

PROVIDING THE GUIDELINES FOR THE OPERATION OF MOBILE COURTS UNDER THE JUSTICE ON WHEELS PROJECT

ADMINISTRATIVE CIRCULAR NO. 72 -2006, September 05, 2005

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WHEREAS, in the Resolution of June 8, 2004 in A.M. No. 04-6-02- SC, the Supreme Court en banc launched the Justice on Wheels Project patterned after the World Bank-sponsored project in Guatemala of deploying mobile courts to strengthen the policy on access to justice, and created the Ad Hoc Committee on Justice on Wheels Project for the purpose;

WHEREAS, the first Justice on Wheels mobile court was deployed on December 20, 2004 as venue for proceedings of cases falling under the jurisdiction of Family Courts in the National Capital Judicial Region (NCJR) for a pilot of one (1) year from said date; and

WHEREAS, by reason of the successful initial implementation of the Justice on Wheels Project, the Court has decided to add two more buses for use as mobile courts for deployment in other parts of the country;

NOW, THEREFORE, upon the recommendation of the Ad Hoc Committee on Justice on Wheels Project, the following guidelines for the operation of the mobile courts under the Justice on Wheels Project are hereby prescribed:

I. Guiding Principles

- A. The Justice on Wheels Project has been instituted to address and implement the constitutional mandates on the right of free access to justice by all citizens and their right to speedy disposition of cases.
- B. The mobile court, as an extension of the regular court or as additional courtroom, shall take cognizance of cases within the jurisdiction and competence of first level court in the area of its deployment.
- C. The Rules of Court, issuances of the Supreme Court on the improvement of access to justice and the speedy disposition of cases, including those on the protection of women and children and on court-annexed mediation and such rules of procedure for the mobile courts, as the Court may adopt, shall be applied by the mobile court.
- D. A mobile court shall be presided by a first level court judge in the area where it is assigned or by an assisting judge both designated by the proper Executive Judge for the purpose.
- E. The mobile court shall take cognizance only of cases within the jurisdiction of the regular first level court in the said area, either by accepting new cases or by continuing and terminating proceedings already commenced

II. The Mobile Court Management and Operation Structure

- A. The Court Administrator shall recommend to the Ad Hoc Committee on Justice on Wheels Project the deployment of the mobile court based on judicial audit reports and the recommendation of the Court Management Office of the Office of the Court Administrator.
- B. The Ad Hoc Committee, as the overall policy-determining and management body for the operation of the mobile courts, shall in turn recommend to the Chief Justice the deployment of a mobile court to any particular

area.

C. Upon approval by the Chief Justice of the deployment of a mobile court, the Court Administrator shall direct the Executive Judge in the Judicial Region of deployment to coordinate with the local government unit and the Philippine National Police for the purpose of forging a memorandum of agreement on the deployment of the mobile court.

D. The Executive Judge shall be responsible for the management of the mobile court in his or her jurisdictional area. For that purpose, the Executive Judge shall:

- (1) designate the first level court judge or judges who shall serve in the mobile court or direct a judge to hold office and perform official functions in the mobile court, provided that the Executive Judge shall report such designation to the Court Administrator;
- (2) coordinate with the Department of Justice for the assignment of a prosecutor and public attorney in the mobile court; and
- (3) evaluate the performance of the judge assigned to the mobile court for the purpose of submitting a monthly report thereon to the Office of the Court Administrator.

E. The designated Assisting Judge or the Presiding Judge assigned to the mobile court shall perform his or her functions in accordance with the provisions of the Rules of Court and pertinent issuances of the Supreme Court, including the issuance of provisional orders such as protection orders and the referral of cases to court-annexed mediation, if warranted by such circumstances as the presence of a Philippine Mediation Center Unit within his or her jurisdictional area.

F. A clerk of court, a docket clerk, a process server, and a stenographer shall assist the designated Assisting Judge or the Presiding Judge assigned to the mobile court in the performance of judicial work. They shall perform their usual regular functions provided that they shall each submit, on the first day of the month following their assignment to the mobile court, a report to the Executive Judge on cases filed, taken up, or resolved.

G. The driver of the mobile court vehicle and the security guard detailed to the mobile court shall undergo training for the purpose under the Office of Administrative Services. They shall perform such other official tasks as the judge or the clerk of court may assign to them.

III. Initial Areas of Operation Outside of NCJR

A. The mobile courts shall be deployed initially in localities in the Visayas and Mindanao where the first level court are vacant.

1. The mobile court for the Visayas shall be assigned to the province of Bohol to serve the following municipalities:

- 3rd MCTC - Inabanga-Buenavista
- 4th MCTC - Talibon-Jetafe
- 5th MCTC - Trinidad-San Miguel-Bien Unido
- 6th MCTC - Ubay-Pres. C.P. Garcia
- 7th MCTC - Alicia-Mabini
- 8th MCTC - Candijay-Anda
- 9th MCTC - Guindulman-Duero
- 13th MCTC - Loay-Albuquerque-Baclayon
- 15th MCTC - Bilar-Sevilla
- 16th MCTC - Carmen-Batuan
- 17th MCTC - Sierra Bullones-Pilar

20th MCTC - Catigbian-Sagbayan- San Isidro

2. The mobile court for Mindanao shall be assigned to any of the following provinces to serve the following municipalities:

Agusan del Sur

MTC - Prosperidad

1st MCTC - San Francisco-Bunawan-Rosario

2nd MCTC - Trento-Sta. Josefa-Veruela

3rd MCTC - Loreto-La Paz

4th MCTC - Esperanza-San Luis-Talacogon

Surigao del Sur

1st MCTC - Cantilan-Carrascal

3rd MCTC - Tago-San Miguel

5th MCTC - Marihatag-San Agustin

7th MCTC - Hinatuan-Tagbina; or

Lanao del Norte

MTC - Sultan Naga Dimaporo

MTC - Kapatagan

1st MCTC - Baloi-Pantar-Pantao Ra

4th MCTC - Maigo-Bacolod-Munai

8th MCTC - Sapad-Nunungan

IV. Administrative Matters

A. The mobile court shall have an official seal, which shall be prepared by the Ad Hoc Committee and approved by the Supreme Court en banc. The Presiding Judge of the mobile court may also display the seal of his court.

B. The Court Administrator shall prescribe guidelines in a circular on the registration, maintenance, and other matters pertaining to the vehicles used as mobile courts, and on office supplies and materials need for the operation of the mobile courts. He or she shall sign the memorandum receipts for the same vehicles.

C. All judges and personnel involved in the management and operation of the mobile courts shall receive allowances as prescribed by law and issuances of the Court.

This Administrative Circular shall take effect upon its ratification by the Court en bane.

Issued this 5th day of September 2006.

(Sgd)ARTEMIO V. PANGANIBAN

Chief Justice

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