DIRECTING ALL JUDGES OF THE REGIONAL TRIAL COURTS AND FIRST LEVEL COURTS IN CAMARINES SUR TO CONDUCT INVENTORY OF CASES SUBJECT TO JUDICIAL DISPUTE RESOLUTION (JDR) FROM JULY 11...

SC ADMINISTRATIVE CIRCULAR NO. 86-2016, June 27, 2016

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WHEREAS, the Supreme Court En Banc, in a Resolution, dated October 16, 2001, in A.M. No. 01-10-5-SC-PHILJA, designated the Philippine Judicial Academy (PHILJA) as its component unit for Court-Annexed Mediation (CAM) and established the Philippine Mediation Center (PMC) under the direction and management of PHILJA;

WHEREAS, the Supreme Court En Banc, in a Resolution, dated February 12, 2008, in A.M. No. 08-2-5-SC-PHILJA, approved Administrative Order No. 33-2008, defining the Organization, Powers, and Functions of the Philippine Mediation Center Office and Mediation Center Units;

WHEREAS, the Supreme Court En Banc, in a Resolution dated January 20, 2004, in A.M. No. 04-1-12-SC-PHILJA, approved the Revised Guidelines for the Implementation of an Enhanced Pre-Trial Proceeding under the Justice Reform Initiative Support (JURIS) Project, and further resolved to approve Resolution No. 06-22, dated September 4, 2007, and Resolution No. 07-14, dated September 20, 2007, on the Revised Guidelines Amrending A.M. No. 04-1-12-SC-PHILJA;

WHEREAS, the Supreme Court En Banc, in a Resolution, dated January 11, 2011, in A.M. No. 11-1-6-SC-PHILJA, approved the Consolidated and Revised Guidelines to Implement the Expanded Coverage of CAM and JDR;

WHEREAS, pursuant to the said issuances, PHILJA, under the JURIS Project, pilot-tested JDR from 2004 to 2007 and set-up model court sites for CAM and JDR Units in Pampanga, Negros Occidental, Benguet, Misamis Oriental, La Union, and Makati City;

WHEREAS, taking cognizance of the success of the JURIS Project in introducing JDR to complement and strengthen CAM, and in order to further encourage and explore all possibilities of amicable settlement of disputes during the pre-trial stage, through mediation, conciliation, and early neutral evaluation by judges, as a means to expedite the resolution of cases, help decongest court dockets, and broaden access to justice, it is deemed necessary to continue the implementation of JDR in other courts of the country;

WHEREAS, PHILJA, through the PMCO, trained the Judges in Camarines Sur on JDR resulting in the acquisition or new skills in connection with their roles as mediators, conciliators, ansd early neutral evaluators under the Rules of Court and other issuances of the Supreme Court;

WHEREAS, in order to put into practice the skills acquired by the Judges during the training and commence the roll-out of JDR in Camarines Sur, it is necessary that a designated period be alloted for them to go through a court-supervised internship program;

NOW, THEREFORE, the JDR Inventory Period from July 11 to 15, 2016 and Internship Period from August 1 to 12, 2016 are hereby declared for all Judges of the Regional Trial Courts and First Level Courts in Camarines Sur.

In connection therewith, all Judges in Camarines Sur shall undertake the following:

1. Conduct an inventory of cases in their respective dockets which have undergone CAM but were not settled and are still in the pre-trial stage;

2. For Regional Trial Court Judges, conduct likewise an inventory of the cases appealed from the First Level Courts[1];

3. Conduct JDR on the case subject of the inventory;

4. If efforts to settle the cases through JDR fail, forward said cases to the Office of the Clerk of court for re-raffle;

5. Allow peer-to-peer advise-assistance from JDR practitioners, at the option of the JDR Judge concerned;

6. Enjoin their Branch Clerks of Court to see to it that Orders and Notices are promptly issued and served to the parties for them to appear on the dates their cases are scheduled for JDR;

7. Direct theier Branch Clerks of Court to furnish the PMC Uit Staff/JDR Staff the JDR Report during the Internship Period and, thereafter, the Monthly Reports for submission to the PMCO. Allow the said PMC Unit Staff/JDR Staff to periodically coordinate with their Branch Clerks of Court with respect to the cases referred to FDR; and,

8. After the Internship Period, the Judges shall continue with the conduct of JDR proceedings for the settlement of disputes pending in their courts, as mandated in the Consolidated and revised Guidelines to Implement the Expanded Coverage of CAM and JDR.

The JDR proccedings are strictly confidential. No report shall be prepared regarding the proceedings, and in case of settlement, a compromise agreement shall be executed by the parties for approval and rendition of judgment.

Questions concerning this Administrative Order and the activities pertaining to the JDR Internship Period may be directed to Hon. Adolfo S. Azcuna, Chancellor, PHILJA at telephone number (02) 552-95-14, who is hereby authorized to propose such changes in this Administrative Order as may be called for by the query.

Strict compliance with this Administrative Circular is hereby enjoined.

Issued this 27th day of June 2016.

(SGD.) MARIA LOURDES P.A. SERENO
Chief Justice

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[1] Under the Consolidated and Revised Guidelines to Implement the Expanded Coverage of CAM and JDR (A.M. No. 11-1-6-SC-PHILJA, dated January 11, 2011), the following appealed cases are mediatable:

1. All civil cases and probate proceedings, testate and intestate, brought on appeal from the exclusive and original jurisdiction granted to the first level courts under Section 33, par. (1) of the Judiciary Reorganization Act of 1980;

2. All cases of forcible entry and unlawful detainer brought on appeal from the exclusive and original jurisdiction

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granted to the first level courts under Section 33, par. (2) of the Judiciary Reorganization Act of 1980;

3. All civil cases involving title to or possession of real property or an interest therein brought on appeal from the exclusive and original jurisdiction granted to the first level courts under Section 33, par. (3) of the Judiciary Reorganization Act of 1980;

4. All habeas corpus cases decided by the first level courts in the absence of the Regional Trial Court judge, that are brought up on appeal from the special jurisdiction granted to the first level courts under Section 35 of the Judiciary Reorganization Act of 1980;

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