

Conflict Resolution in Family Dispute

Hesus A. Bucatcat; Karen Faye H. Torrecampo; Melchor D. Lantajo, Jr.; Bismark Oliver L. Calupaz; Debie V. Alve; Sarah Mae O. Romano; Winston Jhon Paul F. Blanco; Val N. De Los Santos

Professor: Atty. Robbin S. Docena

Bridging Theory and Practice: Insights from Mediation and Judicial Dispute Resolution in the Philippines

Dispute resolution is a crucial aspect of the legal system, ensuring that conflicts are addressed fairly and efficiently without resorting to prolonged litigation. In the Philippines, Alternative Dispute Resolution (ADR) mechanisms, such as mediation and Judicial Dispute Resolution (JDR), play a vital role in promoting amicable settlements, reducing court congestion, and offering a more accessible and less adversarial method of resolving disputes. While these concepts are thoroughly explored in legal education, engaging directly with professionals in the field provides a deeper, more practical understanding of how these processes function in real-world settings.

As part of an academic initiative aimed at enhancing practical knowledge of dispute resolution, law students had the opportunity to interview Hon. Mario O. Quinit, a JDR judge, and Atty. Ari Gomez Larrazabal, an accredited mediator at the Philippine Mediation Center (PMC). This experience yielded valuable insights into the complexities and nuances of mediation and JDR, highlighting the differences between theoretical learning and actual practice. Interacting with professionals who actively facilitate dispute resolution allowed students to appreciate the real-world application of ADR principles and underscored the significance of these mechanisms within the legal system.

This paper outlines the key observations and insights gained from the activity. It begins with profiles of both the mediator and the JDR judge, providing an overview of their professional backgrounds and expertise. The subsequent sections discuss the group's observations during mediation and JDR sessions, offering a perspective on how these processes are conducted in practice. Additionally, the paper examines discussions from the interviews with both the mediator and the JDR judge, reflecting on their perspectives, strategies, and challenges in facilitating dispute resolution. The latter sections present key insights drawn from the activity and analyze the broader impact and effectiveness of Court-Annexed Mediation (CAM) and JDR in the Philippine legal system.

Beyond its procedural aspects, dispute resolution is deeply rooted in human dynamics. Mediation and JDR require not only legal proficiency but also the ability to foster communication and cooperation between conflicting parties. The role of a mediator or JDR judge extends beyond merely applying legal doctrines; it involves facilitating dialogue, building trust, and guiding parties toward mutually acceptable solutions. These essential skills—negotiation, patience, and strategic problem-solving—are not always emphasized in traditional legal education, making experiential learning opportunities like this activity invaluable for law students.

Understanding ADR through direct engagement allows students to view the law as a practical tool for conflict resolution rather than just a set of rules to interpret. It highlights the importance of adaptability, empathy, and creative legal thinking in resolving disputes efficiently. As future legal practitioners, this exposure to real-world applications encourages a broader perspective on legal practice—one that values resolution over confrontation and collaboration over adversarial proceedings.

Ultimately, this paper emphasizes the value of experiential learning in shaping competent and well-rounded legal professionals. As the legal landscape continues to evolve, law students must develop not only theoretical knowledge but also the practical skills needed to apply legal principles in real-world contexts. Through direct engagement with mediation and JDR, future lawyers gain a deeper appreciation for the role of ADR in making justice more efficient, accessible, and responsive to societal needs.

PROFILE OF THE MEDIATOR AND THE JDR JUDGE

Atty. Ari Gomez Larrazabal: A Pillar of Justice, Mediation, and Public Service

In the legal and civic landscape of Ormoc City, few names resonate with the same level of respect and dedication as Atty. Ari Gomez Larrazabal. A seasoned and accredited mediator at the Philippine Mediation Center, Atty. Larrazabal has spent decades fostering amicable dispute resolution, advocating for justice, and serving the community with unwavering commitment.

Atty. Larrazabal's journey into the legal profession is one marked by dedication and perseverance. He initially pursued a Bachelor of Science in Biology at Cebu Doctors' University, demonstrating his deep academic curiosity and discipline. However, his true calling lay in law, leading him to earn his Bachelor of Laws from Divine Word University.



Passing the Philippine Bar Examination in 1992, he quickly established himself as a competent and principled lawyer, opening the Larrazabal Law Office in 1993. For over three decades, he has been at the forefront of the legal field, handling a diverse array of cases while championing Alternative Dispute Resolution (ADR) as a means to foster fair and efficient justice.

Beyond traditional litigation, Atty. Larrazabal has been an ardent advocate for mediation, recognizing its power to resolve conflicts efficiently while preserving relationships. His work at the Philippine Mediation Center has been instrumental in reducing court congestion and providing disputing parties with a more collaborative, less adversarial alternative.

His expertise in mediation has made him a trusted figure among peers and the public, reinforcing the importance of ADR in the Philippine legal system.

Atty. Larrazabal's passion for service extends beyond the courtroom. As a long-time resident of Ormoc City, he has remained deeply involved in community affairs, always striving to contribute to the city's development. His desire to effect meaningful change has led him to take on a new challenge: running for Councilor in the 2025 Midterm Elections. With his wealth of legal experience, he aims to bring integrity, fairness, and innovative governance to the local government, advocating for policies that uplift the community.

With a career dedicated to law, mediation, and public service, Atty. Ari Gomez Larrazabal stands as a pillar of justice and civic responsibility. Whether resolving disputes through mediation, defending the rights of his clients, or working toward the betterment of Ormoc City, he remains steadfast in his mission to serve. As he embarks on this new political endeavor, his proven leadership and dedication to fairness make him a formidable force for progress—one who continues to shape a more just and harmonious society.

Judge Mario O. Quinit: A Legacy of Excellence in Law and Public Service

A distinguished legal luminary, Judge Mario O. Quinit hails from Tacloban City and has built an exemplary career spanning over 26 years in public service. His academic foundation is as impressive as his professional journey. He earned his Bachelor of Arts degree from the Leyte Institute of Technology (now Eastern Visayas State University) before obtaining his Juris Doctor, with honors, from Leyte Colleges, where he was a consistent academic scholar. Further demonstrating his commitment to legal scholarship and governance, he holds three master's degrees: a Master of Public Management from the University of the Philippines Tacloban College, a Master in Industrial Relations from the University of the Philippines Diliman, and a Master of Laws from San Beda University, where he is currently pursuing a Doctor of Laws.

Further demonstrating his commitment to legal scholarship and governance, he holds three master's degrees: a Master of Public Management from the University of the Philippines Tacloban College, a Master in Industrial Relations from the University of the Philippines Diliman, and a Master of Laws from San Beda University, where he is currently pursuing a Doctor of Laws.

Throughout his career, Judge Quinit has consistently upheld the principles of justice and excellence, earning widespread recognition for his contributions. As a Public Attorney, he was conferred the Top Performer Award, and during his tenure as an Ombudsman Prosecutor, he was honored with the 2007 Outstanding Ombudsman



Prosecutor Award. His exemplary service as a Regional Trial Court Judge in Palompon and now Ormoc City has earned him the prestigious “Lamrag han Hudikatura Award” twice, bestowed by the Integrated Bar of the Philippines, Leyte Chapter. His commitment to justice has also been acknowledged on an international scale—on July 2, 2022, he was awarded the esteemed “SAARC Regional Peace Award” by the South Asian Association for Regional Cooperation (SAARC) in Male, Maldives.

Beyond his judicial role, Judge Qunit has made significant contributions to legal education and advocacy. He has served multiple times as a judge for moot court competitions sponsored by LAW ASIA, held in Tokyo, Japan; Siem Reap, Cambodia; and Hong Kong. His expertise has also been recognized by the International Criminal Court of Justice in The Hague, where he has thrice served as an evaluator and judge for moot court competitions at Leiden University, The Netherlands. Prior to the pandemic, he played a vital role as a trainer and lecturer on Trial Skills and Advocacy for the Office of the Ombudsman, equipping prosecutors and lawyers with the necessary expertise to navigate complex legal proceedings.

Outside the courtroom, Judge Qunit is an avid traveler and an accomplished international marathoner, having completed full marathons in Kobe, Japan, and Sydney, Australia. His dedication to legal education extends to the academic field, where he previously served as a professor of law at Saint Paul School of Professional Studies, DVOREF, and Leyte Colleges.

With an unwavering commitment to justice, legal excellence, and education, Judge Mario O. Qunit continues to be a formidable force in the Philippine judiciary, leaving a lasting impact on the legal profession both locally and internationally.

DISCUSSION ON THE GROUP’S OBSERVATION OF THE MEDIATION

The group’s observation is limited to the actual simulation made during the conduct of the learning session with Hon. Judge Mario O. Qunit last February 16, 2025 at 1:00PM. The session was organized by the group and was attended by Family Dispute Resolution students of JD 3A and JD 3B. Judge Qunit emphasized that the conduct of mediation is a tool to aid the courts in declogging its dockets and promoting speedy disposition of disputes. The following summarizes the group’s observations:

Structure of Mediation

The group has highlighted the importance of following an interview structure, as it helps both parties to properly understand the rationale of these proceedings. It also helps both parties to navigate their way towards a peaceful settlement, or in cases of non-settlement, the prospect of court action. The group has also noticed how the mediator utilizes time management to avoid rushed outcomes in both parties.

The group noted the emphasis during the simulation that parties should be given equal opportunity to articulate interest in the proceedings. As emphasized during the discussion, the skill of the mediator should be used strategically to break impasses without sidelining any party.

Neutrality and Impartiality

The group noted the pivotal role of neutrality and affirmation of voluntariness in successful mediation proceedings. It is noteworthy that the trust that both parties will be heard in a neutral and impartial manner is paramount in making parties comfortable and willing to settle their disputes.

The simulation and subsequent discussions have also noted that a mediator has to address disparities between parties such as, but not limited to, resource gaps and emotional dominance. The mediator should strike a balance between providing a fair medium for parties to express their sentiments and concerns without compromise to the rights of the other party.

Communication Techniques

The critical area and skill for a mediator to employ during proceedings is the ability to paraphrase and reframe adversarial statements into neutral terms. A skill that was also emphasized during the simulation was the proper management of emotions of parties, such as de-escalating hostile interactions through focusing on facts or scheduled breaks in improving the dynamics of the mediation.

Problem-Solving and Creativity

The simulation emphasized the craftiness and skill entailed in properly navigating through the emotions and conflicting interest of parties. As Judge Qunit has already emphasized during his discussion, a mediator should properly address the underlying needs of the parties and use such needs for parties to explore beyond their positional demands.

In presenting possible scenarios after non-agreement, a mediator help parties evaluate alternatives to agreement, which leads them to informed decision-making, regardless of the outcome.

Legal and Procedural Knowledge

The group has also noted how the simulation of Judge Qunit provided an insight how legal and procedural knowledge is employed in informing both parties of the implications of the dispute should the matter mature to court litigation. Judge Qunit's simulation provided that the mediator, avoid the provision of legal advice but clarified legal and procedural options of the parties.

He also maintained that a mediator should flag any misapplication of the law that could skew party decisions.

Confidentiality

The mediator should affirm parties that confidentiality will be upheld at the outset. This fosters open dialogue between both parties. That in cases where private disclosures are inadvertently revealed, a mediator must reinforce confidentiality rules in order for breaches

not to occur.

Outcome Evaluation

The group was reinforced with the simulation that mediation proceedings are expedient and inexpensive manner of settling disputes. As a mediator, the simulation has been observed by the group to ensuring that settlement is grounded on fairness and feasibility, for both parties to properly comply with its terms.

Judge Qunit further emphasized that if no agreement is reached, a mediator should summarize progress and outline next steps the parties will undertake to resolve the concern.

Voluntariness and Informed Consent

The simulation also illustrated that a mediator should ensure no coercion between parties will be partaken during the proceedings, rather any settlement should be borne out of the earnest motives of parties to resolve the dispute. That, should any agreement be finalized during the proceedings, the mediator would exert his best for parties understand agreement terms fully.

Reducing Litigation Cost and Court Dockets

The symposium and interview discussions provided deeper insights into the impact and effective of CAM and JDR in handling disputes. The discussions emphasized that CAM and JDR are instrumental in declogging court dockets, enabling the judges to focus on more complex cases while disputes that can be resolved without going through litigation be addressed. CAM and JDR reduce financial burden by eliminating the costs of a long process of litigation and all the costs that come with it.

Preservation of Relationship

The interviews underscored how alternative dispute resolutions foster collaboration instead of adversarial litigation. This is particularly in family disputes where preserving parental relationship is important. Mediation in child support and custody cases encourage the parents to prioritize the welfare of the child rather than engaging in hostile litigation.

The Success Metrics in Mediation

The interview with Atty. Ari revealed that success in mediation is not only measured by settling the dispute but also by improving the parties' understanding of resolving conflicts. Even though there are cases where settlement was not reached, a good mediation session would leave the parties more open to negotiation in the future.

DISCUSSION ON THE INTERVIEW CONDUCTED WITH THE MEDIATOR

Bridging Conflicts: An Insightful Conversation with Atty. Ari Gomez Larrazabal on Mediation

Our online interview with Atty. Ari Gomez Larrazabal, a seasoned mediation lawyer at the Philippine Mediation Center in Ormoc, was an enriching and enlightening experience for us as

law students. Originally planned as an in-person session, scheduling constraints necessitated a shift to an online platform. Despite this adjustment, the conversation remained highly engaging, providing us with invaluable insights into the nuances of mediation within the Philippine legal system. Assisting in the session was Ms. Deejae Sunday F. Eamiguel, Mediation Staff Assistant II of the Philippine Mediation Center in Ormoc, who offered additional context and clarification when needed.

The discussion commenced with interviewer Mr. Val N. De los Santos introducing the team to Atty. Larrazabal, setting a relaxed and welcoming tone for the session. With his extensive experience in mediation, Atty. Larrazabal immediately captured our attention, offering a thoughtful and pragmatic perspective on conflict resolution and the role of mediators in fostering amicable settlements.

One of the first questions raised pertained to handling cases where one party dominates the conversation during mediation. Atty. Larrazabal emphasized the importance of maintaining control over the process, explaining that in such situations, he calls for a break and conducts individual sessions with each party. This approach allows him to better understand their perspectives while ensuring that neither party overpowers the discussion. He stressed that a mediator's role is to uphold neutrality and balance, guiding the dialogue in a way that allows both sides to be heard equally.

When asked about the most challenging cases he had mediated, Atty. Larrazabal cited family-related disputes, particularly those involving inheritance and property partition. He noted that such cases are often complicated by emotional tensions and cultural expectations, such as the belief that the eldest child should receive a larger share. To navigate these complexities, he often recommends involving a neutral third party—someone trusted by both sides—to help facilitate discussions. He explained that emotional attachments often cloud logical decision-making, and having an intermediary can encourage a more constructive and objective resolution.

The conversation then turned to legal matters that arise during mediation. Atty. Larrazabal clarified that while mediation provides an avenue for resolving disputes outside of court, certain legal issues require professional legal intervention. In such cases, he advises parties to involve their respective lawyers in the mediation process to ensure their legal rights and interests are safeguarded. By working collaboratively with legal counsel, mediation can proceed without compromising the legal complexities involved.

On the subject of measuring success in mediation, Atty. Larrazabal explained that success is not solely determined by whether a settlement is reached. Rather, he considers mediation successful if the parties leave with a greater understanding of the process and an improved relationship. Even when an agreement is not immediately achieved, mediation can help foster a mindset geared toward resolution, allowing parties to approach conflicts with a more open and constructive perspective in the future.

For those aspiring to pursue mediation as a profession, Atty. Larrazabal offered candid advice. He emphasized that mediation—particularly court-annexed mediation—is driven by conviction rather than financial gain. While the field may not be highly lucrative, it is immensely rewarding for those with a genuine passion for helping others navigate and resolve their disputes. A successful mediator, he explained, must possess patience, empathy, and a strong commitment to conflict resolution.

As the interview neared its conclusion, Atty. Larrazabal reflected on the most fulfilling aspects of being a mediator. He shared that the greatest reward lies not only in helping parties reach settlements but also in knowing that they leave with a better understanding of the mediation process. Even when disputes remain unresolved, the ability to shift perspectives and foster open dialogue is a meaningful outcome in itself.

The session concluded with Mr. De Los Santos expressing gratitude to Atty. Larrazabal for taking the time to engage with us despite his demanding schedule. In turn, Atty. Larrazabal expressed appreciation for the opportunity to share his experiences and insights, acknowledging the team's enthusiasm for learning about mediation.

Although conducted online, the interview proved to be an invaluable learning experience. As aspiring legal professionals, we walked away with a deeper understanding of the vital role mediation plays in the Philippine legal system. Atty. Larrazabal's insights underscored the importance of neutrality, empathy, and effective communication in resolving disputes—fundamental skills that every aspiring mediator must cultivate. His reflections not only deepened our appreciation for mediation but also reinforced its significance as a crucial pillar of alternative dispute resolution, particularly in smaller cities like Ormoc.

DISCUSSION ON THE GROUP'S OBSERVATION OF THE JDR

Judicial Dispute Resolution: A Collaborative Approach to Conflict Resolution

Observations on Judicial Dispute Resolution (JDR)

Judicial Dispute Resolution (JDR) offers an alternative to traditional litigation by incorporating methods such as mediation, arbitration, and conciliation to resolve conflicts. These approaches are generally faster, more cost-effective, and less adversarial than court proceedings, making them an attractive option for many legal disputes. Particularly in sensitive cases, such as family law matters, JDR fosters cooperative problem-solving and allows parties to take a more active role in shaping their resolutions.

One of the primary advantages of JDR is its cost-effectiveness. Legal fees and court expenses in litigation can escalate quickly due to prolonged proceedings, expert witness fees, and other associated costs. In contrast, JDR processes are streamlined, reducing financial burdens on the parties involved.

Beyond financial considerations, JDR promotes collaboration, particularly in family law and commercial disputes. Unlike traditional litigation, which often deepens animosity between parties, JDR emphasizes communication and cooperation. This is particularly valuable in

child custody and support cases, where maintaining a functional relationship between parents is crucial.

JDR also provides parties with greater control over the outcome of their disputes. Instead of a judge imposing a decision, parties can negotiate mutually beneficial terms through mediation or arbitration. This flexibility allows for customized solutions tailored to their unique circumstances—something that rigid court rulings may not always achieve. In contrast, litigation places the final decision in the hands of a judge or jury, leaving little room for compromise or individualized outcomes.

Another significant benefit of JDR is confidentiality. Mediation and arbitration proceedings are private, safeguarding the reputations and personal matters of those involved. Court cases, on the other hand, are public records, exposing sensitive details that could potentially harm the parties, especially in high-profile disputes.

Overall, JDR serves as a flexible, cost-efficient, and collaborative approach to dispute resolution. By allowing parties to maintain control over the process, preserving relationships, and reducing both emotional and financial strain, JDR continues to gain traction as a preferred method for resolving legal conflicts—particularly in family law and commercial disputes.

Symposium on Judicial Dispute Resolution: Insights from Honorable Judge Mario O. Quinit

A symposium and interview on Judicial Dispute Resolution provided invaluable insights into how judges handle complex family law disputes, particularly those involving child support and custody. Presiding over the session was Honorable Judge Mario O. Quinit, a distinguished expert in the field, who shared his perspectives on the evolving role of judges in fostering fair and amicable resolutions.

Judge Quinit emphasized that a judge's role in family law cases extends beyond issuing rulings—it also involves facilitating peaceful agreements that serve the best interests of the child. Through JDR methods such as mediation and arbitration, judges can encourage parents to work together, minimizing hostility and promoting sustainable co-parenting arrangements.

One of the most effective tools in JDR, according to Judge Quinit, is mediation. He highlighted how mediation allows parents to openly discuss their concerns, negotiate terms, and ultimately reach solutions that prioritize their child's well-being. He further explained that parents who actively participate in mediation are more likely to uphold agreements, as they feel a sense of ownership over the outcome rather than having a court-imposed decision.

During the interview, Judge Quinit provided practical advice to parents navigating custody and child support disputes. He stressed the importance of open communication, patience, and a willingness to compromise. By focusing on the child's best interests and approaching the process with cooperation rather than conflict, families can avoid prolonged legal battles that often exacerbate tensions.

Roleplaying Activity: Simulating Child Support and Custody Disputes

An interactive roleplaying activity added a dynamic element to the symposium, allowing participants to engage in simulated child support and custody disputes. The exercise provided a practical understanding of how JDR principles are applied in real-life legal proceedings.

In the roleplay, two parents contested custody arrangements and financial obligations. One sought primary custody, while the other expressed concerns about child support payments. The exercise demonstrated the challenges and emotional complexities involved in such disputes and highlighted how JDR techniques can help de-escalate conflicts and encourage resolution.

Judge Quinit, who observed the roleplaying session, noted that while the exercise was a simulation, the strategies used closely mirrored actual courtroom scenarios. He emphasized that many real-life cases begin with adversarial stances but, through JDR, often lead to amicable settlements before reaching trial.

By engaging in this roleplaying activity, participants gained a deeper appreciation for the effectiveness of JDR in family law disputes. The exercise reinforced the importance of mediation, active listening, and collaboration—key components in achieving fair and lasting resolutions.

Conclusion

The symposium and discussions on Judicial Dispute Resolution provided a profound understanding of its benefits and applications, particularly in child support and custody cases. Under the guidance of Judge Mario Quinit, attendees explored how JDR fosters cooperation, reduces litigation costs, and promotes sustainable agreements.

Through mediation and arbitration, families can resolve disputes more amicably, ensuring that children's best interests remain the focal point. The roleplaying exercise further solidified these concepts, offering participants firsthand experience in applying JDR methods.

Judicial Dispute Resolution continues to reshape the legal landscape by prioritizing fairness, flexibility, and collaboration. As more individuals recognize its advantages, JDR is poised to become an increasingly vital tool in achieving just and equitable outcomes in legal disputes.

DISCUSSION ON THE INTERVIEW CONDUCTED WITH THE JDR JUDGE

The Judicial Dispute Resolution (JDR) is one of the most effective tools in fostering amicable settlements while easing pressure in court dockets. In an interview with Judge Mario O. Quinit, the Presiding Judge of Branch 12 of the Regional Trial Court – Ormoc City, key insights were shared regarding his methodologies, ethical principles, and strategies for handling and facilitating mediations. The succeeding discussions duly highlight Judge Quinit's approach, organized by themes emerging from the discussion.

Impartiality as Core in Building Rapport and Trust

Judge Quinit emphasized the importance of impartiality as the cornerstone of effective

mediation. Judge Quinit underscored the importance of a JDR judge studying case records, applicable laws, and jurisprudence before the conduct of JDR proceedings. His actions ensure decisions remain evidence-based, shielding the process from emotional sway. Trust, another critical element, is cultivated through the judge's reputation for probity and integrity. In his experience, litigants often research a judge's character beforehand, and Judge Quinit's consistent demonstrations of fairness set the stage for rapport. To further ease hesitations, he emphasizes the confidentiality of mediation proceedings, assuring parties that disclosures made during negotiations cannot be weaponized in subsequent court trials.

Ensuring Fair Ground for Dialogue

A structured yet empathetic communication framework is employed by Judge Quinit to make parties feel heard. The JDR mediation proceeding begins with an opening statement explaining the process's benefits, followed by orderly presentations: the plaintiff's claims, the defendant's rebuttal, and subsequent sur-rebuttals. To minimize misunderstandings, Judge Quinit converses in the parties' native dialect or preferred language, fostering comfort and candor.

Power imbalances, particularly in family disputes, are addressed by reinforcing equality before the law. Judge Quinit reminds parties that neither holds superiority and appeals to shared emotional histories—urging them to reflect on past harmonious relationships and extend mutual respect.

Encouraging Collaboration and Problem-Solving

Creative solutions are nurtured by grounding discussions in evidence. Judge Quinit lays out factual and legal parameters, then invites parties to propose realistic and attainable settlements. Judge Quinit posits that the collaborative approach shifts the focus from adversarial assertion of individual interests to joint problem-solving. In sensitive cases, such as custody disputes, the child's best interests are prioritized through strict adherence to legal standards, with exceptions (e.g., the "compelling reason rule") applied only under warranted circumstances.

Navigating Challenges and Impasse

When tensions escalate, Judge Quinit employs recesses to allow parties to cool down, followed by caucuses—separate discussions with each party, always in the presence of counsel—to realign perspectives. Should mediation reach an impasse, he advocates termination rather than prolonging unproductive negotiations, preserving resources and respecting parties' autonomy.

Interestingly, Judge Quinit noted no exceptionally challenging cases to date but emphasized a proactive stance: highlighting mediation's benefits—speed, cost-efficiency, and relationship restoration—to motivate resolution.

Conclusion

Judge Mario O. Quinit's approach reflects a balanced blend of legal rigor, psychological acuity, and commitment to the mediation process. By prioritizing impartiality, structured communication, and adaptive conflict management, he fosters an environment where parties can transcend contention to achieve mutually satisfactory outcomes. This interview not only contextualizes the complexities of JDR but also reaffirms its value as a humane and efficient alternative to traditional litigation.

INSIGHTS LEARNED FROM THIS ACTIVITY

The Power of Alternative Dispute Resolution: Insights Gained from Experience

Alternative Dispute Resolution (ADR) is a transformative approach to conflict resolution, offering a more collaborative, cost-effective, and efficient alternative to litigation. Engaging in ADR activities has provided our group with a profound understanding of its various processes—mediation, arbitration, and negotiation—all of which emphasize amicable settlement over adversarial proceedings. These experiences have not only deepened our knowledge of dispute resolution but have also equipped us with valuable skills that extend far beyond the legal realm.

One of the most crucial insights we gained is the importance of effective communication. Throughout our discussions and activities under the guidance of our ADR professor, Atty. Robin Docena, we discovered that active listening and open dialogue form the foundation of successful dispute resolution. Mediators are trained not just to hear, but to truly listen—acknowledging both the spoken words and the underlying emotions. This empathetic engagement builds trust among parties, making them more receptive to compromise and resolution.

Another significant realization is the value of creativity and flexibility in problem-solving. Unlike rigid court rulings bound by legal precedents, ADR allows disputing parties to explore innovative solutions tailored to their unique circumstances. Mediation, in particular, fosters a problem-solving mindset, encouraging parties to shift from a confrontational stance to a collaborative one. This flexibility often results in more satisfying, long-term resolutions that address the core interests of both sides.

Additionally, ADR underscores the importance of neutrality. A mediator's role is not to take sides but to facilitate constructive dialogue while maintaining impartiality. Our observations of real mediation sessions, including a demonstration by Hon. Judge Mario O. Quinit at the SPSPS Faculty of Law, highlighted how skilled mediators ensure that both parties feel heard and respected. Neutrality is not just about avoiding favoritism; it requires a conscious effort to manage personal biases, creating an environment where trust and cooperation can flourish.

Confidentiality also emerged as a key advantage of ADR. Unlike court trials, which are public and can lead to reputational risks, ADR proceedings remain private, allowing parties to resolve sensitive matters discreetly. Moreover, ADR offers significant time and cost efficiency—litigation can be a lengthy and expensive process, whereas mediation and

arbitration provide quicker, more economical alternatives. The ability to resolve disputes efficiently while preserving relationships is a compelling reason why ADR is increasingly favored in both legal and business settings.

Perhaps the most impactful lesson we gained from our ADR journey was the profound sense of service that defines mediation. In our interview with Atty. Ari Larrazabal, a seasoned mediator, he emphasized that the greatest fulfillment in mediation lies in helping parties understand the essence of dispute resolution. The role of a mediator is not merely to settle conflicts but to educate individuals on the benefits of peaceful negotiation and mutual understanding. This realization reinforced the idea that ADR is more than a legal process—it is a tool for building harmony and fostering human connections.

At its core, mediation embodies the principle that disputes do not always need to end in prolonged legal battles. Finding common ground, rather than focusing on differences, can lead to solutions that benefit both parties. This insight is invaluable not just in legal practice, but in everyday life—whether in professional negotiations, workplace conflicts, or personal relationships.

In conclusion, our engagement in ADR activities has deepened our understanding of communication, neutrality, confidentiality, and creative problem-solving in conflict resolution. These lessons extend beyond the legal sphere, equipping us with skills that are essential in any setting that requires negotiation and cooperation. Ultimately, ADR is not just about settling disputes—it is about fostering peace, preserving relationships, and promoting a more harmonious society.

ANALYSIS ON THE IMPACT AND EFFECTIVENESS OF CAM AND JDR IN DISPUTE RESOLUTION

Strengthening Justice: The Role of Court-Annexed Mediation and Judicial Dispute Resolution in the Philippines

The Philippines has established Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) several enactments, beginning with Republic Act No. 9285 (2004), the Alternative Dispute Resolution Act. This law actively promotes these mechanisms to address the severe backlog that has long burdened the judiciary. To complement the law, the Supreme Court issued additional guidelines, such as A.M. No. 11-1-6-SC-PHILJA (2011), which mandates court-referred mediation for civil, family, and commercial cases, and formalized JDR in 2016, which involves judges directly mediating disputes like fraud and contractual breaches. These reforms have had tangible results, with the Office of the Court Administrator (OCA) reporting that CAM and JDR resolve between 30% and 40% of referred cases. According to the Philippine Judicial Academy (PHILJA), the settlement rate for court-annexed mediations was 55% in 2019. Typically, mediated cases are resolved in 2–3 months, compared to the 3–5 years often needed for traditional litigation. Innovations like the e-Katarungan online platform, launched during the COVID-19 pandemic, have also made the process more accessible, particularly by reducing the travel burden for litigants from rural areas.

In comparative studies, it has shown that other jurisdictions have already successfully integrated alternative dispute resolution mechanisms into their legal framework. Singapore has embedded a court annexed mediation within their judiciary in order to expedite dispute resolution, while in the United States, they have varying practices depending on the state, with many encouraging mediations to lower the costs. Learning from these practices that have been established could help enhance the effectiveness of our alternative dispute resolution system.

Culturally, CAM aligns well with Filipino values such as pakikisama (harmony) and hiya (avoiding shame), which makes it particularly effective in familial conflicts, like inheritance issues, and local disputes at the barangay level, where maintaining relationships is of utmost importance. On the other hand, JDR benefits from the public's respect for judicial authority, motivating parties to follow a judge's guidance. A study by the University of the Philippines (UP) Law School in 2021 revealed that 68% of participants were satisfied with CAM outcomes, highlighting benefits like privacy and relationship preservation. However, JDR has faced skepticism, particularly in commercial disputes, where businesses are concerned about alienating judges whose rulings could influence the outcome of future trials. This concern was magnified by reports of coercion, such as a 2022 case in Cebu, where a judge allegedly pressured a tenant into accepting an unfair settlement.

Despite these successes, there are still significant systemic challenges. Resource and training disparities disproportionately affect rural courts, where mediators and judges trained in JDR are scarce, partly due to PHILJA's training programs being focused mainly in Metro Manila. Many mediators also lack expertise in handling complex cases, like intellectual property disputes, which undermines confidence in the process. Furthermore, the mandatory nature of CAM, required before trial in most civil cases, has received criticism for pressuring parties into accepting unfair settlements, with 25% of litigants in the UP study feeling "forced" to agree to unfavorable terms. Additionally, the Lupong Tagapamayapa, a barangay-level mediation system that resolves 80-90% of community disputes, often overlaps with CAM, leading to redundancy and confusion.

Beyond civil cases, Court-Annexed Mediation and Judicial Dispute Resolution have proven effective in other disputes. However, enforcement of the agreements remains a concern. Some judges view JDR as an additional burden to their already heavy workload while others embrace the opportunity to facilitate resolution.

Access to justice is also uneven, particularly for marginalized communities. Indigenous groups and low-income litigants often lack awareness of CAM and JDR, which is worsened by language barriers for non-Tagalog speakers and limited support from the Public Attorney's Office (PAO), which rarely assists in mediation sessions. Gender dynamics also complicate access, as CAM's informal nature may exacerbate power imbalances in domestic violence cases, prompting advocacy groups to call for exemptions—although this policy has been inconsistently applied across the country.

Financially, mechanisms of alternative dispute resolution significantly reduce the costs for the litigants and the judiciary. Traditional litigation incurs higher expenses due to a prolonged litigation process that entails more attorney fees, court costs. While mediation allows for a faster, more cost-effective resolution. Courts may also reallocate resources to cases that need formal adjudication, enhancing overall efficiency.

Innovative initiatives, such as the JDR courts in Quezon City—where judges are paired with social workers to mediate family disputes—have shown promise, achieving a 70% settlement rate in 2022. Similarly, the e-Katarungan platform, which resolved over 1,200 cases online by 2023, demonstrates the potential of technology in improving access to justice. However, gaps in rural internet access limit the platform’s reach, highlighting the need for hybrid models, such as SMS-based scheduling. The long-term impact of CAM and JDR suggests a gradual shift in societal attitude towards conflict resolution. Businesses, for example, are slowly integrating mediation clauses into their contracts to anticipate the benefits of alternative dispute resolution. To maximize the effectiveness of these mechanisms, reforms should prioritize decentralizing PHILJA’s training programs to provinces, incorporating indigenous dispute resolution practices, and exempting sensitive cases—like those involving gender-based violence—from mandatory CAM. Other measures, such as barring JDR judges from presiding over subsequent trials, assigning PAO lawyers to mediation sessions, and translating CAM materials into regional languages (*e.g.*, *Cebuano*, *Ilocano*), would further promote equity. Expanding ADR mechanisms to include minor criminal and administrative cases could also help decongest judiciary.

In conclusion, while CAM and JDR have significantly alleviated court congestion and align with Filipino cultural values, there remain systemic inequities that could cause these mechanisms to be seen as “second-class justice” options for the poor. Addressing the resource gaps, risks of coercion, and access barriers is crucial to ensuring that ADR strengthens, rather than undermines, the judiciary’s role. By focusing on equity rather than just efficiency, the Philippines has the potential to turn CAM and JDR into foundational elements of a justice system that truly embodies the principle that “justice delayed is justice denied”.



Ormoc City: Group Depicage of the subject “Conflict Resolution in Family Disputes” under Atty. Robbin Docena. This photo taken at the Philippine Mediation Center together with Ms. Deejae Sunday F. Eamiguel, Mediation Staff Assistant II after the online interview with Mediator.