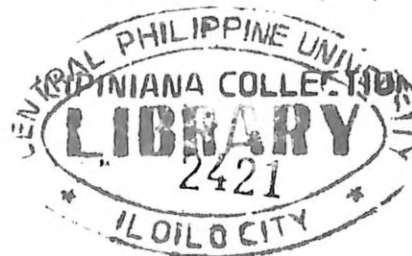


**EFFECTIVENESS OF THE COURT-ANNEXED MEDIATION  
IN THE DISPOSAL OF CASES  
IN ILOILO CITY**

*A Thesis*

**Presented to the Faculty of the College of Law  
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## ABSTRACT

Clogged case court dockets have been a perennial problem in the Philippines. This was brought about by factors such as unfilled vacancies of the positions of judges, misuse of the due process and the abuse of legal technicalities, the intervention of political pressure in court cases, the sheer weight of court litigations arising from development and growth, the dilatory tactics of lawyers and neglect and laxity on the part of judges, among others. Various initiatives and innovations were introduced by the different branches of our government to remedy the situation and one of those is the Alternative Dispute Resolution through mediation in the Court-Annexed Mediation (CAM) under the Philippine Judicial Academy (PhilJA)-Philippine Mediation Center (PMC).

This study aimed to find out the effectiveness of the court-annexed mediation in the disposal of cases in Iloilo City through its success rate in mediating disputes. Data gathered through interview with the personnel of the PMC Iloilo City Unit proved that most of the cases referred to CAM are criminal cases. Some referred cases do not undergo actual mediation. Mediation in the CAM are influenced by factors such as attitudes of lawyers towards mediation, venue and the physical arrangement of the PMC, employing the technique of cooling-off period and the personality and skills of the individual mediators.

With its barely five year existence, the PMC Iloilo City Unit faces issues of reduced number of mediators on the reason that the remuneration of the latter is not fixed

and is dependent on the number of cases resolved plus the fact that they need continuous training to hone their mediation skills.

With its 64% success rate in mediating disputes brought to it, the Court-annexed Mediation under the Philippine Mediation Center is an effective tool to de-clog court dockets. However, its effectiveness is limited by the number of case referrals made by the courts that even if it has a success rate of 100%, with only a meager number of case referrals from the courts allowed by the present rules, the case disposals through mediation in the CAM will not significantly affect the too clogged case dockets of the courts.

Thus, for the CAM under the PMC to significantly reduce or de-clog court dockets, it is necessary that its coverage or jurisdiction be increased to include all civil cases and offenses with higher penalties or to make mediation in the CAM mandatory in all criminal cases for possible settlement of the civil aspect of those cases.