The Philippine Judicial System:

A Contemporary Vision in Public Management

Judge Rafael Crescencio C. Tan Jr.
Regional Court Administrator
Pilot Regional Court Administration Office
7th Judicial Region
What NPM is?
- NPM defined
- The NPM philosophy
- The NPM elements
- The NPM target

The Judiciary in the NPM framework
- The Action Program for Judicial Reform
- The Pilot Regional Court Administration Office, 7th Judicial Region
New Public Management (NPM) is an approach that focuses on “customer” needs and where there is accountability for results.
A management approach that insists on the customer’s importance

Transparent resource allocation and results

An organization that promotes decentralized control through a wide variety of alternative service delivery mechanism (including quasi-markets or markets where public and private service providers compete for public budgets)

NPM represents a chain of interlinked contracts leading to a single goal for public employees which is better results within a sector portfolio over which he/she has significant authority (contract management)

NPM is the attempt to transfer management instruments from the private sector in modified way into the public administration

The NPM Philosophy
New Public Management consists of different Elements

- **Lean State**
  - Reduced tasks performed by state

- **Separation of Decision Making Levels**
  - Separation of the strategic from the operative level: politics decides the what, administration the how

- **Lean Management**
  - Combination of management by objectives, flat hierarchy, project management, performance related payments, modern methods of leadership

- **New Service Attitude**
  - Customer orientation: Satisfaction in the center of all considerations, behavioral changes

- **New Model of Control**
  - Steering by clear targets, measurement of results, transparency of resource allocation

- **Decentralisation**
  - Task, responsibility, competence ad budget in the hand project manager/department manager

- **Quality Management**
  - Ensure high service quality through qualification, competition, transparency

- **Product Approach**
  - Describing all administrative service as “products”: features, cost, needed resources, time to deliver
More transparency, more efficiency and more quality as well as reduction of expenses
The Action Program for Judicial Reform

The Judiciary in the NPM Framework
“A Judiciary that is independent, effective, and efficient, and worthy of public trust and confidence and a legal profession that provides quality, ethical, accessible and cost-effective legal service to our people and is willing and able to answer the call to public service.”
“In pursuing the stated vision, the DAVIDE WATCH articulates the following goals: (1) delivery of speedy and fair dispensation of justice to all; (2) judicial autonomy and independence from political interference; (3) improved access to judicial and legal services; (4) improved quality of external inputs to the judicial process; (5) efficient, effective and continuously improving judicial institutions; and (6) a judiciary that conducts its business with dignity, integrity, accountability and transparency.”
Guiding Principles

- Impartiality, access to and speed of judicial systems
- Judicial autonomy and self-governance
- Streamlined institutional structure and operations
- Decentralization
- Information systems-based operations, planning, performance management and decision-making
- Competitive and equitable renumeration
- Continuing capability improvement
- Transparency and accountability in appointments to the Bench
- Consensus-building and collaboration with civil society.
Areas of Reforms

- Judicial systems and procedures
- Institutions development
- Human resource development
- Integrity infrastructure development
- Access to justice by the poor
- Reform support systems
Critical Issues

- case congestion and delay
- budget deficiencies
- politicized system for judicial appointments
- lack of judicial autonomy
- need for reengineering the human resource development system
- dysfunctional administrative structure and operating systems accompanied by deficient court technologies and facilities
- the need to improve public information and collaboration with civil society
Attain full autonomy of the Judiciary as the third branch of government

Make financial and administrative operations more transparent, accountable, and predictable

Install appropriate information and communication technology (ICT) systems

 Upgrade courthouses and support facilities

Institutional Development
Enhancing continuing education for judges and lawyers

Implementing a Judicial Career Program

Improving salaries and incentives for all personnel

Building capacity of non-judicial personnel

Reinforcing performance management

**Human resources development**
• Establishing a Comprehensive Code of Ethics for justices, judges, court personnel, and lawyers

• Improving the Judicial Appointment System

• Strengthening the Judicial Disciplinary System

• Expanding civil society participation in combating graft and corruption

Integrity Infrastructure Development
Improving information and education on the justice system

Enhancing the capacity of judges and lawyers to handle cases for the poor

Providing specific services, such as mobile courts, to improve physical access to and affordability of judicial services by the poor

Accessibility of Justice to the Poor
Developing ownership of the reform program within the judiciary

Improving communication with the general public

Strengthening collaboration with civil society groups

Reform Support Systems
A.M. NO. 06-11-09-SC dated November 14, 2006
“Implementing the pilot project on Enhancing the Autonomy, Accountability, and Efficiency of the Judiciary, and the Administration of Justice, Establishing and Operationalizing the Pilot Organization Infrastructure, Providing for General Implementation Arrangements and Other Purposes”

A.M. No. 06-12-06-SC dated July 17, 2007
Re: Establishment of a Pilot Regional Court Administration Office (RCAO) in Judicial Region VII (Cebu)

IMPLEMENT the start-up activities for the pilot RCAO in Region 7

CREATE an Oversight Committee for the decentralization project

A.O. No. 16-2008
Designating the Regional Court Administrator, Deputy Regional Court Administrator and Assistant Court Administrators for Pilot RCAO in the Seventh Judicial Region

LEGAL BASIS
Defining the Authority of the Designated Regional Court Administrator and Deputy Regional Court Administrator of the Pilot Regional Court Administration Office (PRCAO), Seventh Judicial Region, Establishing Supervision and Reporting Relationships and For other Purposes

Implementing the Operation of the Judicial Autonomy Fund, Providing for the Initiation of Budgetary Operations, Authorizing the Opening of the Judicial Autonomy Fund (JAF) Bank Account, Signatories, Directing the Deposit of Initial Cash Therein and For other purposes

Creating an Oversight Committee for the Pilot Regional Court Administration Office in the Seventh Judicial Region

Court En Banc Resolution dated March 18, 2008
Decentralization of administrative and financial management and operations of the pilot RCAO 7 shall be guided by the following polices and principles:

Bringing down decision making authority, responsibility and resources closer to the stakeholders in the field will improve efficiency, speed, quality and responsiveness of financial and administrative support services to the courts.

**GUIDING POLICIES AND PRINCIPLES**
Decentralization shall infuse decentralized units with the capacity to manage their operations, thereby improving operational supervision of the courts and speeding up administrative support services to them. Under this concept, the decentralized unit functions as an “enterprise.” Each enterprise has a clear accountability for its performance and for the integrity of its operation.

GUIDING POLICIES AND PRINCIPLES
The determination as to what authority will be decentralized to which level of organization unit shall be guided by the following:

- Activities with location-specific benefits and costs can best be decided upon at the local level.
- Activities that have system-wide impact or require system-wide prioritization or standardization can best be decided upon at the central level.
Designated by the Chief Justice upon the recommendation of the Court Administrator

Shall serve at the pleasure of the designating authority and under the direction and supervision of the Court Administrator
The Regional Court Administrator is the central support entity at the regional level for the provision of a wide range of administrative and financial support services to the courts in the seventh judicial region.

The Regional Court Administrator shall consult with and assist judges, clerks of court and other court personnel in efficiently and appropriately performing their administrative and financial responsibilities as provided for by law or by policy adopted by the Supreme Court En Banc or the Chief Justice.

The Regional Court Administrator is responsible for facilitating communications between the Judiciary and the public in the region.
Includes but are not limited to the following:

General supervision and administrative control over non-judicial activities of the lower courts as may be specifically delegated by the Supreme Court En Banc.

Implement the Judiciary’s administrative and financial policies in the region and formulate operating policies as well as issues RCAO guidelines, circulars and other issuances to enforce policies and guide the various administrative and financial operations of the courts, in accordance with the pertinent policies of the Supreme Court En Banc and the Chief Justice.

**Authority and Responsibility**
Prepare, recommend and administer the approved RCAO budget and ensure sound allocation and utilization of all authorized budgetary and case resources;

Recommend appointments and promotions, and approve separation and other personnel actions;

Detail or transfer non-judicial personnel from one unit to another within the region, consistent with civil service rules and regulations;

Recommend to the Chief Justice or Supreme Court En Banc the detail or transfer of judges from one branch to another and from one region to another region;

**Guided by the policies of the Supreme Court En Banc and the Chief Justice, exercise the following authority and responsibilities:**
Establish and implement a personnel administration system to improve personnel management and services in the courts;

Formulate and implement a physical assets management plan for the courts in the region, and administer the procurement, distribution, repair and maintenance, and disposal of physical assets of courts in the region;

Establish and implement mechanisms for the efficient collection of court revenues and authorize the conduct of revenue audits of court stations;

Examine the judicial dockets, review and monitor court administration practices and procedures, advise judges and clerks of court as well as recommend improvements necessary in promoting an efficient administration of justice;

Guided by the polices of the Supreme Court En Banc and the Chief Justice, exercise the following authority and responsibilities:
Monitor the performance of the court stations, judges and court personnel in providing speedy and efficient administration of justice and submit a report on these to the Chief Justice, including recommendations on the proper distribution of caseload and assignment of judges;

Establish and implement public information, education and communication programs and citizen capacity, development mechanisms that will improve citizen access to the courts in consultation with judges and court personnel;

Guided by the polices of the Supreme Court En Banc and the Chief Justice, exercise the following authority and responsibilities:
Prepare and submit regular reports and statistical information to the Chief Justice and the Supreme Court En Banc on the activities, caseload and performance of the region with reporting policies and procedures;

Prepare and publish an annual report on the work and performance of the court system in the region; and

Perform such other related functions and exercise such other authority and responsibility as may be delegated to him/her by the Supreme Court En Banc or the Chief Justice.

Guided by the polices of the Supreme Court En Banc and the Chief Justice, exercise the following authority and responsibilities:
Designated by the Chief Justice upon the recommendation of the Court Administrator

Shall serve at the pleasure of the designating authority and under the direction and supervision of the Court Administrator

THE DEPUTY REGIONAL COURT ADMINISTRATOR
• Assist the Regional Court Administrator in the management and supervision of the functions and operations of RCAO, and in providing administrative and financial support services to the courts in the seventh judicial region.

• Shall act as alter ego of the Regional Court Administrator in the absence of the latter.

• Shall exercise direct supervision and control on RCAO functions and exercise authority delegated to him by the Regional Court Administrator.
Advise and assist the Regional Court Administrator in undertaking general supervision and administrative control over non-judicial activities of the lower courts as may be specifically delegated by the Supreme Court En Banc.

Provide support services and assistance to the Regional Court Administrator in the implementation of administrative and financial polices of the Judiciary at the decentralized level.

Consistent with the policies of the Supreme Court En Banc and the Chief Justice, exercise the following authority and responsibilities:

a. **Oversee and coordinate the operational activities of the RCAO for which he is directly responsible to the Regional Court Administrator;**
b. the scope of delegated functions and authority, and temporarily discharge the duties and responsibilities of the Regional Administrator in his absence;

c. Provide advice and assistance to judges and court personnel on matters involving the implementation of RCAO functions and related matters, including the preparation and timely submission by the courts of complete reports, as well as the establishment and implementation of public information, education and communication programs to improve citizen access to the courts; and

d. Perform such other related functions as may be assigned by the Court En Banc, the Chief Justice or the Regional Court Administrator.
Administrative Structure and Staffing

The Pilot RCAO shall be headed by a Regional Court Administrator who must have been a judge, justice or, as an exception, a professional who had exceptional experience and performance in the area of judicial administration. If a judge or justice, he should be a professional with extensive experience and/or equivalent training in administrative and/or financial management but with adequate experience or knowledge of court operations.
Administrative Structure and Staffing

The Pilot RCAO will be composed of six major departments: Adjudicatory Support Department (ASD), Budget Department (BD), Financial Accounting and Disbursement Department (FADD), General Services Department (GSC), Human Resources Development Department (HRDD) and Revenue Management Department (RMD) and the various court stations under their administrative jurisdiction. The RCAO will be under the direction and supervision of the Court Administrator.
RCAO 7 is a center of judicial service excellence and efficiency committed to provide dynamic and responsive judicial administrative services to the courts and court personnel, in order to promote speedy, accessible, impartial and cost-effective administration of justice in Region 7
RCAO 7 is committed to:

- Exemplify and promote the values of integrity, honesty, loyalty and professionalism among court personnel;

- Develop and implement innovative operational policies and procedures in judicial administrative services;

- Achieve fiscal sustainability through dynamic resource mobilization and its efficient utilization;
RCAO 7 is committed to:

- Promote transparency and accountability in the exercise of its functions;
- Lead in promoting career enhancement program among court officials and personnel;
- Provide prompt and appropriate actions on personnel concerns;
- Forge a harmonious working relationship with the stakeholders.
Thank You!