

OCA CIRCULAR NO. 51-2011, April 06, 2011

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TO :

THE JUDGES AND CLERKS OF COURT OF THE CONCERNED FIRST AND SECOND LEVEL COURTS WHERE PHILIPPINE MEDIATION CENTER (PMC) UNITS HAVE BEEN ESTABLISHED

SUBJECT :

CONSOLIDATED AND REVISED GUIDELINES TO IMPLEMENT THE EXPANDED COVERAGE OF COURT-ANNEXED MEDIATION (CAM) AND JUDICIAL DISPUTE RESOLUTION (JDR), AND REITERATION OF THE GUIDELINES ON THE COLLECTION OF FEES FOR THE MEDIATION FUND UNDER SECTION 9, RULE 141 OF THE RULES OF COURT AS REVISED AND OCA CIRCULAR NO. 58-2007 DATED 24 MAY 2007

In the Resolution dated 11 January 2011 in A.M. No. 11-1-6-SC-PHILJA, the Court En Bane approved the Consolidated and Revised Guidelines to Implement the Expanded Coverage of Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR).

The Consolidated and Revised Guidelines have expanded mediation to also cover the civil aspect of less grave felonies punishable by correctional penalties not exceeding six (6) years imprisonment, where the offended party is a private person. 1

The expanded coverage also include those cases enumerated in Administrative Circular No. 20-2002 dated 24 April 2002, and reiterated in OCA Circular Nos. 57-2007 dated 24 May 2007 and 158-2010 dated 23 November 2010, to wit:

1. Conduct a monthly inventory of cases in their dockets referable to mediation. Pursuant to the Court's Second Revised Guidelines dated 16 October 2001, the cases that may be referred are as follows:

- a. All cases, settlement of estates, and cases covered by the Rule on Summary Procedure except those which by law may not be compromised;
- b. Cases cognizable by the Lupong Tagapamayapa under the Katarungang Pambarangay Law;
- c. The civil aspect of B.P. 22 cases; and
- d. The civil aspect of quasi-offenses under Title 14 of the Revised Penal Code."

For your information and guidance, a copy of the Consolidated and Revised Guidelines to Implement the Expanded Coverage of Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) is attached hereto as Annex "A" and a list of the Philippine Mediation Center (PMC) units established and organized in different stations as Annex "B".

In addition, it has been brought to the attention of this Office that collection of fees for the Mediation Fund nationwide, as mandated under Section 9, Rule 141 of the Rules of Court as revised, and reiterated in OCA

Circular No. 58-2007, is not being strictly implemented, particularly as to the collection of mediation fees upon the filing of "an Answer with mediatable permissive or compulsory counterclaim or cross-claim, complaint-in-intervention, third-party complaint, fourth-party complaint, etc. in civil cases"¹ and "that an accused-appellant shall also be exempt from contributing to the Mediation Fund."² Accordingly, said guidelines on the collection of fees for the Mediation Fund is hereby REITERATED.

For strict compliance.

6 April 2011.

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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