



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 16-2016

TO : ALL JUDGES OF THE SINGLE-SALA REGIONAL TRIAL COURTS

SUBJECT : QUESTIONNAIRE ON PROPOSED REFORMS FOR DISPOSITION OF CASES UNDER THE JURISDICTION OF FAMILY COURTS

The Committee on Family Courts and Juvenile Concerns, headed by Justice Teresita J. Leonardo-De Castro, is mandated to formulate the implementing rules and regulations and other rules of Republic Act No. 8369, otherwise known as the Family Court Act of 1997.

All family court judges were previously directed to accomplish a questionnaire as a preliminary step in fulfilling its mandate. Considering that all single-*sala* Regional Trial Courts, being courts of general jurisdiction, also take cognizance of child and family cases, you are likewise **DIRECTED** to **ACCOMPLISH** the same questionnaire, which is herein attached, and submit the same within five (5) days from receipt hereof, and not later than 31 January 2016 either:

- 1.) personally or by registered mail to Court Management Office c/o Atty. Marina B. Ching, OCA Chief of Office, 2nd Floor, Old SC Building, Supreme Court, Padre Faura Street, Ermita, Manila, or
- 2.) send via facsimile number 632-536-9040 or e-mail to ocafeedback@sc.judiciary.gov.ph or cmo_oca@mail.judiciary.gov.ph (ATTENTION: QUESTIONNAIRE-Single-Sala RTC)

Your utmost cooperation in completing the survey questionnaire is hereby enjoined.

19 January 2016


JOSE MIDAS P. MARQUEZ
Court Administrator



Supreme Court of the Philippines
Committee on Family Courts and Juvenile Concerns

The Committee on the Family Courts and Juvenile Concerns, pursuant to its mandate under Supreme Court Memorandum Order No. 20-2014 dated August 13, 2014 has been given the duty to “formulate the Implementing Rules and Regulations and other rules for R.A. 8369” otherwise known as the Family Courts Act of 1997.

It has also been tasked to “draft plans for the organization of family courts to include (a) the creation/development of staffing pattern for family courts; (b) determination of number of courts that must be created under national legislation; (c) report on training needs assessment of all actors in [the] family and juvenile justice sector; (d) recommendations for infrastructure requirements for family courts; and (e) pilot family courts that will have ideal guidelines, resources, environment, facilities and staff for addressing family and juvenile justice concerns.”

In addition, the Committee has been mandated to “monitor the implementation of the plan for the creation and organization of family courts including the identification of procedural rules and court guidelines, as well as judicial and legal forms that must be adopted to increase the effectiveness and efficiency of family courts.”

This survey is a preliminary step in fulfilling this mandate of the Committee under the above-cited Supreme Court Memorandum Order No. 20-2014. Your cooperation in answering this questionnaire will contribute to the success of the work of the Committee in proposing to the Supreme Court *En Banc* the needed reforms to achieve a speedier, more effective and efficient disposition of cases under the jurisdiction of the Family Courts.

Name: _____ Age: _____
Station: _____ Sex: Male Female

QUESTIONS

A. JUDGES' PERCEPTION

1. How long have you been a Family Court judge? ____ years ____ months
2. How do you find your job?
 - good
 - fine
 - difficult
 - exciting
 - others (please specify) _____

Why? _____

3. If given the choice, what Court would you like to handle?
- Regular Court
 - Family Court
 - Drugs Court
 - Commercial Court
 - Environmental Court

Why? _____

B. JURISDICTION

4. Is the present scope of jurisdiction of the Family Court sufficient and clear as provided for in the Family Courts Act of 1997 (R.A. 8369)? Yes No

If your answer is yes, why? _____

If your answer is no, why not? _____

Please give your suggestion to remedy this: _____

C. RULES OF PROCEDURE

5. In implementing the Rules of Procedure for the Family Courts, have you encountered difficulty/difficulties? Yes No.

If yes, what are these difficulties? _____

Please give your solution:

- need to amend existing Rules
- too many Rules
- need for more Rules
- need for Rule on Protection Orders to apply to all cases
- need for clear guidelines in cases for Recognition of Foreign Judgment
- others (please specify) _____

D. STAFFING PATTERN

6. Is the current staffing pattern in the Family Court sufficient? Yes No

If not, what does the court need?

- a psychologist
- a social worker assigned to the branch
- additional staff
- others (please specify) _____

E. PHYSICAL SET-UP AND ARRANGEMENT

7. Does the physical arrangement of your branch enable the court to observe confidentiality in the proceedings thereof and sufficiently cater to the needs of the Family Court users as well? Yes No

If not, what should be set-up or physically arranged to address these concerns?

- holding area for children
- all Family Courts should be on the same floor of the building
- conference room for family mediation and interview
- room for supervised visitation
- rest room for children
- others (please specify) _____

F. SPECIAL EQUIPMENT

8. Do you have live-link TV? Yes No

Do you need one in your branch? Yes No Not necessary

If you do not have a live-link TV and you have witnesses who are suffering from trauma, how do you enable them to testify in the presence of the accused? _____

9. Is there any special equipment that the Family Courts need? Yes No

If yes, what is this? _____

G. CASE DISPOSITION

10. Rate your average speed of monthly disposition of cases:

- 1 the output exceeds the input /case inflow
- 2 the output is equal to the input /case inflow
- 3 the output is less than the input/case inflow

If your answer is "3," what are the reasons that prevent you from increasing your output?

Please give your suggestions to make case disposition faster.

1. _____
2. _____

H. CASE LOAD

11. Are there enough Family Courts in your jurisdiction? Yes No

If yes, how many branches are there presently? _____

If not, how many branches are needed in your jurisdiction? _____

What should be the basis in determining the number of Family Courts in each jurisdiction?

- case load
- case inflow
- demographics (existing population and number of cases filed)
- Others (Please specify) _____

12. Is the case load in your Family Court higher than the regular courts in your jurisdiction?

Yes No

Why or Why Not? _____

What is the average monthly case inflow in your branch?

- 1-5 cases
- 6-10 cases
- 11-20 cases
- 21-30 cases
- 31-40 cases
- 41-50 cases
- 51 or more cases

13. What do you think is the ideal case load for the Family Courts? _____

I. SPECIAL TRAINING

14. Have you been provided special training as a Family Court by the Philja? Yes No

If yes, what are these? _____

Have you been provided special training as a Family Court by other providers?

Yes No

If yes, please state name of provider and training given. _____

Do you need further training and more seminars? Yes No.

If yes, on what specific topics? _____

J. SPECIAL QUALIFICATIONS

15. Is there a need to provide special qualifications for Family Court judges? Yes No

If yes, what are these?

- college degree in Psychology
- units in counselling
- units in Psychology
- others (please specify) _____

K. OTHER MATTERS

16. Is there an established youth detention home or "Bahay Pag-asa" in your jurisdiction?
 Yes No

If none, how do you address this problem? _____

If yes, what is the extent of your access to the said facility? _____

17. Is there an available shelter for victims of sexual abuse and violence in your jurisdiction?
 Yes No

If none, where do you refer the victims to? _____

18. With all the needs in the Family Courts, what is the most urgent? Please rate them with 1 for most urgent and 10 for least urgent.

- Jurisdiction of Family Courts need to be clarified
- Rules of Procedure to be amended
- New and special Rules of Procedure to be adopted
- Additional staff
- Family Courts have to be organized
- More RTC's designated as Family Courts
- Special Qualifications for Family Court judges
- Case management and more effective monitoring system for Family Courts
- Holding areas for children
- New equipment for Family Courts
- Others (please specify) _____

19. Are there other matters about the Family Courts that should be addressed? Yes No

If yes, what are these? _____

20. Please give suggestions on how to make our Family Courts more effective and more efficient. _____

THANK YOU VERY MUCH!