



BARANGAY JUSTICE SYSTEM AS A COMPLEMENT TO THE PHILIPPINE JUDICIAL SYSTEM

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GOAL: A RELIABLE
BARANGAY JUSTICE SYSTEM

CAPACITY BUILDING FOR BARANGAYS
AWARENESS FOR RESIDENTS





PUBLIC WEBINAR

Enhancing Conflict Resolution through the Barangay Justice System:

The Impact of Project BRAVE in BARMM

December 14, 2023 | 2:00 PM - 4:30 PM | via Zoom

PHOTO SOURCE: Synergieis Foundation, Inc

The Supreme Court of
the Philippines

**Strategic Plan
for Judicial
Innovations**

**2022
2027**



Objective 3: Strengthen the Foundations of Shari'ah Justice

Of the 56 Shari'ah courts (5 district courts and 51 circuit courts), only 27 courts are organized and operational with the Shari'ah District Courts having an end-year caseload of 154 cases in December 2020, whereas the Shari'ah Circuit Courts have a caseload of 408 cases in the same period.

In the exercise of the supervisory powers of the Supreme Court over the Shari'ah Courts and in support of the Bangsamoro justice system, the Supreme Court will constitute a Committee on Shari'ah Justice to pursue an integrated effort to institute reforms and initiatives that will contribute to the facilitation of justice and the rule of law in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). This will be done within the country's institutional, constitutional, and legal framework.

KATARUNGANG PAMBARANGAY

January 27, 1978 – **Presidential Decree No. 1293**

created the Presidential Barangay Justice System Commission

June 11, 1978 - **Presidential Decree No. 1508**

created the Lupong Tagapayapa in each barangay

October 10, 1991 – **Republic Act No. 7610**

Local Government Code of 1991

expressly repealed PD 1508 and incorporated the Revised Katarungang Pambarangay Law (Sections 399-422, Chapter VII, Title I, Book III, and Section 515, Title I, Book IV)

IN GENERAL

Executive
Branch

Judicial Branch

Katarungang
Pambarangay

1st Level Courts
• MeTCs, etc.

2nd Level
Courts
• RTCs

Appellate
Courts
• Court of Appeals,
etc.

Supreme
Court

Local
Government
Code of
1991

1987 Constitution,
Judiciary Reorganization Act of 1980,
among others

IN BARMM

Executive
Branch

Judicial Branch

Katarungang
Pambarangay

1st Level
Courts

- Shari'ah Circuit Courts
- MTCs, etc.

2nd Level
Courts

- Shari'ah District Courts
- RTCs

Appellate
Court

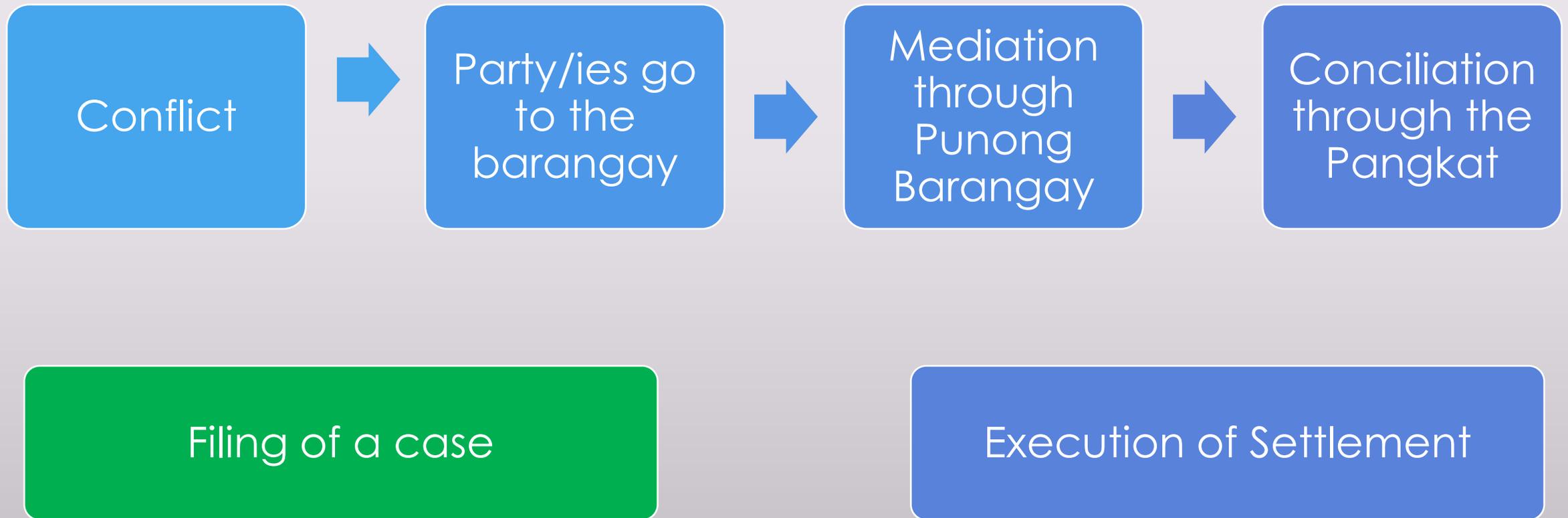
- Court of Appeals
- Shari'ah High Court

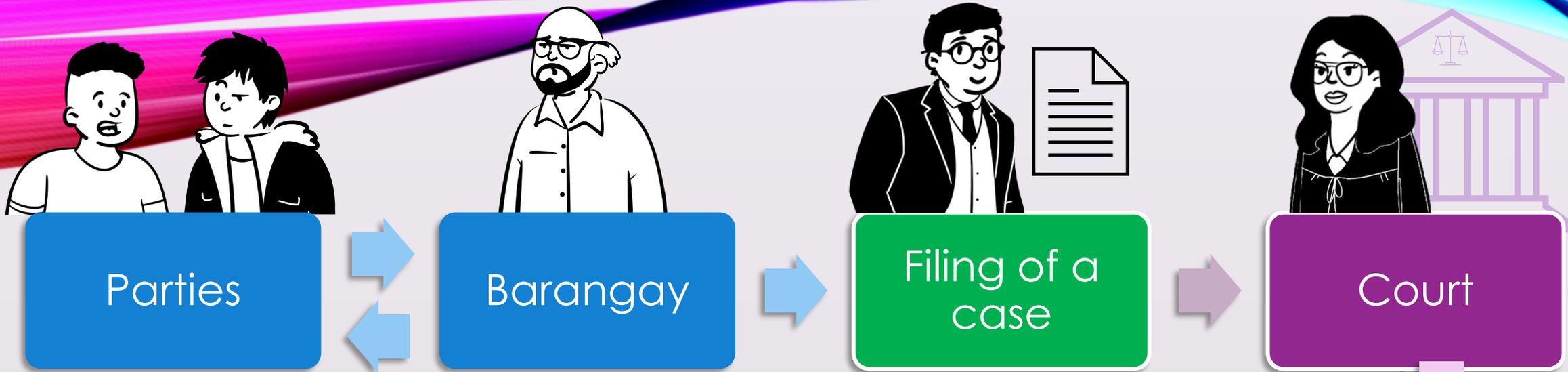
Supreme
Court

Local
Government
Code of
1991

1987 Constitution,
Judiciary Reorganization Act of 1980,
Code of Muslim Personal Laws,
among others

KATARUNGANG PAMBARANGAY PROCEDURE





What happens in litigation?



BASIC COMPARISON OF DURATION & EXPECTED EXPENSES

Barangay	Courts (example: Continuous Trial in Criminal Cases)
<p>Expense: Filing Fee: (Min. Php5, Max. Php20)</p> <p>Duration: <u>Oral or Verbal Complaint</u> : 1 day <u>Summon</u> : 1 day after receipt of complaint <u>Mediation (Completion)</u> : within 15 days from first meeting <u>Constitution of Pangkat</u> : After expiration of the 15-day period to mediate <u>Convene</u> : not later than 3 days from constitution <u>Settlement deadline</u> : within 15 days from the date the Pangkat convened; extendible for a period not exceeding 15 days, save for meritorious cases</p> <p>(51 days, including extension)</p>	<p>Expenses: Consultation fee, acceptance fee, appearance fees, filing/docket fees, witness fees, appeal fees, etc.</p> <p>Estimated total filing fee only (1st level to SC) : Php 8,830</p> <p>Duration: [example: Summary Procedure of Crim. Cases] <u>Filing</u> : 1 day <u>Raffle</u> : 1 day <u>Arraignment and Pre-Trial</u> : 10 or 30 days <u>Mediation</u> : 30 days <u>Trial</u> : 60 days <u>Promulgation of Decision</u> : 30 days from submission of case for decision <u>Motion for Reconsideration</u> : filed within 15 days <u>Comment</u> : within 10 days <u>Resolution on MR</u> : within 10 days from expiration of period to comment/from comment</p> <p>(187 days, excluding resetting, other remedies, etc.)</p>

SC CIRCULAR NO. 14-93

JULY 15, 1993

TO: ALL REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT: GUIDELINES ON THE KATARUNGANG PAMBARANGAY CONCILIATION PROCEDURE TO PREVENT CIRCUMVENTION OF THE REVISED KATARUNGANG PAMBARANGAY LAW (SECTIONS 399-422, CHAPTER VII, TITLE I, BOOK III, R.A. 7160. OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991).

In order that the laudable purpose of the law may not be subverted and its effectiveness undermined by indiscriminate, improper and/or premature issuance of certifications to file actions in court by the Lupon or Pangkat Secretaries, attested by the Lupon/Pangkat Chairmen, respectively, the following guidelines are hereby issued for the information of trial court judges in cases brought before them coming from the Barangays: xxx

SC CIRCULAR NO. 14-93 JULY 15, 1993



In some cases, prior Barangay conciliation is a pre-condition for formal adjudication

NGO V. GABELO

G.R. NO. 207707, AUGUST 24, 2020

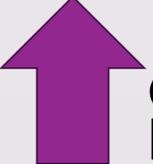
It is undisputed that the case was never referred to the Lupong Tagapayapa for conciliation. The petitioners successfully prevented the trial court from exercising jurisdiction over the case by timely invoking the ground in their answer as an affirmative defense. Thus, the complaint is dismissible for failure to comply with the mandatory requirement of barangay conciliation as a condition precedent before filing an action.

NGO V. GABELO

G.R. NO. 207707, AUGUST 24, 2020

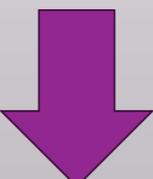
Evidently, the barangay failed to exert enough effort required by law to conciliate between the parties and to settle the case before it. Hence, respondent judge was not incorrect in remanding the case to it for completion of the mandated proceedings. xxx. His referral of the case back to the barangay cannot be equated with gross ignorance of the law. Neither does it constitute grave abuse of discretion or obvious partiality.

BENEFITS OF AN EFFECTIVE BARANGAY JUSTICE SYSTEM

 OUT OF COURT DISPUTE SETTLEMENT 

 SATISFACTION 

 PEACE & ORDER 

 CASES FILED IN COURT 

- **Time Effective**
 - For the parties involved
- **Cost Effective**
 - For the parties involved
- **Promotion of peace and security within the area**
 - For the welfare of the residents of the barangay/s
- **Contributes to Court Decongestion**
 - Will speed up trials and case resolution

PANG-ET V. MANACNES-DAO-S

G.R. NO. 167261, MARCH 2, 2007

xxx the object of the Katarungang Pambarangay Law is the amicable settlement of disputes through conciliation proceedings voluntarily and freely entered into by the parties. Through this mechanism, the parties are encouraged to settle their disputes without enduring the rigors of court litigation. xxx

The key in achieving the objectives of an effective amicable settlement under the Katarungang Pambarangay Law is the free and voluntary agreement of the parties to submit the dispute for adjudication either by the Lupon or the Pangkat, whose award or decision shall be binding upon them with the force and effect of a final judgment of a court. Xxx

Goal: True Compromise

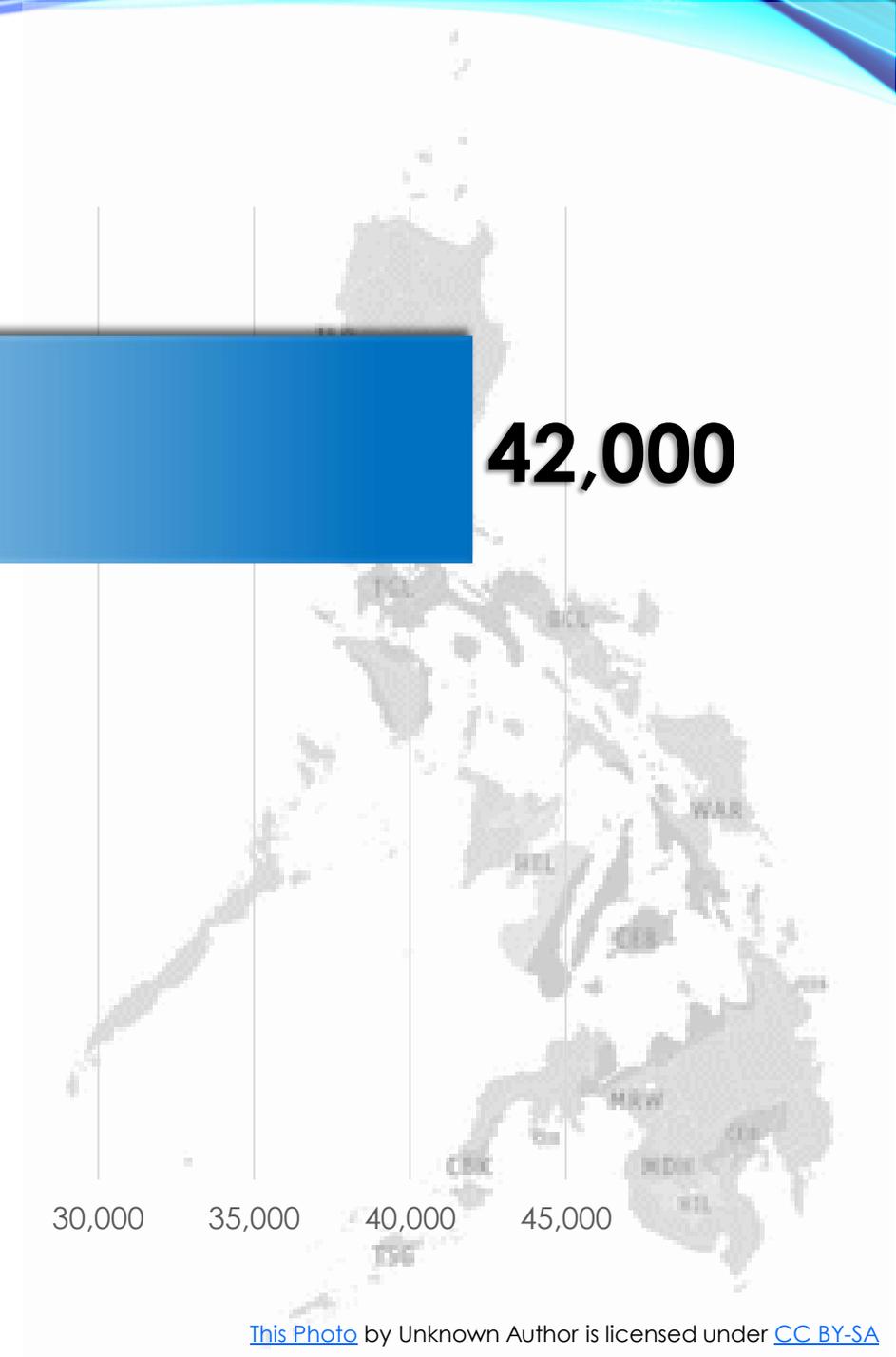


Barangay



Courts

1st and 2nd
Level Courts
(Organized)





THANK YOU