

BIG IDEA: Supreme Court - Addressing Case Congestions and Delays in the Lower Courts

Changing the (100-year old!) System for Hearing and Deciding Cases

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Participants in the Co-Initiating Weekend Workshop
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Supreme Court Chief Justice Committee on Decongesting Cases in the Lower Courts

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| Chief Justice Renato Corona | Supreme Court |
| Associate Justice Roberto Abad | Supreme Court |
| Associate Justice Lucas Bersamin | Supreme Court |
| Associate Justice Jose Perez | Supreme Court |
| Deputy Court Administrator Raul Villanueva | SC, OCA |
| Program Administrator Geraldine Econg | SC, PMO |
| St. Deputy State Prosecutor Richard Fadullon | Dept. of Justice |
| Chief Public Attorney Persida Acosta | Dept. of Justice |
| Judge Ma. Filomena Singh | Regional Trial Court-Quezon City |
| Judge Marie Bacorro-Villena | Metropolitan Trial Court-Manila |
| Dean Manuel Diokno | De La Salle College of Law |

CO-INITIATING

Our Courts are few and disproportionately distributed... Average cases for city courts number 1,000 -2,000 cases; They hear 30 to 60 cases a day.



Inventory of Pending Cases as June 30, 2010
 350,416

- Regional Trial Courts 202,547
- Metropolitan Trial Courts
- Municipal Trial Courts
- Municipal Circuit Trial Courts
- Shari's Circuit Courts
- Court Management Office-OCA

Questions Posed before the Committee

1. Is our system of hearing and adjudicating disputes working for us?
2. Do we have too many intersections to crawl through in our system?
3. What is our model for hearing and deciding cases? What are the features of our model?



CO-EVOLVING

During the court hearings, witnesses shall simultaneously be sworn to the truth of their testimonies. The Judge than issues a written judgment within 90 days.



Given the successful pilot, the new way of hearing court cases was approved by the Supreme Court in January 2013. Only one lawyer in the whole judicial system submitted his objections.

CO-SENSING

The Multi-Stakeholders LOWER COURT CLIENTS

- Plaintiffs and defendants
- Petitioners in special proceedings
- People of the Philippines
- Accused, detained or not
- Private lawyers
- Public attorneys
- Public prosecutors
- Witnesses
- Bonding companies

The Multi-Stakeholders Sectors with interest

- Public in general
- National government
- Local government
- Law enforcement agencies
- Big business
- Medium and small business
- Investors, domestic or foreign
- Civil society legal groups
- Academe

CO-CREATING

Face-to-face Trial of Issues

In 2012, court hearings applying the Arbitration process were piloted in selected salas in Quezon City. Factual issues were tried face-to-face with the judge and the different parties seated in a manner that would facilitate the exchange of questions and answers.



The use of Judicial Affidavits also allowed the court to already see what issues the parties agree on and what issues were under dispute.

CO-PRESENCING

Who are we?
 What is our WORK?



- From the data gathered during the sensing journey, members of the Committee came together for conversations and to crystallize what the future was asking of them.
- As a result, they agreed to pilot hearing of cases using the Arbitration process.



Staffers: "It should be true to its nature, whether on land, at sea, or on air, as it was originally meant to function."

Key Learnings Elements:

- ✓ The system was crying for change; participating in the current Administration's Reform Program.
- ✓ Commitment of taskforce members on their shared vision and a common understanding of the challenges prepared them for the work.
- ✓ Executive championship from the previous Chief Justice as well as the newly appointed one.
- ✓ The Arbitration system is actually in use worldwide, but the Philippines was just too slow to adapt to the changing times. Aware of the strong resistance to change within the judicial system, the taskforce engaged the stakeholders through humble inquiry minimizing resistance and generating support.