

6 SUCCESS STORY FOR QUARTER 2, FY 2014

PHILIPPINE COURT EXPERIENCES FIRST AUTOMATED IN-COURT TRIAL PROCEEDINGS



Judge (now Justice) Filomina Singh and her court staff uses the eCourt System in issuing court orders to parties present during a case hearing, saving the court time and effort in sending the same through registered mail and awaiting receipt of service.

"...I presided over the first fully automated in-court trial proceedings in the country...At the end of the session, everybody in the courtroom was all smiles. The litigant thanked us for making them part of history and I thanked my staff for taking the first brave step into the annals of history."

February 2014 – Judge (now Justice of the Court of Appeals) Filomena Singh of Quezon City Regional Trial Court, Branch 85 was one of the first to experience one of the in-court features of the eCourt

system. In what is called the first “fully automated in-court trial proceeding”, Judge Singh and her Branch Clerk of Court Atty. Butch Abutal noted a marked improvement in the speed of reviewing, approving and issuing a court order, and in acquiring a clear indication of receipt of order from parties. In a quote from an article written by Judge Singh, she recounts her experience:

“Last Friday, February 21, 2014, at 8:30 a.m., in Branch 85 of the Regional Trial Court of Quezon City, I presided over the first fully automated in-court trial proceedings in our country. My stenographer was directly typing all dictated orders into her computer and I had a monitor and keyboard connected to her computer which allowed me to check the order drafted per case real-time and once final, we printed each order and released them to all parties present at an average of no more than five minutes wait-time (mostly for printing and my signature on each page). It did not end there. Simultaneously, my interpreter was typing up the minutes per case, including the list of all marked exhibits for cases where witnesses adduced evidence, and we also printed the minutes for signature of all the parties present even ahead of my order per case. Lastly, my docket clerk (Civil Cases last Friday as we heard Special Proceedings and Land Registration Cases) was also ready to issue subpoena prayed for in the course of the hearings, while substituting with the interpreter when paper markings for exhibits were necessitated. At the end of the session, everybody in the courtroom was all smiles. The litigants thanked us for making them part of history and I thanked my staff for taking the first brave step into the annals of history.”¹

¹ Written by Justice Singh for the Philippine Women Judges Association convention held from March 5-7, 2014. The Article was entitled “I Still Believe In Miracles: Women Judges Keeping Up With Information Technology.”

In the past, court orders would be prepared only after the hearing and received by the parties days, weeks, or even months later through registered mail. The Philippine judiciary's reliance on registered mail for the service of processes has contributed to the lengthy litigation period of cases, as the period within which to file responsive pleadings or motions depends on the date of actual receipt of written court orders, rather than the date of promulgation. In most cases, the lack of receipt of order prior to a hearing also results in corresponding postponements. The use of eCourt's same-day service features, as demonstrated by Justice Singh and her court, will drastically reduce litigation time in many cases.

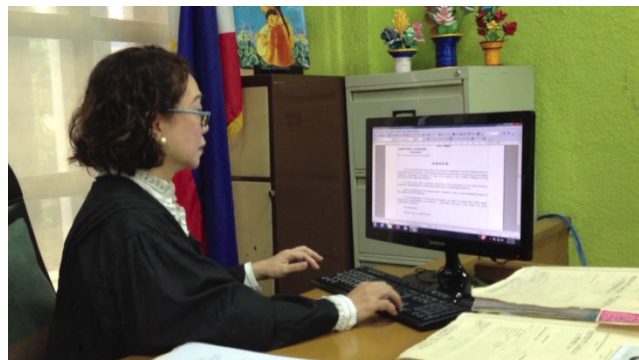
ABA ROLI and USAID continue to work together in developing eCourt features that will hasten other court processes, provide for means to monitor court schedules and track case action deadlines, and improve data reporting by courts.

SUCCESS STORY FOR QUARTER 1, FY 2015

JUDGES REPORT INCREASED EFFICIENCY AND TIME SAVINGS DUE TO AUTOMATED HEARINGS

Judges, litigants, and trial lawyers in the Philippines have long been accustomed to the lengthy delays associated with serving official court orders by mail – orders which the judge already dictates directly to parties during the hearing. This delay between the hearing and service of orders – and consequently, the ingrained expectation and acceptance of it – is often exacerbated by several rounds of time-consuming, post-hearing edits, or by judges simply deferring the issuance of orders deemed non-priorities. In most instances, these types of delays could be completely avoided by giving judges the right tools paired with corresponding procedural changes.

Automated hearings, a feature of ABA ROLI's eCourt, aim to address the issue of delayed service by enabling a judge to review, edit, print, and serve orders directly from the bench – all over the course of a live hearing. First piloted by now Court of Appeals Justice Filomena Singh at the Quezon City Regional Trial Court in February 2014, the automated hearings feature requires an easily accessible suite of tools: a laptop for the judge, a linked monitor and keyboard for the court stenographer, and a networked printer inside the courtroom. But the relative simplicity of equipping courts with this feature belies the deep and sweeping effects it may have on judicial efficiency.



"The burden is on the trial courts... [Judges] should not be afraid to try new things, to get out of our comfort zones." - Judge Angelene Mary Quimpo-Sale of Quezon City Regional Trial Court, on the obligation to improve judicial efficiency.

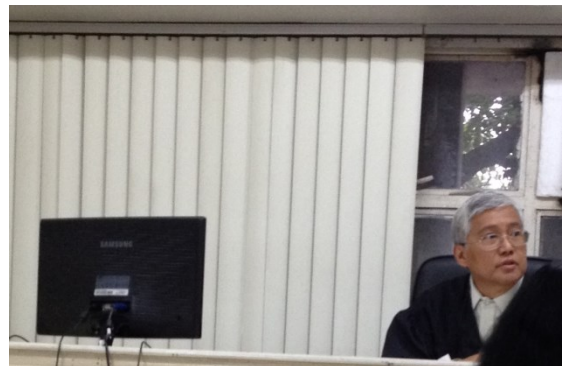
At face value, the benefits of automated hearings are obvious: there is no longer a need to rely on the post office to serve orders, immediately reducing the related delay and also reducing case duration in instances where further action is required upon receipt of the order. What has been even more promising and revelatory, however, is that the benefits of automated hearings have already been felt by key stakeholders across the board, from judges, to court staff, to litigants and lawyers, fundamentally altering their view of the justice system and its possibilities.

Judge Angelene Mary Quimpo Sale, who began use of the pilot system in June of 2014, estimates that automated hearings have saved her two hours of the afternoon each workday – hours which had previously been spent revising orders already promulgated in open court. Now, she is able to dedicate more time to studying the merits of cases and writing decisions. Her court stenographers report that because draft orders no longer undergo revision after trial, their own workload has been reduced by around 40%, allowing them to spend more time on their primary duty of preparing hearing transcripts. Judge Sale now issues automated orders in all hearings set on a trial date, with the exception of those orders which she, as a Family Court judge, is required to promulgate inside chambers. As a strong

supporter of automated hearings, Judge Sale has invited her fellow judges and their court staff to observe automated hearings for themselves at her courtroom.

For Judge Luisito Cortez, the automated hearing system has, on top of making him a more effective judge, “brought [him] inner peace.” First using the system in May of 2014, Judge Cortez’s initial skepticism was quickly dispelled by the immediate and noticeable effect that automated hearings brought to his courtroom. While he originally anticipated promulgating only the most routine orders via automated hearings, as his confidence in the system grew, so did the complexity of the orders he issued through it. One example he cites is the multi-page orders routinely issued during initial hearings for uncontested land registration cases. Without automated hearings, he says, between twenty to thirty minutes of trial time would be consumed by lawyers’ oral recitals and the corresponding dictation of orders, and it would take another two to three weeks before parties received the official orders by mail. With the introduction of automated hearings, however, that entire process has been reduced to a mere five minutes – with parties receiving the order on-the-spot. Judge Cortez recounts that the clear gains in efficiency produced by automated hearings have led him to actively try to resolve every pending motion through the new system, a habit which has continued to increase his efficiency and effectiveness.

Judges and their court staff are not the only ones who have been swayed by the efficiencies of automated hearings. Judge Sale reports that litigants are extremely pleased with the instantaneous promulgation and service of automated orders – an encouraging signifier of judicial reform at work, and a hint of the cultural shift required for sustainability. Judge Cortez corroborates this with his own experiences, recounting that “several lawyers have been manifesting in open court their awe [regarding] the automated hearings,” with some asking permission to view the judge’s screen as he edits the order, and another reporting that his client was so impressed at having received the order immediately that he was treated out to lunch.



“A process that used to take twenty to thirty minutes of hearing time now just takes five.” Judge Luisito Cortez of Quezon City Regional Trial Court

But new tools alone will almost never achieve ideal effectiveness or sustainability – they must be accompanied by the appropriate procedural changes, a maxim that holds true across much of the eCourt project. In line with this rule, both Judge Sale and Judge Cortez agree that the key to conducting successful automated hearings has been the revamped pre-hearing preparation undertaken by the judge and the court staff. Cases awaiting trial are now more carefully studied to identify the likely resolution of pending incidents and the corresponding orders that will have to be issued. Court stenographers are also briefed as to what orders are likely to be issued during the hearing, allowing them to prepare templates for the orders beforehand.

With positive results from the pilot phase, automated hearings are slated for expansion beginning March 2015 to all 58 Quezon City trial courts where they will complement the existing eCourt system. The new feature will also be introduced alongside the eCourt rollout to the trial courts of Manila, Makati City, Pasig City, Angeles City, Cebu City, Lapu-Lapu City, and Davao City in the coming months.