



Judicial Branch
of Puerto Rico

EDUCATIONAL GUIDE:

COURT OF **FIRST INSTANCE**

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INTRODUCTION

The Judicial Branch of Puerto Rico is firmly committed to promoting various initiatives to educate and guide the community on different topics. To do so, it relies on the Office of Education and Community Relations (EduCo) to lead the Judicial Branch Educational Program, among its many other functions.

The Judicial Branch Educational Program implements educational and guidance strategies through various projects, such as the Education and Guidance from the Courts project, which aims to standardize, centralize, support, and document the educational and guidance activities carried out in the judicial regions, the Court of Appeals, and the Supreme Court of Puerto Rico.

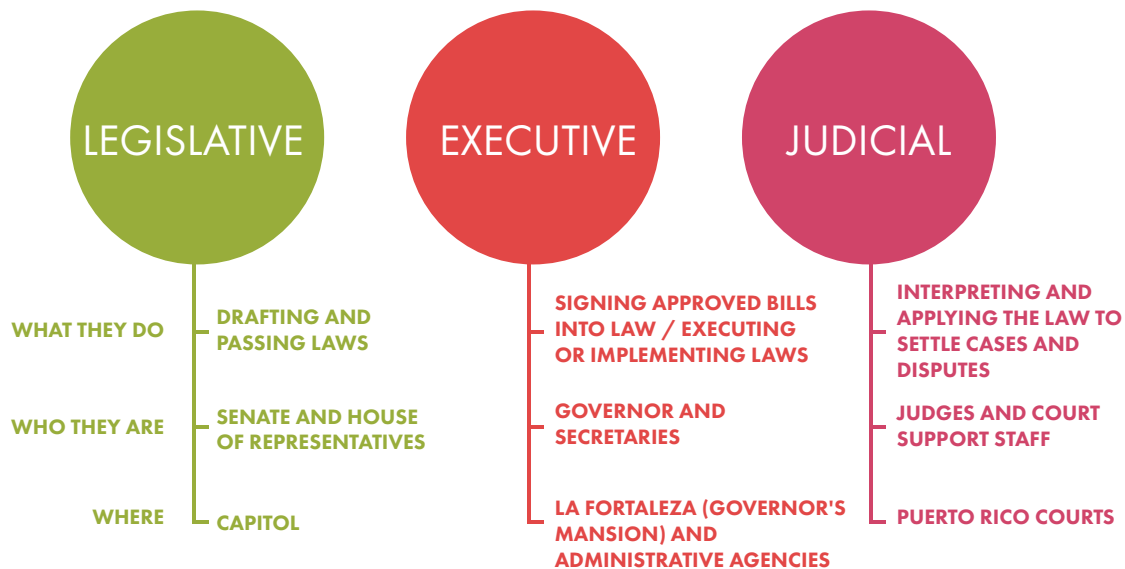
In line with this mission, EduCo has developed this educational guide, which includes basic information about the Court of First Instance. It also includes information to serve as a reference for guided educational tours and for developing and implementing strategies to educate and guide the community.

This educational guide is not intended to be, nor should it be considered, a comprehensive overview of the content presented. Therefore, it may be supplemented with additional information from other sources.

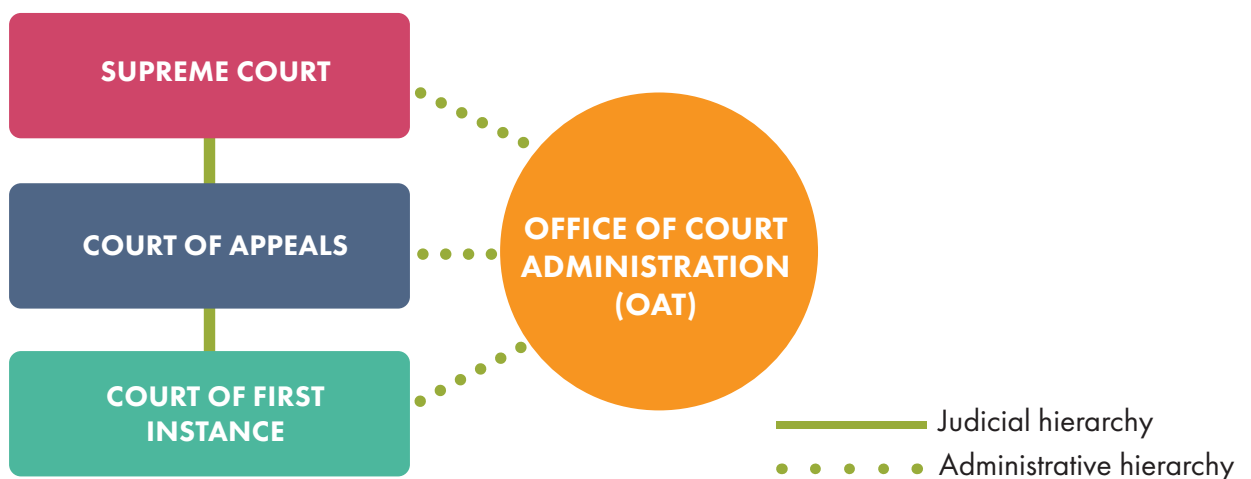
This document will be reviewed periodically. Anyone interested in asking questions or submitting comments or suggestions regarding the information contained herein may write to educo@poderjudicial.pr.

SUMMARY: GOVERNMENT AND THE JUDICIAL BRANCH ¹

Approved on July 25, 1952, the Constitution of the Commonwealth of Puerto Rico organizes the Government of the Commonwealth of Puerto Rico into three branches:



This separation of powers means that each branch of government has different responsibilities, powers, and duties. This ensures that power is divided so that no one branch is more powerful than the other. The Judicial Branch carries out the administration of justice in Puerto Rico. It is made up of a court system, known as the General Court of Justice, an organizational structure consisting of two areas: judicial and administrative. The judicial area refers to the organization and composition of the courts in Puerto Rico: the Supreme Court, the Court of Appeals, and the Court of First Instance. Meanwhile, the administrative area is concerned with the operation and administration of the Judicial Branch. This task is entrusted to the Chief Justice of the Supreme Court and an Administrative Director, who heads the Office of Court Administration.



1. To learn more, you may consult the [Educational Guide: Our Government and Court System](#), available on the Judicial Branch website.

COURT OF FIRST INSTANCE



- Created by law, this court is the first tier of the court system.
- It is where people go to when they are unable to resolve their problems or disputes or when they want to assert a right.
- Here, cases are decided by **one** judge.

COURT OF APPEALS



- Also created by law, it is the second tier of the court system.
- It is an appellate court where parties aggrieved by a decision made by the lower court may submit their position in writing.
- Cases are decided by a panel of no fewer than **three** judges.

SUPREME COURT

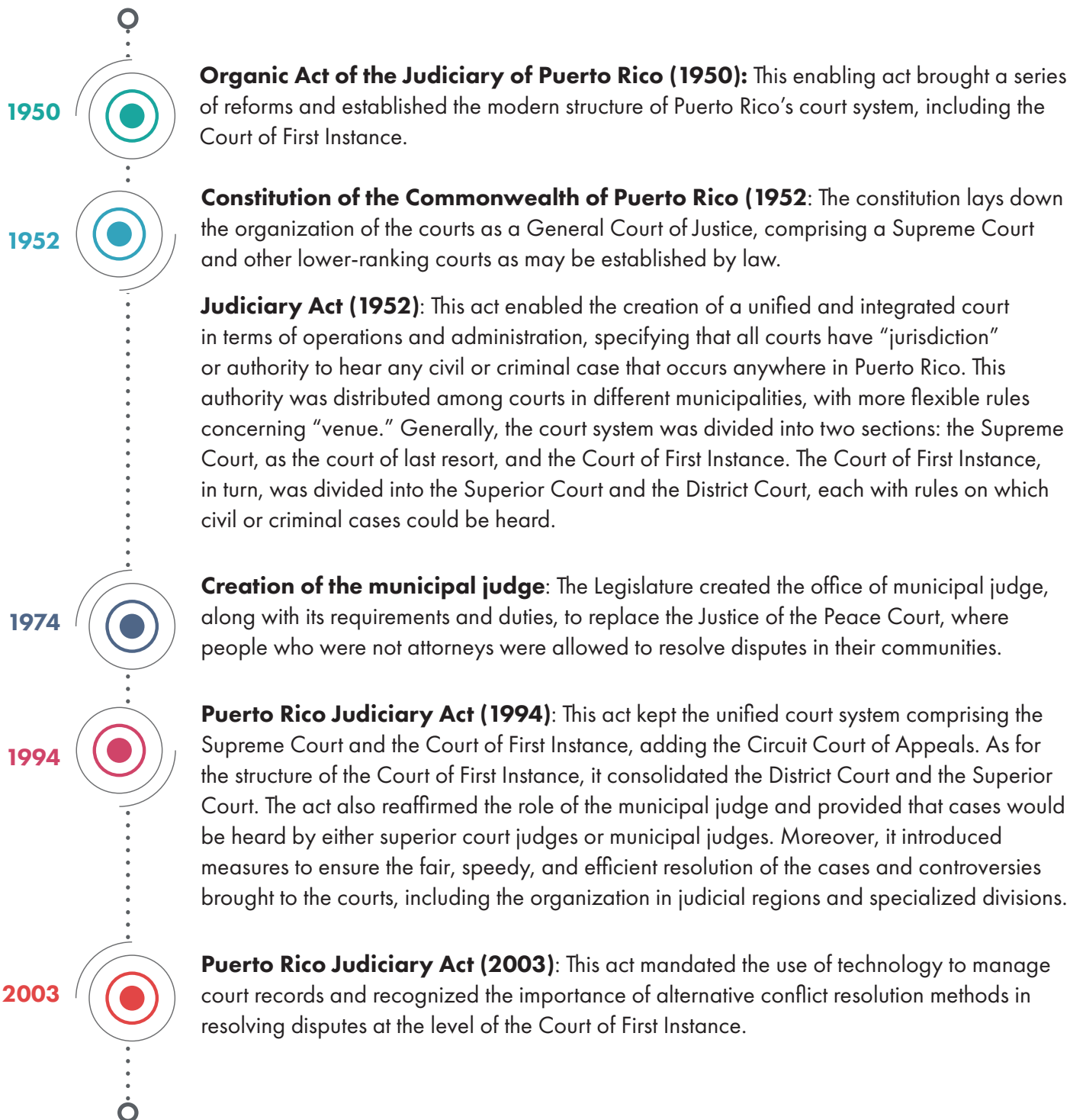


- This is the highest court and third tier of the court system. Cases are decided by the Full Court, which is composed of **nine** justices.
- It is an appellate court where all documents that make up the record of the case are submitted. Unless the Supreme Court sets a date to hear oral arguments, the parties generally do not present their case orally.
- Its main duty is to interpret the Constitution and analyze the constitutionality of laws and official actions by government branches.
- It regulates the practice of law and professional ethics. It also has the power to regulate and adopt rules of evidence, civil and criminal procedure, and administration.

HISTORICAL BACKGROUND

COURT OF FIRST INSTANCE OF PUERTO RICO

As part of the Puerto Rico Court System, the development of Court of First Instance through history has been informed by debates among government branches and advisory committees, comparative studies of court systems in other jurisdictions, and experiences gained in the courts. Below are some of the historical events that have marked the development of the Court of First Instance.



SEAL

WHAT DOES THE SEAL OF THE COURT OF FIRST INSTANCE REPRESENT?

The official seal of the Court of First Instance features a circular purple field surrounded by a gold band bearing the following inscription: “ESTADO LIBRE ASOCIADO DE PUERTO RICO, TRIBUNAL GENERAL DE JUSTICIA” (COMMONWEALTH OF PUERTO RICO, GENERAL COURT OF JUSTICE) and, below the book, the words “TRIBUNAL DE PRIMERA INSTANCIA” (COURT OF FIRST INSTANCE) in gold letters. The seal also bears the following symbols:

- A gold-colored segment of the sun casts six rays representing Divine Power, the Majesty of the Law, Wisdom, Love, Mercy, and Honesty.
- A hand holds the scales of Equality and Justice in blue, the color of truth.
- Between the scales, a white lamb lies on a red book bearing a flag with a cross and a banner.



COMPOSITION AND OPERATION

WHAT IS THE COURT OF FIRST INSTANCE?

The Court of First Instance is a court created by law and is first tier in the Puerto Rico court system. It is where people go to seek help when they are unable to resolve their problems or disputes directly with the other party involved or when they want to assert a right. Its main duty is to resolve legal disputes and apply the law in specific civil or criminal cases.

This court is governed by rules of administration that promote speedy and efficient service at all times and the equitable and respectful treatment of those who visit the court and work there.

WHAT IS THE COMPOSITION OF THE COURT OF FIRST INSTANCE?

The Court of First Instance is composed of superior court judges and municipal judges. The judges of the Court of First Instance are appointed by the governor with the advice and consent of the Senate. In addition to judges, the Court of First Instance also has officers and staff to support the judicial functions.

WHAT IS THE DIFFERENCE BETWEEN SUPERIOR COURT JUDGES AND MUNICIPAL JUDGES?

The difference lies in the types of cases they hear. Superior court judges may hear any case or controversy, as determined by the Chief Justice and in accordance with the Judiciary Act of 2003, whereas municipal judges are limited to certain cases or controversies, such as protection orders, petitions for involuntary admission to a mental health institution, hearings to determine probable cause for arrest, among others.

HOW MANY JUDGES WORK AT THE COURT OF FIRST INSTANCE?

The Court of First Instance is composed of 253 superior court judges and 85 municipal judges. This number may vary based on the number of vacant positions.

WHAT ARE THE REQUIREMENTS TO BECOME A SUPERIOR COURT JUDGE? WHAT ARE THE REQUIREMENTS TO BECOME A MUNICIPAL JUDGE?

SUPERIOR COURT JUDGE	MUNICIPAL JUDGE
- Seven years of professional experience following their admission to the practice of law. - They are appointed and hold office for a term of 16 years.	- Three years of professional experience following their admission to the practice of law. - They are appointed and hold office for a term of 12 years.

Los(as) jueces(zas) deben ser nominados(as) por el(la) Gobernador(a) y confirmados(as) por el Senado. Cuando culmina su término, el(la) Gobernador(a) puede renominarlos y el Senado confirmarles nuevamente.

WHERE IS THE COURT OF FIRST INSTANCE LOCATED?

The Court of First Instance is organized into thirteen judicial regions throughout Puerto Rico. Each judicial region has a judicial center, while some have separate facilities located in different municipalities, which are known as peripheral courts.

Judicial regions are administrative units designed to better distribute cases and controversies. For a better administration of justice, the Judicial Branch has thirteen judicial regions across Puerto Rico. Each judicial region encompasses several municipalities, except San Juan. The thirteen judicial regions are:

North: Arecibo, Bayamón, San Juan y Carolina

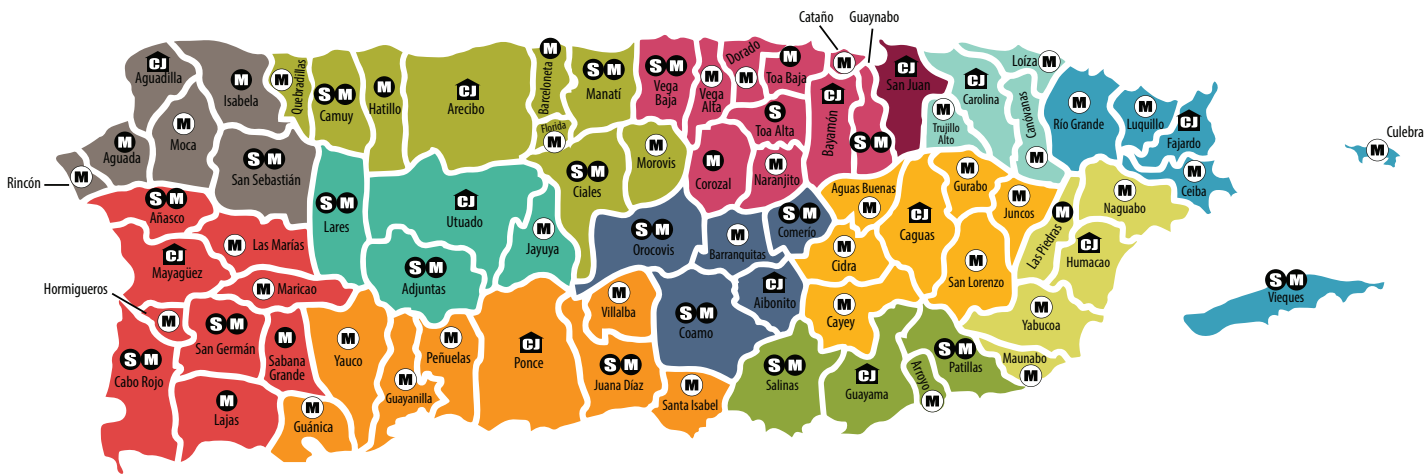
South: Ponce y Guayama

West: Mayagüez y Aguadilla

East: Humacao y Fajardo

Center: Utuado, Aibonito y Caguas

MAP OF JUDICIAL REGIONS



 REGIONAL JUDICIAL CENTER	This is the main branch in the judicial region that provides a variety of services to the community, in addition to housing superior and municipal courts. All judicial regions have a judicial center.
 SUPERIOR AND MUNICIPAL COURTS	Based on the number of cases heard by municipality and other factors, some municipalities have both a Superior Court and a Municipal Court, while others only have a Municipal Court.
	Not every municipality has a court, but on certain days cases and controversies arising in those municipalities are heard in a nearby municipality within the judicial region.

HOW IS IT DETERMINED WHERE EACH CASE WILL BE FILED AND HEARD?

The Court of First Instance is a court of general jurisdiction, with authority to act in any case or controversy brought before it arising within the territorial limits of Puerto Rico. “Jurisdiction” is the power or authority of a court to consider and decide cases and controversies, which the parties in the case must abide by.

However, there are rules that establish in which judicial region each case should be filed. These rules determine “venue,” how cases are distributed among the different courts throughout Puerto Rico. This may vary depending on the nature of the case. For example, if residents of Bayamón disagree as to where their property lines extend, it would be appropriate to file a case in the Bayamón Judicial Center. Meanwhile, if a person commits a felony in San Lorenzo, the case will be prosecuted at the Caguas Judicial Center because the municipality of San Lorenzo belongs to the Caguas Judicial Region.

DEFINITIONS

- Jurisdiction:** The power or authority of a court to consider and decide cases and controversies, which the parties in the case must abide by.
- Venue:** Rules that provide how cases are distributed among the different courts across Puerto Rico, as well as the applicable judicial region where each case must be filed.

WHAT TYPE OF CASES ARE HEARD IN THE COURT OF FIRST INSTANCE?

The Court of First Instance hears all types of civil and criminal cases, as well as special proceedings for prosecuting juvenile offenders.

TYPES OF CASES HEARD

CIVIL CASES



- These cases involve two or more people or organizations who are unable to reach an agreement on a legal matter. One of the aggrieved parties brings the action by filing a complaint, and both parties may be represented by an attorney or appear as self-represented litigants.
- There are also cases with one party, filed by a person who wished to assert a right. Typically, the case begins by filing a petition, such as a petition for change of name.
- Civil cases include matters concerning: inheritance, torts, family law (adoption, child support, custody, filiation, etc.), collection of money, foreclosures, corporate law, special and extraordinary legal proceedings, and proceedings to challenge or enforce arbitration awards in any matter, among many others.

CRIMINAL CASES



- These are cases where adults are accused of committing a crime or offense, as defined by the Puerto Rico Penal Code or other special laws.
- They are commenced by the Prosecution, prosecuting attorneys of the Department of Justice, as representatives of the State or the People of Puerto Rico, against one or more individuals.
- The purpose of the prosecution is to punish an individual suspected of engaging in unlawful conduct that is considered a crime. To do so, the Prosecution must prove beyond a reasonable doubt that the person did commit that crime.
- The case may be tried before a judge (bench trial) or a jury (jury trial). In a bench trial, a judge will determine the facts and apply the law. In a trial by jury, twelve members of the community will determine if the facts have been proven, while the judge will rule on the legal issues.

MINORS AFFAIRS



- Our legal system provides a special procedure for prosecuting juvenile offenders. This type of case arises when a person under the age of 18 is accused of committing an act contrary to law. A "offense" or "fault" is a behavior that, if committed by an adult, would be considered a crime.
- These cases are commenced by a Prosecutor for Minors' Affairs from the Department of Justice of the Executive Branch.
- These are confidential proceedings conducted in the Family and Minors Division of the Court.

WHAT IS THE DIFFERENCE BETWEEN THE MUNICIPAL COURT AND THE SUPERIOR COURT?

The main difference between them is the judge who shall presides over each proceeding and the types of cases heard.

MUNICIPAL COURT

The **Municipal Court** is part of the Court of First Instance and presided by municipal judges. As provided by law, these judges are limited to certain cases or controversies. In addition, this is where criminal complaints are first heard.

The so-called Investigations Divisions are municipal courts that are not only available to the public during regular business hours but also operate during extended hours (evenings, weekends, and holidays).

In short, a municipal court hears matters that require immediate relief, such as to protect life, mental health crises, or the commencement of criminal proceedings. It is also known as the court's "emergency room."

The Municipal Court has the authority to hear, consider, and resolve the following:



CIVIL AFFAIRS

- Proceedings on provisional legal status under Law No. 140 of 1974, as amended, known as the Controversies and Provisional Legal Status Act.
- Any petition for involuntary admission under Law No. 408 of 2000, as amended, known as the Mental Health Code of Puerto Rico.
- Any petition for a protection order filed under Law No. 57 of 2023, as amended, known as the Child Safety, Well-being, and Protection Act.
- All petitions for a protection order as under several statutes, including domestic violence, stalking, bill of rights of the elderly, child abuse, student bill of rights, and other related remedies.
- Proceedings to review an ticket issued for any administrative traffic violation under Law No. 22 of 2000, as amended, known as the Puerto Rico Vehicle and Traffic Act.
- Repossessions under Law No. 208 of 1995, as amended, known as the Commercial Transactions Act.
- Any civil matter in which the amount in dispute, legal claim, or value of the property in dispute does not exceed \$5,000, excluding interest, costs, and attorney's fees, including repossessions, chattel mortgage foreclosures, or any other lien on personal property whose amount does not exceed \$5,000, and claims for collection of money not exceeding \$15,000, excluding interest, under Civil Procedure Rule 60.

CRIMINAL MATTERS

- In the determination of probable cause and the issuance of warrants for arrest or summons, as well as search warrants.
- In the determination of probable cause and the issuance of warrants for arrest or apprehension under Law No. 88 of 1986, as amended, known as the Puerto Rico Minors' Act, and the Rules of Procedure for Minors' Matters.
- In setting and posting bail during pretrial stages in felony and misdemeanor cases.
- In the issuance of orders of detention under the following circumstances:
 - Detention pending trial
 - Forfeit of bail
- In the issuance of orders of release when bail has been posted.
- Proceedings under Criminal Procedure Rule 22 before a magistrate.
- Proceedings to receive plea agreements and sentencing for infractions of municipal ordinances.

The Superior Court is part of the Court of First Instance as well. It is presided by superior court judges who may hear any type of case or controversy. Both civil and criminal trials are heard in the Superior Court.



The **Superior Court for Civil Affairs** hears controversies or claims related to inheritance, torts, collection of money, foreclosures, corporate law, and many others. It also hears civil matters concerning family law, such as divorce, adoption, custody, or child support proceedings, among others.

Civil cases may be contentious because the parties have a dispute. They usually begin with the filing of a complaint by one of the aggrieved parties. There are also civil cases that are *ex parte* (with only one party), also known as voluntary jurisdiction, because all parties agree with the relief requested.

DEFINITIONS

Contentious: A proceeding in which two or more parties litigate a dispute.

Ex parte: It refers to matters in which, by law and at the request of interested parties, the Court must intervene but there is no contentious issue between parties. These proceedings may become contentious if any party has an adverse or conflicting interest.

The **Superior Court for Criminal Matters** hears felony and misdemeanor cases. These courtrooms have a designated area to seat jurors since in Puerto Rico only criminal cases may be heard by a jury. Criminal cases are usually brought by the Prosecution against one or more individuals who are charged with committing criminal acts contrary to law.



ARE THERE OTHER TYPES OF COURTS?

Yes. Superior court judges are administratively assigned to hear a particular type of case. The courtroom that judge will preside be named based on the type of case assigned. For example, a courtroom presided by a judge who hears criminal cases will be known as a Criminal Division. A courtroom presided by a judge who hears family law cases will be a Family Affairs Division. As for the judges who hear actions for damages, their courtrooms are known as a Torts Division. Other examples are: Electoral Division and Insurance Division.

The Extraordinary Remedies Division is located in the San Juan Judicial Center. This specific courtroom hears legal disputes in which no other relief is available. Among other causes of action, this division hears requests for injunction and mandamus. These are extraordinary remedies for a speedy, immediate, and effective relief from the Court, so the proceeding are held with urgency, summarily, and expeditiously. This means that once the complaint or petition is filed, the judge must examine and verify that it meets the established requirements, immediately set a hearing to determine whether it lies to grant the relief requested, and issue the proper orders. The difference between the Extraordinary Remedies Division and other courtrooms that hear civil cases is the immediate attention to the issue and the speedy resolution of the case. Furthermore, our court system has specialized divisions, offering a more focused approach, as staff receive in-depth, multidisciplinary training to handle specific controversies, often including additional services, such as victim support and coordination with other agencies.

Some of these specialized divisions include Mental Health Courts, Drug Courts, Gender Violence Courts, and Domestic Violence Courts. For more information about these specialized divisions, please see the Specialized Services section in this guide.

WHO WORKS AT THE COURT OF FIRST INSTANCE?

The Court of First Instance is staffed by employees whose tasks contribute to the sound administration of justice, from administrative staff and custodians to administrative judges. Below is a list of some of the people who work at the Court, according to their role in court proceedings.

COURT STAFF PARTICIPATING IN COURT PROCEEDINGS



Judge

Resolves cases and controversies filed with the Court. Depending on their designation, they may specialize in certain matters or have administrative functions in addition to their judicial duties. For example, all judicial regions have Administrative judges and judge-coordinators in different areas of the law.



Marshal

The marshal's role is to maintain security and order in the court and enforce orders. Every part of the General Court of Justice has marshals assigned to maintain order. A marshal also enforces a judge's orders outside the court. Depending on their designation, they may have additional duties. For example, marshals in the Investigations Division guide visitors, in collaboration with staff from the Office of the Clerk of the Court, and collect casefiles and docket lists. Once a case is called to order, a marshal remains in the courtroom to provide security to the people present and to execute the judge's orders.



Mediator

A Judicial Branch officer who is duly certified to act as an impartial arbitrator or intermediary in conflict or dispute resolution. Mediators offer their knowledge and assist people in reaching agreements that are satisfactory to all involved without favoring any. They work at the Judicial Branch Conflict Mediation Centers in all thirteen judicial regions.



Court Social Worker

A professional who advises and works in certain cases as an expert witness for the Court. That is to say, with their expertise, they are able to provide recommendations to the judge. This professional collaborates with judges so they may better perform their duties in the administration of justice by advising on social issues in domestic situations and in cases involving juvenile offenders who are referred to judges assigned to the Family and Minors Division. In addition, through a Forensic Social Report, they recommend actions for the judge to consider when deciding a case, and they supervise minors under court supervision, in accordance with the Puerto Rico Minors' Act.



Child Support Examiners

These are officers of the Court with a law degree. They are the first to hear, evaluate, and make recommendations on child support cases to judges. They also hold hearings, weigh the evidence, and report to the Court on their recommendations for fixing or modifying child support.



Office of the Clerk
of the Court

Staff at the Office of the Clerk of the Court assume many roles. It will all depend on where they are assigned:

Courtroom Clerk - This person will record audio of everything that happens in the courtroom (using the Court's recording equipment) and take notes of what happens during the hearings. Afterwards, they prepare a document, called the Record of Hearing, which contains everything the parties said and presented in court.

Assistant Clerk - This person receives the petitions and motions filed and is responsible for notifying the orders and judgments issued by the Court.

WHAT OTHER GOVERNMENT BRANCHES OFFICIALS PARTICIPATE IN COURT PROCEEDINGS?

Dependiendo del tipo de proceso que se celebre ante el Tribunal de Primera Instancia, puede haber personal de otras agencias gubernamentales que intervenga.

EXECUTIVE BRANCH OFFICERS PARTICIPATING IN COURT PROCEEDINGS



Prosecutor

Attorney at the Department of Justice responsible for investigating, filing charges, and presenting evidence against a person suspected of having committed a crime. They represent the People of Puerto Rico in criminal cases.



Prosecutor for Minors' Affairs

Attorney at Department of Justice responsible for enforcing the Puerto Rico Minors' Act and investigating all complaints referred by the Police that charge the commission of an offense by individuals under the age of 18.



Family Advocate

Attorney at the Department of Justice representing minors and persons with disabilities in family law proceedings (child abuse, adoption, etc.) or representing the State in civil proceedings.



Police Officer

Member of the Puerto Rico Police Department. Their role is to ensure that the community obeys the laws of Puerto Rico and to keep public order. In many cases, they are in charge of filing criminal complaints and appearing as witnesses at every stage of a criminal proceeding.

WHO ELSE MAY BE INVOLVED IN A CASE IN A PARTICULAR ROLE OR FUNCTION?

Depending on the nature of the case, whether civil or criminal, other people may assume a specific role in a judicial proceeding.

PEOPLE WHO ASSUME A PARTICULAR ROLE IN A CASE



Attorney

A person with a law degree who is authorized to practice law in Puerto Rico and for represent clients. There are attorneys who have offices or law firms and offer professional services to the person who hires them directly. Those who retain the services of an attorney are responsible for paying their fees. On the other hand, there are attorneys who work for an office that provides free legal services to people who meet certain requirements. The Legal Aid Society and Puerto Rico Legal Services are examples of such offices. The Court may also appoint an attorney to represent clients who cannot afford an attorney. These are known as court-appointed attorneys. These attorneys have their own offices, and the court assigns them pro bono cases using a series of lists.



Witness

A person who has personal knowledge of the facts that are important in deciding a case and who is ordered by a court to appear and share what they know about such facts.



Expert

A person with expertise in different fields of knowledge who, due to academic background, experience, and mastery of the subject matter, is hired to appear as a witness and offer a professional opinion on the particular issue being examined at trial.



Juror

A person selected at random from a registry to serve in a trial. To serve as a juror, a person must be at least 18 years old, be able to read and write in Spanish, be physically and mentally capable to serve, and have legally resided in Puerto Rico for one year and 90 days [in the judicial region] prior to the trial. Jurors are representatives of the community and, in Puerto Rico, are chosen to issue a verdict in a criminal case after evidence is presented in court.

HOW ARE CASES PRESENTED TO THE COURT OF FIRST INSTANCE?

This depends on the type of case. Criminal cases are presented by a prosecutor of the Department of Justice representing the People of Puerto Rico. Civil cases, on the other hand, begin by filing a lawsuit. Cases to be heard before the Court of First Instance are usually filed with the Office of the Clerk of that part of the Court.

HOW DO CASES BEFORE THE COURT OF FIRST INSTANCE PROCEED?

This depends on the type of case. The Court of First Instance hears all kinds of cases and controversies, including civil, family law, juvenile, and criminal cases. It also depends on whether the issue falls within the jurisdiction of the superior court or the municipal court. Each type of case has its own unique process and will be governed by the Rules of Evidence, the Rules of Civil Procedure, the Rules of Criminal Procedure, or the Rules of Procedure for Minors' Matters, and any other applicable law, depending on the case.

During the proceedings, the Court may issue orders and set hearings to ensure that the case takes the best course to uncover the truth. Once all the evidence has been presented, the case is usually over, and it is up to the Court (through the judge) to issue a ruling, either in the form of a resolution or a judgment.

WHAT IS A COURT ORDER?

An order issued by the Court of First Instance is an official instruction issued by a judge requiring the parties to a case to carry out a specific action. These may include arrest warrants, protection orders, search warrants, eviction orders, show cause orders, orders for the parties to state their position or to produce specific evidence, among others. These orders have the force of law and must be followed by the parties of the case.

WHAT IS A RESOLUTION? WHAT IS A JUDGMENT?

A resolution issued by the Court of First Instance ruling is a written decision entered by a judge on a specific issue within a case. It may address procedural issues, requests from the parties, or preliminary rulings before a final judgment. These resolutions may include court orders or rulings on the evidence or on motions filed by the parties.

On the other hand, a judgment of the Court of First Instance is a partial or final decision in a case. It establishes the facts that have been proven, the applicable law, and the ruling of the court. The information provided in the judgment will depend on the type of case concerned. A judgment marks the end of the proceeding at that level, although it may be appealed before an appellate court if a party is dissatisfied with the outcome.

CAN THE RECORD OF A CASE BE EXAMINED?

Court records contain all the documents filed by the parties or their attorneys throughout the case, as well as the documents issued by the Court, including record of hearing, orders, resolutions, and judgments. Except for those that are deemed confidential by law or by a court order, court records are public documents.

If the case was filed in paper form, it may be examined by the public, free of charge, either at the part of the court hearing the case or where it was heard last. Records are kept in the Court for several years, after which they are sent to the Central Archives of the Office of Court Administration, where they are kept in accordance with the Rules for Document Management.

If the case was filed through the E-Court, parties appearing as self-represented litigants or those who do not have access to the technology used by the Judicial Branch may examine the record at the Office of the Clerk of the Court or the Judicial Branch Libraries located in the Judicial Centers and request assistance from the staff.

CAN COPIES OF DOCUMENTS IN THE RECORD BE OBTAINED?

Anyone interested in obtaining a copy of any document in the record must fill out a form or application and pay the corresponding fees in internal revenue stamps. Fees will depend on the type of copy, the number of pages, and the type of case. Copies may be simple or certified. The form to request these copies may be submitted in several ways:

- In person at the Office of the Clerk of the part of the court that is hearing or heard the case
- At the Central Archives if the case is no longer at the courthouse. If the record is not at the courthouse, the person interested is given the option of requesting a digital copy of the document from the Central Archives at the Office of the Clerk of the Court of the Judicial Center of choice, regardless of where the case was filed.

Once the application is submitted, the Office of the Clerk of the Court or the Central Archives will indicate the amount of fees to be paid using the same form or application, which will be identified with the application number.

WHAT ARE THE RULES OF CONDUCT FOR ANYONE IN A COURTROOM OF THE COURT OF FIRST INSTANCE?

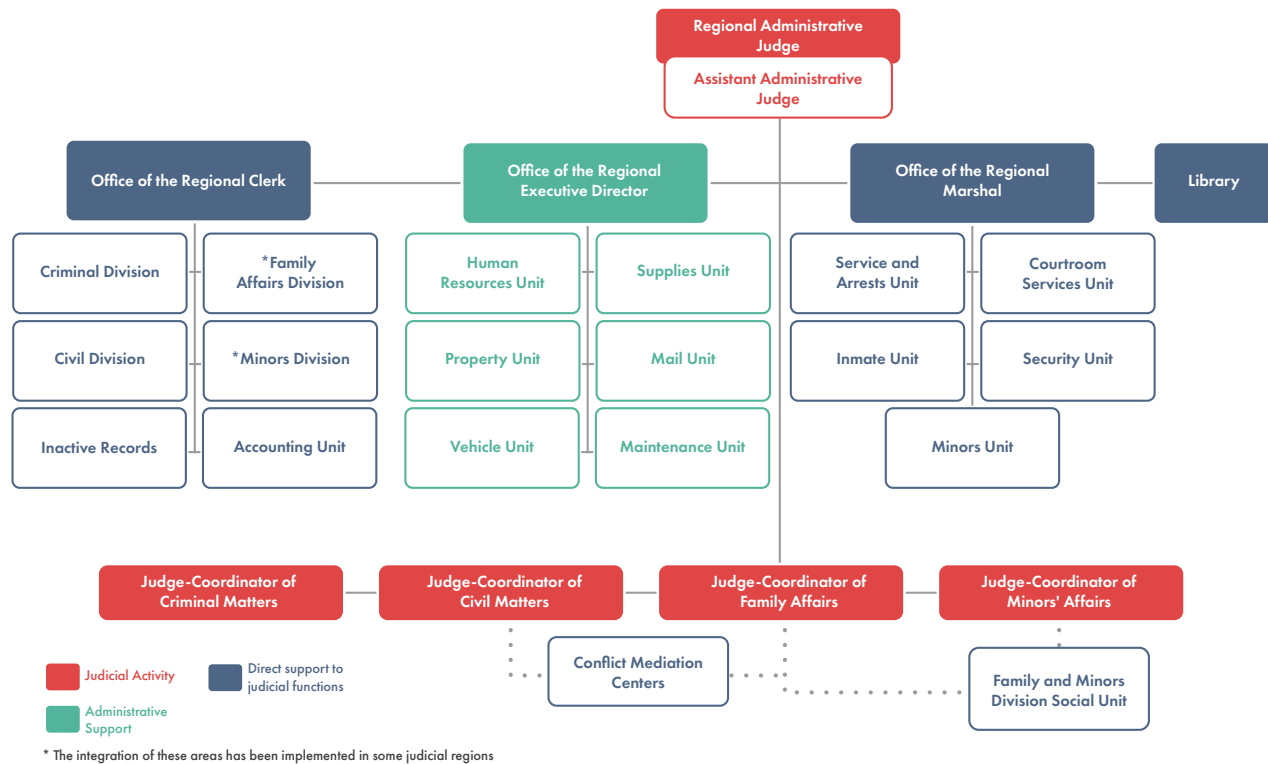
The marshal will ensure that all persons observe the following rules, which apply whether the case is held in person or by videoconference:

- Keep quiet
- Do not eat, drink, or chew gum
- Do not make comments of approval or disapproval
- No smoking
- Turn electronic devices (such as mobile phones, tablets, cameras, recorders, electronic games, etc.) off or place in silent mode
- Due to the nature of court proceedings, avoid bringing children into the courtroom
- Be respectful and courteous
- Follow the marshal's instructions (for example, when instructed to stand when the judge enters and exits the courtroom)
- Sit when instructed to do so, in the designated spaces
- Consider bringing a jacket, as it can get cold in the courtroom; dress appropriately

ADMINISTRATIVE ORGANIZATION

The administrative organization of the Court of First Instance is provided in the Rules of Administration for the Court of First Instance of the Commonwealth of Puerto Rico, adopted pursuant to the authority vested in the Supreme Court under Article V of the Constitution of the Commonwealth of Puerto Rico and the Judiciary Act of the Commonwealth of Puerto Rico of 2003, as amended.

ORGANIZATION CHART OF THE COURT OF FIRST INSTANCE



WHAT DUTIES DOES A REGIONAL ADMINISTRATIVE JUDGE PERFORM? WHAT DUTIES DOES AN ASSISTANT ADMINISTRATIVE JUDGE PERFORM?

The Chief Justice of the Supreme Court appoints an administrative judge for each judicial region, selected from among the superior court judges. In addition to faithfully fulfilling their judicial duties, administrative judges are in charge of overseeing and ensuring the proper operation of their region. They are responsible for ensuring that the judicial and administrative services in the region are rendered promptly and impartially and that they remain accessible to the public. In addition, they ensure compliance with the rules, guidelines, and administrative procedures established by the Supreme Court. Administrative judges must also actively collaborate with the Office of Court Administration in implementing any administrative rules to develop and improve systems.

Closely related, upon recommendation of the administrative judge of each judicial region, the Chief Justice shall appoint a deputy administrative judge, who will act in place of the administrative judge when absent and assist in the discharge of their duties. The Chief Justice will also designate administrative judges and assistant administrative judges to manage and supervise the parts of the Court and peripheral courtrooms not located in the judicial center of the judicial region.

Be it noted that all regional administrative judges are members of the Judicial Advisory Council, an advisory body to the Chief Justice and the Administrative Director of the Courts, which meets periodically to address matters concerning judicial administration. The administrative judge of the Court of Appeals is also a member of the Judicial Advisory Council.

WHAT ARE THE DUTIES OF A JUDGE-COORDINATOR?

The Chief Justice may appoint Judge-Coordinators of Judicial Affairs of the Court of First Instance to coordinate certain special matters, such as the civil, criminal, and family and minors divisions.

In addition to serving as judges, they help ensure that proceedings run smoothly, according to the assigned area or division. They also support the judicial function with administrative tasks to ensure efficient proceedings and optimize resources by facilitating the distribution and assignment of cases.

WHAT ARE THE DUTIES OF A REGIONAL CLERK?

Regional Clerks play a key role in the judicial administration of each region. Their main duty is to direct the Office of the Clerk of the Court of the Judicial Center and the peripheral courts of the corresponding region. Other duties they perform include the administrative supervision of the clerks in that region, such as handling personnel and human resources matters, managing resources and equipment necessary for the efficient operation of the Office of the Clerk of the Court, and ensuring compliance with administrative regulations, among others.

WHAT IS THE OFFICE OF THE CLERK OF THE COURT OF FIRST INSTANCE?

The Office of the Clerk of the Court of First Instance is usually an individual's first point of contact with the courts when requesting services, either personally or through an attorney. These administrative offices are responsible for processing documents, records, and other procedures within the court. These offices also play a key role in the organization and operation of the judicial system, ensuring that cases are prosecuted efficiently.

The operation of the Office of the Clerk of the Court is carried out by a coordinated and specialized group whose tasks include:

- **Record management:** organize and keep the docket of court cases
- **Receiving documents:** process and assign briefs, complaints, and motions filed by the parties
- **Notifying court decisions:** communicate the court's decisions to the parties concerned
- **Coordinating/scheduling hearings:** enter court dates in the calendar and ensure that the record is complete
- **Customer care:** provide information on judicial proceedings and processes before the courts

WHAT IS THE ACCOUNTS UNIT?

The Office of the Clerk of the Court is in charge of the Accounts Unit. Its primary function is to collect, record, and deposit money and securities tendered by the parties in relation to a case or controversy before the court into the corresponding Court System account.

Once the court determines the manner in which deposited funds will be disposed, the Accounts Unit will disburse or allow the withdrawal of funds by the interested parties. In addition, the Accounts Unit is responsible for receiving payments for fines or sanctions imposed by the Court. All public and private funds so collected are disclosed in a

monthly financial report that is submitted to the agencies and departments concerned.

WHAT ARE THE DUTIES OF A REGIONAL EXECUTIVE DIRECTOR?

The Regional Executive Director assists in the proper administration and annual strategic planning, managing the region's resources, including human resources, budget, and information systems, overseeing compliance with the rules and regulations of the Supreme Court and the Office of Court Administration, assisting with budget management and funding requests, and participating in special Judicial Branch projects and initiatives, among other duties.

WHAT ARE THE DUTIES OF THE OFFICE OF ADMINISTRATIVE SERVICES?

This office is responsible for the planning, direction, coordination, supervision, and evaluation of activities related to the operation and administration of the Court of First Instance in each Judicial Region, such as human resources, budget, procurement, infrastructure, facility maintenance, information systems, and other related affairs. It also includes a Human Resources Unit that is responsible for processing personnel matters. Additionally, it assists the Office of Court Administration with administrative matters, as required.

WHAT ARE THE DUTIES OF A REGIONAL MARSHAL?

The Regional Marshal plays a key role in security and serving court orders as this person heads the Judicial Center's Office of the Marshal and supervises the marshals at a Judicial Region.

WHAT IS THE OFFICE OF THE MARSHAL?

This office is responsible for the security of the staff, the property of the Court, and keeping order in the courtroom. There are several units where a marshal may work, such as:

- Security
- Custody and Transportation of Inmates (within the Court)
- Subpoenas and Arrests
- Auctions
- Courtroom Services

The speedy administration of justice depends in large part on the processing and service of orders issued each day by judges in proceedings across the various divisions of the Court of First Instance. Marshals are authorized to serve such orders within terms provided by law and in the rules of procedure. The Subpoenas and Arrests Unit of the Marshal's Office is responsible for serving such orders.

WHAT ARE THE DUTIES OF A MARSHAL?

Marshals perform duties inside and outside the courthouse, providing security at the main entrance, within the courtroom and in lobbies, and the areas surrounding the courthouse. At the courthouse, they provide security within the facilities, ensure order and proper conduct during court proceedings, and provide protection to Judicial Branch officers and visitors.

DO JUDGES HAVE SUPPORT TO RESOLVE CASES?

Yes. The Court of First Instance has several administrative offices (as described above) that support the judicial function. In addition to its administrative offices, courts are staffed by law clerks who work directly with the judges.

WHAT DOES A LAW CLERK DO?

In general, a law clerk is a Judicial Branch officer who works with a specific judge, advising on administrative and legal matters or, when part of a panel, conducting research and writing drafts related to cases filed with the Court.

WHAT ARE THE DUTIES OF A LAW CLERK?

Law clerks are usually responsible for keeping the judge informed about the progress of cases pending before the Court. Among the main duties of a law clerk are:

- Studying the cases that will be heard (usually, preparing a summary of the case file and making a recommendation)
- Conducting legal research on specific controversies in cases assigned to the judge
- Drafting position papers for the cases they are assigned

WHAT ARE THE LIBRARIES OF THE COURT OF FIRST INSTANCE?

The Judicial Branch has several libraries specializing in legal publications, both in print and digital. These are intended to provide the resources, services, and referrals that the staff and judges require to carry out their duty of imparting justice. To this end, all libraries offer free Wi-Fi and access to the legal research intranet tool, and searchable online databases such as SEBI, Microjuris, and Westlaw.

Library staff assist in the finding, using, and accessing of bibliographic resources in both print and digital formats. This service is available to attorneys and to the general public, who may consult library resources.

SPECIALIZED SERVICES

The Court of First Instance has specialized services in its various courts and divisions. These services typically have offices or designated spaces within the court. Below is a summary of some of the specialized services available.



SOCIAL SERVICES

The Judicial Branch has a Family and Minors' Social Service Unit in recognition of the importance of integrating social workers as collaborators in resolving disputes in Family and Minors Divisions. These units are supervised by the Social Services Office.

Some of the services offered by the Social Services Units are:

- Professional advice to judges through evaluations conducted to learn the situation of a minor in a legal dispute and parties to a case in a Family and Minors Division
- Supervision of juveniles on probation
- Providing socioeconomic reports on indigent persons who are allegedly incapacitated
- Offering educational workshops to prevent the long-term emotional, social, and academic problems children face after their parents' divorce or separation
- They cover topics such as emotional management, bullying, custody, domestic relations, and the Juvenile Justice System

The Diagnostic Clinic, under the Social Services Office, comprises psychologists and psychiatrists hired by the Judicial Branch to:

- Perform psychological and psychiatric evaluations of children and adults referred by court order in cases being heard in the Family and Minors Division
- Handle employee referrals through the Employee Assistance Program (EAP) of the Occupational Safety and Health Division of the Office of Court Administration

The Social Service Units serve those who are referred there by judges of the Family and Minors Division. Workshops usually target couples who have filed an action in court for custody or visitation following a divorce or separation.



CONFLICT MEDIATION CENTERS

These centers offer mediation, guidance, and referrals to other public or private services that may help in resolving disputes. Mediation is one of the alternative dispute resolution methods by which individuals may resolve their own disputes outside the courts.

Mediation consists of a dialogue through which, with the help of an impartial mediator (who does not favor any party and has the necessary training to offer their knowhow and skills), each party in a dispute has the opportunity to present their side of the situation and voluntarily participates in reaching an agreement to end the conflict in a way that satisfies both parties. This service is confidential and free.

The guidance and mediation may be conducted in person or by videoconference.



PRO SE CENTERS

The Pro Se Centers offer general information about the court system and certain judicial proceedings to those who are interested in appearing as self-represented litigants. The orientation officers who provide services at the Pro Se Centers are not attorneys, so they cannot offer legal advice. The information and assistance provided does not replace the professional services of an attorney. Services provided at the Pro Se Centers are free of charge.

Orientation to self-represented litigants is offered over the phone, by videoconference, or in person.



ACCESSIBILITY PROGRAM

The objective of this Program is to enable the courts and other Judicial Branch units to comply with federal and local law pertaining to the rights of individuals with functional diversity and make arrangements for reasonable modifications needed to ensure that such individuals have adequate access to justice.

The type of reasonable accommodation provided by the court will depend on the individual's needs, the proceedings being held, and the availability of different types of services and equipment.

Below are some examples:

- In-court sign language interpreters
- Virtual remote interpreting (VRI)
- Assistive technology equipment, such as personal sound amplification systems and remote sound amplifiers.

To receive reasonable modification, a service request must be submitted in writing using the form available on the website, www.poderjudicial.pr, or in person at the corresponding Office of the Clerk of the Court.



DRUG COURTS

The Drug Court program serves individuals charged with nonviolent offenses related to substance and alcohol use disorders using a therapeutic justice approach offered through the specialized courts.

This service is only available to individuals accused of certain crimes. It is not intended for the general community. Defendants must meet certain eligibility criteria to participate, including:

- **Being charged with a nonviolent felony and have pleaded guilty**
- **Have a substance and/or alcohol use disorder**
- **Be interested and willing to receive treatment and comply with the program's conditions**
- **Having no prior criminal record or a limited, nonviolent criminal record**
- **The crime charged must be directly related to the substance and/or alcohol use disorder.**



MENTAL HEALTH ACCESS TO JUSTICE PROGRAM (PAAS, IN SPANISH)

The Mental Health Access to Justice Program promotes greater access to justice for people who have or are suspected of having a mental health disorder and who urgently need help. This program develops, implements, coordinates, and provides continuity to projects that help guarantee the rights and access to physical and mental health services, as well as social and emotional support for this population to achieve their best possible health. It integrates the participant's support networks during their recovery process. It also provides judges with support structures, integrating other tools and components to achieve this goal. This Program has implemented initiatives such as the Mental Health Project, better known as the Mental Health Courts.

The legal remedies under Law No. 408 of 2000, known as the Mental Health Code of Puerto Rico, can be heard in any part of the Court of First Instance. They can be requested at the Municipal Court closest to the person for whom the order or legal remedy is being requested during regular business hours. After regular business hours, requests can be made at the Investigations Divisions with extended hours or at the nearest police station, where an on-call judge will be contacted.



GENDER VIOLENCE COURT PROGRAM

This program seeks to integrate specialized attention to both civil and criminal domestic and sexual violence cases involving children, adolescents, and adults. The program coordinates Judicial Branch initiatives in its mission to address social problem that is domestic violence in Puerto Rico. These initiatives include the Specialized Domestic Violence Court Project, the Specialization Services Project for Domestic Violence Cases, and the Gender Violence Court Project.

A protection order for domestic or sexual violence may be filed at any part of the Court of First Instance or specialized court. The Judicial Branch's specialized services for domestic and sexual violence cases are available during regular business hours. After hours, the nearest Investigations Division with extended hours or the nearest police station will be available to contact an on-call judge.



COURT IMPROVEMENT PROJECT

The Court Improvement Project is a Judicial Branch initiative that seeks to develop specific strategies for child abuse and neglect cases.

This service is not available to the general community. To receive these services, a judge of the Court of First Instance must refer the person whose child has been removed by the Department of the Family to the assistant project coordinator. This coordinator will offer guidance to the person whose child was removed by the Department of the Family and make a referral to an external organization to receive free legal representation, if eligible.



YOUTH PROGRAM

The Youth Program seeks to encourage participating youths to improve school attendance and behavioral problems in family and school settings, among other objectives. In order to achieve social cohesion within the community, this Judicial Branch initiative seeks to contribute to the development of well-rounded and productive individuals. The Youth Program collaborates with a mentor judge in an extrajudicial role with the participating youth. It also integrates the intervention of an Assistant Coordinator and the collaboration of other behavioral professionals to achieve the program's objectives.

For service hours of courts, Investigations Divisions, and specialized services, you may access the Judicial Branch Interactive Map and the Judicial Branch Directory, both available at www.poderjudicial.pr.

FACILITIES

The Court of First Instance has sites throughout Puerto Rico. Each Judicial Region has a Judicial Center, which is considered the main building. This building houses the courtrooms and administrative offices that provide services and support to the court system throughout the Judicial Region. In addition to administrative offices, courthouses may also host offices for other government agencies and external organizations participating in court proceedings, such as: the Office of Prosecuting Attorneys, Puerto Rico Police, Legal Aid Society, Puerto Rico Legal Services, Inc., and Internal Revenue Collection Centers. Some Judicial Centers also house offices of the Property Registry. Below is an outline of some of the administrative areas and offices of the Judicial Branch that you may find at the Court of First Instance.

SECURITY AREA AT ENTRANCE



- Subcontracted security and marshals work here.
- Anyone visiting the courthouse should be aware that there will be staff at the entrance to search their belongings.
- The staff posted at the entrance can direct people to where they need to go or refer them to where they can obtain additional information.

- Marshals perform duties both inside and outside the courthouse.
- At the courthouse, they provide security within the facilities, ensure order and proper conduct during court proceedings, and provide protection to Judicial Branch officers and visitors.
- They provide surveillance at the main entrances of the courthouse and in the courtrooms, lobbies, and surrounding areas.

MARSHAL AREA



CAMERA ROOM



- Persons visiting the Court should be aware that there are active security cameras recording within the premises of the Court of First Instance. This measure seeks to guarantee the safety and proper operation of the facilities.

INMATE AREA/CELLS



- When an inmate in a correctional institution needs to appear before the Court as a witness or for any other matter, the Court will issue an order, to be served by the Subpoenas and Arrests Unit of the Office of the Marshal. Once the inmate is in the custody of the Court, the marshals are responsible for ensuring their safety, as well as that of the general public and the rest of the staff.
- The Court has designated areas to hold and monitor inmates.

- Marshals are posted at the entrance to the Investigations Division to direct and guide visitors.
- Marshals offer guidance, provide the proper forms, work with with the Office of the Clerk of the Court, and collect files and calendars. Once a case is called, they remain in the courtroom to provide security to those present and enforce the judge's orders.

INVESTIGATIONS DIVISION WAITING AREA



INVESTIGATIONS DIVISION



- The Investigations Divisions are municipal courts that are so labeled because they are available to the public during regular business hours and on an extended schedule evenings and on weekends and holidays.
- Matters that require immediate action are heard in these divisions, including proceedings to protect life, mental health crises, and the commencement of a criminal prosecution. They are considered the court system's "emergency room."

- The Offices of the Clerk of the Court of First Instance are usually an individual's first point of contact with the courts when requesting services, either directly or through an attorney.
- The tasks carried out here are performed by a coordinated and specialized group.
- The Office of the Clerk of the Court is in charge of the Accounting Unit.

OFFICE OF THE CLERK OF THE COURT



ACCOUNTS UNIT



- The Accounts Unit's primary function is to collect, record, and deposit all money and securities tendered by the parties in relation to a case or controversy before the court into the proper Court System account. Once a judge determines the appropriate course of action, the Unit will disburse or allow the withdrawal of funds by the interested parties.
- In addition, this unit is responsible for receiving payments for fines or sanctions imposed by the Court.

- Except for files deemed confidential by law or by a court order, case files are considered public.
- If the case was filed in paper form, the record be examined by the public, free of charge, either at the part of the court hearing the case or where it was heard last.

RECORDS AREA



CLOSED CASE ARCHIVES



- Records are kept in the court for several years in an area known as the Closed Case Archives. Afterwards, they are sent to the Central Archives of the Office of Court Administration, where they are kept in accordance with the Rules for Document Management.

- If the case was filed through the E-Court, parties appearing as self-represented litigants or those who do not have access to the technology used by the Judicial Branch may examine the record at the Office of the Clerk of the Court.

ELECTRONIC RECORDS



EXAMINING RECORDS AT LIBRARIES



- Electronic case files can also be examined at Judicial Branch libraries.
- Each library has a computer available to the public to search the catalog of all resources in Judicial Branch libraries. A legal research database is also available.

- The Judicial Branch has specialized libraries featuring legal publications, both print and digital, designed to provide the necessary resources, services, and references for officers to carry out their work in the administration of justice.
- Staff assist with searching, using, and accessing bibliographic resources in both print and digital formats.
- This service is available to attorneys and to the general public, who may consult library resources.

LIBRARIES



COURTROOMS



- A courthouse may have a Municipal Court and a Superior Court. It may also have a specialized court.
- All visitors must conduct themselves in an orderly fashion and may not linger in the hallways or disrupt the court or courtrooms where proceedings are held.

- Superior Courts are part of the Court of First Instance and are presided by superior court judges who may hear any type of case or controversy. Civil and criminal trials are held here.

SUPERIOR COURT FOR CIVIL AFFAIRS



SUPERIOR COURT FOR CRIMINAL MATTERS



- Courtrooms presided by judges who hear criminal cases are known as Criminal Divisions.
- Criminal Division courtrooms are different because they have a designated space for the jury.

- In a trial by jury, twelve members of the community will decide whether the facts have been proven or not while the judge will decide controversies of law.
- The Court has designated areas for the jury to deliberate.

JURY ROOM



SPECIALIZED COURTS



- Specialized courts hear specific cases.
- They have a team of specialized professionals who provide support to individuals and assist in the judicial function. Currently, there are specialized courts called: Drug Courts, Mental Health Courts, Domestic Violence Courts, and Gender Violence Courts.

- Social workers are vital in resolving cases in Family and Minors Divisions of the court.
- These professionals are experts in human behavior, so they may make recommendations to judges based on their findings in the social reports.

CHILDREN'S AREA



FAMILY AND MINORS SOCIAL SERVICE UNITS



- Facilities supervised by the Social Services Offices.
- They offer services to the people referred by the judges of the Family and Minors Division.

- These centers offer mediation, guidance, and referrals to other public or private services that may help in resolving disputes. Mediation is one of the alternative dispute resolution methods by which individuals may resolve their own disputes outside the courts.

CONFLICT MEDIATION CENTERS



OFFICES FOR EXTERNAL ORGANIZATIONS



- Courthouses may also host offices for other government agencies and external organizations participating in court proceedings, such as: the Office of Prosecuting Attorneys, Puerto Rico Police, Legal Aid Society, Puerto Rico Legal Services, Inc., and Internal Revenue Collection Centers.
- The Judicial Branch has no administrative control or oversight over external organization located in the courts. Therefore, the hours of operation of these offices may differ from those of the courts.

SERVICE SCHEDULE

The hours of operation of the courts are Monday through Friday, from 8:30 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m., unless the work demands additional hours or days or special schedules, as authorized by the Chief Justice and the Administrative Director. Investigations Divisions are open during extended hours on evenings, weekends, and holidays.

A filing box is available outside the judicial centers, Monday through Friday from 5:00 p.m. to 12:00 a.m., where complaints, petitions, and motions may be deposited for consideration by the Court. Anyone filing papers at the filing box must make sure to use the time stamp to record the filing date and time.



**Judicial Branch
of Puerto Rico**