

DISPOSITION OF CASES

Courts have the constitutional duty to settle actual controversies through a hierarchy of courts consisting of four levels. The lower courts consist primarily of municipal trial courts (1st level), the regional trial courts (2nd level), and the Shari'a courts in Islamic regions.

At the 3rd level is the Court of Appeals (CAs) which reviews cases elevated to it by the RTCs and by quasi-judicial bodies (e.g., SEC and LRA). It reviews death penalty cases and decisions of the Office of the Ombudsman in administrative disciplinary cases. The 3rd level also includes special courts—i.e., the Sandiganbayan that tries public officers with graft cases, and the Court of Tax Appeals (CTAs) which has jurisdiction over criminal offenses arising from violation of the Tax or Tariff Codes or other laws administered by the Bureau of Internal Revenue (BIR) and the Bureau of Customs (BOC).

Meanwhile, the 4th level referring to the Supreme Court is known to be the “court of last resort”. It can reverse, modify or affirm an appeal on decisions made by the lower courts. Decisions of the Supreme Court are considered as part of the law of the land.

TABLE 1
CASELOAD & DISPOSITION, 2007
BY LEVEL OF COURT

Courts	Total Caseload	Cases Disposed	Pending Cases, Dec '07
1st Level	546,314	144,734	401,580
2nd Level	546,033	128,565	417,468
3rd Level	34,692	13,958	20,734
TOTAL	1,127,039	287,257	839,782

1st Level: Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs), Municipal Circuit Trial Courts (MCTCs) and the Shari'a Circuit Courts (SCCs).

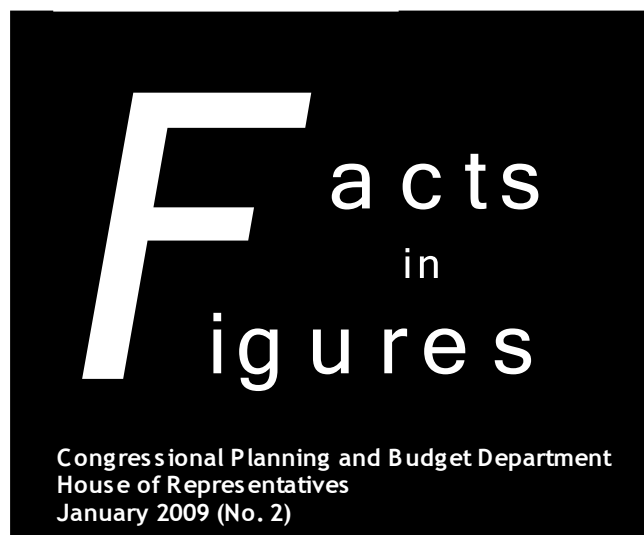
2nd Level: Regional Trial Courts (RTCs) and the Shari'a District Courts (SDCs).

3rd Level: Court of Appeals (CAs), Sandiganbayan and Court of Tax Appeals (CTAs)

Source of basic data: 2007 Annual Report of the Supreme Court

Table 1 shows that total caseload of 1st to 3rd level courts in 2007 reached 1,127,039—of which 1,092,347 or 97% were handled by the lower courts (1st and 2nd levels). Of the total caseload, 25% or 287,257 were resolved cases. By end of 2007, total pending cases were reported at 839,782—most of which were under the jurisdiction of the 1st and 2nd level courts. There was a slight improvement in the disposition of cases by the lower courts considering that pending cases as of 31 December 2007 is 3% lower at 839,782 compared with 863,691 in year-end of 2006.

Several factors contribute to a rather slow disposition of court cases. Table 2 shows the limited number of judges and implies the need for some redistribution



of judges to reduce the caseload particularly of the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), the Regional Trial Courts and the Court of Appeals. Average caseload per judge is highest in MeTCs at about 3,062. Correspondingly, it posted one of the lowest disposition rate (volume of decided cases against total caseload) of only 22% next to Sandiganbayan (12%).

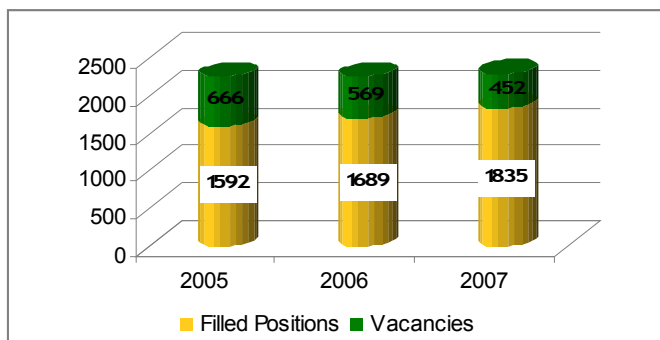
Table 2 also shows that the Court of Appeals has the highest disposition rate of 43% which is higher than other courts with relatively lower average caseload per judge—i.e., Court of Tax Appeals (34%), MTCCs (27%), MCTCs (27%), and the SCCs (34%). Meanwhile, the RTCs which account for almost half of the total number of cases and of judges in the justice system were able to resolve about one-fourth of its total caseload in 2007.

TABLE 2
CASELOAD PER JUDGE AND DISPOSITION RATE
BY COURT TYPE, 2007

Courts	Total No. of Cases	No. of Judges	Average Caseload Per Judge	Disposition Rate
1st Level				
MeTCs	202,081	66	3,062	22%
MTCCs	170,189	179	951	32%
MTCs	96,020	329	292	27%
MCTCs	77,428	297	261	27%
SCCs	596	32	19	34%
2nd Level				
RTCs	545,931	807	677	24%
SDCs	102	5*	20	42%
3rd Level				
Court of Appeals	30,867	64	482	43%
Sandiganbayan	2,627	15	175	12%
Court of Tax Appeals	1,198	6	200	34%

** Five positions still vacant; RTC judges concurrently serve as SDC magistrates*
Sources of basic data: 2007 Annual Report of the Supreme Court, and Final Report to the ADB on a Long-Term Justice Sector Development Strategy for the Republic of the Philippines (January 2008)

FIGURE 1
VACANCY IN JUDICIAL POSITIONS
FOR CYs 2005-2007



Source: 2007 Annual Report of the Supreme Court

Figure 1 shows that there have been improvements at reducing the vacancy rate from 29% in 2005 to 20% in 2007. Out of 2,258 available positions in 2005, 666 positions were unfilled. Two years after, the number of vacancies dropped to 452 even with a slight increase in judicial positions totalling 2,287.

According to the 2007 Annual Report of the Supreme Court, the Judicial and Bar Council (JBC) focused on programs to improve the quality of nominations and reduce the vacancy rate. The passage of RA 9227 (s. 2003) which granted monetary benefits to justices and judges may have contributed as well in filling up positions in the Judiciary. RA 9227 granted allowances equivalent to the basic salary of the justices/judges in an attempt to make their compensation competitive with those in private practice.

TABLE 3
AVERAGE CASELOAD PER COURT SALA, 2007

Particulars	No. of Court Salas	Caseload	Ave. No. of Cases Per Court Sala
1st Level			
MeTCs	82	202,081	2,464
MTCCs	212	170,189	803
MTCs	387	96,020	248
MCTCs	470	77,428	165
SCCs	51	596	12
2nd Level			
RTCs	959	545,931	569
SDCs	5	102	20
3rd Level			
Court of Appeals	23	30,867	1,342
Sandiganbayan	5	2,627	525
Court of Tax Appeals	6	1,198	200
TOTAL	2,200	1,127,039	

Sources: 2007 Annual Report of the Supreme Court, and Final Report to the ADB on a Long-Term Justice Sector Development Strategy for RP (January 2008).

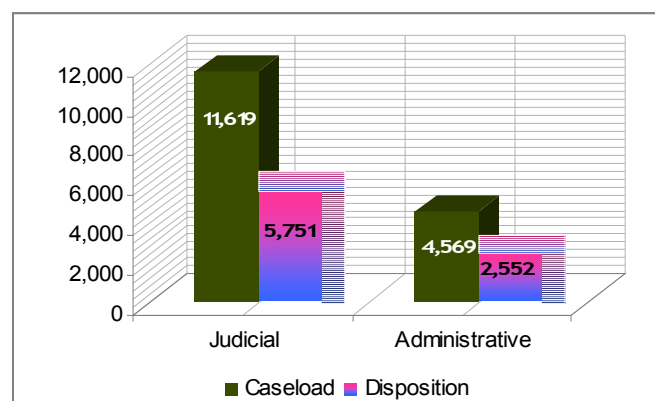
Corollary to the lack of judges/justices is the shortage in the number of court salas particularly at the Metropolitan Trial Courts (MeTCs) where the average caseload per court sala is highest at 2,464. Table 3 shows that on the average, the number of cases attended to by each court sala at the Court of Appeals and the Municipal Trial Courts in Cities (MTCCs) are also relatively high at 1,342 and 803, respectively.

TABLE 4
CASE INFLOW, CASE OUTFLOW, TOTAL CASELOAD
AND DISPOSITION RATE, 2004-2006

Particulars	2004	2005	2006
Pending 1 Jan	751,579	738,325	709,495
ADD: Case Inflow	478,019	449,733	414,765
Total Caseload	1,229,598	1,188,058	1,124,260
LESS: Outflow	491,273	478,563	445,483
Disposition Rate (%)	40.0	40.3	39.6

Source of basic data: Final Report to the ADB on a Long-Term Justice Sector Development Strategy for the Republic of the Philippines (January 2008)

Aside from limited courts and judges, the huge backlog



of undecided cases is also affected by the volume of cases entering the system. Although in recent years the courts are disposing of more cases than are being filed each year (see inflow against outflow), it hardly resulted in significant reductions in backlog. It may be noted that total caseload have been slightly declining because of lower case inflows but disposition rate stayed at about 40%.

FIGURE 2
DISPOSITION OF CASES AT SUPREME COURT, 2007
JUDICIAL VS. ADMINISTRATIVE CASES

Source: 2007 Annual Report of the Supreme Court

The Supreme Court attended to a total of 16,188 cases in 2007, of which it disposed of more than half (51.3%) or 8,303 cases. Figure 2 shows that out of the total caseload of SC—11,619 pertain to judicial matters and 4,569 were administrative in nature. In terms of disposition rate, SC acted upon 50% of judicial cases and 56% of administrative cases.

Administrative cases referred to the Supreme Court even include charges against court personnel. Direct involvement of the Highest Tribunal in resolving administrative complaints within the ranks of the Judiciary, in effect, has taken up time and resources that otherwise could have been devoted to much faster disposition of judicial matters.

In 2007, the Supreme Court acted on a total of 815 administrative cases involving 351 justices/judges, 131 lawyers and 333 court personnel. Of these administrative complaints, about 50% were dismissed.