



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

OCA CIRCULAR NO. 158-2010

TO : ALL JUDGES AND CLERKS OF COURT OF THE FIRST AND SECOND LEVEL COURTS STATIONED IN AREAS WHERE THERE ARE PHILIPPINE MEDIATION CENTER (PMC) UNITS

SUBJECT : REITERATION OF ADMINISTRATIVE CIRCULAR NO. 20-2002 DATED 24 APRIL 2002

WHEREAS, the Court has promulgated Administrative Circular No. 20-2002 dated 24 April 2002 mandating Judges and Clerks of Court to refer certain cases for mediation where there are Philippine Mediation Center Units;

WHEREAS, said Administrative Circular has been reiterated in OCA Circular No. 57-2007 dated 24 May 2007;

WHEREAS, it has come to the attention of this Office that despite the aforementioned issuances, Judges of first and second level courts *have not been regularly* referring cases for mediation;

WHEREAS, there is a need to further reiterate the provisions of said Administrative Circular particularly that portion pertaining to those cases referable to mediation;

WHEREFORE; the following portion of Administrative Circular No. 20-2002 dated 24 April 2002 on referral of cases for mediation is hereby reiterated anew for the guidance of all Judges and 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 the 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.

For strict compliance.

23 November 2010.


JOSE MIDAS P. MARQUEZ
Court Administrator Jr.