

# ***CASE MANAGEMENT REFORM: THE PHILIPPINE EXPERIENCE***



**Presented by:**

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**Docket Congestion and Case Delay: Twin causes of the failure of courts to deliver justice that is Inexpensive, Expeditious and Fair.**

**In 2003, the Philippine Supreme Court initiated a case management project to confront the problem of congestion and delay.**

## The American Bar Standard on Case Delay Reduction:

*“ From the commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery and case events, is unacceptable and should be eliminated. x x x”*



***CFM*** – the supervision and management of time and events involved in the movement of a case through the court.

***DCM*** – a technique that categorizes cases into simple, complex and standard and formulates corresponding tracking systems with reasonably short timeframes through which the cases travel from filing to disposition.

# **Situation of Philippine court docket prior to start of the Project:**

## **Second Level Courts (Regional Trial Courts):**

**Average case inflow (Filings) per month per court - 231**

**Average case outflow (Disposals) - 214**

## **First Level Courts in Metro Manila (95 courts)**

**From 2000 to 2002 - a total disposal of - 82, 875**

**a total case filing of - 82, 104 ( in addition to a more or less similar number of cases pending before 2000.)**

**or 771 disposals only over and above the newly filed cases.**

**A CFM Committee undertook the implementation of the case management project.**

**Handbook on Effective Caseflow Management**

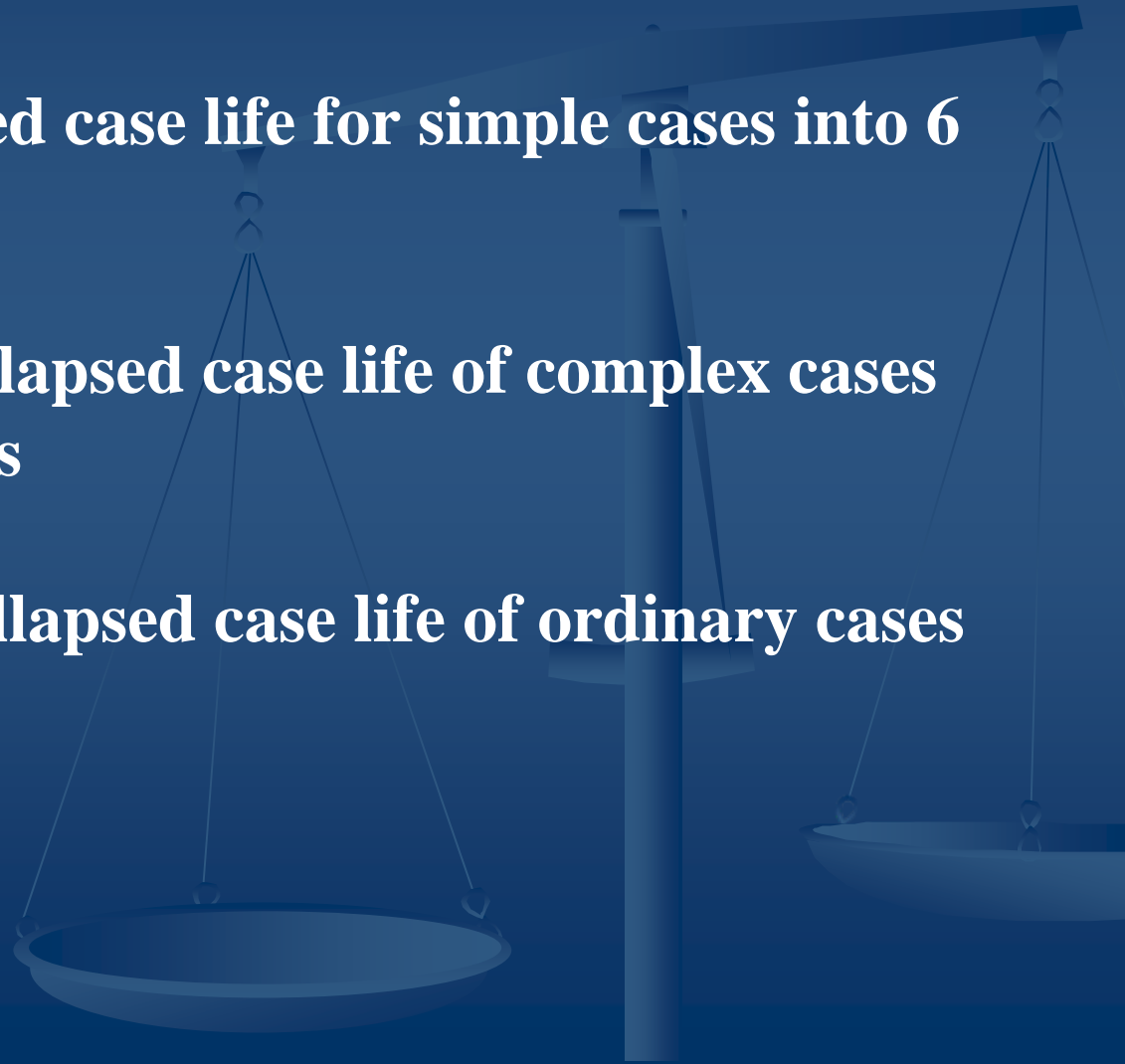
- 1. describes the CFM process step by step**
- 2. outlines the functions of each key player**
- 3. lays down the tracking systems for criminal and civil cases for both first and second level courts**
- 4. contains prepared forms of pleadings and court orders**

## **The Tracking System:**

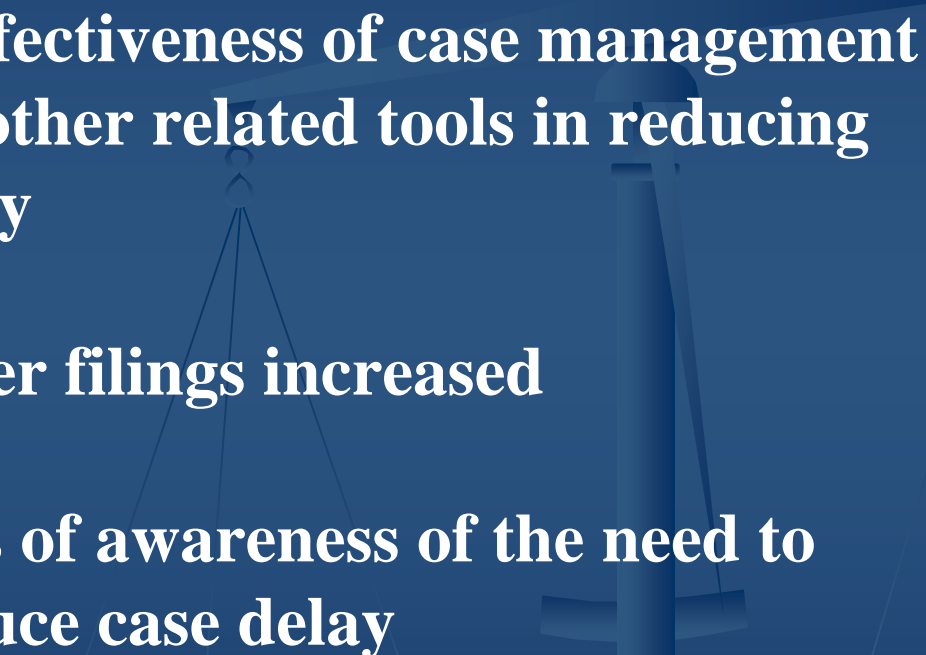
**Fast Track – collapsed case life for simple cases into 6 months**

**Complex Track – collapsed case life of complex cases into about 24 months**

**Standard Track – collapsed case life of ordinary cases into 13 months**

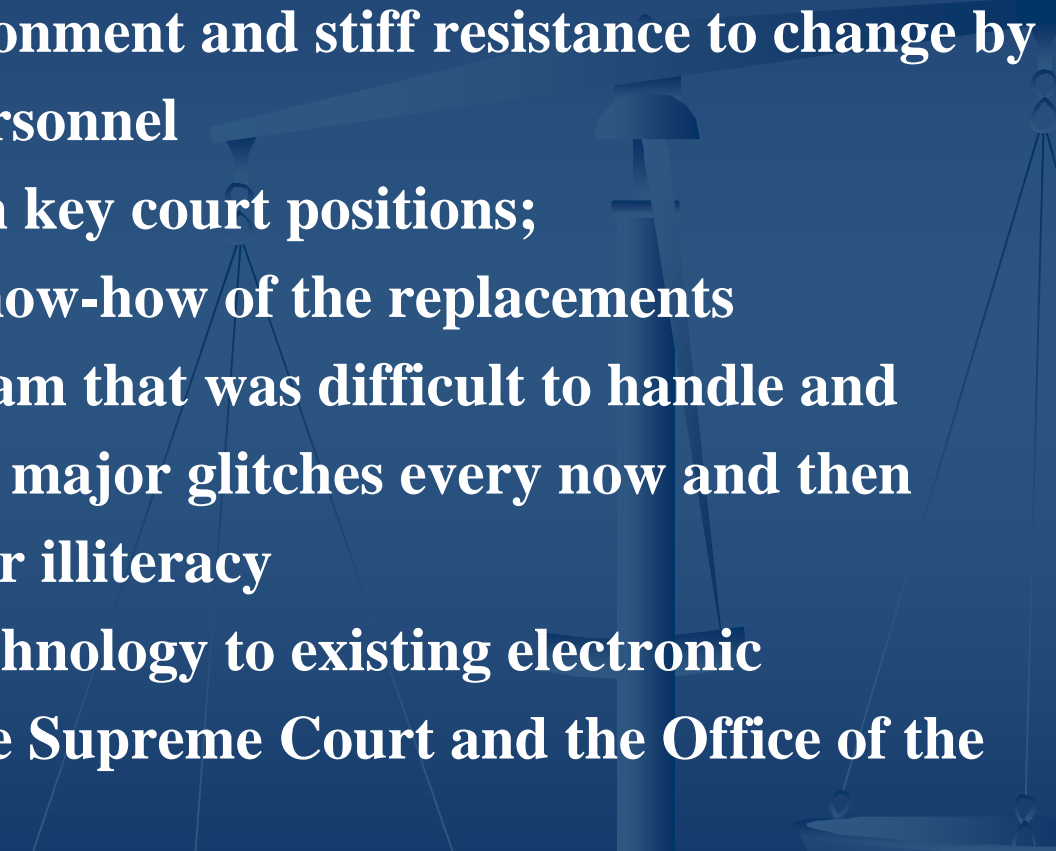


## **Outcomes achieved:**

- 1. Confirmed the effectiveness of case management through CFM and other related tools in reducing congestion and delay**
  - 2. Disposal rates over filings increased**
  - 3. Heightened levels of awareness of the need to eliminate if not reduce case delay**
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## **Challenges Encountered:**

- 1. Traditional court environment and stiff resistance to change by some judges and court personnel**
  - 2. Unforeseen vacancies in key court positions;**
  - 3. Lack of training and know-how of the replacements**
  - 4. A CFM software program that was difficult to handle and which suffered minor and major glitches every now and then**
  - 5. Technology or computer illiteracy**
  - 6. Failure to link CFM technology to existing electronic information systems of the Supreme Court and the Office of the Court Administrator**
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## **Success Factors to Implementation**

- 1. Genuine commitment of a majority of the key players to achieve the goals of the project**
  - 2. Good Judicial Leadership**
  - 3. a working CFM Plan**
  - 4. a working CFM software program that greatly facilitated the monitoring of the movement and progress of cases up to disposition**
  - 5. Strong external support by the Bar, the local community, and most of all, the development and donor partners, USAID and The Asia Foundation**
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# **The Way Forward**

**Addition of new features to enhance performance of the case management system such as:**

- 1. electronic payment of filing and other legal fees**
- 2. electronic docketing and numbering of cases**
- 3. electronic raffle or assignment of cases (the Philippine court system follows the Individual Calendar system)**
- 4. the reconfiguration of the software program to enable it to communicate with the existing information system of the Court**
- 5. Enhancement of the mediation process as part of pre-trial**

**The System is now being rolled out of the pilot area into courts outside of Metro Manila.**

***THANK YOU AND MABUHAY!***

