

ANNEX E
AC No. 20-2002**Republic of the Philippines**
Supreme Court
Manila**ADMINISTRATIVE CIRCULAR NO. 20-2002****TO: OFFICE OF THE COURT ADMINISTRATOR****PHILIPPINE JUDICIAL ACADEMY****ALL PRESIDING JUDGES AND BRANCH CLERKS OF COURT STATIONED IN METRO MANILA, CEBU, DAVAO, AND ALL OTHER AREAS WHEREIN THE PHILIPPINE MEDIATION CENTER (PMC) UNITS MAY BE FURTHER ORGANIZED AND DESIGNATED****SUBJECT: MONTHLY INVENTORY AND REFERRAL OF CASES FOR MEDIATION**

WHEREAS, one of the priority objectives of the Supreme Court is the decongestion of court dockets, and for this purpose, Mediation has been found to be one expeditious mode of alternative dispute resolution;

WHEREAS, the Action Plan for Judicial Reforms (APJR) on Judicial Systems and Procedures includes Alternative Dispute Resolution mechanisms, particularly, the establishment of court-referred mediation system;

WHEREAS, on October 16, 2001, the Supreme Court issued an *en banc* Resolution A.M. No. 01-10-5 SC-PHILJA, covering the following:

1. Administrative Order establishing the Philippine Mediation Center (PMC);
2. Second Revised Guidelines for the implementation of mediation proceedings;
3. Code of Ethical Standards for Mediators;
4. Standards and Procedure for Accreditation of Mediators for court-referred/court-related mediation cases; and
5. Compensation Guidelines for Mediators and Supervisors;

WHEREAS, on 12 November 2001, the Office of the Court Administrator (OCA) issued Circular No. 82-2001 directing all Executive Judges stationed in Metro Manila, Cebu and Davao and all other areas that may be further designated, to assist and support the Philippine Judicial Academy (PHILJA) in the organization, operation and maintenance of the Philippine Mediation Center units;

WHEREAS, on 12 March 2002, the OCA and the Integrated Bar of the Philippines (IBP) entered into a Memorandum on Policy Guidelines under which the IBP commits itself to, *inter alia*, see to it that its members avail of court-referred mediation in appropriate cases;

WHEREAS, the PHILJA has already established PMC units in Makati, Quezon City, Pasay, San Juan, Taguig, Cebu City, Mandaue, Lapu-Lapu, Davao City, Digos, Tagum and Panabo;

WHEREAS, the PMC units in Manila, Caloocan, Las Piñas, Paranaque, Muntinlupa, Marikina, Mandaluyong, Pasig City, and Valenzuela will be fully established as soon as temporary venues are available;

WHEREAS, the results of mediation in the PMC units already operational are encouraging with approximately 80 % of the cases mediated settled (Table, Annex “A”);

WHEREAS, despite encouraging results, not all trial courts refer cases for mediation resulting in lack of cases being mediated and waste of time for volunteer mediators;

WHEREAS, the following measures shall be observed and complied with:

Trial Courts (Presiding Judges and Branch Clerks of Court)

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 civil 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.
2. Upon appearance of the parties during pre-trial in cases covered by mediation, immediately order the parties to appear before the Philippine Mediation Center (PMC) units located in the courthouse for initial mediation conference;
3. Issue appropriate sanctions upon failure of the parties to appear before the PMC unit, since mediation is part of pre-trial;
4. Ensure the regular referral of cases for mediation to the PMC Unit; and
5. The monthly inventory shall be prepared and signed by the Branch Clerk of Court, duly noted by the Presiding Judge, for submission to the Office of the Court Administrator and the Philippine Judicial Academy.

Role of the Court Administrator

The Office of the Court Administrator shall monitor and ensure that the inventory and referral of cases for mediation are properly observed and undertaken.

Philippine Judicial Academy

The Philippine Judicial Academy shall formulate and issue implementing rules and regulations for the proper implementation of court-referred mediation.

For strict compliance.

24 April 2002.

(SGD) HILARIO G. DAVIDE, JR.
Chief Justice