



Community Justice over Minor Causes, its implementation in Rosario and Santa Fe

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Received: April 2015 – Accepted: August 2015

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In March 2011 the Legislature of the Province of Santa Fe approved Law No. 13,178 amending the current Organic Law of the Judicial Branch No. 10,160 and No. 5531 Civil Procedure Code and Trade Act of the Province of Santa Fe, by which the powers attributed to Small Claims Judge , as well as the requirements for access to the post, requiring legislative approval to become a lawyer , widening the capacity to intervene and resolve interpersonal conflicts , generating an enlarged judiciary is modified.

Beginning the analysis from the main changes in the law, in its article 3 of Law No. 13,178 , amending Article 7 of Law No. 10,160 being drafted in the following way :

- " ... 6) In the following act every Commune Community judges of the Small Claims ... :
- 6.1) Commune 2 - Circuit 1 , (The Capital) : Six judges ;
 - 6.2) Commune 5 - Circuit 2 (Rosario) : eight judges ;

In reality the creations of different small claims courts , have occurred in locations where the structures had been operating since the old Magistrates Courts , or Community, but from the Sanción de la norma, y Hasta el Presente no se ha dado Cumplimiento a la Creación de Nuevos juzgados Que crea la ley.

The creation of the estates of justice , related to small claims courts in the cities of Rosario and Santa Fe , are actually the most important creations of this system is its last end decompress the administration of justice Community of proximity - word of the deputy presenter Dr. Raul Lamberto.

No exception to this analysis of the collapse is due to the large number of court cases small amount and easily resolved , without being violated rights of the parties and that empire of the same process implemented by the code rite extends the procedure too much.

That is why , this work aims to give a humble contribution to the necessary implementation of the so-called " small claims courts " in the Municipality of Rosario and Santa Fe , love it show a snapshot of the judicial system, which is collapsed by the lack implementation of public policies for the redistribution of powers , contributing to a network of distortion of the real access to justice , granting a deficient justice system both qualitatively and cuantitativa.

In this respect the norm created and understand necessary- Community 's application- in small claims courts throughout the province of Santa Fe , with special reference in the cities of Rosario and Santa Fe , this procedure that contains an extension of the Material and quantitative competence of existing community judges , as created eight Community Small Claims courts in the second judicial district of Santa Fe , Rosario.-

The Municipal Organization Decentralization.

Rosario has become a metropolis of difficult geographical dimensions of accessibility to all citizens have their rights and are necessarily in central management devices.

That is why Rosario has implemented the Modernization and Decentralization Program is running, which involves the territorial organization of the city into six strategically located Municipal District Centres (CMD).

This process desentralización the administrative competition starts from 1997 and until today a municipal program of decentralization of tasks embodied in 6 districts (Central, North , South, West , Northwest and Southwest) took place.

On the other hand we have implemented a program of citizen participation that the Municipality of Rosario are developing so-called " Program Instances Mediation Conflict Intersubjetivo Neighborhood " , through mediators municipal jurisdiction to implement alternative solutions to conflicts and therefore it is understood that its implementation would be healthy within the purposes of art. 575 CPCyC SF.

Hopefully, the implementation of an instance of jurisdiction within the CMD allows citizens , in addition to all municipal procedures, make use of the services corresponding to the amicable settlement of their competing interests in an efficient way and cercano.- access

En la Actualidad Seis heno CMD :

- District Center " Antonio Berni »
- District North« Villa Hortensia »
- District West « Felipe Moré »
- District Northwest « Olga y Leticia Cossettini »
- District South « Rosa Ziperovich » y
- District South west « Emilia Bertolé »

As stated , under current regulations for the city of Rosario , it is arranged to create 8 small claims courts , and suggested implementing them in the CMD , which are only 6. It would be proposed for discussion through socio- geographic studies of the 7th and 8th courts are distributed , first in the " Special Plan of Reorganization Ex Urban Battalion 121 " with its restructuring by Decree No. 9027/2012 , has created an ideal space for your implementación.

The Proposed land belongs to the province of Santa Fe , and the judiciary being one of the powers of the provincial government should be been to the signing of several agreements of utilization. In making ? The establishment of the 8th and last UN would be advisable to use electronic space in the new railway station south, called " Rosario Sur" in this case the agreement must be made with the State Nacional.-

BENEFITS OF THE IMPLEMENTATION OF THE COURTS OF SMALL CAUSES IN THE CITY OF ROSARIO :

Are undeniable benefits that entails the implementation of a closer , more accessible and less costly for all citizens justice.

We understand that with the enactment of this rule we are in presence of a new model of justice of proximity , and we intend to serve and look forward to resolving petty disputes of men and women of the Province of Santa Fe , by offering a particular route fast and effective protection ; mission that necessarily must be operated committed all right , in their implementation, to generate agents of transmission of the benefits of the system in their utilización.-

Simplification of legal proceedings:

This principle , that rule to all proceedings in the small claims courts , does not mean the absolute abandonment of the ways the procedures established constitutional safeguard of due process and the bilateral , but a guide in order to do more flexible and simplify the procedures of the process, adhering to the ultimate end, which has the express procedural rule of the right composition intereses.-

final Words - Conclusion

We can conclude that the implementation of the Community Justice of the Small Claims under No. 13.178 Law, in the city of Rosario, through the Centres of Districts, distributed in the city and the other proposed sites, leading to the society a whole new vision of judicial proceedings, and so a new paradigm is built to all operators of-Justice

So we can say that the closeness of justice to citizens and reference have the same with the Centres of Districts (CMD), is an unbeatable combination to achieve a more accessible justice, to achieve our constituents envisioned to establish the "entrenchment of justice" by a justice for all and todas.

We understand that in this way the administration of justice, enable access, in a simple, straightforward, and participation of citizens, for all who wish a quick and efficient way out of their conflict intersubjetivos.

Justice is one of the mechanisms of social pacification most powerful and important that has every society and in particular the implementation of the Community Justice Small Causes, it will be reflected the principles of legal guarantees to justiciables.-

That is why you should try a development of inclusion rather than exclusion, development for all and not just a few, to invite all members of society to use this tool, and not the exclusivity of justice aristocratic, efficiency and transparency and not judicial bureaucracy, control of the judicial acts, in itself, make justice accessible to all, designed to improve the quality of life and make it more human.

On this basis, we can say without doubt that this figure intended to be the bridge or link to unrestricted access to justice, make the community a better place to live.

It remains for the authorities of the judiciary as a provincial competence and compliance of the aforementioned municipality in exercise of autonomia Municipal - art. CN 5 to 123, step forward and have between the Province of Santa Fe and the Municipality of Rosario operating framework agreement of judicial activity in the city of Rosario and Santa Faith.- is why you should try to development of inclusion rather than exclusion, development for all and not just a few, to invite all members of society to use this tool, not the aristocratic exclusivity justice, efficiency and transparency and non- judicial bureaucracy, control of the judicial acts, in

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