

DESIGNATION OF A FOCAL PERSON AND AN ASSISTANT FOCAL PERSON FOR DESIGNATED FAMILY COURTS AND OTHER REGIONAL TRIAL COURTS HANDLING FAMILY AND YOUTH CASES

ADMINISTRATIVE CIRCULAR NO. 71-2006, September 07, 2006

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WHEREAS, Republic Act No. 8369, otherwise known as the Family Courts Act of 1997, requires the Supreme Court to establish Family Courts in the Philippines and provide the necessary mechanisms for the effective and efficient operation of such courts;

WHEREAS, pursuant to this mandate and the transitory provisions of the Family Courts Act of 1997, the Supreme Court, in A.M. No. 99-11-07-SC, designated certain Regional Trial Courts in the Philippines as special courts to exclusively try and decide family and youth cases enumerated and described in Section 5 of the said Act, pending the establishment of regular Family Courts;

WHEREAS, the number of these temporarily designated Family Courts has steadily increased from sixty-nine (69) in 2000 to ninety-four (94) in May 2006, with an average docket of 444 per month; in addition, there are approximately one hundred thirty four (134) Regional Trial Courts handling family and youth cases in areas where no courts have been designated as Family Courts;

WHEREAS, the current docket overload in designated Family Courts can be traced primarily to two principal causes, namely: a) the increase in rights, duties and obligations due to the enactment of new laws such as Republic Act No. 8552 or the new Domestic Adoption Act of 1998; Republic Act No. 9262, otherwise known as Anti-Violence Against Women and Children Act of 2004; and Republic Act No. 9344 or the Juvenile Justice and Welfare Act of 2006; and the promulgation by the Supreme Court of Rules of Procedure before the Family Courts such as the Rules on Examination of a Child Witness, Juveniles in Conflict With the Law, Nullity of Void Marriages, Annulment of Voidable Marriages, Legal Separation, Adoption, Voluntary and Involuntary Commitment of Children, Custody and Habeas Corpus in relation to Minors, Guardianship of Minors, and Anti-Violence Against Women and Children, and, b) the lack of a specific specialized philosophy and policy in the management and supervision of Family Courts.

WHEREAS, Republic Act No. 9344 or the Juvenile Justice and Welfare Act which took effect on May 20, 2006 established a comprehensive Juvenile Justice and Welfare System to be implemented by a Juvenile Justice and Welfare Council (JJWC) which shall ensure full implementation of the law and oversee the coordination among different government agencies and non-government child institutions or organizations. Significantly, the law requires the JJWC to coordinate with the Office of the Court Administrator and the Philippine Judicial Academy to ensure the realization of its mandate and the proper discharge of its duties and functions;

WHEREAS, to respond to the legal mandate of the Family Courts Act of 1997 and the Juvenile Justice and Welfare Act and address specifically the increasing needs and special concerns of our Family Courts in the effective implementation of all laws and rules involving family and children, it is necessary that a Focal Person for Family Courts be designated to design and develop policies, standards and strategies for the Family Courts,

work for the regularization of these courts and assist the Office of the Court Administrator in the effective and specialized management and supervision thereof.

The FOCAL PERSON will:

- (a) handle the administrative supervision of all courts handling family and youth cases in coordination with the Office of the Court Administrator;
- (b) propose and, in coordination with and through the Office of the Court Administrator, establish definite policies and standards for the internal operations of Family Courts to ensure that these are implemented effectively, efficiently and economically;
- (c) recommend to the Supreme Court, in coordination with and through the Office of the Court Administrator, rules and regulations for the management and operations of Family Courts and direct the implementation of said rules and regulations;
- (d) with the Office of the Court Administrator, assist the Supreme Court in the exercise of administrative disciplinary authority over Family Court judges and personnel in accordance with existing rules and regulations;
- (e) conduct liaison and coordination activities with Executive and Legislative Departments concerning Family Courts; and
- (f) exercise such other functions and duties as may be assigned by the Supreme Court to carry out the provisions of the Family Courts Act of 1997.

An Assistant Focal Person shall be designated to assist the Focal Person:

- (a) in the development of policies, rules and regulations for Family Courts;
- (b) whenever necessary, in liaisons and coordinating with the Executive and Legislative Departments and other government or non-government agencies in all matters concerning Family Courts;

The Focal Person and the Assistant Focal Person shall prepare (1) an operations manual for Family Court judges and personnel in accordance with Republic Act No. 8369 incorporating therein, whenever appropriate and feasible, "best practices" of Family Courts in other jurisdictions; and (2) a medium-term plan for the operations and regularization of Family Courts, to be submitted to the Supreme Court not later than July 25, 2007;

NOW, THEREFORE, in the interest of expeditious, effective and efficient administration of justice in Family Courts, the Court hereby designates, effective immediately, Deputy Court Administrator ZENAIDA N. ELEPANO as Focal Person for Family Courts and JUDGE ROSALINA L. PIZON, Presiding Judge, Branch 107, Quezon City as Assistant Focal Person.

Issued this 7th day of September 2006.

(Sgd)ARTEMIO V. PANGANIBAN

Chief Justice

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