

“Beyond Litigation: From Courtroom to Conference Table—A Brief Understanding of Court-Annexed Mediation and Judicial Dispute Resolution in the Philippines”

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Clogged case court dockets have been a perennial problem in the Philippines. This is 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, neglect and laxity on the part of judges, and among others. Various initiatives and innovations were introduced by the different branches of our government to remedy this situation. ^[1] One of the most significant developments in this regard is the institution of “Alternative Dispute Resolution (ADR) Act,” which institutionalized the use of an alternative dispute resolution system in the Philippines. This is a process or procedure used to resolve a dispute or controversy other than by adjudication of a presiding judge of a court or an officer of a government agency, in which a neutral third party participates to assist in the resolution of issues which includes arbitration, mediation, conciliation, early neutral evaluation, mini-trial, or any combination thereof. ^[2] Within this framework is the concept of court diversion of pending court cases through Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR), which aims to put an end to pending litigation through a compromise agreement between the parties and thereby help solve the ever-pressing problem of court docket congestion. It is also intended to empower the parties to resolve their own disputes. Since then, these mechanisms serve as a progressive pathway that strengthens access to justice, promotes efficiency, and facilitates amicable settlement. ^[3]

CAM and JDR are confidential mediation or conciliation processes in civil cases and to civil liability of criminal cases covered by the Rule on Summary Procedure, which are conducted among disputing parties under the supervision of the court after the latter has acquired jurisdiction of the dispute. These are generally conducted during or after the pre-trial or preliminary conference but before the case proceeds to trial. Recently, the Supreme Court issued A.M. No. 19-10-SC or the Guidelines for the Conduct of Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases in view of the amendments to the Rules of Civil Procedure. This is to encourage the parties to amicably settle their disputes or reach a compromise agreement to avoid protracted and costly litigation. The parties, however, are not compelled to settle their dispute during the mediation or conciliation as such decision is purely voluntary on their part, but they are expected to negotiate in good faith and exert earnest efforts towards settlement. ^[4]

[1] Jalbuena, E. A. (2014). Effectiveness of the court-annexed mediation in the disposal of cases in Iloilo City (Unpublished postgraduate thesis). Central Philippine University, Jaro, Iloilo City.

[2] NEA MEMORANDUM NO. 2011-007 - ALTERNATIVE DISPUTE RESOLUTION (ADR) - Supreme Court E-Library. (n.d.). <https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/10/49443>

[3] 2020 Guidelines for the Conduct of the Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases – Supreme Court of the Philippines. (n.d.). <https://sc.judiciary.gov.ph/2020-guidelines-for-the-conduct-of-the-court-annexed-mediation-cam-and-judicial-dispute-resolution-jdr-in-civil-cases/>

[4] 4 Carlos. (2021, March 2). Supreme Court issues new guidelines for Court-Annexed Mediation and Judicial Dispute Resolution in civil cases - Cruz Marcelo. Cruz Marcelo. <https://cruzmarcelo.com/supreme-court-issues-new-guidelines-for-court-annexed-mediation-and-judicial-dispute-resolution-in-civil-cases/>

Court-Annexed Mediation (CAM) is a mandatory dispute resolution process under court supervision, where an impartial and accredited mediator facilitates communication, negotiation, and settlement among litigants in a pending case. It is distinct from private mediation because it occurs after the filing of a case in court and is guided by specific Supreme Court rules.^[5] It covers cases such as: (1) all ordinary civil cases except those which cannot be the subject of a compromise under Article 2035 of the New Civil Code, (2) all special civil actions, except under Rules 63, 64, 65, 66 and 71 of the Rules of Court, (3) special proceedings cases for settlement of estate where the dispute involves claims against the estate, or the distribution or partition of estate in intestate proceedings, (4) all those cases involving issues under the Family Code and other laws, in relation to support, custody, visitation, property relations, guardianship of minor children, and other issues which can be the subject of a compromise agreement, (5) intellectual property cases, (6) commercial or intra-corporate controversies, (7) environmental cases subject to the provisions in Section 3, Rule 3 of the Rules of Procedure for Environmental Cases (A.M. No. 09-6-8-SC), and (8) civil cases covered by the Rule on Summary Procedure.^[6] On other hand, both CAM and JDR does not cover the following cases and be a subject of compromise: (a) civil cases which cannot be a subject of compromise such as civil status of a person, validity of a marriage or legal separation, future support, jurisdiction of courts, future legitime, also (b) habeas corpus petitions, (c) special proceedings cases for probate of a will, (d) cases with pending applications for restraining orders or preliminary injunctions. However, in cases covered under paragraphs (a) and (d) where the parties inform the court that they have agreed to undergo mediation on some aspects thereof, e.g., custody of minor children, separation of property, or support pendente lite, the court shall refer them to mediation. Additionally, in all other actions or proceedings where compromise is not prohibited by law, and there is a significant likelihood of settlement, either of both of the parties may, by oral manifestation or written motion after pre-trial/ preliminary conference, or at any stage of the proceedings, request the court to refer their dispute to CAM, provided there are still factual issues to be resolved.^[7]

During CAM, the parties are directed to proceed and personally appear at the Philippine Mediation Center Unit (now Philippine Mediation Division)^[8] for mediation proceedings. During the initial appearance of the counsels and parties on the date set by the PMCU, and after presenting proof that mediation fees were paid, the parties shall select a mutually acceptable mediator among the roster of mediators at the PMCU. If they are unable to jointly

[5] Respicio, H. (2025, January 22). Court-Annexed Mediation (CAM) | Pre-trial (RULE 18) | CIVIL PROCEDURE. RESPICIO & CO. <https://www.respicio.ph/bar/2025/remedial-law-legal-ethics-legal-forms/civil-procedure/pre-trial-rule-18/court-annexed-mediation-cam>

[6] 2020 Guidelines for the Conduct of the Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases – Supreme Court of the Philippines. (n.d.). <https://sc.judiciary.gov.ph/2020-guidelines-for-the-conduct-of-the-court-annexed-mediation-cam-and-judicial-dispute-resolution-jdr-in-civil-cases/>

[7] 2020 Guidelines for the Conduct of the Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases – Supreme Court of the Philippines. (n.d.). <https://sc.judiciary.gov.ph/2020-guidelines-for-the-conduct-of-the-court-annexed-mediation-cam-and-judicial-dispute-resolution-jdr-in-civil-cases/>

[8] (2024, February 27). OCA CIRCULAR NO. 72-2024 [Review of OCA CIRCULAR NO. 72-2024]. Office of the Court Administrator. <https://oca.judiciary.gov.ph/wp-content/uploads/OCA-Circular-No.-72-2024.pdf>

select a common mediator, the PMCU shall choose the mediator among its available mediators. The mediation must be completed within thirty (30) calendar days from the date of the order referring the case to CAM without further extension. In the event of successful settlement, the PMCU shall submit to the referring judge a Mediator's Report together with a copy of the compromise agreement. The referring judge shall evaluate the compromise agreement and either approve or disapprove the same, or ask for clarification of any vague, defective, or unenforceable portion of the agreement that must be amended by the parties. If no settlement was reached, the PMCU shall submit a Mediator's Report and the referring judge shall determine, in the hearing set for such purpose, if settlement is still possible and if determined to be so, shall refer the case to the JDR Judge for JDR proceeding.^[9]

In Judicial Dispute Resolution (JDR), the parties and their counsels shall likewise appear on the scheduled date for the JDR, and during the proceeding, the JDR judge shall act as mediator, conciliator, and/or neutral evaluator to actively assist and facilitate negotiations among the parties. It is the JDR judge—who undergone a skill-based training in JDR—is authorized to conduct the JDR proceeding. The JDR proceeding shall be terminated within a non-extendible period of fifteen (15) calendar days from receipt of the referral order. If full settlement is reached by the parties, they shall draft a compromise agreement, which shall be submitted to the JDR Judge for judgment upon compromise and enforceable upon execution. If only partial settlement is reached, the parties shall submit the terms (of the partial settlement) for the approval of the JDR Judge and rendition of judgment upon partial compromise, but the unsettled part of the dispute shall proceed to trial. However, if no settlement was reached in the JDR, the JDR judge shall return the case to the judge for appropriate action. In both CAM and JDR, the parties and their respective counsels shall personally appear before the mediator or JDR Judge, otherwise sanctions may be imposed upon any party who fails to appear before the mediator or JDR Judge. Under the guidelines, the trial court shall impose the following sanctions: (1) dismissal of the case, when there is failure of the plaintiff and counsel to appear without valid cause when so required, (2) ex-parte presentation of plaintiff evidence and dismissal of the defendant's counterclaim when there is failure of the defendant and counsel to appear without valid cause when so required.

^[10] Thus, in the case of *Tuazon v. Fuentes* (G.R. No 241699, August 4, 2021), the Supreme Court recognized the new 2020 Guidelines and that referral to a judicial dispute resolution in case of failed CAM is made only when the judge to whom the case was originally filed is convinced that settlement is still possible.^[11]

At present, the facilities for mediation and JDR process in the Philippines are provided by the Philippine Mediation Division under the direct supervision of the Office of the Court

[9] Carlos. (2021, March 2). Supreme Court issues new guidelines for Court-Annexed Mediation and Judicial Dispute Resolution in civil cases - Cruz Marcelo. Cruz Marcelo. <https://cruzmarcelo.com/supreme-court-issues-new-guidelines-for-court-annexed-mediation-and-judicial-dispute-resolution-in-civil-cases/>

[10] Carlos. (2021, March 2). Supreme Court issues new guidelines for Court-Annexed Mediation and Judicial Dispute Resolution in civil cases - Cruz Marcelo. Cruz Marcelo. <https://cruzmarcelo.com/supreme-court-issues-new-guidelines-for-court-annexed-mediation-and-judicial-dispute-resolution-in-civil-cases/>

[11] GR No. 241699 *Dennis T. Uy Tuazon, World Wiser International, Inc., and Jerzon Manpower and Trading, Inc. vs. Myra v. Fuentes* – Supreme Court of the Philippines. (n.d.). <https://sc.judiciary.gov.ph/241699-dennis-t-uy-tuazon-world-wiser-international-inc-and-jerzon-manpower-and-trading-inc-vs-myra-v-fuentes/>

Administrator (OCA) through the various mediation centers that are being established nationwide. Currently, as of October 2024, there are around 144 mediation centers catering to more than 2,700 trial courts nationwide. ^[12] These data show how mediation and JDR, together with other court management systems, help in decongesting court dockets. But more than disposing pending cases, these mechanisms minimize the expenses of litigants and restore peace among parties to the case. ^[13]

In general, Court-Annexed Mediation and Judicial Dispute Resolution positively hasten the early resolution of cases. As a result, cost associated with litigation are curtailed and courts become more within reach of individuals seeking justice. This is especially crucial for the underprivileged who cannot afford to hire lawyers, skip another day of work to attend court hearings, and spend for expenses related to their cases. Of course, the resulting reduction of cases also gives our judges additional time to resolve more complex cases and allows them to improve their service to the public. ^[14]

[12] Third meeting of the JDRN (28 & 29 October 2024). (2024, October 28). International Judicial Dispute Resolution Network. Retrieved December 8, 2025, from <https://www.int-jdrn.org/third-meeting-of-the-jdrn/>

[13] Inaugural Meeting (18 & 19 May 2022). (n.d.). International Judicial Dispute Resolution Network. Retrieved December 8, 2025, from <https://www.int-jdrn.org/past-meetings/permalink/>

[14] Second meeting of the JDRN (22 & 23 May 2023). (n.d.). International Judicial Dispute Resolution Network. Retrieved December 8, 2025, from <https://www.int-jdrn.org/past-meeting/permalink/>