FACT #1

JUDGES ARE AMONG THE RICHEST PEOPLE IN BRAZIL.

IT HAPPENS DUE TO SUPER SALARIES, SO HIGH THAT SURPASS THE CONSTITUTIONAL MAXIMUM WAGE ESTABLISHED.
FATO #1

51% OF BRAZILIAN JUDGES COME FROM THE UPPER SOCIAL CLASSES

OS JUIZES ESTÃO ENTRE AS PESSOAS MAIS RICAS DO BRASIL.
E PARA CHEGAR NESTE NÍVEL, A MAIORIA DELES GANA MAIS QUE O TETO CONSTITUCIONAL.
Os juízes estão entre as pessoas mais ricas do Brasil. E para chegar nesse patamar, a maioria deles ganha mais que o teto constitucional.

100% become part of the 0,08% richest people in the country after entering the magistrature.
BUDGET

JUDICIARY POWER EXPENSES AS PERCENTAGE OF GDP

<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Espanha</td>
<td>0.12%</td>
</tr>
<tr>
<td>Argentina</td>
<td>0.13%</td>
</tr>
<tr>
<td>Estados Unidos</td>
<td>0.14%</td>
</tr>
<tr>
<td>Inglaterra</td>
<td>0.14%</td>
</tr>
<tr>
<td>Itália</td>
<td>0.19%</td>
</tr>
<tr>
<td>Colômbia</td>
<td>0.21%</td>
</tr>
<tr>
<td>Chile</td>
<td>0.22%</td>
</tr>
<tr>
<td>Portugal</td>
<td>0.28%</td>
</tr>
<tr>
<td>Alemanha</td>
<td>0.32%</td>
</tr>
<tr>
<td>Venezuela</td>
<td>0.34%</td>
</tr>
<tr>
<td>Brasil</td>
<td>1.30%</td>
</tr>
</tbody>
</table>

Source: Zaidan e Lima, 2014
FACT #2

THE THREE POWERS MUST BE INDEPENDENT,
but this premise doesn’t stand as often as it should.
FACT #3

THE STRONG DO WHAT THEY CAN,
THE WEAK SUFFER WHAT THEY MUST.
AND IN THIS CASE,
THE WEAK IS ALL BRAZILIAN PEOPLE.
BRAZIL HAS THE 3RD BIGGEST PRISON POPULATION IN THE WORLD

Homicides in Brazil | 2016
62,517 homicides

Source: Atlas da Violência, 2019. IPEA/FBSP.
WE WANT TO UNDERSTAND HOW THE JUSTICE SYSTEM’S MANAGEMENT IS REALLY HAPPENING IN BRAZIL.
WE’VE CREATED AN AUTOMATED TOOL THAT COLLECTS GREAT AMOUNTS OF DATA FROM PUBLIC MINISTRIES AND OFFICES, STATE ASSEMBLIES AND GOVERNMENTS.
WE STARTED WITH THREE BRAZILIAN STATES: CEARÁ, SÃO PAULO AND PARANÁ
OUR WORK IS ORGANIZED IN FOUR LINES OF RESEARCH. EACH OF THEM FOCUSED ON A SPECIFIC PART OF THIS JUSTICE SYSTEM PUZZLE.
Our focus is on how budget negotiations are engaged within the three branches of government, and we investigate the relationship between salary expectations in legal careers and how funds are earmarked for legal institutions. These amounts are then compared with those earmarked for other areas, like policies involving inmates in the prison system.

Legislative assemblies should debate public budget proposals (annual budget laws and additional funding), but the legislative has shifted part of this power over to the executive. We are mapping what percentage of additional funds may be distributed directly by governors, and how much ends up in the justice system.

A "SUSPENSÃO DE SEGURANÇA" (stay of preliminary order) is a tool that grants the presiding court authority the power to suspend the effects of decisions made against the government in the trial court. We want to understand how the court presidents in the justice system respond to these requests.

Our goal is to understand what impacts race and gender have on the makeup and administration of legal careers. We are not just looking at how many women and people of color join the profession, we also want to see how well they are represented in positions of authority.
GENDER AND RACE
DATA ABOUT THE RACE AND GENDER OF MEMBERS OF INSTITUTIONS WITHIN THE JUSTICE SYSTEM ARE NOT MADE AVAILABLE ON THEIR WEBSITES. JUSTA HAS SUBMITTED REQUESTS TO ACCESS THAT INFORMATION FROM COURTS (THE “TJ”), THE PROSECUTION MINISTRY (THE “MP”) AND THE PUBLIC DEFENDERS OFFICES (THE “DP”) IN THE THREE STATES (SÃO PAULO “SP”, PARANÁ “PR” AND CEARÁ “CE”) RESEARCHED, BUT WE HAVE NOT RECEIVED RESPONSES.

BECAUSE THIS INFORMATION HAS NOT BEEN MADE AVAILABLE, JUSTA HAS ASKED THE BRAZILIAN NATIONAL JUSTICE COUNCIL (THE “CNJ”) FOR RESEARCH INTO THE 2018 SOCIO-ECONOMIC PROFILE OF BRAZILIAN MAGISTRATES DATABASE. THE CNJ STATISTICS SECTOR SUPPLIED JUSTA WITH EXCLUSIVE CROSS-REFERENCED RESEARCH MICORDATA.

THE CNJ RESEARCH RESULTS TOOK SELF REPORTING INTO ACCOUNT, AND THE STATE JUSTICE SYSTEM MAGISTRATE RESPONSE RATE WAS 64.7%. WHEN THE DATA IS BROKEN DOWN BY STATE, THERE MAY BE DIFFERENCES IN THE ACTUAL PERCENTAGES OF MAGISTRATES, BECAUSE THE SAMPLE DISTRIBUTION OBTAINED BY THE CNJ FOR EACH STATE VARIED BETWEEN 43.3% AND 82.2% FOR THE DIFFERENT STATE COURT SYSTEMS.

THE JUSTA TEAM ALSO USED 2010 IBGE CENSUS DATA (IGBE - BRAZILIAN GEOGRAPHY AND STATISTICS INSTITUTE) TO ANALYZE THE BREAKDOWN OF RACIAL AND GENDER REPRESENTATION WITHIN THE BRAZILIAN POPULATION, AS WELL AS AMONG JUDGES.

THE EXCLUSIVE DATA THE CNJ MADE AVAILABLE ALLOWED JUSTA TO PERFORM AN EXCLUSIVE ANALYSIS OF THE RACIAL AND GENDER BREAKDOWN OF JUDGES IN THE STATE COURTS, BY STATE AND THROUGHOUT BRAZIL, BY POSITION (JUDGE OR APPEALS COURT JUDGE).
BRAZILIAN POPULATION DISTRIBUTION, STATE COURT JUDGES AND APPEALS COURT JUDGES, BROKEN DOWN BY RACE AND BY GENDER

FOR EVERY BLACK WOMAN IN BRAZIL, THERE ARE 0.9 WHITE MEN.
BRAZILIAN POPULATION DISTRIBUTION, STATE COURT JUDGES AND APPEALS COURT JUDGES, BROKEN DOWN BY RACE AND BY GENDER

MALE AND FEMALE JUDGES

BLACK PEOPLE

MALE

6.6%

FEMALE

WHITE PEOPLE

MALE

31.8%

FEMALE

48.3%

BUT FOR EVERY BLACK FEMALE JUDGE, THERE ARE 7.4 WHITE MALE JUDGES

Source CJN, 2018 | Prepared by Justa
MALE AND FEMALE APPEALS COURT JUDGES

AND FOR EVERY BLACK FEMALE APPEALS COURT JUDGE, THERE ARE 3.5 WHITE MALE APPEALS COURT JUDGES.

Source CJN, 2018 | Prepared by Justa
White men are 37.8 times more likely than black women to become appeals court judges.

White men are 8.2 times more likely than black women to become judges.

White male judges are 4.6 times more likely than black female judges to become appeals court judges.
The 2018 data for the state of Paraná had not been released prior to the conclusion of this research project.
THE BUDGET PROPOSAL SUBMITTED BY THE EXECUTIVE BRANCH IS APPROVED BY THE LEGISLATIVE BRANCH. (OFFICIAL DOCUMENT: “LOA” – ANNUAL BUDGET ACT)

THE GOVERNMENTS BUDGETARY EXPENSE REPORTS MUST BE MADE PUBLIC ON THE EXECUTIVE BRANCH’S WEBSITES, EMPLOYING THE STANDARDS DEFINED BY THE TREASURY DEPARTMENT.

SINCE NOT ALL OF THE INFORMATION SOUGHT WAS ACTUALLY AVAILABLE ON THE SITES RESEARCHED, JUSTA USED THE BRAZILIAN FREEDOM OF INFORMATION LAW TO RESEARCH BUDGETARY DATABASES IN THE STATES OF SP, CE AND PR.

THIS PRESENTATION USES NOMINAL AMOUNTS, LIKE THOSE REPORTED BY STATE EXECUTIVE BRANCHES.

BUDGET

SÃO PAULO
THE SÃO PAULO COURT OF JUSTICE (TJSP) BUDGET IN 2018 WAS LARGER THAN THE TOTAL BUDGET FOR 10 KEY STATE SERVICES COMBINED (NOMINAL FIGURES)

For illustrative purposes, Justiça selected 10 undeniably essential state government services, that when are all added together, do not add up to the amount budgeted for the courts.

Between 2013 and 2018, the TJSP consumed on average 5% of the annual state budget.

Source: State of São Paulo Treasury and Planning Department
BUDGET FOR THE STATE OF SÃO PAULO | 2018

COURT OF JUSTICE
R$ 12.4 BILLION

PROSECUTION MINISTRY
R$ 2.5 BILLION

PUBLIC DEFENDER
R$ 838 MILLION

GOVERNMENT POLICIES FOCUSED ON PRISON SYSTEM INMATES
R$ 1 MILLION

Source: State of São Paulo Treasury and Planning Department
In 2018, the TJSP budget was 45% higher than it was in 2013.

In 2018, the MPSP budget was 52% higher than it was in 2013.

In 2018, the DPSP budget was 40% higher than it was in 2013.

Source: State of São Paulo Treasury and Planning Department
In 2018, the budget for social programs in SP was 24% less than it was in 2013.

Inmates:
The amounts earmarked for prison inmates in 2018 were 5% less than in 2014.

Source: State of São Paulo Treasury and Planning Department
One of the main responsibilities a legislative assembly has is to debate and decide on the government budget (annual budget laws and the expansion of additional credit) to assure that funds are distributed fairly and transparently.

But the legislative has conceded this power to the executive when the subject concerns expanding additional credits - those so-called budget subsidies.

São Paulo | 2013 to 2018

Every year the legislative assembly authorized the state government to directly distribute up to 17% of the state budget to subsidies without requiring the legislative branch’s approval.

R$37 billion ↞ 17%

SOME EXAMPLES OF EXPANSION OF ADDITIONAL CREDITS
SÃO PAULO | 2018

CUSTODY AND SOCIAL REINTEGRATION
R$ 0

RIGHTS AND CITIZENSHIP
R$ 0

PROSECUTION MINISTRY
R$ 197,122,416

PUBLIC DEFENDER
R$ 31,315,320

COURT OF JUSTICE
R$ 924,977,388

Source: State of São Paulo Treasury and Planning Department
Between 2013 and 2018, the TJSP payments for staff and salaries consumed on average 79% of this agency's budget.

Source: State of São Paulo Treasury and Planning Department
Between 2013 and 2018, the payment of MPSP staff and salaries consumed on average 86% of this agency’s budget.

Source: State of São Paulo Treasury and Planning Department
Between 2013 and 2018, the payment of DPSP staff and salaries consumed on average 46% of this agency’s budget.
THE PARANÁ COURT OF JUSTICE (TJPR) BUDGET IN 2017 WAS LARGER THAN THE TOTAL BUDGET FOR 11 KEY STATE SERVICES COMBINED (NOMINAL FIGURES).

FOR ILLUSTRATIVE PURPOSES, JUSTA SELECTED 10 UNDENIABLY ESSENTIAL STATE GOVERNMENT SERVICES, THAT WHEN ARE ALL ADDED TOGETHER, DO NOT ADD UP TO THE AMOUNT BUDGETED FOR THE COURTS.

BETWEEN 2013 AND 2017, THE TJPR CONSUMED ON AVERAGE 6% OF THE ANNUAL STATE BUDGET.

Source: State of Paraná
BUDGET FOR THE STATE OF PARANÁ | 2017

COURT OF JUSTICE
R$ 2.7 BILLION

PROSECUTION MINISTRY
R$ 850 MILLION

PUBLIC DEFENDER
R$ 68.4 MILLION

GOVERNMENT POLICIES FOR PEOPLE IN THE PRISON SYSTEM

WE WERE UNABLE TO LOCATE ANY POLICY EXPENSE RELATED TO PRISONERS IN THE PARANÁ STATE EXPENSE STATEMENTS.

WE RECEIVED NO RESPONSE TO OUR REQUESTS FOR INFORMATION ABOUT A LACK OF FUNDING FOR THIS AREA.

Source: State of Paraná
In 2017, the Paraná state budget was 45% higher than it was in 2013.

In 2017, the TJPR budget was 47% higher than it was in 2013.

In 2017, the MPPR budget was 35% higher than it was in 2013.

In 2017, the DPPR budget was 237% higher than it was in 2013.

Source: State of Paraná
Paraná State Social Programs Budget (nominal figures)

In 2017, the Social Programs budget was 37% higher than it was in 2013.

Paraná State Citizen Rights Budget (nominal figures)

In 2017, the Citizens Rights function was 64% lower than it was in 2013.

Paraná State Custody and Social Reintegration secondary function (nominal figures)

In 2017, the secondary Custody and Social Reintegration function was 75% higher than it was in 2013.
BUDGET SUBSIDIES

PARANÁ
EVERY YEAR THE LEGISLATIVE ASSEMBLY AUTHORIZED THE STATE GOVERNMENT TO DIRECTLY DISTRIBUTE UP TO 2% OF THE STATE BUDGET TO SUBSIDIES WITHOUT REQUIRING THE LEGISLATIVE BRANCH’S APPROVAL.

R$771 MILLION

SOME EXAMPLES
OF EXPANSION OF
ADDITIONAL CREDITS
PARANÁ | 2017
(DATA OBTAINED FROM LAI)

CUSTODY AND
SOCIAL REINTEGRATION
R$ 287,858,728

CITIZENSHIP RIGHTS
R$ 40,264,511

COURT OF JUSTICE
R$ 1,961,904,604

PROSECUTION MINISTRY
R$ 506,499,245

PUBLIC DEFENDER
R$ 20,528,103

Source: State of Paraná
Between 2013 and 2017, the payment of staff and salaries consumed on average 70% of the TJPR's budget.

Source: State of Paraná
Between 2013 and 2017, payments of MPPR staff and salaries consumed on average 70% of that agency’s budget.
PORTION OF COURT BUDGETS EARMARKED FOR STAFF AND EXPENSES

Between 2013 and 2017, the payment of DPPR staff and salaries consumed on average 61% of that agency’s budget.

Source: State of Paraná
The Ceará Court of Justice (TJCE) budget in 2018 was larger than the total budget for 9 key state services combined (nominal figures).

For illustrative purposes, Justa selected 10 undeniably essential state government services, that when are all added together, do not add up to the amount budgeted for the courts.

Between 2013 and 2018, the TJCE consumed on average 4.3% of the annual state budget.

Source: State of Ceará
BUDGET FOR THE STATE OF CEARÁ | 2018

COURT OF JUSTICE
R$ 1.2 BILLION

PROSECUTION MINISTRY
R$ 415 MILLION

PUBLIC DEFENDER
R$ 149 MILLION

SOCIAL PROGRAMS
R$ 291 MILLION

PUBLIC POLICIES FOCUSING ON INMATES IN THE PRISON SYSTEM
R$ 1.5 MILLION

Source: State of Ceará
In 2018, the budget for the state of Ceará was 47% higher than it was in 2013.

In 2018, the TJCE budget was 52% higher than it was in 2013.

In 2018, the MPCE budget was 59% higher than it was in 2013.

In 2018, the DPCE budget was 55% higher than it was in 2013.
In 2018, the social programs budget was 57% higher than it was in 2013.

Inmates

In 2018, the amounts employed on policies focused on prison inmates were 52% lower than in 2017. When compared to 2013, 2018 amounts were 17% lower.
BUDGET SUBSIDIES
CEARÁ
ONE OF THE MAIN RESPONSIBILITIES A LEGISLATIVE ASSEMBLY HAS IS TO DEBATE AND DECIDE ON THE GOVERNMENT BUDGET (ANNUAL BUDGET LAWS AND THE EXPANSION OF ADDITIONAL CREDIT) TO ASSURE THAT FUNDS ARE DISTRIBUTED FAIRLY AND TRANSPARENTLY.

BUT THE LEGISLATIVE HAS CONCEDED THIS POWER TO THE EXECUTIVE WHEN THE SUBJECT CONCERNS EXPANDING ADDITIONAL CREDITS - THOSE SO-CALLED BUDGET SUBSIDIES.

EVERY YEAR THE LEGISLATIVE ASSEMBLY AUTHORIZED THE STATE GOVERNMENT TO DIRECTLY DISTRIBUTE UP TO 25% OF THE STATE BUDGET TO SUBSIDIES WITHOUT REQUIRING THE LEGISLATIVE BRANCH’S APPROVAL.

R$5.6 BILLION ← 25%

SOME EXAMPLES OF EXPANSION OF ADDITIONAL CREDITS
CEARÁ | 2018

- RIGHTS AND CITIZENSHIP: R$ 154,808,987
- CUSTODY AND SOCIAL REINTEGRATION: R$ 0
- COURT OF JUSTICE: R$ 150,332,000
- PROSECUTION MINISTRY: R$ 23,377,963
- PUBLIC DEFENDER: R$ 4,336,487

Source: State of Ceará
Between 2013 and 2018, the costs for TJCE staff and expenses on average consumed 92% of the TCJE’s budget.
PORTION OF COURT BUDGETS EARMARKED FOR STAFF AND EXPENSES

Between 2013 and 2018, the costs for MPCE staff and expenses on average consumed 83% of the agency's budget.

Source: State of Ceará
Between 2013 and 2018, the costs for PDCE staff and expenses on average consumed 96% of the agency's budget.

Source: State of Ceará
STAYS OF PRELIMINARY ORDERS

ANALYSIS PERIODS

**CE** 2013 - 2018

**SP** 2013 - 2018

**PR** 2013 - 2018

IN BRAZIL, A MECHANISM CALLED THE STAY OF PRELIMINARY ORDER (“SUSPENSÃO DE SEGURANÇA”) GIVES THE COURT’S PRESIDENT THE POWER TO SUSPEND THE EFFECTS OF DECISIONS TAKEN AGAINST THE GOVERNMENT BY THE TRIAL COURTS.

LIST OF CASES MADE AVAILABLE BY THE STATE COURTS THROUGH THE FREEDOM OF INFORMATION LAW.
NOTES ON METHODOLOGY


BASED UPON THAT LIST OF CASES, JUSTA SOUGHT TO DETERMINE THE FOLLOWING FOR EACH CASE: CASE NUMBER, JUDGMENT DATE, PETITIONER, JUDGE, MATTER COVERED, PROCEDURAL CLASS (STAY OR SENTENCE SUSPENSION) AND THE FULL CONTENT OF THE DECISION OUTCOME.

ONE OF THE PRIMARY GOALS JUSTA HAD, WORKING IN PARTNERSHIP WITH OPEN KNOWLEDGE BRASIL, WAS TO AUTOMATE DATA COLLECTION. BECAUSE OF THE DIFFERENT BARRIERS FACED ACCESSING THE COURT SITES, THE COLLECTION AND HANDLING PROCEDURES INVOLVED MANUAL COLLECTION IN THE STATES OF CEARÁ AND PARANÁ.
NOTES ON METHODOLOGY | DATA COLLECTION SPECIFICS IN EACH STATE

SÃO PAULO | AUTOMATION WAS AVAILABLE.

PARANÁ | DATA COULD NOT BE COLLECTED AUTOMATICALLY BECAUSE OF THE CAPTCHA FUNCTION ON THE TJPR WEBSITE. GIVEN THIS BARRIER, JUSTA HAD TO MANUALLY DOWNLOAD EACH CASE, AND THE TECHNOLOGY TEAM - OPEN KNOWLEDGE BRASIL – CONVERTED PDFS CONTAINING ALL OF THE INFORMATION OF EVERY DECISION, AND THEN ADDED IT TO THE PROJECT’S DATABASE.

CEARÁ | DATA COULD NOT BE COLLECTED AUTOMATICALLY GIVEN HOW THE INFORMATION IS SET UP AND MADE AVAILABLE ON THE TJCE SITE. AGAIN, GIVEN THE BARRIERS FACED, THE CASES WERE ALL GATHERED MANUALLY.
ONE OF JUSTA’S GOALS WAS TIED TO CATEGORIZING CASES BASED UPON THE THEMATIC CLASSIFICATIONS LISTED IN THE “SUBJECT” FIELD ON THE COURT WEBSITES, BUT GIVEN THE INCONSISTENCIES FOUND WHEN MANUALLY USING THE DATABASE (SUBJECT LINES HAD NOTHING TO DO WITH THE SUBJECTS COVERED IN THE DECISIONS), WE NEED TO CREATE OUR OWN SPECIFIC CATEGORIES.

IN THE STATE OF CEARÁ’S THOUGH, IN MANY CASES THE ENTIRE CONTENT OF THE DECISION WASN’T EVEN AVAILABLE, THEREBY INHIBITING MANUAL TREATMENT OF THE CONTENT. IN THAT CASE, GIVEN THE BARRIERS FACED, JUSTA USED THE CATEGORIES LISTED.

REGARDING THE TWO CATEGORIES OF INTEREST TO JUSTA, WE’D LIKE TO POINT OUT THE FOLLOWING:

- CONDITIONS INVOLVING IMPRISONMENT: CONCERNS THE GUARANTEE OF RIGHTS OF PRISONERS BOTH WITHIN THE PRISON SYSTEM ITSELF (JAIL OR PRISON) IN ADDITION TO THE SOCIAL-EDUCATIONAL SYSTEM.

- PUBLIC SAFETY AND ORDER: REGARDING PROCESSES INVOLVING POLICE FORCES AND PUBLIC DEMONSTRATIONS, POLICE CONTINGENTS, SECURITY STRUCTURE AND SUPPLIES (BOTH CIVILIAN AND MILITARY).
OUTCOMES:

- **PETITIONS GRANTED**
  
  (THE TRIAL COURT'S DECISION WAS SUSPENDED)

- **PETITIONS DENIED**
  
  (THE TRIAL COURT DECISION IS UPHELD)

NOTES ON METHODOLOGY

IN EACH STATE, WE TOOK A LOOK AT

FUNCTION

- THE PETITIONER’S SPHERE OF INFLUENCE: STATE AND MUNICIPAL.

- WHAT THE CASES SOUGHT, ORGANIZED BY SUBJECT.

- THE MANDATES OF COURT PRESIDENTS, WHICH LAST FOR TWO YEARS (ONE ADMINISTRATION).
STAYS OF PRELIMINARY ORDERS SÃO PAULO
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Cases</th>
<th>Decisions suspended</th>
<th>Decisions upheld</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>196</td>
<td>66,8%</td>
<td>33,7%</td>
</tr>
<tr>
<td>Municipal</td>
<td>353</td>
<td>33,1%</td>
<td>66,2%</td>
</tr>
<tr>
<td>CASES</td>
<td>2013 - 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>131</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal</td>
<td>234</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Justa is interested in the state level. Therefore, all of the following data refers to this particular cross section of the database.

![Bar Chart]

- **Decisions suspended**
  - State: 131
  - Municipal: 234

- **Decisions upheld**
  - State: 331
  - Municipal: 119

Source: TJSP | Prepared by Justa
State jurisdiction cases suspended by subject matter and outcome
SP | 2013 a 2018

- Accessibility: 1
- Strikes: 1
- Taxation and collection: 3
- Public safety and order: 5
- Prison conditions: 14
- Transportation: 5
- Public service interruption: 1
- Environmental issues: 6
- Bids/admin. acts/contracts: 14
- Others: 2
- Healthcare demands: 2
- Public works interest: 9
- Pension payments: 4
- Upper salary limit: 2

Decisions suspended
Decisions upheld

Source TJSP | Prepared by Justa
% State jurisdiction cases suspended by subject matter and outcome
SP | 2013 a 2018

Accessibility: 100%
Strike: 100%
Taxation and collection: 100%
Transportation: 100%
Bids/admin. acts/contracts: 100%
Environmental issues: 100%
Public Service: 100%
Others: 100%
Healthcare rights: 100%
Public works interest: 100%
Upper salary limit: 100%
Pension Payment: 100%
General total: 100%

Decisions suspended: 82%
Decisions upheld: 18%
SÃO PAULO
EXAMPLES OF STAYING A DECISION’S EFFECTS

- Guaranteed medical attention in prisons and travel for medical services:
  - Emergency Room
  - Hospital
  - Exams
  - Doctor visits

- Guarantee that prisoners can take showers at an appropriate temperature.

In 100% of the cases, the court’s presidency undermined the rights of prisoners.
OVERCROWDING AND PERMANENT INCARCERATION AT PROVISIONAL DETENTION CENTERS, PENITENTIARIES AND YOUTH DETENTION CENTERS:

- Fundação CASA de Araçatuba
- Centro de Progressão Penitenciária de Mongaguá
- Alas de Progressão das Penitenciárias I e II de São Vicente
- Centro de Detenção Provisória São Vicente
- Penitenciária de Álvaro de Carvalho
- Unidade Prisional de Andradina
- Penitenciária "Nilton Silva" - Franco da Rocha II
- Penitenciária III de Franco da Rocha

SÃO PAULO
EXAMPLES OF STAYING A DECISION’S EFFECTS

IN 100% OF THE CASES, THE COURT’S PRESIDENCY UNDERMINED THE RIGHTS OF PRISONERS.
WHEN THE SUBJECT IS THE CONSTITUTIONAL THRESHOLD, 96% OF THE TRIAL COURT’S DECISIONS ARE UPHELD.

THE COURTS NEARLY ALWAYS ALLOWED THE UPPER SALARY LIMITS TO CONTINUE TO RISE.
STAYS OF PRELIMINARY ORDERS PARANÁ
Number of cases where there is a stay of the preliminary order by level
PR | 2013 - 2018

State Jurisdiction Cases
- Decisions suspended: 213 (84.5%)
- Decisions upheld: 121 (61.4%)

Municipal Jurisdiction Cases
- Decisions suspended: 39 (15.4%)
- Decisions upheld: 76 (38.5%)

Source TJPR | Prepared by Justa
JUSTA IS INTERESTED IN THE STATE LEVEL. THEREFORE, ALL OF THE FOLLOWING DATA REFERS TO THIS PARTICULAR CROSS SECTION OF THE DATABASE.
State jurisdiction cases suspended by subject matter and outcome
PR | 2013 a 2018

- Public safety and order: 14
- Public Utility Expropriation: 2
- Public Works interest: 4
- LDO: 2
- Taxation and collection: 51
- Other taxes: 6
- Healthcare rights demands: 74
- Prison conditions: 42
- Bids/admin. acts/contracts: 11
- Public Service interruptions: 3
- Others: 3
- Decisions Suspended
- Decisions Upheld

Source TJPR | Prepared by Justa
% State jurisdiction cases suspended by subject matter and outcome
PR | 2013 a 2018

<table>
<thead>
<tr>
<th>Subject Matter</th>
<th>Suspension Rate</th>
<th>Decisions Upheld Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety and Order</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Public Utility Expropriation</td>
<td>14%</td>
<td></td>
</tr>
<tr>
<td>Public Works Interest</td>
<td>19%</td>
<td></td>
</tr>
<tr>
<td>Taxation and collection</td>
<td>21%</td>
<td></td>
</tr>
<tr>
<td>Other Taxes</td>
<td>31%</td>
<td></td>
</tr>
<tr>
<td>Healthcare rights demands</td>
<td>40%</td>
<td></td>
</tr>
<tr>
<td>Prison conditions</td>
<td>40%</td>
<td></td>
</tr>
<tr>
<td>Bids/admin. acts/contracts</td>
<td>60%</td>
<td></td>
</tr>
<tr>
<td>Public Service</td>
<td>60%</td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td>60%</td>
<td></td>
</tr>
</tbody>
</table>

Source TJPR | Prepared by Justa
IRREGULARITIES IN THE CASCAVEL SOCIAL-EDUCATIONAL SYSTEM: IMMEDIATE REDUCTION TO THE NUMBER OF ADOLESCENTS HELD OR THE HIRING OF MORE SOCIAL EDUCATION SPECIALISTS.

IN 79% OF CASES, COURT’S PRESIDENCY UNDERMINED THE PERSONAL RIGHTS OF INMATES.
IMPROVEMENTS TO SAFETY AND PRISON CONDITIONS AT THE CITY JAIL IN CIDADE GAÚCHA:

- Transfer of prisoners
- Guarantee regular medical treatment
- Assignment of more prison guards and other professionals,
- Make emergency repairs to the power grid, general structure and security cameras in the prison unit

IN 79% OF CASES, COURT’S PRESIDENCY UNDERMINED THE PERSONAL RIGHTS OF INMATES.
STAYS OF PRELIMINARY ORDERS CEARÁ
Number of cases with stays by outcome and by level in CE | 2013 - 2018

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Cases</th>
<th>Request granted</th>
<th>Request denied</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>142</td>
<td>83%</td>
<td>16.9%</td>
</tr>
<tr>
<td>Municipal</td>
<td>29</td>
<td>59.6%</td>
<td>40.3%</td>
</tr>
</tbody>
</table>

Source: TJCE | Prepared by Justa
JUSTA IS INTERESTED IN THE STATE LEVEL.
State jurisdiction cases suspended by subject matter and outcome
CE | 2013 a 2018

- Accessibility
- Specific enforcement obligation
- Removal
- Prison conditions
- Public safety and order
- Social reintegration
- Healthcare rights
- Public works functions
- Others
- Bids/admin. acts/contracts
- Military
- Taxation and collection
- Pension payment
- Administrative responsibilities
- Public utility expropriation
- Public service interruption

Decisions suspended
Decisions upheld

Source TJCE | Prepared by Justa
% State jurisdiction cases suspended by subject matter and outcome
CE | 2013 a 2018

- Accessibility: 100%
- Specific enforcement obligation: 100%
- Removal: 100%
- Prison conditions: 100%
- Public safety and order: 100%
- Social reintegration: 100%
- Healthcare rights: 90%
- Public works functions: 84%
- Others: 82%
- Bids/admin. acts/contracts: 79%
- Military: 75%
- Taxation and collection: 67%
- Pension payment: 50%
- Administrative responsibility: 50%
- Public utility expropriation: 100%
- Public service: 100%

Decisions suspended
Decisions upheld

Source TJCE | Prepared by Justa
CIVIL POLICE DEPARTMENT CLOSED BY COURT ORDER IN CAMOCIM/CE DUE TO HUMAN RIGHTS VIOLATIONS AGAINST PRISONERS, AND DUE TO THE LACK OF PUBLIC SAFETY CONDITIONS.

EXAMPLES OF STAYING A DECISION’S EFFECTS

IN 100% OF THE CASES, THE COURT’S PRESIDENCY UNDERMINED THE RIGHTS OF PRISONERS.
CEARÁ
EXAMPLE OF THE SUSPENSION OF THE DECISION’S EFFECTS

NO POLICE PATROLS AND POOR WORKING CONDITIONS FOR BOTH THE CIVIL AND MILITARY POLICE.

Santa Quitéria
Catunda
Hidrolândia

IN 100% OF THE CASES, THE COURT’S PRESIDENCY BLOCKED INCREASES FOR PUBLIC SAFETY.