de Justicia, del INACIPE, algún otro por ahí y tomar el curso de ABA ROLI fue una perspectiva distinta, fue exclusivamente la parte de la técnica pero, la técnica de la litigación que nadie le ponía énfasis en los otros cursos.*

Overall, the results from the quantitative and qualitative research lead us to conclude that instructor preparedness, training facilities, the content and relevancy of training for transitioning to the NCJS are the most successful performance dimensions of legal education activities by CEEAD and ABA-ROLI. On the other hand, we interpret lower average evaluations for length of training, practical/simulations sessions, attendance of foreign instructors, and balance between theory and practice as indications that these dimensions have room for improvement.

In fact, one focus group participant from Puebla pointed to information overload as an impairment for students’ ability to fully benefit from ABA-ROLI activities, saying, “Yo a lo mejor criticaría y no a manera de critica sino que hubo veces que presentaron diapositivas muy cargadas de mucha información y eso como que no da pauta a que el alumno..., bueno en este caso estábamos lee y lee y lee.” While another focus group participant highlighted the need for more dynamic activities in training as opposed to only lectures, saying,

*Quizás habría que mejorar algunas cosas en cuanto a involucrar más a los destinatarios, yo creo que se sentía mucha exposición y eso los cansaba enormemente, son jornadas largas entonces se necesita una cierta dinámica en la que todos los participantes puedan hablar de pronto y aquí si hubo momentos pesados por esta dinámica un poco unidireccional o vertical.*

To assess whether there are perceived differences in the implementation of USAID/Mexico legal education program across states, we disaggregate average evaluations of training and

consulting activities by state.<sup>12</sup> As shown in Figure 2, participants in D.F. reported statistically significantly poorer performance evaluations on a 0 to 100 scale than those from Chihuahua, Nuevo León, and Puebla along three key performance dimensions: the degree to which the content of activities focused on key aspects of the NCJS, the degree to which participation in activities helped in the transition to the NCJS, and the length of training activities. What might be the source of these lower evaluations? We note that participants in the D.F. also reported lower levels of attendance of foreign instructors as lecturers at their trainings than those from Puebla and Nuevo León. Participants from the D.F. reported significantly lower performance evaluations for the preparedness of trainers than those from Chihuahua. Those from the D.F. and Puebla likewise reported less satisfaction with the adequacy of activity facilities than those from Chihuahua. In terms of evaluations of the adequacy of number of participants, respondents from Puebla reported lower average evaluations than those from Nuevo León and Chihuahua. Finally, participants from Puebla and the D.F. gave lower performance evaluations of practical/simulations sessions, though only differences in comparison to participants from Nuevo León are statistically significant.

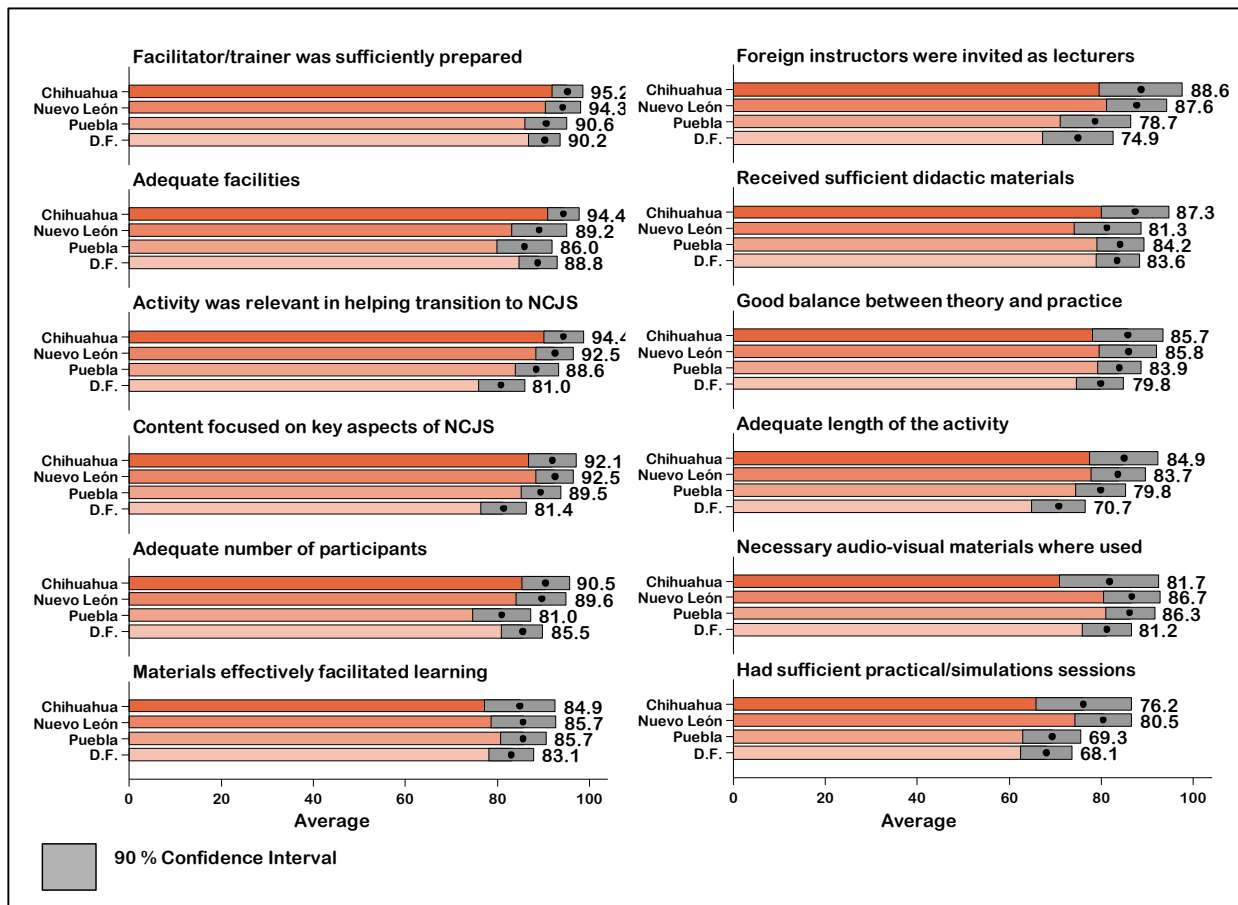
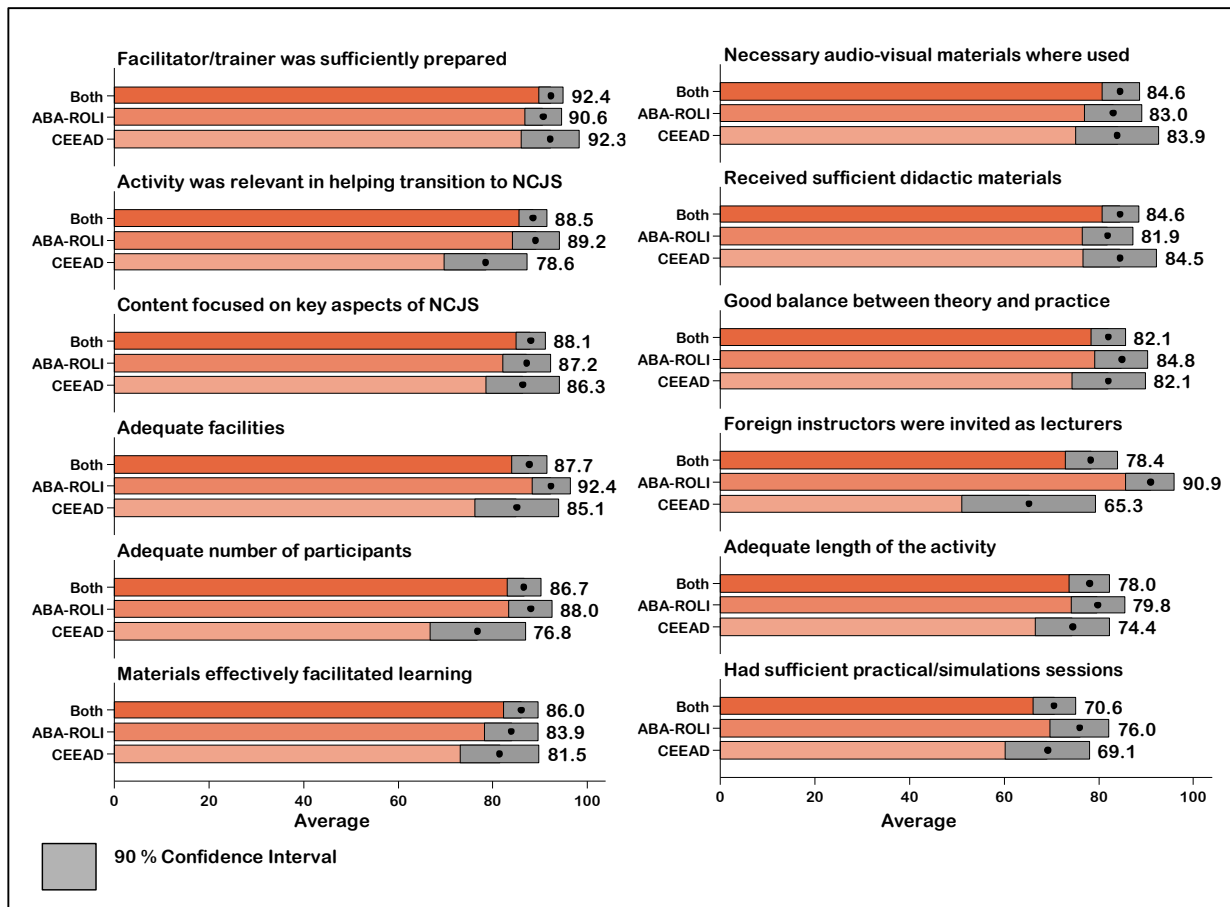


Figure 2. Average Performance Evaluations of Activities by State

<sup>12</sup> There were only three respondents from Coahuila is excluded from this analysis because the survey only includes three respondents from this state, which prevents us from carrying out any meaningful analysis of the state as a distinct group.

In addition to differences across states, we also analyze differences in performance evaluations of activities among participants that attended training activities carried out by CEEAD, ABA-ROLI, or both. Results displayed in Figure 3 that on most dimensions, participants exhibited no real difference in their performance evaluations of educational activities for the NCJS. However, exceptions include respondents who only participated in activities carried out by CEEAD, who report less favorable evaluations of the relevancy of training for their transition to the new NCJS in comparison to those that participated only in ABA-ROLI activities or in activities from both implementers. For example, professor from Monterrey expressed her views of ABA-ROLI activities saying, *“A mí me encantó ABA ROLI porque fue más concreto...principalmente los expositores Carlota y Alejandra... Me gustó mucho el final, de que un(o) pudo haberlo aprendido con las simulaciones que hubo, que me dio equipo con el Mp (ministerio público/fiscal), equipo de Seguridad como Defensor y enfrentarme contra otro (en una simulación).”*

We note that it possible that these lower evaluations of CEEAD-only participants stem from selection effects: that is, it could be that those who selected into CEEAD only experiences entered into the training activities with different initial characteristics. Only random assignment to the different experiences – CEEAD only, ABA-ROLI only, and both – could rule out such selection effects as the source of differences we observe in evaluations expressed across these subsets of individuals. That said, CEEAD only participants also gave lower average performance evaluations to the number of participants in trainings and attendance of foreign instructors in comparison to those that exclusively participated in ABA-ROLI efforts. Each of the discussed differences are statistically significant ( $p < .10$ ).



**Figure 3. Average Performance Evaluations of Activities by Implementer**

In addition to differences across states and implementers, we also divided our survey sample into four types of stakeholders: law students, law professors, private lawyers, and public officials. However, the reader should note that the comparisons we make across these four groups should be interpreted with caution as the number of cases in each category are quite small. This means that the statistical confidence with which we can report real differences in averages across groups is limited and there is a high probability that we may be failing to detect a true result as (as discussed above).

According to Figure 4, Lawyers reported lower evaluations of the balance between theory and practice than law students and public officials; lower evaluations of didactic materials than law professors; lower evaluations of relevancy of training for transition to NCJS than law professors and students; and lower evaluations of the preparedness of trainers than law professors and public officials.

Contrastingly, law professors reported higher satisfaction than other actors on a few dimensions. They report higher evaluations of the participation of foreign instructors than law students and public officials, and higher evaluations of the content of the training than law students and lawyers

Law students reported more varied performance evaluations of the activities they participated in. On the one hand, law students reported higher evaluations of training facilities than professors and lawyers, and higher evaluations of trainer preparedness than law professors. On the other hand, law students reported lower evaluations of the use of audiovisual materials than public officials, and lower evaluations of practical/simulation sessions than public officials.

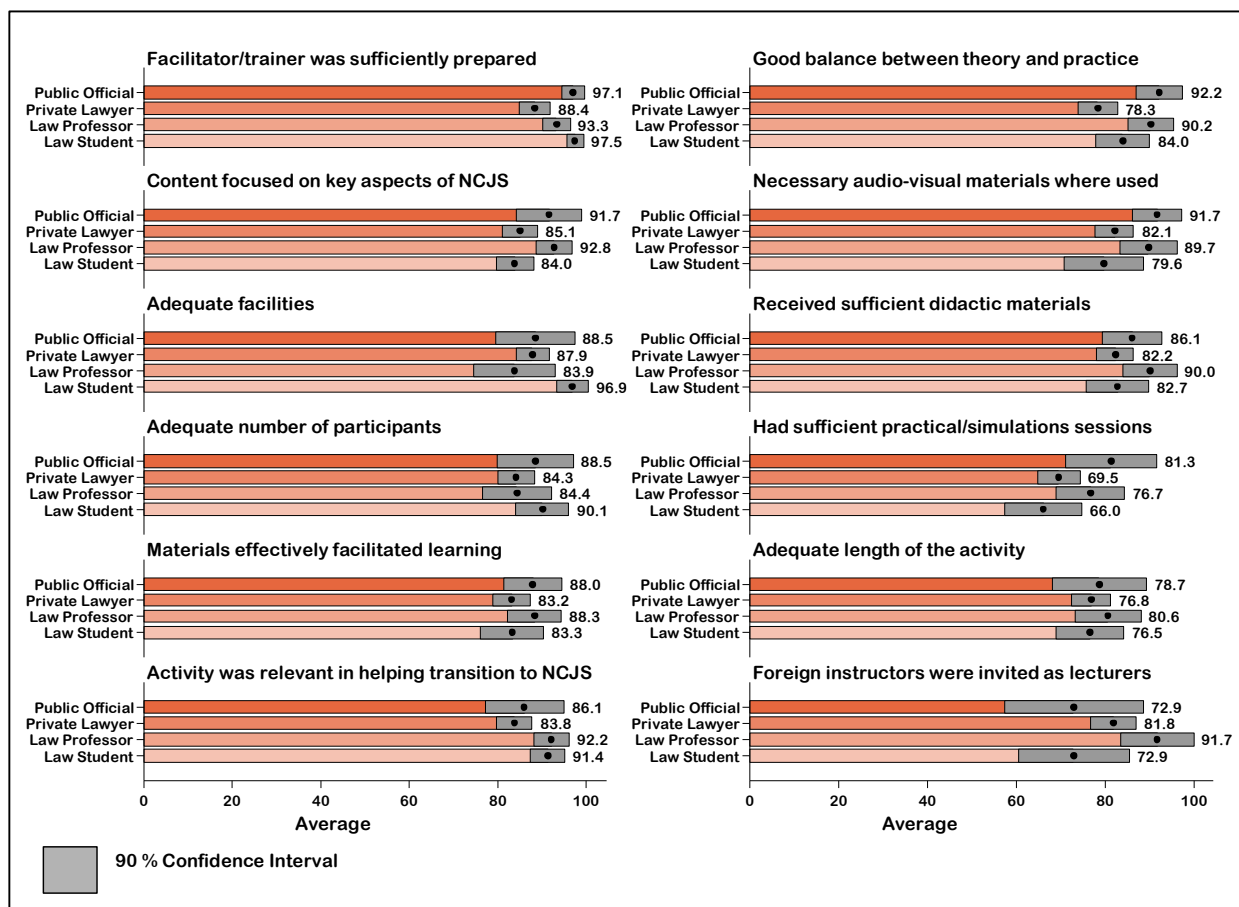


Figure 4. Average Performance Evaluations of Activities by Stakeholder

## 2. Effectiveness of USAID-Supported Methodologies and Approaches

This study also seeks to assess, from participants' perspective, the effectiveness of USAID-supported methodologies and approaches for aiding Mexico's transition to a new NCJS. Some key findings in this section include:

- Survey respondents welcomed the idea of American assistance for the transition to the new NCJS. Over half of respondents (54.1%) thought this approach would be "very useful".

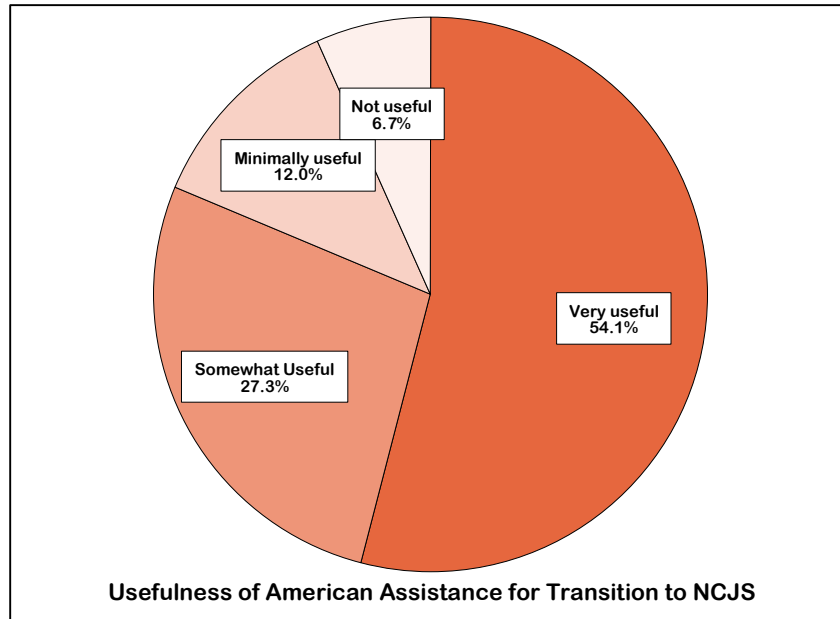
- When asked specifically about USAID initiatives in aiding Mexico’s transition toward a new criminal justice system, focus group participants predominantly expressed positive perceptions.
- Over a third of respondents (37.1%) reported CEEAD/ABA ROLI/USAID as the most influential institutions in terms of legal education programming, while SETEC ranks second (25%) and the Superior Justice Tribunal ranks third (9.9%).
- Survey respondents perceived their participation in CEEAD and ABA-ROLI activities to be most effective in helping them understand the rules of oral litigation, learn skills related to witness interrogation, improve the overall practice of their legal profession, apply of rules of ethics and legal integrity, and apply of rules of presentation of evidence.
- Survey respondents felt that training activities were the least effective in preparing them in abilities of conditional suspension and techniques of trial and investigation.

To understand the context for participants’ evaluations of the effectiveness of the USAID-supported activities, we first asked them their opinions regarding the involvement of foreign nationals in transition-related programs. Specifically, we asked how useful they thought it would be to have American professors, lawyers, and judges work with Mexican judicial institutions in order to facilitate the transition to the NCJS. Overall, survey respondents reported positive views of American assistance for the transition to the new NCJS. As shown in Figure 5, over half of respondents (54.1%) rated such as approach as “very useful”. A minority expressed less enthusiasm, though the plurality response is the most positive of the options: 27.3% of respondents thought that assistance from American legal professionals would be “somewhat useful”; 12% said it would only be “a little useful”; 6.7% reported that American assistance would be not be useful at all.<sup>13</sup>

One potential reason that participants report positive views of American involvement in legal education assistance efforts is the experience the US and the country’s legal actors have with an adversarial judicial system. As a participant from an in-depth interview in Monterrey explained, *“Pues bueno, yo creo que ha sido clave porque como normalmente ellos ya tienen una experiencia más vasta en lo que es la oralidad de los sistemas orales fue clave porque por razones obvias pues era el país vecino ¿verdad?, que ha servido como modelo y obviamente ha sido clave digamos la experiencia que nos han transmitido.”*

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<sup>13</sup> To clarify, these results do not refer to general “American assistance” in terms of USAID support (which could be carried out by Mexican nationals, in theory). Rather, the data reflect participant opinions about the possible direct involvement of Americans in legal assistance programs.



**Figure 5. Opinions on Usefulness of American Assistance for Transition to NCJS**

When asked specifically about USAID initiatives in aiding Mexico’s transition toward a new criminal justice system, focus group participants predominantly expressed positive perceptions. A participant from one of the focus groups in the D.F., expressed confidence in USAID’s efforts saying, *“Yo creo que es bastante importante la labor de USAID porque yo creo que se hace una asignación de recursos de manera profesional...”* Similarly, a participant from the other focus group in the D.F. explained,

*... la contratación pública es complicadísima entonces el tema de que llegue USAID y decir bueno te voy a dar capacitación, te voy a dar asistencia y además es gratis o sea no te voy a cobrar para las instituciones es bienvenida, igual las universidades de repente llegan...*

Another participant from this focus group in the D.F. expressed a similar view, by saying,

*... hay muchas iniciativas de USAID que se están implementando por ejemplo y no solo con las universidades. En el mismo sistema tienen el Proyecto Justicia por ejemplo, digo que nos invitan constantemente a los desayunos del Proyecto de Justicia en donde son foros de ideas muy importantes para operadores. Y está el proyecto de Monitores del Nuevo Proyecto de Justicia, por ejemplo ha financiado algunas organizaciones serias como INSIDE y tiene por ejemplo INSIDE estuvo trabajando con financiamiento de USAID...*

In addition to USAID-supported activities, the implementation of the NCJS in Mexico has involved numerous other actors and institutions. The telephone survey asked respondents about institutions they believe had been most supportive in offering legal education assistance

in Mexico’s transition to the NCJS. Specifically, respondents were asked to indicate which of a list of institutions had offered the greatest support for their law bar or firm with regards to the NCJS. They were then asked to name what they thought had been the second most influential institution.<sup>14</sup> Table 1 below shows the distribution of responses. Over a third of respondents (37.1%) reported CEEAD/ABA ROLI/USAID as the most influential institutions in terms of legal education programming, while SETEC ranks second (25%) and the Superior Justice Tribunal ranks third (9.9%). Results for second mentions are similar, as CEEAD/ABA ROLI/USAID were regarded as the second most supportive institutions by 32.6% of respondents and SETEC by 19%. Private universities also received a considerable proportion of mentions as the second most supportive institutions at 10.6%.<sup>15</sup>

**Table 1. Distribution of Responses about Most Supportive Institutions in Transition to NCJS**

Most Supportive Institutions in Transition to NCJS		
	First Mention	Second Mention
CEEAD/ABA ROLI/USAID	49 (37.1%)	43 (32.6%)
SETEC	33 (25%)	19 (14.4%)
Tribunal Superior de Justicia local	13 (9.9%)	9 (6.8%)
Universidades privadas	9 (6.8%)	14 (10.6%)
Poder Judicial Federal	8 (6.1%)	6 (4.6%)
Procuraduría General de Justicia local	6 (4.6%)	3 (2.3%)
Universidades públicas	5 (3.8%)	9 (6.8%)
Otro	4 (3.0%)	7 (5.3%)
Academias, institutos y escuelas privadas	3 (2.3%)	7 (5.3%)
Otros gobiernos u organismos internacionales	1 (0.76%)	1 (0.76%)

To further assess the degree to which participants perceive the effectiveness of as USAID-supported methodologies and approaches for aiding the transition of the legal profession in Mexico to a NCJS, we asked respondents a series of questions about the effectiveness of activities in preparing them for different aspects of the NCJS. Respondents indicated the degree to which their participation in activities helped prepare them on a 1 to 7 scale that was recoded from 0 (not at all) to 100 (a lot). Average responses to these questions are displayed in Figure 6. Overall, results show that respondents believe their participation in CEEAD and ABA-ROLI activities was highly effective in preparing them to practice law under the NCJS.

<sup>14</sup> Respondents are read a list of institutions to choose from. If they say indicated one not on the list, it was included “other.”

<sup>15</sup> It is important to note that the results in Table 1 may have been influenced by priming of CEEAD, ABA-ROLI and USAID given that the question used to measures responses in the figure is asked after respondents have answered a series of survey questions about these institutions.

Specifically, respondents perceived their participation in CEEAD and ABA-ROLI activities to be most effective in helping them understand the rules of oral litigation, a fundamental practice in accusatorial judicial system and one of the key differences from Mexico previous judicial system. As a participant from an in-depth interview in the D.F. explained,

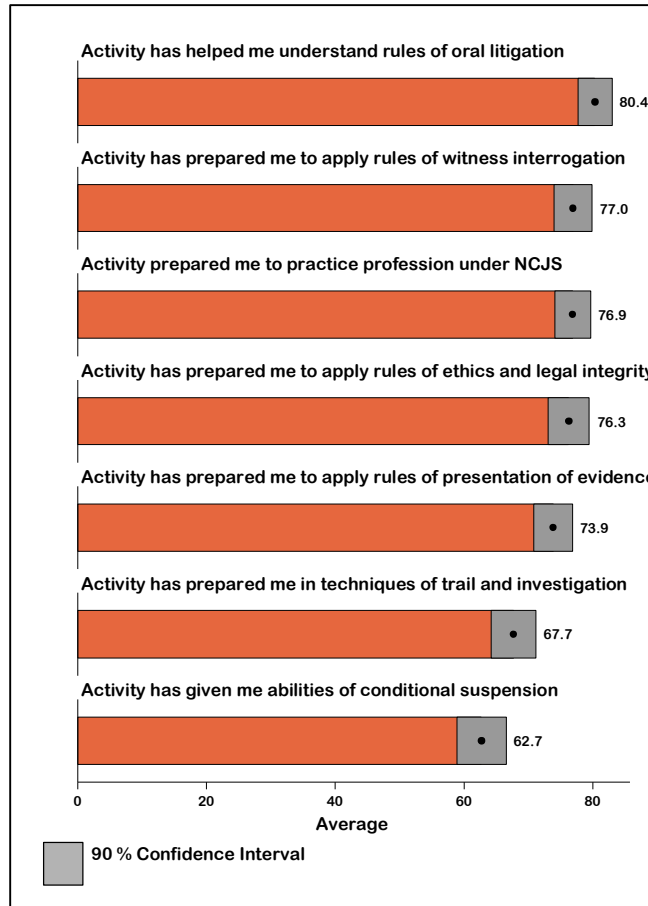
*En el caso de las prácticas de ABA ROLI, las realizamos en una charla de juicios orales ... (donde) cada uno de los representantes (tenía) un papel. Y en las conferencias a las que también ha organizado ABA ROLI, le reitero, (tuvieron) componentes de muy alta calidad en los cuales resolvía todas nuestras dudas de este nuevo sistema.*

As shown in Figure 6, on the from 0 to 100 scale of effectiveness, respondents rated this aspect of activities with an average score of 80.4, a result that we can argue with 90% confidence is significantly different from all other evaluations of effectiveness of activities. Respondents also gave relatively high effectiveness scores to the ability of activities to prepare them in skills related to witness interrogation (77), overall practice of their legal profession (76.9), the application of rules of ethics and legal integrity (76.3), and the application of rules of presentation of evidence (73.9). These average scores are not statistically distinguishable from one another, meaning that respondents evaluated the effectiveness of activities along these dimensions in similar fashion.

On the other hand, respondents felt that training activities were the least effective in preparing them in abilities of conditional suspension (62.7) and techniques of trial and investigation (67.7).<sup>16</sup> The relatively low scores given to these two dimensions could be considered potential areas of improvement in future efforts for legal education in Mexico's NCJS.

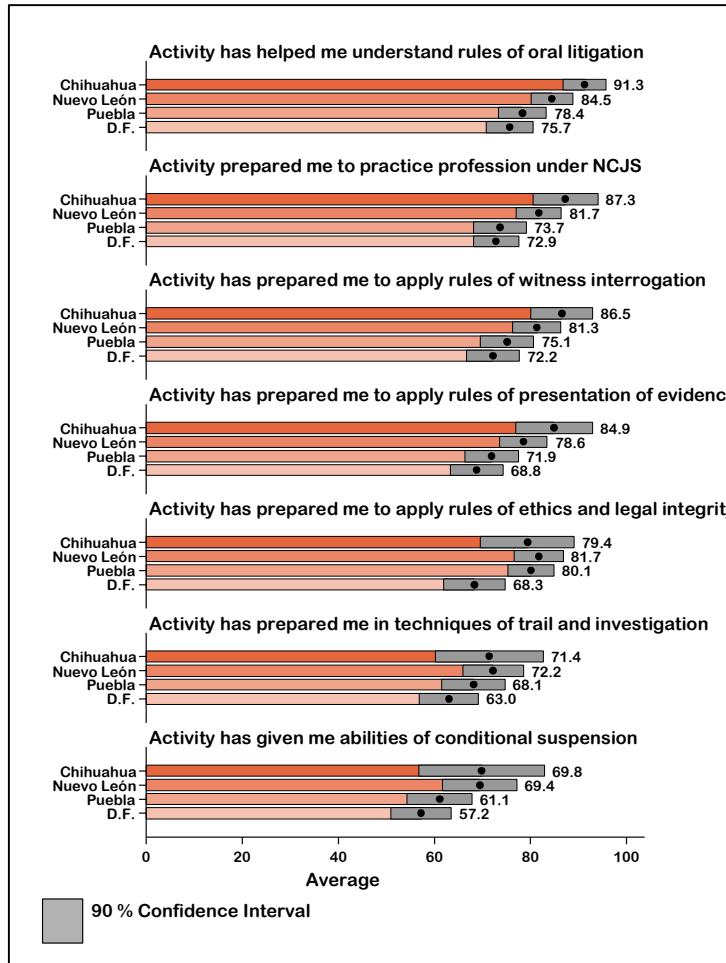
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<sup>16</sup> The difference between these average scores is statistically significant ( $p < .10$ ).



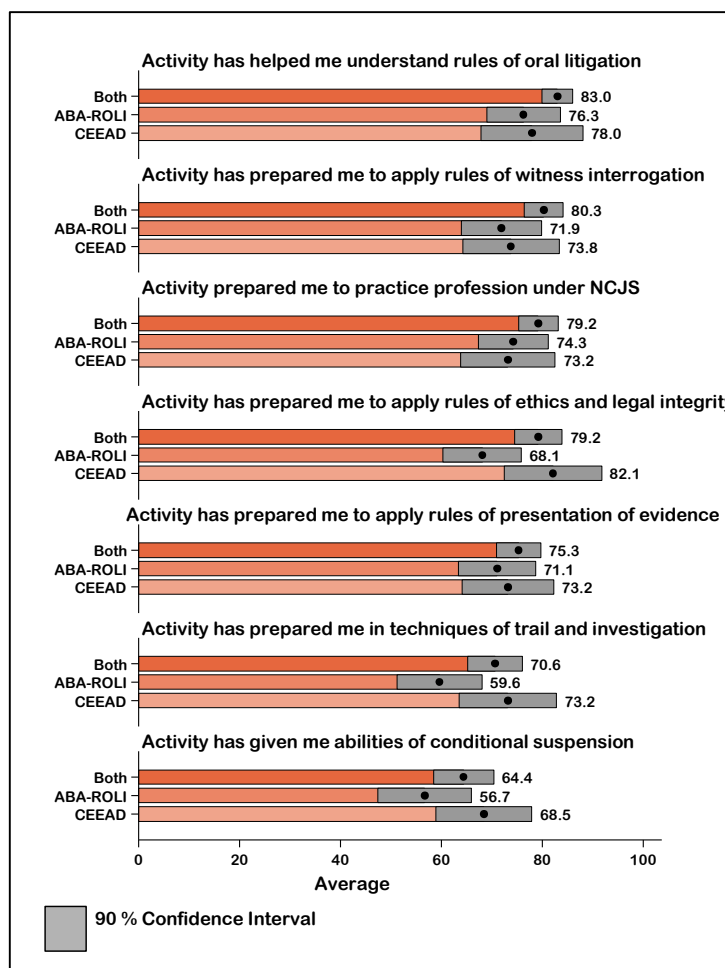
**Figure 6. Average Evaluations of Effectiveness of Activities**

When we break down these effectiveness evaluations by state (see Figure 7), we find that survey respondents from the D.F. consistently perceive activities to have been less effective in their transition to the NCJS. On the other hand, respondents from Chihuahua consistently rated activity effectiveness to a more positively than other states. Those from Nuevo León and Puebla ranked somewhere in between. Respondents from the D.F. gave significantly poorer evaluations of effectiveness than all other states in regards to activities’ ability to help them understand the rules of ethics and legal integrity, while differences among responses from Chihuahua, Nueva León, and Puebla were indistinguishable. We can also say with 90% confidence that respondents from the D.F. and Puebla reported similar and lower evaluations of the following dimensions in comparison to respondents from Chihuahua and Nuevo León: understanding the rules of oral litigation, practicing law under the NCJS, the application of rules of witness interrogation and “desahogo de pruebas.” Differences across evaluations of activities’ ability to prepare respondents in techniques of trial and investigation, as well as abilities of conditional suspension were less pronounced across states.



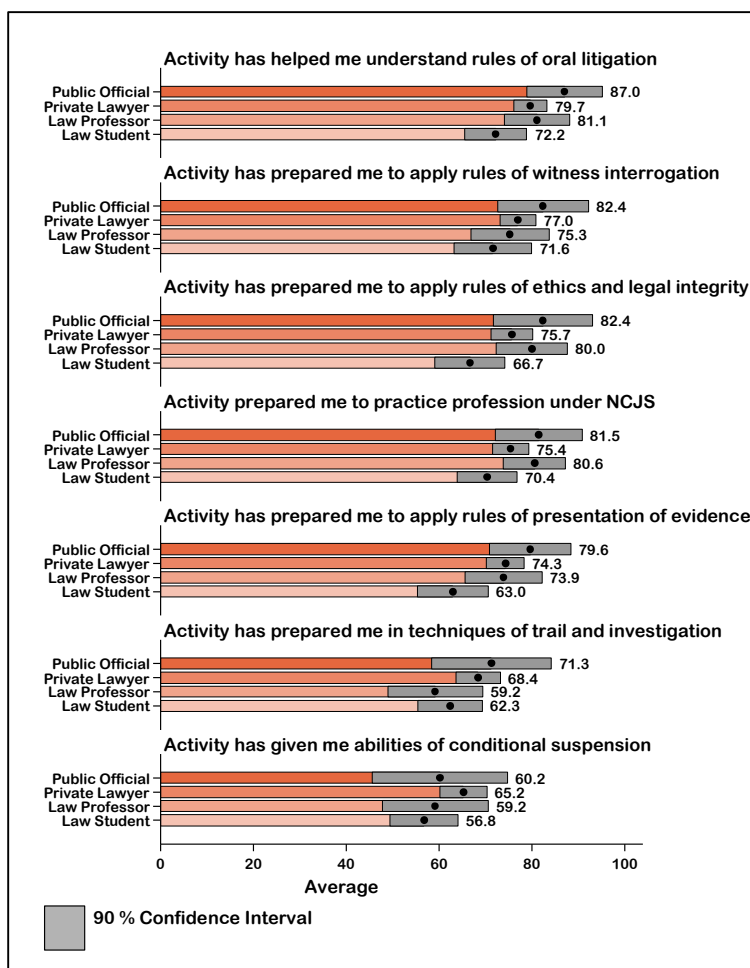
**Figure 7. Average Evaluations of Effectiveness of Activities by State**

A few notable differences exist in survey respondents' evaluations of the effectiveness of activities when we compare across implementers. As shown in Figure 8, respondents who participated in activities implemented by both ABA-ROLI and CEEAD gave significantly higher evaluation scores regarding the degree to which activities support for understanding rules of oral litigation and witness interrogation than those that solely participated in ABA-ROLI initiatives. Additionally, CEEAD only participants gave significantly higher average evaluations than ABA-ROLI only participants on the ability of activities to apply rules of ethics and legal integrity, techniques of trial and investigation, and abilities of conditional suspension.



**Figure 8. Average Evaluations of Effectiveness of Activities by Implementer**

When we compare average evaluations of effectiveness of activities by stakeholder (see Figure 9), we do not see many differences across groups. However, law students do report significantly less satisfaction with activity effectiveness on some dimensions. Students reported lower evaluations of understanding the rules of oral litigation than public officials; lower evaluations of the ability to apply the rules of ethics and legal integrity than professors and public officials; lower evaluations of preparedness to practice law than professors; and lower evaluations of the ability to apply rules of presentation of evidence than lawyers and public officials.



**Figure 9. Average Evaluations of Effectiveness of Activities by Stakeholder**

### 3. Impact of Activities on Improving the Legal Profession, and Facilitating or Accelerating the Transition to the NCJS

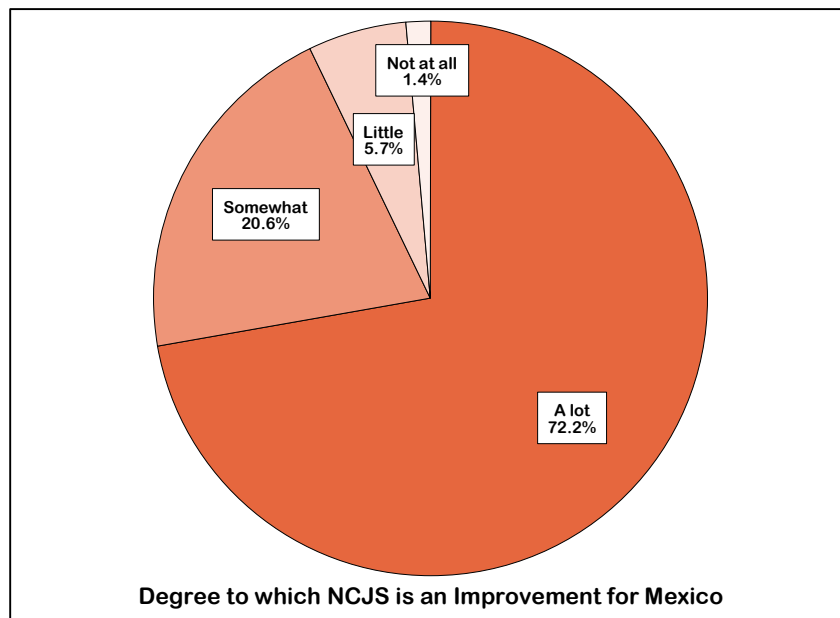
#### **Background: Perceptions of Level of Advancement in Implementation of NCJS**

To understand the perceived success of respondents' participation in USAID-supported activities through CEEAD and ABA-ROLI for the legal profession in Mexico, it is critical to examine their evaluations of the overall level of advancement of the implementation of the NCJS. Hence, we provide a review of these evaluations as a preface to discussing respondents' evaluations of the impact activities have had on improving their ability to practice law and transition to the NCJS. The following are a few key findings:

- The majority of survey respondents (72%) and focus group respondents perceive the NCSJ as a significant improvement to the Mexico judicial system.

- Survey respondents from the D.F. reported the lowest degree of advancement in the implementation of the NCJS, while those from Chihuahua reported the highest. Those from Nuevo Leon and Puebla reported intermediate levels of implementation.
- Over half (53.1%) believe approaches by law schools in their state are adequate for teaching the NCJS are at least adequate, while another 44.8% believe they are a little or not adequate at all.
- Respondents from Nuevo León seemed to be among those that feel most prepared for the NCJ, while those from Puebla perceive themselves as least prepared. Respondents from the D.F. and Chihuahua report similar levels of preparedness.
- Survey respondents perceive judges as the most prepared in the transition to the NCJS, followed by public prosecutors, lawyers, law students and victim legal advisers. Police officers are perceived to be the least prepared.
- Survey respondents perceive that law schools and professors still lack some degree of preparation in teaching the NCJS.

Survey respondents perceive the NCSJ as a significant improvement to the Mexico judicial system. As shown in Figure 10, over 72% of them felt that the NCSJ improved the system of justice “a lot”. A non-trivial minority of respondents gave more critical responses, saying the new NCJS only improved the judicial system “somewhat” (20.6%), “little” (5.7%), or not at all (1.4%).



**Figure 10. Opinions on the Degree to which the NCJS Is Considered an Improvement for Mexico**

Focus group participants also reported feeling that the change to the NCJS is welcomed, necessary, and positive for Mexico. Participants stated that they view the transition as an improvement not just in terms of a more efficient judicial system, but also a fairer one, and one that is likely seen as more transparent by Mexican citizens. As one participant from a focus group in the D.F. explained,

*Bueno yo creo y estoy convencido que es un cambio que era necesario, que era indispensable. Primero pues para corregir vicios estructurales que tenía la justicia penal en primer lugar porque se devuelve al Juez la centralidad en el proceso penal. El Poder Judicial retoma una serie de atribuciones o decisiones que le había sido de alguna forma invadidas o despojadas por la averiguación, la existencia de la averiguación previa en el antiguo sistema, de modo que el Juez ahora es quien realmente escucha a las partes de forma directa, es quien decide si la detención fue legal, es quien decide si se le leyeron o no los derechos al acusado.*

Another participant expressed an expansion of this opinion by saying,

*Pues por ejemplo el tema de las mayores áreas que se va a lograr proteger es a las víctimas ¿Por qué?, porque al darle la carga investigadora al Ministerio Público se brinda mayor justicia porque ya caen en el principio de presunción de inocencia en vez de que suceda lo contrario ¿no?, y a la defensa quien tendrá que analizar toda la investigación también ya se presume más la legalidad de las partes y también la presencia del juez en los juicios cambia yo creo que todo el sistema. Es uno de los puntos claves porque el juez está presente y ya va a poder realmente ver todas las pruebas, evaluarlas y ser realmente él quien juzgue y también al estar tres jueces eso facilita que no solamente la decisión recaiga sobre uno en la etapa ya del juicio.*

Other participants from the same focus group in the D.F. expressed their support for the new criminal justice system by emphasizing the increase in the quality and transparency of judicial processes. As one participant described,

*Los argumentos de la defensa, los fundamentos de las decisiones de los jueces y esto obviamente eleva la calidad de la justicia y así se ha visto esto no es ya solamente la teoría. A pesar de algunas deficiencias en la implementación, si uno acude a observar una audiencia claramente puedes ver como así está funcionando. Ya no se hacen cosas en lo oscuro digamos porque antes como había sido extraída o recabada la confesión del acusado en sede ministerial o sea era desconocido por todos.*

Another participant agreed, saying,

*Totalmente más transparente, se reconfigura el sistema para ubicar al Poder Judicial donde debe de estar porque él es el que imparte la justicia y bueno se le pone al Ministerio Público se le coloca en una situación en la que debe de profesionalizarse o definitivamente no van a prosperar sus acusaciones.*

These opinions about the NCJS were also evident among in-depth interviewees. As a professor from Coahuila said, *“...se ven mayores avances en cuanto a la transparencia, en la misma percepción de la gente, de la sociedad civil respecto de que quienes participan en este tipo de procesos pues hace que logren adquirir mayor credibilidad en las autoridades.”*

A participant from one of the focus groups conducted in the D.F. added that the new criminal justice system gives a new and more dignified role to lawyers in court,

*...digo con las personas que yo he capacitado y con quien he tenido oportunidad a mí me parece excelente. Yo sí creo que se le puede aportar a ese sistema porque desde mi punto de vista personal de entrada dignifica la profesión del abogado. Simplemente el lugar, una sala de juicio oral y un juzgado por ejemplo penal, hablo del Reclusorio Oriente, Reclusorio Norte, Reclusorio Sur, tienen un mundo de distancia y yo creo que se le da la preponderancia al MP (ministerio público/fiscal), al Defensor y al Juez sobre la importancia de lo que hacen, porque no es cosa menor tener entre tus manos la libertad de una persona. Digo yo en lo personal que parte de mi formación la he llevado al interior de los reclusorios pues conoce uno esas peculiaridades al respecto...*

This overall positive and welcoming sentiment for the NCJS is mitigated by findings regarding participants' evaluation of the advancement of the implementation of the NCJS. We asked survey respondents to rate the level of advancement of the implementation of the NCJS in their state on a scale from 0 (not at all) 100% (complete implementation). Results yield significant variation in opinions. While the average degree of implementation reported across all respondents in the survey sample is 60.8%, a deeper look at responses shows that only just under a third of respondents (32.1%) reported that the advancement of the implementation of the NCJS in their state was somewhere between 75-100%. Equal proportions of around 28% of respondents report either a 26-50% or 51-75% degree of advancement, and 11% of respondents said that implementation in their state had only advanced between 0-25%.

A breakdown of responses by state reveals further differences in opinion regarding the advancement of implementation of the NCJS. Survey respondents from the D.F. reported the lowest degree of advancement at an average 49.3%. A focus group participant from the D.F. corroborated this evaluation saying, *“...el sistema está a cuenta gotas en el Distrito Federal pero en el proyecto de Naciones Unidas en el que participo el proyecto es mucho más fuerte en Durango y en Coahuila en donde el sistema pues ya tiene algún tiempo.”* However, a participant from an in-depth interview gave a different opinions about the level of advancement of the NCJS in the D.F. saying, *“El porcentaje de avance que llevamos yo me imagino que ya está en un 80% más o menos.”*

Survey respondents from Chihuahua, on the other hand, reported the highest degree of advancement in the implementation of the NCJS with an average of 92.4%, followed by those from Nuevo León at 74.6%, and Puebla at 53.3%. A participant from an in-depth interview in Chihuahua mirrored the opinions on the level of advancement of the NCJS implementation of

survey respondents saying, *“Bueno pues ahorita aquí en Chihuahua está al 100% o sea está súper avanzado. Este modelo de Chihuahua ha servido de ejemplo para muchos estados de la República y bueno faltarían algunos estados que lo acaben de implementar, pero ya sería prácticamente cubierto casi la totalidad de los estados de la República.”*

On the other hand, an in-depth interviewee from Puebla reported less encouraging views saying, *“Pues le podría hablar aquí del Estado de Puebla y está muy atrasado...La cuestión es que están dejando todo al último, hasta el último día en cuanto a infraestructura y en cuanto a aplicación.”*

Yet, focus group participants from Puebla reported more optimistic opinions regarding the advancement of the implementation of the NCJS than those from the D.F. One participant argued,

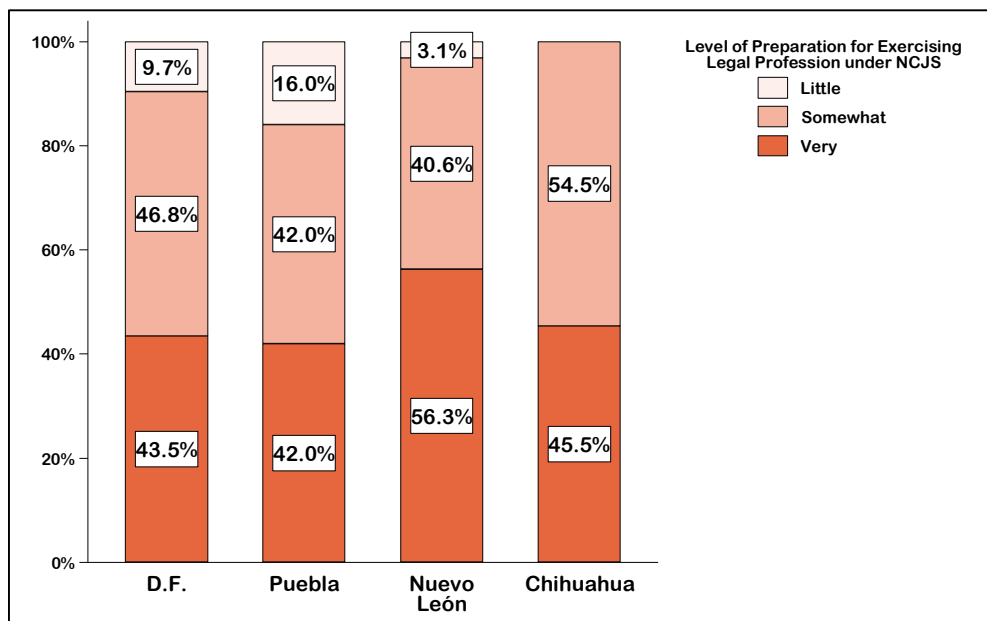
*...hemos estado atentos a las reformas en este tema y se ha venido trabajando desde hace varios años la implementación. Se estuvo enseñando en la parte del sistema tradicional como del nuevo sistema y poco a poco hemos ido dejando atrás el tradicional. Digamos este semestre ya se ha disminuido el porcentaje del tradicional aumentando el porcentaje del nuevo, como un 40 del tradicional y un 60 el nuevo, y bueno a la parte de esto las clases en materia penal pasaron de tres a la semana a seis a la semana para poder abarcar estos programa. Por iniciativa propia yo se lo propuse al Vice Rector y al Rector y me lo autorizaron porque esto le representa a la universidad un gasto extra porque a los alumnos no se les cobró más por esa materia.*

While another stated,

*Bueno también aparte en la Ibero (Universidad Iberoamericana) a raíz de la reforma se implementaron dos nuevas materias, una se llama Taller de casos y la segunda es Juicios Orales, asesoría por parte de una Jueza en oralidad y también a raíz de esto la Ibero creó un grupo que se llama Litigación Oral, en el cual se capacita a los alumnos para que aprendan del nuevo sistema acusatorio y se vayan a simulaciones de juicio a diferentes concursos que organizan para que se puedan ir llenando del nuevo sistema y en la clínica también nos van enseñando como a raíz de esto el nuevo sistema y a llevar casos, atender a la gente y dar asesorías.*

When we asked survey respondents about the adequacy of approaches to teaching the NCJS by law schools in their state area, responses indicate that while over half (53.1%) believe approaches are at least adequate, another 44.8% believe they are a little or not adequate at all. Nevertheless, the majority of respondents (58.9%) reported that they knew about curriculum building assistance projects in law schools in their state aimed at improving higher education of the NCJS. Furthermore, 75% of respondents reported those curriculum building projects as being effective.

We also asked survey respondents to evaluate their level of preparedness for practicing law under the NCJS, as well as that of other key actors of the judicial system.<sup>17</sup> According to the results displayed in Figure 11, respondents from Nuevo León seemed to be among those that feel most prepared for the NCJS, as over half (56.3%) reported feeling very prepared, while 40.6% reported feeling somewhat prepared and 3.1% only a little prepared. Respondents from Puebla perceive themselves as least prepared in comparison to those from other states. An equal proportion of respondents from this state felt very or somewhat prepared (42%), and 16% reported feeling a little prepared (a rate lower than any other state). A similar proportion of respondents from the D.F. (43.5%) and Chihuahua (45.5%) reported feeling very prepared to practice law under the NCJS, while 46.8% in the D.F. and 54.5% in Chihuahua felt somewhat prepared. Additionally, 9.7% of respondents in the D.F. felt a little prepared, no respondents from Chihuahua felt that they were not prepared for the NCJS.

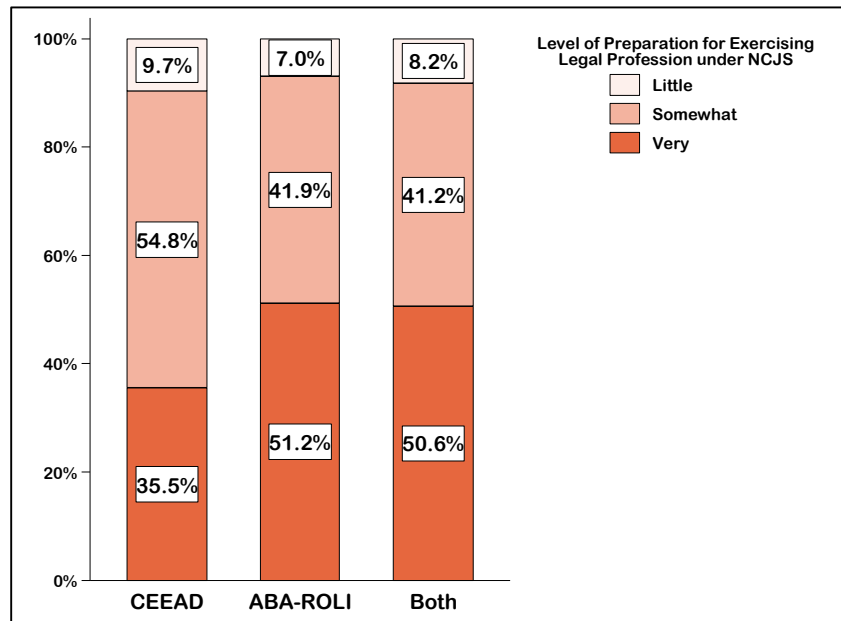


**Figure 11. Opinions on Level of Preparation for Exercising Legal Profession under the NCJS by State**

When looking at responses by type of activity implementer (see Figure 12), participants of ABA-ROLI or those who participated in both ABA-ROLI and CEEAD efforts seem to feel more prepared for practicing law under the NCJS than those that only participated in CEEAD programs. Over half of participants that received training from either ABA-ROLI (51.3%) or both implementers (50.6%) reported feeling very prepared to exercise their legal profession under the NCJS, while 35.5% of CEEAD participants reported the same opinion. At the same time, a majority of CEEAD participants (54.8%) felt somewhat prepared for the NCJS, while close to equal proportions of participants from either ABA-ROLI (51.3%) or both implementers felt somewhat prepared. A similar number of participants (between 7 and 10%) felt a little

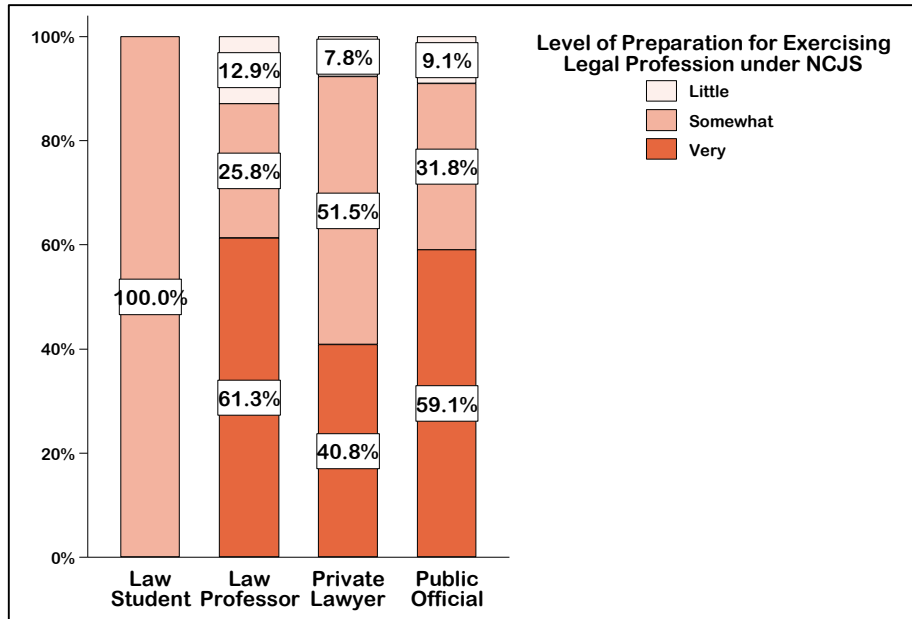
<sup>17</sup> Law students were not asked to evaluate their level of preparedness for exercising the legal profession under the new NCJS since they were not yet actually practicing law.

prepared across implementer types. As we noted earlier, it is important to keep in mind that differences across respondents who experienced ABA-ROLI only, CEEAD only, or activities led by both implementers may be due to characteristics of those who selected (or were selected into these different sets of experiences); that is, without a random assignment impact evaluation design we cannot rule out that those who were CEEAD only participants were less prepared prior to their enrollment in the activities.



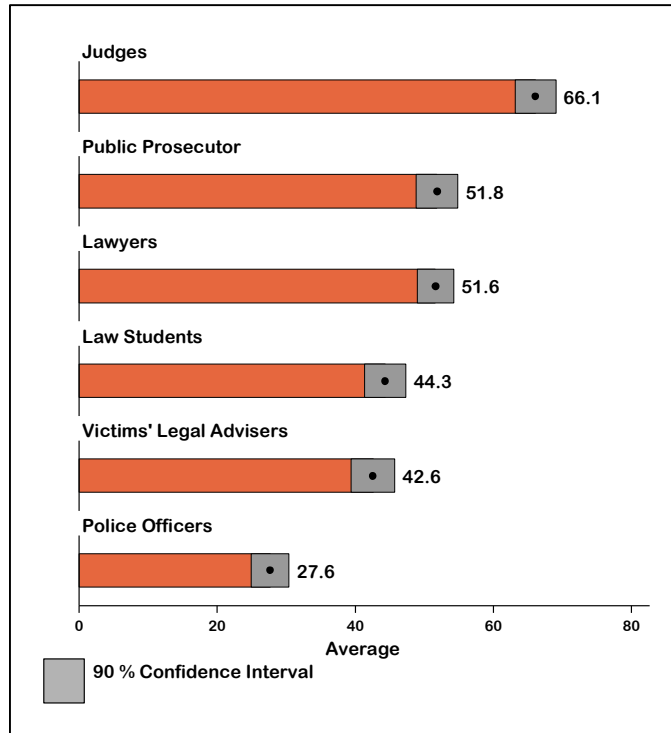
**Figure 12. Opinions on Level of Preparation for Exercising Legal Profession under the NCJS by Implementer**

When looking at responses by type of stakeholder (see Figure 13), law professors and public officials report similar levels of preparedness. They seem to feel more prepared than lawyers or students, as 61.3% of law professors and 59.1% public officials report feeling very prepared for practicing their legal profession under the NCJS. On the other hand, 40.8% of lawyers report feeling very prepared. Only two students in the sample responded this telephone survey questions. Both of them reported feeling only somewhat prepared.



**Figure 13. Opinions on Level of Preparation for Exercising Legal Profession under the NCJS by Stakeholder**

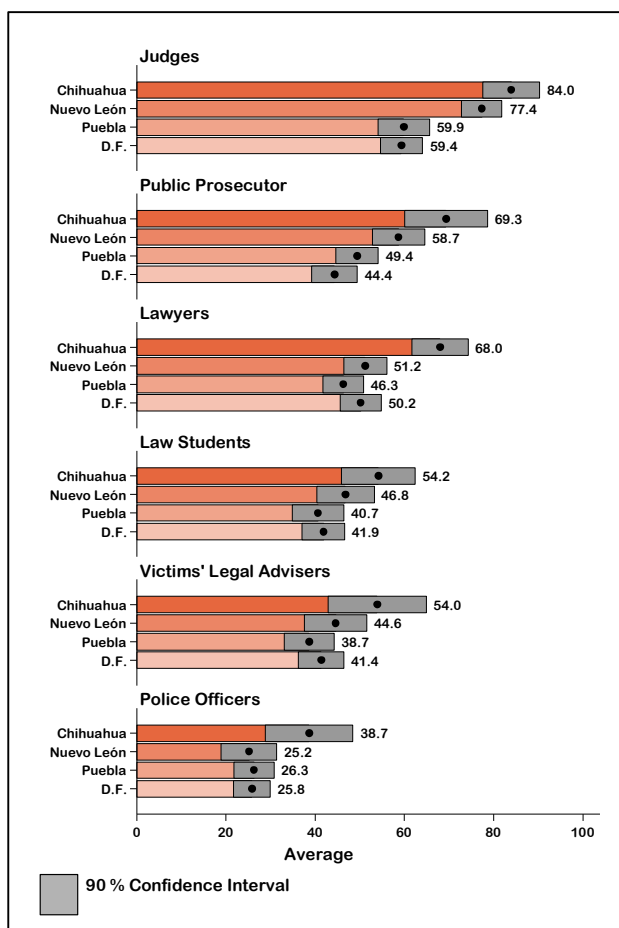
Next, we asked survey respondents to evaluate on a 1 to 7 scale, which we recoded to a 0 (not at all) to 100 (very), how prepared they thought judges, public prosecutors, lawyers, students, victim legal advisers, and police officers were for exercising the law under the NCJS. As shown in Figure 14, judges are by far deemed the most prepared in the transition to the NCJS with an average score of 66.1, while police officers are perceived to be the least prepared with a low score of 27.6. We can state with 90% confidence that this 30-degree gap is statistically meaningful and reflects true differences in perceptions of the preparedness of these actors. Participants perceive public prosecutors and lawyers to be equally prepared at nearly 52 degrees on the 0-100 scale. Law students and victim legal advisers are also perceived to be prepared to the same extent with an average score of 44.3 and 42.6, respectively. These small differences are not statistically distinguishable.



**Figure 14. Average Level of Preparedness for Key Legal Actors in the Transition to the NCJS**

In Figure 15, we compare average opinions of the level of preparedness of key legal actors by state. Respondents from Chihuahua consistently reported higher average levels preparedness of legal actors in comparison to Nuevo León, Puebla, and the D.F. Respondents from the D.F. and Puebla reported similar lower evaluations of preparedness across actors. The most notable differences in average evaluations of preparedness are those for judges when we compare Chihuahua and Nuevo León with Puebla and the D.F.

We also asked respondents about their perceived level of preparedness of law professors to teach the NCJA and law schools to implement curricula specific to the NCJS. Results show that respondents perceive that both types of actors still lack some degree of preparation in teaching the NCJS. Law schools as institutions that create and implement law curricula are perceived to be more prepared than the law professors that teach this curricula, a noteworthy gap for the transition to the NCJS in Mexico. Even more concerning is the overall lack of confidence in the degree to which law schools and professors are prepared. While 22.9% of respondents thought law schools were very prepared, only 12.7% of respondents thought the same of law professors. Nearly half of respondents thought that law professors (55.12%) and law schools (47.8%) are somewhat prepared. At the same time, almost a third of respondents reported that law professors (29.3%) and law schools (32.2%) are a little or not at all prepared teaching the NCJS.



**Figure 15. Average Level of Preparedness for Key Legal Actors in the Transition to the NCJS by State**

Some differences in opinions about the level of preparedness of law professors and schools exist across states. Respondents from Chihuahua perceive their law professors and schools to be the most prepared in comparison to respondents from the D.F., Nuevo León, and Puebla. Respondents from Puebla, on the other hand, perceive their law professors and schools to be the least prepared. Those from the D.F. and Nuevo León report perceptions that are similar to one another and rank somewhere in between those from Puebla and Chihuahua. While 20.8% of respondents in Chihuahua reported that law professors in their state were very prepared for teaching the NCJS, 14.3% in the D.F., 14.3% in Puebla, and 5.1% in Puebla reported the same. Similarly, 33.3% of respondents in Chihuahua reported that law schools in their state were very prepared to implement a curriculum that teaches the NCJS, 23.4% in the D.F., 28.6% in Puebla, and 13.6% in Puebla shared this view.

### **Perceived Impact of Legal Education Activities**

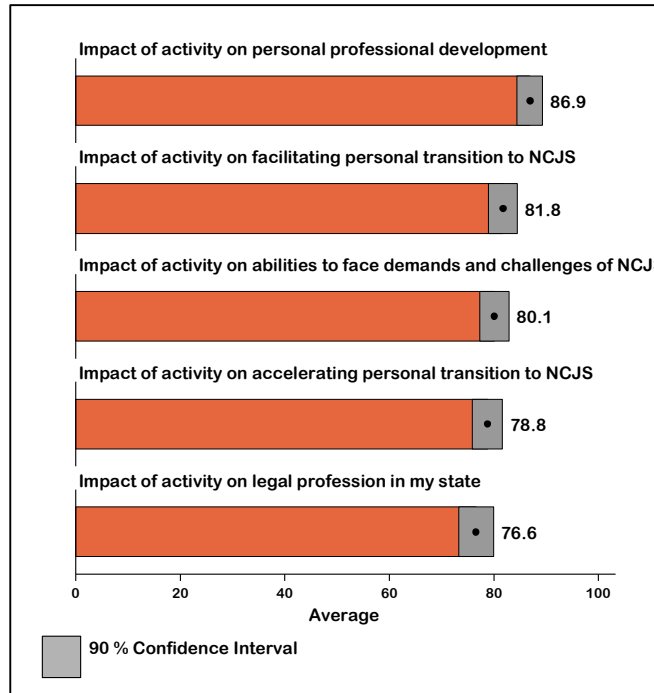
With regard to the impact of CEAAD and ABA-ROLI activities on the transition to the NCJS in Mexico, the evaluations of survey respondents are generally positive. Some of our key findings include:

- Survey respondents and focus group participants report overall positive impacts of their participation in legal education activities for their transition to the NCJS.
- Survey respondents reported that activities had the greatest impact on improving their personal professional development. They also reported an important impact of activities on facilitating their personal transition to the new NCJS, the ability to face the demands and challenges of the NCJS, and improving the legal profession in the state as a whole.
- Professors that attended CEEAD activities attribute updates in their teaching style, use of teaching materials, and bibliography referenced to the training received.

Figure 16 below displays the results of respondents' evaluations of the degree to which their participation in activities impacted their legal profession and transition to NCJS on a number of dimensions on a scale from 1 to 7, which we recoded from 0 (not at all) to 100 (a lot). No dimension received an average score below 76.6 degrees, representing an impressive evaluation of the positive perceptions respondents have of the contribution that their participation in CEAAD and ABA-ROLI activities had on their ability to practice law under the NCJS. On average, respondents reported that activities had the greatest impact on improving their personal professional development with a score of 86.9 degrees. This finding is statistically significant, indicating that we can say with 90% confidence that the difference between this evaluation and the perceived the impact of activities on all other dimensions is not random. In fact, one participant from an in-depth interview in Nuevo León argued that the model of ABA-ROLI techniques is a near perfect match for the legal statutes that legal actors must learn an implement in the NCJS, saying,

*Mira, nosotros hicimos una comparación entre los estatutos nuestros y el modelo que plantea ABA ROLI, yo creo que hay un 90% que coincidimos, porque bueno nuestros estatutos ya habían sido reformados antes. Este mismo año se reformaron pero fue a principios de año, sin tomar en cuenta lo de ABA ROLI y llegamos a esa coincidencia.*

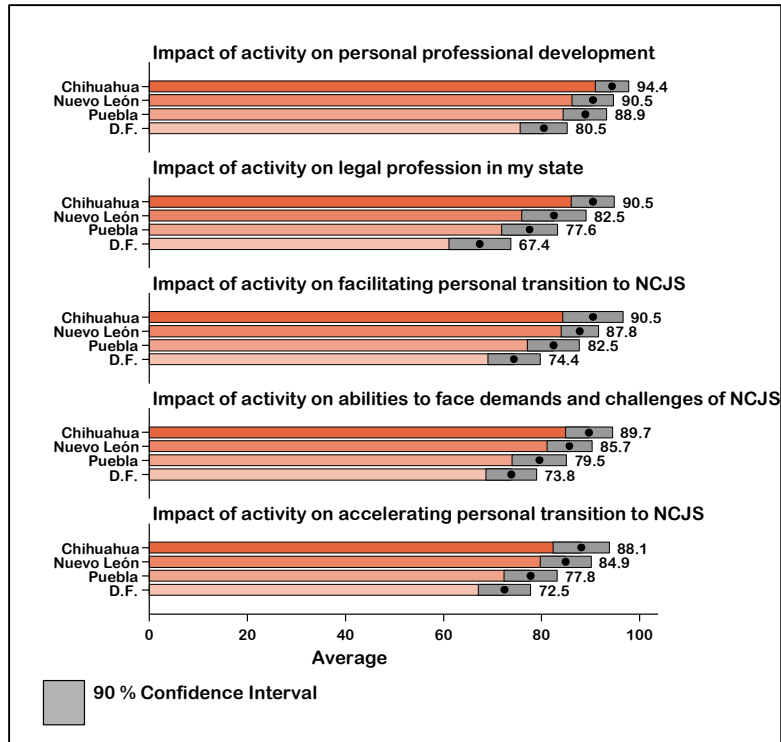
According to the results in Figure 16, respondents also reported feeling that their participation in activities had an important impact in facilitating their personal transition to the new NCJS (81.8), and just slightly less of an impact on making that transition any faster (78.8). They also reported that activities had more of an impact on their personal ability to face the demands and challenges of the NCJS (80.1) in comparison to the impact of activities on improving the legal profession in the state as a whole (76.6).



**Figure 16. Average Perceived Impact of Activities on Legal Profession and Transition to NCJS**

Similar to results discussed thus far regarding differences across states, Figure 17 shows that respondents from Chihuahua and Nuevo León report higher average evaluations of the perceived impact of activities on the 0-100 scale, while those from the D.F. report the lowest and those from Puebla stand somewhere in the middle. The most significant gaps in evaluations across states include the evaluated impact of activities on the legal profession and the transition to the NCJS.

Across most dimensions, survey respondents did not exhibit significant differences on impact scores when comparing them across different activity implementers. The only meaningful difference we found when disaggregating respondents by type of implementer corresponds to the higher score that participants of activities carried out by both CEEAD and ABA-ROLI reported in comparison to those that only participated in ABA-ROLI activities for the impact activities had on facilitating personal transition to the NCJS.



**Figure 17. Average Perceived Impact of Activities on Legal Profession and Transition to NCJS by State**

Similarly, comparison of average perceived impact of activities across types of stakeholders did not return significant differences. The only difference worth noting is law students’ lower perceived impact of activities on the ability to face the demands and challenges of the NCJS in comparison to lawyers and law professors.

Beyond asking respondents about the general impact of activities on different aspects of their transition to the NCJS, we also included questions to assess in more detail the impact CEEAD training activities may have had on law professors’ teaching of the NCJS. According to our survey, the vast majority (81.4%) of law professors interviewed report having modified the way they teach classes after having participated in a training by CEEAD. A participant from an in-depth interview in Coahila expressed reported, “*Es definitivo, instituciones como el CEEAD, han sido grandes apoyos para instituciones como la (Universidad )Autónoma de Coahuila.*” A focus group participant from the D.F. expressed a similar opinion saying,

*A mí las técnicas porque me encantaba la ponente que decía ... ‘este es el tema y ustedes pueden llegar con sus alumnos de esta manera’. O sea si te planteaban el objetivo y sin embargo también te daban herramientas para que tú como maestro pudieras conducir al alumno para llegar al mismo punto, eso sí fue muy, muy práctico con una dinámica.*

Table 2 shows which aspects of their teaching these professors report having modified. Most responses are concentrated on either efforts to update teaching materials and bibliography, or the style of teaching a class. In sum, professors that attended CEEAD activities attribute updates

they have made to their teaching techniques to the training received. In fact, over 91% of them report that it is “very important” for law professors to use pedagogical techniques and didactic materials to teach classes on the NCJS.

**Table 2. Distribution of Responses about Law Professors Reported Changes in Teaching Approaches**

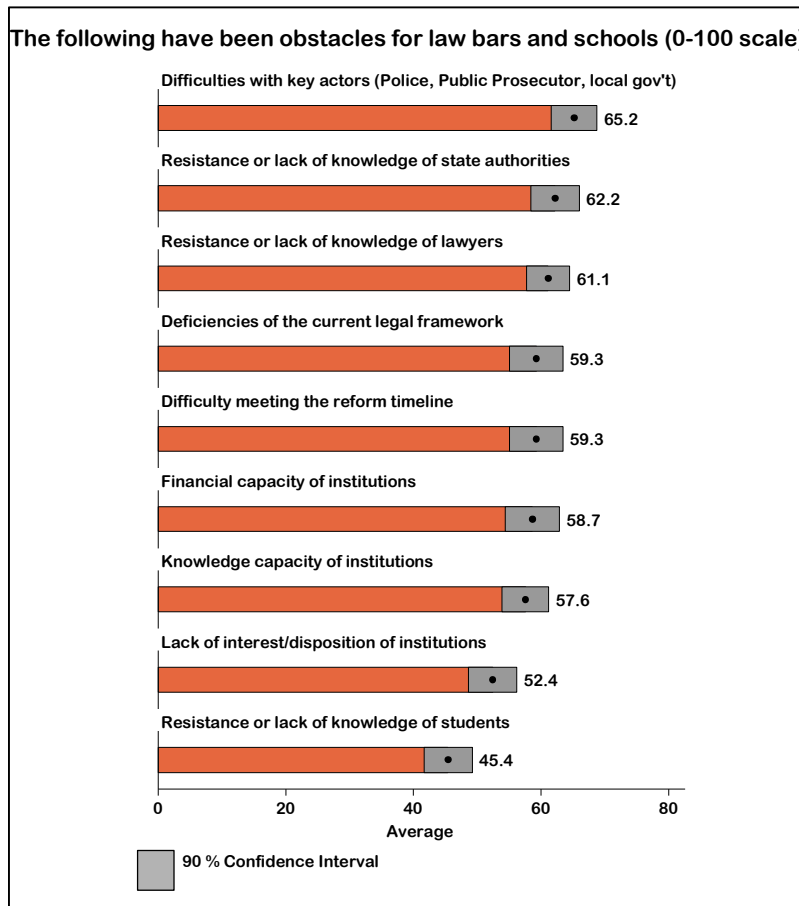
Aspects of Teaching that Law Professors Have Changed	
Teaching style	10 (29.4%)
Materials and bibliography	8 (23.5%)
Other	8 (23.5%)
Course formats	5 (14.7%)
Incorporation of case studies	3 (8.8%)
Student exams and evaluations	0 (0%)

#### **4. Primary Constraints for Providing Quality Services and Support for the Legal Profession’s Transition to the NCJS**

The findings discussed so far show that study participants report generally positive experiences with and evaluations of USAID-supported legal education programs carried out by CEEAD and ABA-ROLI. Yet, the overhauling of a country’s judicial system presents extensive challenges for law practitioners despite having the availability of assistance programs for the transition to a new criminal justice system. As a one focus group participant from the D.F. explained, “...nuestros operadores del sistema de justicia están absolutamente rebasados y hasta que no haya quizás un cambio generacional no tendremos mejora o sea por más que cambiemos el sistema no tenemos mejora...” Some of the key findings discussed in this section include:

- Survey respondents point to difficulties with key actors, such as police, public prosecutors and local government, as well as resistance or lack of knowledge of state authorities and lawyers as the most significant obstacles in their transition to the NCJS. Focus group and in-depth interview participants reiterate some of these points.
- Survey respondents view the capabilities and willingness of private institutions and students as lesser obstacles in the transition.
- For law professors, the lack of teaching materials and the need for updating law degree curricula are among the most significant challenges for teaching the NCJS
- For lawyers, the transition to the NCJS is most challenged by the transition to oral litigation, new procedures for criminal investigation, and new intermediate hearing rules. Focus group participants also highlighted these challenges, but also indicated their concern over ethical concerns in breaking from the old judicial system.

In an effort to better understand the types of constraints faced by law practitioners in their transition to the NCJS in Mexico, we asked survey respondents to evaluate the degree to which certain aspects of the judicial system were obstacles for the implementation of the NCJS. To answer these questions, respondents used a scale from 1 to 7, which we recoded from 0 (not an obstacle) to 100 (great obstacle) scale. Average evaluations are displayed on Figure 18.



**Figure 18. Average Evaluations of Possible Obstacles for Implementation of and Transition to NCJS**

Respondents report difficulties with key actors, such as police, public prosecutors and local government, as well as resistance or lack of knowledge of state authorities and lawyers as the most significant obstacles in their transition to the NCJS. Differences in average evaluations for these types of obstacles range from 61.1 to 65.2, but are not statistically distinguishable from one another. That is, respondents evaluate them as obstacles on the 0-100 scale with equal magnitude. A participant from an in-depth interview in Saltillo (state of Coahuila) noted that at times training focus more on state authorities and less on lawyers saying, *"Se han enfocado a capacitación solamente a los empleados del gobierno, al Poder Judicial y al Poder de Procuración e Implementación de Justicia y se han olvidado de los abogados litigantes."*

A focus group participant from the D.F. commented on the resistance by key legal actors in the transition to the NCJS saying,

*Vi mucha resistencia... en la implementación del NSJP... sobre todo en la cuestión dentro del Poder Judicial de muchos compañeros, incluso dentro de la maestría de Procesal Penal y una especialidad en Juicios Orales. Esa resistencia de que se iba a dar o no este cambio, pero también era como una cuestión negativa y de cuestión cultural de resistirnos a ese cambio cuando sabemos que también estamos en una cuestión económica globalizada y que vamos hacia allá y que realmente es precisamente esta nueva (realidad) y tener todos esos niveles de competencia. Entonces por parte de los abogados si había como que los abogados que están dentro, que conocen el derecho de México y muy pocos el internacional.*

Regarding difficulties with key actors, such as police and public prosecutors, a focus group participant from the D.F. argued,

*...si el Ministerio Público no mejora junto con la Policía Investigadora incluso la Policía Preventiva que es la que llega primero a ciertos tipos de escenario de delito, si ellos no saben custodiar estas pruebas, si no saben interrogar a las personas que estaban ahí y tomar las imágenes, eso al ser llevado al juicio se va a echar abajo la sesión entonces los índices de acusaciones que prosperan van a bajar si no paralelamente se eleva la capacitación del Ministerio Público.*

Similarly, a participant from a focus group in Puebla summarized the challenges to law practitioners by saying,

*... el abogado porque pareciera fácil pero no lo es porque no se lleva un juicio. No es que te tengas que aprender un alegato de apertura y ya y un interrogatorio y ya, sino que está llevando diferentes asuntos. Entonces es como un gran reto adquirir esa habilidad de poder memorizar alegatos y nombres porque te tienes que saber los nombres, las fechas, incluso si en tu teoría del caso vas a utilizar algún peritaje el nombre científico que va a utilizar el Perito que va a ser el punto clave en tu teoría del caso. Entonces si es uno de los grandes retos también para el abogado hoy en día, tener esa habilidad incluso de improvisar en el momento de hacer el interrogatorio y al momento de hacer el alegato de clausura.*

According to the results in Figure 15, survey respondents gave similar, middling scores on the 0 (not an obstacle) to 100 (great obstacle) scale to meeting the reform implementation timeline, deficiencies in the legal framework, financial capacity of institution, and knowledge capacity of institutions as obstacles to the transition to the NCSJ. These factors are reported as greater challenges than lack of interest or disposition from institutions. On the other hand, respondents believe that the resistance or lack of knowledge of law students was the least problematic constraint in the transition to the NCJS. The average score given to this dimension as a possible obstacle is 45.4 degrees and is significantly different from all other evaluations, statistically speaking.

In sum, the factors that have most constrained the transition to the NCJS in Mexico stem from the demands and challenges that public authorities and lawyers have had to face in acquiring sufficient knowledge and training to implement new laws and criminal procedures. On the other hand, respondents view the capabilities and willingness of private institutions and students as lesser obstacles in the transition. These results seem to suggest a need for further assistance in the legal education among actors that are most essential in the short-term for accomplishing a successful implementation of the NCJS: public authorities such as the police, public prosecutors, local government, and other state authorities. At the same time, respondents' evaluations also point to a need, and a desire, for more emphasis placed on the training of lawyers for practicing law under the NCJS.

We also asked respondents who are law professors and/or lawyers a series of additional questions about what they considered are the primary constraints and challenges in providing support to law schools and law practitioners in the transition to the NCJS. We asked law professors an open-ended question for which results are displayed in Table 3. Responses indicate that the lack of materials was one of the most significant challenges for teaching the NCJS. As reported above, 91% of law professors report that pedagogical techniques and didactic materials are essential for teaching courses on the NCJS. Furthermore, we previously reported that compared to other key legal actors, law schools, professors, and schools are perceived to still lack a sufficient level of preparedness in the transition to the NCJS. Hence, efforts to provide assistance to law schools should ensure that professors not only have sufficient training on what courses to teach, but also have the adequate educational materials to facilitate the task. Law professors also pointed to the importance of updating law degree curricula and, among "other" responses, the need to emphasize the teaching of oral litigation and trial argumentation skills.

**Table 3. Distribution of Responses for Most Significant Challenge in Teaching the NCJS**

Most significant challenge for teaching the NCJS is...	
Lack of materials	12 (27.3%)
Lack of changes to law degree curricula	4 (9.1%)
Lack of training for law professors	3 (6.8%)
Lack of resources/money	3 (6.8%)
Deficient or insufficient modification to law degree curricula	2 (4.6%)
Lack of support by authorities	2 (4.6%)
Lack of clarity in the functioning of the NCJS	1 (2.3%)
Other	17 (38.64%)

We then asked lawyers to choose from a list which aspect of the new laws for criminal procedure were the most complex for lawyers in litigation. As displayed in Table 4, responses

point to three main challenging areas: oral litigation, criminal investigation, and intermediate hearing. It is not surprising that these are considered the most challenging aspects of the new systems criminal procedure as they represent some of the most significant deviations from Mexico’s previous judicial system. In fact, these challenges can be interpreted as being closely related at the perceptions respondents have regarding difficulties in the preparedness of public authorities and lawyers as the most difficult obstacles in the implementation of the NCJS (see Figure 15).

**Table 4. Distribution of Responses for Most Complex Challenge for Lawyer in Litigation**

Most complex aspect of criminal procedure is...	
Oral trial	32 (24.2%)
Investigation for the public prosecutor	28 (21.2%)
Intermediate hearing	28 (21.2%)
Initial hearing	13 (9.8%)
“Amparo Penal”	9 (6.8%)
Judicial review	8 (6.1%)
Other	6 (4.6%)
Execution	3 (2.3%)

As a Puebla focus group participant explained regarding challenges related to criminal investigation,

*Pues lo que pasa es que se desconoce mucho lo que es la investigación científica y es más complicado de lo que uno cree. El Juicio Oral a lo mejor sobre el procedimiento ya lo entienden más fácil, el problema es que vienen arrastrando graves problemas en el proceso de investigación. Por eso es que en la gran mayoría de los juicios si usted checa cuantos juicios han habido y cuantos se han ganado, cuantos se han perdido, se ha perdido más a nivel nacional, pero es por el procedimiento de la investigación que es una etapa que la han dejado.*

Others discussed more practical or logistical challenges that the new system presents given new litigation procedures. A participant from one of the groups in the D.F. gave the following example,

*... y es importante, digo yo creo que es importante que sepamos cómo se aplica porque muchas veces la cuestión teórica no enlaza con la cuestión práctica. Por ejemplo en el CEEAD nos decían algunas cuestiones, algunas técnicas para litigar y una de ellas... por ejemplo en (los juzgados) Neza Bordo está un micrófono aquí, esta fija la pastilla pero se puede trasladar, si yo me levanto y me pongo de pie para darle mayor relevancia a mi*

*argumento, toda la importancia automáticamente yo mismo estoy negándome la posibilidad de que el audio sea debidamente grabado o sea el recurso tecnológico aún no está acorde...*

Beyond those displayed in Table 4, focus group participants also highlighted additional challenges for practicing law under the NCJS. Some shared concerns over the need to break from questionable ethical behaviors that were characteristics from the old judicial system. As a participant from one of the focus group conducted in the D.F. explained,

*...tú tienes que alinearte conmigo eso ya no, ya no debe de operar ese sistema. Sin embargo, encontramos ese tipo de anomalías o casos tan irrisorios por ejemplo donde uno no puede ingresar a un juzgado, a una sala de Juicio Oral con un portafolio, ya no digamos con un celular, con una computadora cuando digo finalmente el recurso tecnológico está para auxiliarnos y para ayudarnos. Porque a diferencia del MP (ministerio público/fiscal) y del Defensor el Juez ingresa con su computadora, tiene acceso a marcar cierto tipo de cosas y nos coloca en un punto de desventaja a quienes también estamos o somos parte del sistema...*

A focus group participant from Puebla, also expressed concern about lawyers' ethical considerations when handling cases under the new system,

*...pero mientras haya abogados que prefieran irse a un juicio para alargar el asunto y sacar más dinero en lugar de solucionarle al cliente inmediatamente el problema pues esto no se va a lograr. Volvemos al punto, es cuestión de los valores de las personas y si los valores son subjetivos depende a diferencia de los principios los valores dependen, van de una familia a otra y cambian por completo.*

A participant from an in-depth interview in Nuevo León also shared the view that the training of legal actors must emphasize the need to focus on the ethics of the NCJS, saying, "*Recalcar los valores porque el hecho de hacer las cosas sin un valor de ética, de entusiasmo, de perseverancia pues entonces pues se echa a perder todo.*"

At the same time, other participants also warned against new types ethical dilemmas that can arise during this transition to a new criminal justice system. For example, another participant from one of the groups in the D.F. explained,

*... yo en lo personal he litigado en Juicio Oral en el Estado de México. Como pertenezco al Sistema Penitenciario del Distrito Federal no sería prudente litigar casos penales porque habría un poquito de interés, vamos trabaja uno para una institución del Poder Ejecutivo y al mismo tiempo está uno litigando en contra no de la institución propiamente, pero sí del Gobierno del Distrito Federal pero en el Estado de México donde no hay conflicto de intereses porque no tendría razón de ser que uno tuviera cierta influencia o aprovechara algún grado de confianza con alguna persona...*

These results could be interpreted as indicating that in order for key legal actors, such as lawyers, public prosecutors, judges and the police, to overcome the challenges of implementing the NCJS, assistance programs should continue to focus training activities on the aspects of criminal procedures that these actors find the most challenging: criminal investigation, oral litigation, and ethical norms of the NCJS.

## 5. Suggested Changes (Methods/Techniques and Activities) for Future Legal Education Activities

The quantitative and qualitative findings so far discussed in this report yield generally positive evaluations of legal assistance activities carried out by ABA-ROLI and CEEAD. Nevertheless, participants also reported areas in which future activities can improve. We asked respondents of the telephone survey to think about the possibility of repeating the most recent ABA-ROLI or CEEAD activity they participated in and let us know if they would recommend that any aspect of the content, method or technique of this activity should be strengthened or given greater emphasis. Table 5 lists the top five areas of improvement most frequently reported by participants: litigation strategies and techniques, more practice/simulation sessions, interrogation techniques, training presentation of evidence, and longer training times. Related to litigation strategies, some respondents also highlighted the need for more focus on argumentation and criminal investigation skills. These findings reinforce our previous discussion of what participants considered the greatest constraints on transitioning to the NCJS in that the areas they recommend for greater emphasis and strengthening during legal education activities correspond to those aspect so of the NCJS that most differ from Mexico’s previous judicial system.

**Table 5. Distribution of Responses for Areas of Improvement for Future Legal Education Activities**

Recommend improvements regarding...	
Litigation strategies and techniques	33 (17.2%)
Practice/simulation sessions	28 (14.6%)
Interrogation techniques	15 (7.8%)
Training on presentation of evidence	11 (5.7%)
Longer training times	11 (5.7%)

In an effort to measure what other training aspects could be improved, we also asked survey respondents to tell us what they thought should be the principal priorities in the education of law students so that they are better prepared for the NCJS. Table 6 displays the top five priorities reported. Responses show that participants consider updating law curricula in law schools as one of the main concerns in preparing law students. Other priorities reported for the education of law students on the NCJS are related to updating their curricula, including having professors that are trained and equipped with the right materials to teach the NCJS; emphasis on training students on the practices and techniques of oral litigation, including greater

application of these skills in practice sessions; and a focused effort on making sure law students understand the theoretical and procedural framework of the NCJS.

**Table 6. Distribution of Responses about Priorities in Education for Law Students in Transition to NCJS**

Priorities in Education of Law Students for NCJS	
Updated law curricula	36 (17.2%)
Trained law professors and updated materials	33 (15.8%)
Practices and techniques of oral trials/litigation	32 (15.3%)
Case study practice/simulation	21 (10.1%)
Theoretic and procedural framework of NCJS	19 (9.1%)

Among focus group participants, opinions on the question of how to better educate law students on the NCJS reflected the views of survey respondents in the need to prioritize law curricula, trained professors, and application of new litigation skills through practice. One focus group participant from the D.F. summarized the priorities for educating law students as follows,

*Primero modificar los planes de estudio...Segundo asegurarse que los docentes conocen el modelo, no solo teóricamente sino quizás que hayan tenido práctica, eso es muy importante. Tercero que haya una base teórica y una base práctica en la formación, o sea las Clínicas Jurídicas. Las Clínicas Jurídicas tienen que involucrar al alumno en prácticas reales o bien simuladas pero bien hechas.*

Qualitative findings also reflect the urgency for updating of law curricula and emphasis on case study simulations was. A focus group participant from the D.F. argued for the change in the way law students are taught to practice law, saying,

*Se necesita un cambio radical de la cultura fuente de la forma que enseñamos el Derecho...Se tiene que trabajar desde las universidades con la gente que estamos formando, ya sea tanto a nivel licenciatura como a nivel post grado. Y creo que lo que nos falta de la pedagogía del Derecho es no enseñar la ley, sino enseñar a pensar en Derecho y que puedas adaptarte a cualquier norma y entenderla desde tu visión como abogado.*

An in-depth interview participant from the D.F. expressed a similar opinion,

*Las prácticas profesionales, las simulaciones que se hacen, los concursos de juicios orales que se implementan para los chicos es una motivación muy grande y una forma muy buena de capacitar tanto a los alumnos como le digo a las partes en el nuevo Sistema Penal.*

Beyond improvement for the education of law students, we also collected quantitative and qualitative data on participants' opinions of the future of legal education of lawyers. We asked survey respondents to tell us what they thought should be the principal priorities in the training of lawyers so that they are better prepared for the NCJS. Table 7 displays the top five priorities reported. By far, what most participants reported that lawyers should prioritize is continued training and coursework related to the NCJS. More specifically, participants believe that lawyers should prioritize increasing their knowledge and skills of the theoretical and procedural framework of the CNJS as well as oral litigation skills. However, in order to be able to prioritize these training goals, lawyers need to have greater access and financial assistance for their continued education, while also being more accepting of the changes in the judicial system.

**Table 7. Distribution of Responses about Priorities in Training for Lawyers in Transition to NCJS**

Priorities in Training of Lawyers for NCJS	
Continued training (in general) and coursework	97 (46.4%)
Accessibility and financial assistance for continued education	18 (8.6%)
Theoretic and procedural framework of NCJS	16 (7.5%)
Practice/simulation and strengthening of oral litigation skills	16 (7.5%)
Acceptance of change/transition to NCJS	10 (4.8%)

Data from our qualitative interviews reflect the findings in Table 7. As one professor from Saltillo argued in an in-depth interview, *“Lo mejor sería tener un acceso permanente a la capacitación.”* The need for continued training was also expressed by in-depth interviewees from Chihuahua. One participant stated, *“Pues yo creo que crear centros permanentes de capacitación...Por parte de instituciones en una colaboración o convenio con la universidad y colegio, en este sentido prácticamente universidad y colegio, a lo mejor pudiera haber también la participación del Poder Judicial...”*

As discussed above one step that participants thought is necessary in being able to receive continued training is easier access to such education activities. However, according to participants of this study, this access is often limited. An in-depth interviewee from Chihuahua commented on this issue saying, *“Para los abogados que ahorita estamos ejerciendo [la capacitación] se nos ha convertido también una necesidad eso y desgraciadamente no hay lugares, no hay lugares para capacitarse.”* A professor from Saltillo, Coahuila, expressed a similar opinion when asked about lawyer training in an in-depth interview,

*[Algunos] han tenido la suerte de entrar a programas de gobierno como ... Y los otros pues han tenido que pagar y otros no pueden pagar. Entonces yo creo que el punto que se está quedando relegado es el de los litigantes y también el de los asesores jurídicos...porque hacen muchos diplomados y demás para licenciados públicos, para*

*jueces y para ministerios públicos y para el asesor jurídico uno, desde que tengo conocimiento uno...”*

In terms of why continued training is so important for lawyers, a focus group participant from Puebla argued, *¿Qué es lo que tenemos que hacer? Ir sobre otras materias también que como dicen de cuestiones culturales que nos vayan cambiando el chip ¿no?...con talleres de mediación para que se empiecen a soltar y ver sobre una realidad ya el contexto y entonces si ya configurar todo un ente.*

## **6. Conclusions**

Study participants perceive the NCJS as a necessary and welcome improvement to Mexico’s judicial system. Although important differences exist across states in respondents’ perceptions of the level of advancement of the implementation of the NCJS, judges are perceived as the most prepared for the transition to the NCJS, while police officers are perceived to be the least prepared.

The vast majority of study participants report their participation in CEEAD or ABA-ROLI efforts to be very useful in their transition to the NCJS. Moreover, they give predominantly positive evaluations of the structure and quality of activities, specifically regarding instructor preparedness, training facilities, the content and relevancy of training for transitioning to the NCJS. However, results also indicate that participants feel the need for assistance programs to include longer training times, more hands-on practice or simulations for learning the trial procedures of the NCJS, and the participation of foreign instructors.

Study participants report that ABA-ROLI and CEEAD activities have been comparatively supportive institutions in the transition process. Participants view their participation in legal education activities as having an overall positive impact on their professional development and facilitating their transition to the NCJS. Additionally, ABA-ROLI and CEEAD activities are perceived as highly effective in preparing respondents to practice law under the NCJS, especially in regards to helping them understand the rules of oral litigation, a fundamental practice in an accusatorial judicial system. On the other hand, future activities should focus on areas that respondents perceived activities to be less useful for, such as applying rules of conditional suspension and techniques of trial and investigation.

Overall, survey respondents from Chihuahua gave consistently more positive evaluations of both the NCJS’ implementation and the impact of USAID-supported activities on their transition to the NCJS, in comparison to survey respondents from Nuevo León, Puebla, and the D.F. Respondents from the D.F., on the other hand, consistently reported relatively less favorable experiences with and evaluations of the NCJS and legal education assistance initiatives. Respondents that participated in both CEEAD and ABA-ROLI activities also gave, on average, more positive reports of the impact their participation had on their abilities to transition to the NCJS.

The demands and challenges that public authorities and lawyers face in acquiring sufficient knowledge and training to implement new laws and criminal procedures are reported as the most challenging constraints in the transition to the NCJS in Mexico stems from. Hence, assistance programs should continue to focus training activities on the aspects of criminal procedures that these actors find the most challenging: criminal investigation, oral litigation, hearing argumentation, and ethical norms of the NCJS. Additionally, while respondents view the capabilities and willingness of private institutions and students as lesser obstacles in the transition, participants reported that law students, law schools, and law professors still lack some degree of preparation in the learning and teaching of the NCJS.

## **VI. Recommendations to USAID Mexico and to other stakeholders**

This document constitutes an objective assessment which concludes that the support provided by USAID through ABA-ROLI and CEAD has been positive for the consolidation of education activities, mainly specialized training and curriculum building, regarding the adversarial criminal justice system in Mexico.

The authors of this report strongly recommend USAID to continue implementing analogous activities, especially on those jurisdictions in which the adversarial system is in its first stages of operation. Future interventions should consider the gathering of more and better data that will make easier to perform in-depth evaluations and obtain better statistics; at the same time, better data will also help the Mexican government to recruit and identify participants with leadership and other positive characteristics in order to strengthen their criminal justice system.

The assessment also showed which operators of the system have received better training and which others demand more attention. In the following lines we express a series of recommendations that will be useful in case USAID decides to perform future activities regarding legal education in Mexico:

### **I. MEXICAN LEGAL COMMUNITY DEMANDS LEARNING BY DOING EDUCATION PROGRAMS INSTEAD OF TRADITIONAL LECTURES.**

Users of CEEAD and ABA-ROLI programs revealed during the qualitative research that the programs that were most valued by participants and are encouraged to continue were moot court training, and examination/cross examination exercises.

Future interventions should focus on practical training, and include the design of case studies and trial technique materials. The evaluation revealed that users also demand longer training sessions and that participants welcome the participation of experienced and/or foreign trainers.

## **II. FUTURE INTERVENTIONS SHOULD FOCUS ON THOSE ACTORS WITH MAJOR TRAINING NEEDS IN THE NCJS.**

Future actions should also consider police officers as subjects of legal education on the new criminal justice system, as the rules of the National Criminal Procedure Codes consider new rules for police investigation that are fundamental for the successful implementation of the system. This recommendation is based on the fact that police officers are perceived by participants to be the least prepared actors within the criminal justice system. Private attorneys also require support as informants mentioned that there are not enough training programs for them, and government has not allocated enough funds on the matter.

## **III. ABA-ROLI AND CEEAD ACTIONS, OR SIMILAR PROGRAMS FUNDED BY USAID SHOULD CONTINUE UNTIL THE ADVERSARIAL CRIMINAL JUSTICE SYSTEM CONSOLIDATES.**

The vast majority of survey respondents reported their experiences as “very useful” for their transition to the NCJS; no dimension on the evaluation received a score below 72.2 degrees, indicating a high mean level of satisfaction with the way CEEAD and ABA-ROLI activities were carried out.

Survey respondents perceived their participation in CEEAD and ABA-ROLI activities to be most effective in helping them understand the rules of oral litigation, learn skills related to witness interrogation, improve the overall practice of their legal profession, apply of rules of ethics and legal integrity, and apply of rules for the production of evidence.

Future efforts from USAID must include or strength the curricula on oral litigation strategies and techniques, criminal investigation, examination techniques, and intermediate hearing, as well as lawyers’ ethical considerations. Foreign instructors were well evaluated by the participants and their presence is encouraged in future events.

## **IV. USAID SHOULD CONTINUE PROVIDING TECHNICAL SUPPORT FOR UNIVERSITIES AND LEGAL TRAINING FOR LAW PROFESSORS.**

The overall lack of confidence of the participants regarding the preparation of law schools and professors is alarming. Almost a third of respondents reported that law professors (29.3%) and law schools (32.2%) are a little or not at all prepared teaching the NCJS. Nevertheless, professors who attended CEEAD activities attribute updates in their teaching style, use of teaching materials, and bibliography referenced to the training received.

Law schools and law professors should continue receiving technical assistance in order to provide effective criminal procedure courses based on both theoretical and practical methodologies. Future actions might include the edition of criminal procedure textbooks based on the National Code of Criminal Procedure, case study material and trial techniques books.

USAID should also work with the Mexican federal government in the design of a National Criminal Procedure Study Plan, with the participation of the National Association of Universities and Higher Education Institutions (ANUIES) and the Mexican Bar Association (BMA).

**V. FUTURE INTERVENTIONS OF USAID SHOULD REQUIRE FROM THEIR PARTNERS THE INCLUSION OF BETTER EVALUATION FRAMEWORK.**

Following actions developed by USAID should consider performance and cost-benefit measurements that would provide external auditors with sufficient information for the correct assessment of their actions. USAID must also require implementers to gather comprehensive contact information of all participants and to obtain from them the permission and commitment to be contacted later by USAID or an external auditor on behalf of USAID to evaluate the programs and/or obtain feedback.

Pre-Post evaluations methodologies can help USAID identify results of their actions in a timely manner and are strongly advised.

**VI. USAID SHOULD CONSIDER RECOMMENDING EXAM CERTIFICATION FOR MEXICAN LAWYERS SIMILAR TO US BAR EXAM, AS WELL AS PROVIDING TECHNICAL ASSISTANCE FOR THE EXAM'S DESIGN AND IMPLEMENTATION.**

The Mexican judicial system currently does not require an exam certification for lawyers to practice law. Such exam could be a fundamental step toward solidifying the transition toward the NCJS, as it could act as a tool to certify the preparedness of law practitioners to exercise law under the system's new rules, procedures, and required skills.

Approximately half of the law students and professors in our telephone survey reported that students do take a CENEVAL or SETEC certification exam. This means that the idea of some type of exam certification would not be completely foreign to current and future law practitioners in Mexico. In fact, data from both our survey and qualitative discussion also show that most participants are in favor of such certification requirement under the NCJS. When asked if they supported the idea of an exam or certification procedure similar to the bar exam in the United States, 87% of survey participants expressed their support.