

II. THE NARRATIVE DESCRIPTION OF THE PROCESS FLOWCHARTS

A. PRE-MEDIATION ACTIVITIES

1. Marking of the Cases as Mediatable

a. Duty of the **Party/Parties** to tag case

The plaintiff, petitioner has the principal responsibility to tag the case as mediatable. *“The plaintiff, petitioner, applicant or principal party seeking relief in the complaint, petition, application or other initiatory pleading shall indicate on the right side of the caption (under the case number) of such original pleading whether the case is referable to mediation by stamping or writing “**MEDIATABLE**” on the right side of the caption, below the case number.”* (Supreme Court A.M. 04-3-15-SC-PHILJA dated March 23, 2004)

The complaint and other initiatory pleadings above-mentioned are the original civil complaint, counterclaim, cross claim, third (fourth, etc.) complaint, or complaint-in- intervention, petition, or application wherein a party asserts his claim for relief.

b. Duty of the **Office of the Clerk of Court** to Screen and Mark Case

*“It shall be the duty of the Office of the Clerk of Court (OCC), upon the filing of all complaints, petitions and initiatory pleadings in all courts other than the Supreme Court, Court of Appeals, Sandiganbayan and Court of Tax Appeals, to determine if the plaintiff, petitioner, applicant or principal party has indicated on the right side of the caption (below the case number) of the pleading whether the case is referable to mediation by stamping or writing “**MEDIATABLE**”.* (Supreme Court A.M. 04-3-15-SC-PHILJA dated March 23, 2004)

c. Duty of the **Branch (Deputy) Clerk of Court** in relation to marking of “**MEDIATABLE**” cases.

Upon receipt of the cases raffled to a specific branch of the court, the Branch Clerk of Court shall make monthly inventory of all mediatable cases. These cases must be segregated from the rest of the other cases and be properly marked “**MEDIATABLE**”.

The inventory must be signed by the Branch Clerk of Court and noted by the Presiding Judge. The PMC unit must be furnished with a copy of this monthly inventory. Also, copies must be sent to the Office of the Court Administrator (OCA) and PHILJA. (Sec. II, A.M. 04-3-15-SC-PHILJA dated March 23, 2004)

2. Cases covered by Mediation

The following cases are mediatable:

- 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; [both civil and criminal cases]
- c. The civil aspect of BP 22 cases; and,
- d. The civil aspect of quasi offenses under Title 14 of the Revised Penal Code

2.1 Examples of civil cases mentioned in no. 2(a)

- a. Collection cases;
- b. Enforcement of/Breach of Contract;
- c. Consumer complaint;
- d. Relationship between stockholders or partners in a corporation;
- e. Real estate and property disputes;
- f. Lease contract dispute;
- g. Insurance coverage disputes;
- h. Franchise agreements;
- i. Professional liability;
- j. Copyright/ trademark disputes;
- k. Intra-organizational disputes;
- l. Disputes between family members in a family business; and
- m. Property damage or physical injuries due to criminal negligence.

2.2 Cases which cannot be compromised

- a. The civil status of persons;
- b. The validity of marriage or legal separation;
- c. Any ground for legal separation;
- d. Future support;
- e. The jurisdiction of courts; and
- f. Future legitime (Article 2035, Civil Code of the Philippines).

2.3 Cases covered by Katarungang Pambarangay Law

The Lupong of each Barangay shall have authority to bring together the parties actually residing in the same city or municipality for amicable settlement of all disputes.

EXCEPTIONS:

- a. Where one (1) party is the government or agency or instrumentality thereof;
- b. Where one (1) party is a public officer or employee, and the dispute relates to the performance of this official function;
- c. Offenses punishable by imprisonment exceeding one (1) year or a fine exceeding five (5) thousand pesos (Php 5,000.00) or both;
- d. Offenses where there is no private offended party;
- e. Where the dispute involves real properties located in different cities or municipalities unless the parties thereto agree to submit their differences to amicable settlement by an appropriate Lupon;
- f. Disputes involving parties who actually reside in barangays of different cities or municipalities, except where such barangays adjoin each other and the parties thereto agree to submit their differences to amicable settlement by an appropriate Lupon; and,
- g. Such other cases or disputes that the President may determine in the interest of justice or upon the recommendation of the Secretary of Justice

2.4 Cases covered by Summary Procedure

- a. Ejectment and unlawful detainer/ forcible entry;
- b. Money claims where the amount involved is not more than Php 100,000.00;
- c. Criminal cases like violation of traffic law, rules and regulations;
- d. Violation of municipal or city ordinance; and,
- e. Other criminal offenses where the penalty prescribed by law for the offense charged does not exceed one (1) year imprisonment or a fine not exceeding Five Thousand Pesos (Php 5,000.00) or both fine and imprisonment.

[Items (c) and (d) although included in the list of cases under summary procedure, should not be mediated for the following reasons:

- i. There are criminal offenses which cannot be compromised.
- ii. It is unpractical to compel agents of the state(e.g. policemen) to pay mediation fees; and
- iii. It might be a source of corruption if mediation pushes through.]

2.5 Quasi Offenses

Examples of quasi offenses:

- a. Cases covered are acts committed by reckless or simple imprudence or negligence resulting for example in slight, less serious or serious physical injuries;
- b. Imprudence resulting in damage to property; and,
- c. Reckless or simple imprudence with violation of the motor vehicle law.

3. Inventory of Mediatable Cases

The Office of the Court Administrator (OCA) shall monitor and ensure that the inventory and referral of cases for mediation are strictly observed and undertaken. Monthly reports on the number of cases referred to PMC Unit for mediation and how many cases were settled through mediation shall be required by the OCA from the trial judges.

It is the duty of the Trial Judge to direct the Branch Clerk of Court to conduct a monthly inventory of mediatable cases for submission to the OCA and PHILJA, at least one week before actual referral to PMC Unit for mediation.

Only cases included in the *Monthly Inventory of Mediatable Cases* prepared and submitted by the Branch Clerk of Court will be scheduled for mediation; except upon appearance of the parties during pre-trial in cases covered by mediation, where the Presiding Judge immediately orders the parties to appear before the PMC Unit.

4. Referral of Mediatable Cases to the PMC at the Pre-Trial Conference

“If the case is “MEDIATABLE” and upon appearance of the parties during pre-trial, the Trial Judge/Court shall immediately order the parties to appear before the PMC Unit located in the courthouse for initial mediation conference. This act of referring the parties to appear before the PMC Unit by the Trial Judge is mandatory.” (Administrative Circular No. 20-2002, April 24, 2002 in relation to the Revised Guidelines on Mediation, A.M. No. 01-10-5-SC-PHILJA, October 16, 2001)

On the pre-trial date, the Branch Clerk of Court must be ready with the *Order of Referral* to the PMC Unit of the mediatable cases. Once signed by Judge, a copy of said Order shall be furnished to the Office of the Clerk of Court. (See PMC Form No. 1)

The Order shall be made in 7 copies:

- 1 copy - original for the Branch;
- 2 copies - one for each party;
- 1 copy - for the Branch after the selection of the Mediator;
- 1 copy - for the Office of the Clerk of Court after the selection of the Mediator;
- 1 copy - for the PMC Unit after the selection of the Mediator; and
- 1 copy - for the Mediator after the selection of the Mediator.

It shall be the duty of the parties and their counsel to appear at the pre-trial. The non-appearance of a party may be excused only if a valid cause is shown therefor, or if a representative shall appear in his behalf fully authorized in writing to enter into an amicable settlement, to submit to alternative modes of dispute resolution, and to enter into stipulation or admissions of facts and of documents. (Sec. 4, Rule 18, *Revised Rules of Court*)

If a party is absent but his counsel is representing him in the pre-trial conference, he is required to present a special authority from the former. A *Special Power of Attorney* (SPA) is required, if the party being represented is an individual; or, if a corporation, an appropriate resolution of the Board of Directors (Republic vs. Plan, *116 SCRA 702*), specifically authorizing the counsel to enter into an amicable settlement, and authenticated by the corresponding certificate of the secretary of the corporation. (Sec. 4, Rule 18, *Rules of Civil Procedure*)

Failure of the plaintiff and counsel to appear for pre-trial shall cause the dismissal of the action with prejudice, unless otherwise ordered by the court. Failure on the part of the defendant and counsel shall be cause to allow the plaintiff to present his evidence *ex parte* and the court shall render judgment on the basis thereof (Sec. 5, Rule 18, *Revised Rules of Court*.)

5. Records of the Case

The records/ *expediente* are kept by the Branch Clerk of Court. Photocopies of the complaint, answer and pre-trial brief, shall be provided the Mediator at the expense of the parties.

B. MEDIATION PROCESS

6. Orientation of the Parties on the Mediation Process

Immediately upon presentation of *Order of Referral* by the parties, the PMC Unit Clerk records the case in the logbook of incoming cases.

The parties shall be directed by the PMC Unit Clerk to appear before the Daily Supervisor (DS) for an orientation on the mediation process and fees. The DS shall see to it that the parties, including their counsels, are given proper orientation for them to be able to decide on whether they would want to pursue mediation as an alternative mode of dispute resolution. At this point, the voluntariness of mediation comes in.

The DS must be thoroughly familiar with court-annexed mediation in order that he/she may be able to respond to queries by the parties and/or their counsels in the course of the orientation. He/she must be able to inform the parties what is court-annexed mediation as compared with the normal court litigation and/or arbitration, the importance/advantages of undergoing mediation, explain or clarify the role of the mediator as compared with the Judge and/or an arbitrator, expectations from both parties and their counsels, the fees to be paid, and others.

7. Selection and Scheduling of the Mediator (See Alternative Mode in Flow Chart)

The parties shall be requested by the DS to select from the pool of mediators a mediator of their choice after having agreed to have their case mediated. If the parties cannot agree on a mediator, the DS shall designate the mediator.

For a fair and equitable distribution of cases, the DS shall assign a number to each mediator in the order in which they arrive at the PMC Unit. Their names and numbers shall be posted daily. The mediator who first arrived will be assigned to handle the first case. Before a case will be referred back to the first mediator, the DS must see to it that the cycle of assignment is completed, that is, all mediators present for the day have already handled a case regardless of their outcome.

The PMC Unit Coordinator/DS/Mediators, in the interest of equity and fairness, may agree on a more appropriate process of distributing cases, depending on the circumstances, with the approval of PHILJA:

- a. Priority shall be given to those assigned in the particular PMC Unit. 'On-call' Mediators must leave their contact numbers with the PMC Unit Coordinator/DS for urgent coordination. In the case of mediators who serve in different areas, a specific day must be designated for each area with the approval of PHILJA.
- b. A Mediator must inform his/her DS of his/her schedule for the day. If a Mediator has a case that was reset on that day, the same must be made known to the DS so that it can be considered in the assignment of cases.
- c. Upon assignment of a Mediator to handle a case, the Mediator shall immediately proceed with the mediation proceedings.

- d. In no case shall a DS assign a case to himself without prejudice to the choice of the parties of his preferred Mediator. In a situation where there are more cases than Mediators could handle, the DS should reschedule the other cases on the date agreed by the parties; except that if the parties are not amenable to reschedule their mediation hearing, the DS may call the other Mediators who have signified to be ‘on-call’ for the day.
- e. If the assigned Mediator will not be able to attend a reset case due to unavoidable circumstances, he/she must coordinate with the DS and should get the consent of the parties before assigning the case to a new Mediator.
- f. There shall be no co-mediation except when the assigned Mediator asks for assistance from another Mediator. In such case, the parties must be informed about the co-mediator and must agree thereto. In addition, the name of the co-mediator must be submitted to the trial court for confirmation.

8. Appointment of the Mediator as an “Officer of the Court”

As soon as the parties select a Mediator or one has been designated, the PMC Unit Coordinator/DS will certify the selection made. The PMC Unit Coordinator/DS shall send a copy of the Order (see PMC Form 1) to the Judge for his approval of the selected mediator. The Mediator automatically becomes an Officer of the Court after such approval. *An Officer of the Court is expected to conduct himself/herself with utmost honesty and good faith in all matters involving the court (Random House Webster’s Legal Dictionary).*

9. Deadlines for the Mediation Process and Resetting of Cases

“The period during which the case is undergoing mediation shall be excluded from the regular and mandatory periods for trial and rendition of judgment and in cases under Summary Procedure” (Paragraph 8, Revised Guidelines for the Implementation of Mediation Proceedings, A.M. No. 01-10-5-SC-PHILJA; also Article 2030 N.C.C.)

Cases that have to be reset shall be scheduled, if possible, within the next five (5) working days on the date agreed by the Mediator and the parties. The status of the case shall be reported to the trial court upon its settlement, or upon request of the Presiding Judge; or, in case of the expiration of the 30-day period of mediation, and no settlement has been reached.

The parties must be reminded that mediation shall proceed on the date and time agreed upon without the need of further notice. If the parties do not appear on the time agreed upon, the concerned Mediator must report the matter to the trial court concerned for proper action.

The originating court shall approve the extension of the period of mediation.

9.1 Screening of cases for domestic violence

When a family case (such as support, custody of minors, and the like) is referred to the PMC, the mediator should also screen the case for possible incidents of domestic violence which are defined under the Anti-Violence against Women and their Children Act of 2004, as:

“(a) Violence against women and their children refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to, the following acts:

- A. Physical violence refers to acts that include bodily or physical harm;
- B. Sexual violence refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:
 - a) rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim’s body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;
 - b) acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion.
 - c) Prostituting the woman or her child.
- C. Psychological violence refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.
- D. Economic abuse refers to acts that make or attempt to make a woman financially dependent which includes, but is not limited to the following:
 - 1. withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, except in cases wherein the other spouse/partner objects on valid, serious and moral grounds as defined in Article 73 of the Family Code;

2. deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or property owned in common;
3. destroying household property;
4. controlling the victim's own money or properties or solely controlling the conjugal money or properties."

In cases where there is domestic violence, the better practice is to advise the woman to send their case to court for proper adjudication, so as to prevent the power imbalance of the man over the woman in securing a possibly flawed or lopsided compromise agreement.

10. Show Cause Notice for failure of the parties to appear in mediation

It is the duty of the mediator to issue a notice to the absent party, to appear at the PMC Unit on a fixed date and time and to show cause why no recommendation shall be made to the judge for the imposition of proper sanctions. The party present may be authorized to serve the notice.

11. Parties appearing are not fully authorized to negotiate and enter into an agreement

The Mediator should never commence the proceedings if there is no blanket or full authority to bind the principal. Parties appearing before the PMC must be able to negotiate and sign a Compromise Agreement.

12. How does the Mediator check whether or not the person appearing has full authority?

For juridical persons, like corporations (foreign or domestic) the representatives must be equipped with the Secretary's Certificate showing the resolution adopted by its Board of Directors that such a person has the authority to enter into negotiations and mediation and to sign in a Compromise Agreement. This is further qualified by asking the parties whether they would have to refer the proposals back to their principals for approval. If the answer is yes, it means that they are really not fully authorized. For natural persons, a Special Power of Attorney would suffice.

13. Possible outcomes of the Mediation Process

There are two (2) possible outcomes of mediation. First, would be a "**SETTLED MEDIATION**", ending up with a Compromise Agreement or withdrawal of complaint or counterclaim, if any. The second would be a "**NOT SETTLED MEDIATION.**" There are two (2) types of "NOT SETTLED MEDIATION": (A) REFUSED MEDIATION and (B) FAILED MEDIATION.

REFUSED MEDIATION is caused by

- a. non-appearance in mediation sessions
- b. refusal to pay fees
- c. no or insufficient authority
- d. resetting beyond 60 days
- e. prefers litigation

FAILED MEDIATION is when parties mediate in good faith but no agreement has been reached.

These outcomes are summarized in the Mediator's Report (See PMC Form No.2)

14. Writing a *Compromise Agreement* for Settled Cases

The lawyers or the mediator or both in collaboration may prepare the Compromise Agreement. The Compromise Agreement must be signed by the parties themselves, or the party(ies) authorized to sign, the lawyers, the mediator, and the PMC unit supervisor.

The Compromise Agreement that will be entered into or reached by the parties shall be submitted to the court of origin for approval. Once approved, the same shall be made the basis of a decision that will be rendered by the Judge. Remember that said decision is 'final'. No motion for reconsideration, neither a notice of appeal can be filed.

The Compromise Agreement must truly express the will of the contracting parties. The same must not be contrary to law, morals, good customs, public order and public policy.

If one party does not comply with his undertaking under the Compromise Agreement, a *Motion for Execution* may be filed by the other party immediately before the Court for the enforcement of the decision.

If a mediation case is returned to the court because an amicable settlement has been concluded, the court shall forthwith render judgment embodying the Compromise Agreement, unless it finds it or any part thereof contrary to law, morals, good customs and public policy.

Four (4) copies of the CA must be prepared as follows:

- 1 copy - original, for the Court;
- 2 copies - one for each party;
- 1 copy - for the PMC Unit;

See the sample format of a Compromise Agreement (PMC Form No. 3).

15. Satisfaction of Claim/Counterclaim

Where the agreement is forthwith complied with, the parties shall submit to the court a satisfaction of the claim/counterclaim thereby terminating the dispute.

16. Evaluation of Mediation Proceedings

Upon termination of mediation proceedings, the DS shall request the parties to fill-out the Evaluation Form (See PMC Form No. 4), designed to assess the overall performance of the mediator in the conduct of the mediation sessions

17. Sending the case back to the Pre-Trial Judge in cases of non-settlement

If court-annexed mediation fails, the case is returned to the court for the continuation of the pre-trial proceedings. Recommendations for sanctions may be included.

The case shall immediately be set for continuation of the pre-trial and all pertinent processes and reglementary period are *ipso jure* reactivated, including the implementation of case flow management, when available.

It is the duty of the Branch Clerk-of-Court to send proper notices to parties/counsel setting the dates for the continuation/resumption of pre-trial and such other details that the court may order included in the notice.

Appearance of parties and counsel at the resumption/continuation of pre-trial conference is mandatory. Failure of the plaintiff to appear when ordered and with notice, shall be cause for the dismissal of the case. A similar failure on the part of the defendant to appear when required and with notice, shall be cause to allow the plaintiff to present evidence *ex parte* and for the court to render a judgment on the basis thereof. (Sec. 5, Rule 18, *Revised Rules of Court.*)

C. JUDICIAL DISPUTE RESOLUTION (JDR) PROCESS

18. Judicial Dispute Resolution (JDR) Process

18.1 The Judicial Dispute Resolution (JDR) Sub-system is a series of activities undertaken for failed mediation cases as contained in the Mediator's Report.

- a. The Daily Supervisor forwards a copy of the Mediator's Report to the Branch Clerk of Court (BCC) of the Pre-trial Judge.
- b. The BCC records the case. The BCC then informs parties and their respective Counsels on the set date for the resumption of the pre-trial.
- c. The Pre-Trial Judge conducts the settlement conference. The Judge, as the situation warrants, may act as conciliator or mediator.

18.2 If the dispute is resolved at this stage

- a. The Pre-Trial Judge directs the parties and their counsels to immediately draft and submit a compromise agreement.
- b. In case the terms of the Compromise Agreement are immediately complied with, a formal Compromise Agreement is no longer required. Instead, the parties through their counsel may choose to submit either a statement on satisfaction of claims and mutual withdrawal of a counterclaim.

- c. The Pre-Trial Judge renders a judgment based on the parties' compromise agreement or issues an Order dismissing the case based on the satisfaction of claims and mutual withdrawal of the complaint or counterclaim.
- d. After the judgment is rendered or the Final Order is issued, the Branch Clerk of Court enters such decision in the Record of Judgment.

18.3 If the case still remains unresolved

- a. The Pre-Trial Judge conducts the Pre-Trial in accordance with Rule 18 of the Rules of Court to consider the following:
 - The simplification of the issues;
 - The necessity or desirability of amendments to the pleadings;
 - The possibility of obtaining situations or admissions of facts and documents to avoid unnecessary proof;
 - The limitation of the number of witnesses;
 - The advisability of a preliminary reference of issues to a commissioner;
 - The propriety of rendering judgment on the pleadings, or summary judgment, or of dismissing the action should a valid ground therefore be found to exist;
 - The advisability or necessity of suspending the proceedings; and
 - Such other matters as may aid in the prompt disposition of the action.
- b. At this stage, the Pre-Trial Judge may take the role of an Early Neutral Evaluator and informs the parties who will likely win/lose the case.
- c. The Pre-trial Judge shall issue a Pre-Trial Order and likewise refers the case to the Pairing Judge for Trial. Meanwhile, the Branch Clerk of Court immediately records the case and sends the case folder to the Office of the Clerk of Court (OCC).
- d. The OCC records the case and sends the case folder to the Pairing Judge.
- e. The BCC of the Pairing Judge records the case for trial and sets the case for trial at an appropriate time.
- f. At this point, the Trial Stage starts following the appropriate court proceedings.

The Pre-Trial Judge and stenographer shall not take any notes on the entire JDR proceedings.

18.4 Exceptions to the Pairing System Rule

The referral of the case for trial to the pairing judge is the norm under JDR. However, under certain exceptional circumstances, the pairing system will be disregarded and a double raffle will occur. These exceptional circumstances are the following:

- a. When there are an odd number of judges or branches in the 1st or 2nd level courts. Normally the pairing judge of this odd numbered court is the executive judge. However, for purposes of even distribution of cases, a raffle of the case specifically for trial shall be undertaken.
- b. When the pairing judge resigns or retires, a raffle of the cases for pre-trial shall be conducted for an equitable distribution of cases.

D. COLLECTION AND PAYMENT OF MEDIATION FEES

19. Collection and Payment of Mediation Fees

[This section has been superseded by A.M. No. 04-2-04 SC, Revision Rule 141, Rules of Court dated 20 July 2004. Please see Annex J]

19.1 Upon Opening of the PMC Unit

- a. The Executive Judge (EJ) and Clerk of Court (COC) opens an RTC-PHILJA-PMC Trust Fund Savings Account with the Land Bank of the Philippines for the 75% share of Mediators and Supervisors.
- b. The EJ and the COC are joint signatories in the RTC-PHILJA-PMC Trust Fund Savings Account (75%). The documentary requirements for submission to the bank are a copy of A.M. No. 04-3-15-SC dated 23 March 2004, official RTC identification card (ID), another valid ID (passport, driver's license, voter's ID, GSIS ID).
- c. The RTC-PHILJA-PMC Trust Fund Savings Account (75%) is the depository account for the 70% share of Mediators and 5% share of Supervisors.
- d. The Property Office of the Office of the Court Administrator (OCA) provides the Official Receipt booklets to be used. In case such OR booklets are not immediately available, previously requisitioned OR booklets maybe used provided that they are marked "PHILIPPINE MEDIATION CENTER FUND (75%)" and "PHILIPPINE MEDIATION CENTER FUND (25%)."

19.2 Upon Receipt of Mediation Fees

- a. Separate official receipt booklets are used for the "PHILIPPINE MEDIATION CENTER FUND (75%)" and "PHILIPPINE MEDIATION CENTER FUND (25%)."
- b. The COC or Officers-in-charge (OIC) in the Office of the COC (OCC) issues separate Official Receipts for the 25% and 75% of mediation fee.
- c. The OR for the 75% should clearly indicate the name of the Mediator who handles the case and the Daily Supervisor at the time actual payment is made.

19.3 Daily Tasks

- a. On the next banking day, the COC or OIC in the Office of the COC deposits intact all collections of the 25% to the PMC General Trust Fund/SC-PHILJA-PMC Fund LBP Account No. 0592-1055-60 and of the 75% to the RTC-PHILJA-PMC Trust Fund.
- b. On the next working day, The COC or OIC in the OCC records all collections received on the Official Cash Books or the Ordinary Record Book properly marked “CASH BOOK FOR PHILJA PMC FUND (75%)” and “CASH BOOK FOR PHILJA PMC FUND (25%).”

19.4 Monthly Tasks

- a. At the end of each month, the PMC Unit Coordinator submits Summary of Mediators Claim, Mediators’ Payroll Sheet and Voucher. The Mediator’s fee is computed based on the total collected mediation fees for settled and back to court cases for the month.
- b. The COC checks veracity and accuracy of the Mediators’ Payroll Sheet. If the Mediators’ Payroll Sheet is in order, the COC certifies the Mediators’ Payroll Sheet, prepares Authority to Withdraw/Withdrawal Slip and forwards documents to the EJ. Otherwise, the COC returns the Summary of Mediators Claim, Mediators’ Payroll Sheet and Voucher to the PMC Unit Coordinator for correction.
- c. The Executive Judge Signs the Mediators’ Payroll Sheet and the Authority to Withdraw/Withdrawal Slip.
- d. The COC withdraws cash from the RTC-PHILJA-PMC Trust Fund Savings Account.
- e. Upon receipt of payment from the COC, the Daily Supervisors and the Mediators sign the Mediators’ Payroll Sheet.
- f. Within 10 days after the end of each month, the COC prepares six (6) copies of the Monthly Report of Collection, Deposits and Withdrawal for both Funds. The report is distributed as follows:
 1. Original Copy with the Monthly Payroll Report – PHILJA Finance Division;
 2. 1 copy – Accounting Division of the Office of the Court Administrator;
 3. 1 copy – Fiscal Monitoring Division of the Office of the Court Administrator;
 4. 1 copy – Chief Accountant of the Supreme Court;
 5. 1 copy – PMC Unit Coordinator;
 6. 1 copy – COC file
- h. At the end of each month, the COC or OIC in the OCC submits voucher for reimbursement of PMC incurred expenses to the Chief of PHILJA Finance Division.

- i. Upon acceptance of duly accomplished voucher together with the necessary official receipts and other supporting papers required in audit, PHILJA reimburses all ordinary and reasonable expenses incurred for the remittance of collections and transmittal of reports.
- j. Within 10 days after the end of the month, if no collection is made in the previous month, the COC or OIC in the OCC notifies the Chief Accountant of OCA and copy furnished the PHILJA Finance Division,

19.5 Annual Tasks

- a. At the end of each year, the COC or OIC in the OCC transfers the interest earned, net of tax to the PMC General Trust Fund/SC-PHILJA-PMC Fund.