

IV. CONCLUSION

I apologize if this has been a rather long disquisition. But constitutional essays, even when dealing with only a single issue, tend to be lengthy. I believe that there are two related reasons for this. The first reason comes from the nature of the Supreme Court, and the second reason comes from the variety of modalities of constitutional argument.

On the nature of the Supreme Court, my favorite borrowed definition goes somewhat this way:

The Supreme Court is a very interesting institution, but it defies description. As one political writer has put it, describing the Supreme Court is like discussing the theories of Karl Marx — one has to indulge in half-truths correcting each other and exaggerations of important truths. The Supreme Court is not just a court. It is also a political institution. Because the key provisions of the Constitution are couched in grand ambiguities and because the key provisions concern the larger issues of our life, of our liberties, and of our happiness, the Supreme Court, by the exercise of judicial review, wields tremendous political power. Hence, each Justice bears a special burden — that of exercising great political power and still acting as a court, or, if you prefer, that of exercising judicial power while remaining concerned, realistic, and alert to the political and social and even economic significance of what it is doing.

For this reason, there is necessarily a certain fluidity in the choice of approaches to a constitutional problem. And the final conclusion may depend on the approach which a Justice chooses to follow. This I believe partly explains the differences that appear in concurrences and dissents. And these are what enrich jurisprudence.

Following Philip Bobbitt,⁹⁷ I can count six possible ways in which an individual Justice might approach a constitutional problem. One Justice might take a historical approach by analyzing the intention of the framers of the Constitution and the circumstances of its ratification. Another Justice might simply choose the textual approach by reading the language of the Constitution as the man on the street would understand it. After all, it is the man on the street who in the ultimate analysis is the author of the Constitution because it was he who ratified it. Another Justice might follow a structural approach by drawing inferences from the architecture of the three-cornered power relationships that are found in the constitutional arrangement. Still another might prefer to be doctrinal and rely on established precedents. Then there is also the ethical approach which seeks to interpret the Filipino moral commitments that are embedded in the constitutional document. Finally, because constitutional rules are not always written in clear black and white, a Justice could exercise the prudential approach by weighing and comparing the costs and benefits that might be found in conflicting rules.

All these approaches, singly or in various combinations, came into play in the work of the Narvasa Court — and, as would normally be expected, with varying degrees of success, or, if you will, in varying degrees of controversiality. But this is what makes constitutional law and the Supreme Court both fascinating and sometimes exasperating.

LEGAL AND JUDICIAL EDUCATION REFORMS AND THE NARVASA COURT

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INTRODUCTION

I consider it a signal honor to be included in the array of seasoned lecturers in this series of Centennial lectures in honor of our revered Chief Justice Andres R. Narvasa.

I stand before you, however, with a great deal of trepidation and a deep feeling of inadequacy because I know that I am more of a student than a teacher and lecturer.

Nonetheless, I summoned the courage to accept the assignment from Justice Hilario G. Davide, Jr., Chairman of the Organizing Committee, in a humble effort to project the initiatives, strategies and accomplishments of the Narvasa Court in the field of legal and judicial education reforms.

In this discussion, legal education will refer to lawyer education as distinguished from judicial or judge education although it is very common to refer to legal education for judges. There is no question, however, that both aspects go hand-in-hand as the quality of legal education directly affects and influences the quality of the judiciary.

A. Heightened Interest in Reform Measures

There has been an impressive and increasing interest in legal and judicial reforms not only within the system, where we can expect it, but also by governments, international organizations, legal non-government organizations (NGOs), as well as other sectors of society. In fact, we can even say that there has been an explosion of activity in the field. We may, perhaps, attribute that interest to the fact that said reforms are called for not only for the enhancement of the quality of justice through professional competence but also because they can be powerful tools for changing and shaping the judicial system. In fact, judicial education has been referred to as an "agent of leadership and change." (Livingston Armytage, LLM Hons).

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Concrete proof of the interest in legal and judicial education reforms of an international organization is the very recent one-year project of the Narvasa Court and the United Nations Development Program (UNDP) for technical assistance to the Philippine Judiciary on Justice and Development. The project aims to improve the quality of justice in the Philippines by strengthening and enhancing the various reform measures which have already been and will continue to be undertaken by the Court. Broadly, the legal and judicial reforms envisaged are aimed at attaining what is referred to as sustainable human development (SHD). Specifically, it may include, among others, the training of lawyers who aspire to become members of the Bench. Associate Justice Josue N. Bellosillo is the Special Representative of the Court for the joint project and provides the general policy directions.

B. Legal Education Reforms

1. The Courts and the Criminal Justice System —

Dean Roscoe Pound had occasion to observe years ago that a cause of public dissatisfaction with the courts was public ignorance of the workings of the judicial branch. Indeed, we have all been witnesses to the public negativity about the courts according to a survey by the Social Weather Stations, last October, 1996.

With vision and foresight, Chief Justice Narvasa had addressed this problem in his Handbook on "THE COURTS, and the Criminal Justice System," first published in 1996 and translated since into Pilipino and Visayan. The handbook is an outreach effort to communicate with the public in a simplified, effective and systematic manner. It treats of the 4-level hierarchy of the court system; the remedies available from the courts; the stages in criminal proceedings with graphical diagrams for easier comprehension; the differences between civil actions and criminal actions; the other powers and functions of the court other than adjudication such as disciplinary power and the rule-making power; the flow of appeals; and the expanded or total court system in the Philippines.

The primer even preceded the Narvasa Court-UNDP project that stresses the need for enhancing communication between the judiciary and the citizenry. It is truly a significant contribution and a lasting legacy of Chief Justice Narvasa to the legal system, to judicial administration, and to legal and judicial education reforms.

2. Assessment of the Law School Curriculum—

The joint Narvasa Court and UNDP project contemplates the re-assessment of the curriculum of law schools to prepare lawyers to handle basic sector cases and to include social reform laws in said curriculum. It may also advocate that law practitioners be required to undergo regular updating and orientation towards those goals to keep them abreast with new realities.

3. The Court Committee on Legal Education —

The Narvasa Court completed the composition of the Committee on Legal Education in an en banc resolution, dated October 18, 1994, by designating Justice

Florenz D. Regalado, as Chairman, and Associate Justices Florida Ruth P. Romero and Jose C. Vitug as members. As with the pre-Narvasa Court, the Committee acted on all matters brought to the Court on legal education, particularly, the approval of applications for clinical legal education.

But even before 1994, the Narvasa Court had approved the legal assistance programs of the following schools: (1) the San Sebastian College of Law, on August 4, 1992 (Bar Matter No. 561); (2) that of the Faculty of Civil Law of the University of Sto. Tomas, on May 13, 1993 (Bar Matter No. 644); and (3) that of the College of Law of the Pamantasan ng Lungsod ng Maynila, on July 2, 1993 (Bar Matter No. 667). The foregoing approvals by the Court were conditioned upon the consistent observance of the provisions of Rule 138-A of the Rules of Court, specially in appearances and participation of students in proceedings before the judicial, quasi-judicial and administrative bodies contemplated in and authorized by the said Rule.

These accreditations by the Narvasa Court served to enhance both the student practice of law and the free legal assistance to persons who would otherwise be unable to engage the services of a lawyer. This is a matter also being stressed by the SC-UNDP Project in the pursuit of its objective to ensure access to justice by the disadvantaged sectors and obtain equal justice under the law.

4. The IBP and Continuing Legal Education —

Of late, what could be a momentous step in legal education reform, pending consideration by the Court, are the "Proposed Rules on Minimum Continuing Legal Education for Active Members of the Integrated Bar of the Philippines," adopted by the IBP Board of Governors and submitted to the Narvasa Court for approval by the IBP National President on June 29, 1998. Capsulized, the said Proposed Rules would require:

a) The completion of 36 hours of approved continuing legal education activities every 3 years by practicing attorneys (2.1).

b) The subjects to be covered in the continuing legal activities would include, among others, a) legal ethics and/or law practice management; education in alternative dispute resolution, and negotiation techniques (2.1.1); b) enhancement of trial and pre-trial skills, including discovery methods (2.1.3); and c) study of law, substantive and procedural laws and new cases handed down by the Supreme Court (2.1.4).

c) The categories of credit are: a) participatory credit such as attending approved education activities like lectures, panel discussions, and the like, and speaking in approved educational activities (4.1.1; 4.1.2); b) self-study credit, like viewing of videotapes of approved activities or preparing as an author or co-author written materials published or accepted for publication (4.1); and c) in-house education studies (4.1.4; 7.1.5).

d) Exempted from the continuing legal education requirement are retired judges; officers and elected officials of the Republic of the Philippines; full-time professors at law schools accredited by the Supreme Court; and full-time employees of the Republic of the Philippines acting within the scope of their employment (6.1 - 6.1.4).

e) Failure to complete the education requirement within the compliance period or extension thereof or to provide attestation of compliance, among others, would

constitute non-compliance and enrollment as "an inactive member of the IBP (who will not be permitted to practice law until such time as adequate proof of compliance is received by the IBP" (13.2). The process of enrollment as inactive member is considered as administrative in nature (4.2).

f) A Standing Committee on Minimum Continuing Legal Education composed of five (5) members to be appointed by the IBP Board of Governors (16.1) will take charge of administering the continuing legal education program.

The Proposed IBP Rules await action by the Court.

C. Judicial Education Reforms

It is in the area of Judicial Education Reforms that the Narvasa Court has made significant impact, particularly, in the establishment of the Philippine Judicial Academy or PHILJA. As Chief Justice Narvasa himself had said in his Inspirational Message to Legal Researchers attending a PHILJA-IJA Seminar Workshop last August 28, 1998, "I must say that of the many initiatives and projects undertaken during my tenure as Chief Justice, nothing has given me greater satisfaction and sense of fulfillment than the establishment of the Philippine Judicial Academy."

As the cornerstone of judicial education reforms of the Narvasa Court, therefore, allow me to dwell at length into the Academy's history, its goals and its educational programs.

On October 8, 1992, Chief Justice Narvasa, with his usual vision and foresight, issued Administrative Order No. 169-92 creating a committee to formulate recommendations and objectives for the establishment of a Judicial Academy.

On March 2, 1993, the committee submitted its proposed draft of the Administrative Order creating the Philippine Judicial Academy. The draft was a collation of the individual ideas, combined experiences and empirical orientations of the committee members.

On July 19, 1995, President Fidel V. Ramos authorized the transfer to the Narvasa Court of the majority shareholdings of the government in the Ridge Resort Corporation in Tagaytay City consisting of about 3.5 hectares for the purpose of establishing a Judicial Academy. It was a dream fulfilled. The said property is now the seat and campus of the Academy.

On August 29, 1995, the Court en banc issued a Resolution authorizing the assignment of qualifying shares of stock to specified court officials and the election of interim directors and officers to run and manage the Center.

On March 12, 1996, in Administrative Order No. 35-96, the Narvasa Court formally established the Philippine Judicial Academy, or PHILJA, for short. It is a unit of the Supreme Court and is specifically charged "with the formulation and implementation of an institutionalized, integrated, professionalized and continuing system of judicial education for justices, judges, court personnel and lawyers" (2nd Whereas; Sec. 1, *ibid.*). It has taken over all existing programs for orientation, career development and continuing judicial education heretofore undertaken by the Court through the Office of the Court Administrator. It coordinates with the Institute of Judicial Administration (IJA) of the University of the Philippines whenever necessary and appropriate. As it is, almost all PHILJA training activities have been undertaken in coordination with the IJA, which has given unstinting support.

On the same date, March 12, 1996, Chief Justice Narvasa appointed the late lamented Justice Irene R. Cortes and yours truly as Vice-Chancellor and Chancellor, respectively.

PHILJA is governed by a Board of Trustees chaired by the Chief Justice. It has three executive officials, the Chancellor, Vice-Chancellor and Executive Secretary.

In two separate Circulars, the Narvasa Court directed the inclusion of PHILJA education programs in conventions of judges (Administrative Circular No. 11-96, dated October 10, 1996) and court personnel (Administrative Circular Nos. 13-96, dated November 28, 1996).

Barely two (2) years after its establishment, or on February 22, 1998, PHILJA gained congressional recognition through the enactment of Republic Act No. 8557. This law gave PHILJA a legislative charter and institutionalized it as a "training institution for justices, judges, court personnel, lawyers and aspirants for judicial posts" (Sec. 3, R.A. 8557). R.A. 8557 retains the same organizational structure and institutional direction as the original PHILJA Charter, but broadened its functions by providing that as soon as PHILJA shall have been fully organized, "only participants who have completed the programs prescribed by the Academy and have satisfactorily complied with all the requirements incident thereto may be appointed or promoted to any position or vacancy in the Judiciary." We have Senate President Marcelo B. Fernan, then a Senator, to thank, for the passage of this legislation.

In this connection, the Narvasa Court-UNDP project also speaks of the training of lawyers who aspire to become members of the Bench, with the system in Japan eyed as a possible model.

To the credit of the Narvasa Court, aware of the very limited facilities in the Ridge Convention Center, Chief Justice Narvasa has made possible, then with the blessings of President Fidel V. Ramos, the inclusion in the budget of an appropriation for the construction of another PHILJA training center at the same site with more adequate facilities.

Chief Justice Narvasa, indeed, deserves to be known as the Father of the Philippine Judicial Academy.

D. Judicial Education Programs

In the formulation of its judicial education curriculum and programs, PHILJA, as the educational arm of the Narvasa Court, is guided by the following criteria: (1) the goal of judicial education, which is, to enhance the quality of justice by raising the professional competence of Judges; and (2) the constitutional mandate that "members of the Judiciary must be of proven competence, integrity, probity and independence, and assures all persons the right to a speedy disposition of their cases before the judicial bodies." The portfolio of programs thus includes:

1. Hierarchical programs

a.) Orientation and Immersion Programs —

As the first level of judicial education, newly appointed Judges, including first-level court Judges (MeTC, MTCC, MTC, SCTC, SCC) promoted to the second level or Regional Trial Courts, are required to undergo an Orientation Seminar before their assumption of judicial functions to assist them in bridging the transition from Bar to Bench (Administrative Circular No. 6, dated October 11, 1988). The program is a 5-

day resident familiarization course aimed to equip them with the basic tools of judge-ship; inform them of Supreme Court administrative circulars and orders, including latest jurisprudence; work aptitudes and work ethics; courtroom semantics; communication techniques, and relationship with the Bar and the public.

Seven (7) Orientation Programs have been held to date.

The new Judge also undergoes an Immersion Program at his station (Administrative Circular No. 6, as amended by Administrative Circular No. 12-96 dated November 19, 1996 and Administrative Circular No. 6-98 dated July 29, 1998). The program is under the supervision of the respective Executive Judges, or in the case of RTC Judges assigned to single-sala stations, the nearest RTC Executive Judge. The new Judge does not hear cases until after the program is completed. The program includes actual observation of court trial by sitting with an experienced Judge; observation of the activities in the office of the Clerk of Court; preparation of an inventory of cases, meetings with court-related agencies and, in general, familiarizing them with their new roles as dispensers of justice in their respective territorial areas and as court managers in their own Courts. After completion, the Executive Judges concerned submit Certificates of Completion to the Supreme Court.

b. Judicial Career Development Program (JCDP) —

The JCDP is the second level of judicial education (Administrative Circular No. 6, dated October 11, 1988). It is a career enhancement seminar for the experienced jurist, normally with at least three years experience and who is not nearing retirement. The program updates them on emerging trends in law, including advances in technology and research; makes a critique of decisions and orders actually rendered by Judges of the same level; avails of creative teaching techniques including mock-trial scenarios, audio visual presentations and realistic hypothetical cases.

The Court of Tax Appeals was included in one JCDP for Regional Trial Court Judges (PHILJA 63 JCDP R[2]) '98).

To date, four (4) Judicial Career Development Programs for Judges of the first and second level have been conducted.

c. Executive Judges' Seminar —

Programs for Executive Judges focus on Judges designated by the Supreme Court to act as such to assist it in the efficient management of lower courts within their respective administrative areas. Since it is a leadership-centered module, strategies for team management and team leadership are stressed. They are also briefed on how to conduct Immersion Programs for newly appointed Judges. These are, of course, in addition to basic course offerings.

So far, five (5) Executive Judges' Programs have been given.

d. Programs for Special Courts—

Although not yet fully implemented, training will be given to trial judges assigned to Branches designated as special courts. These could be criminal courts, courts handling intellectual property rights (IPR), or forestry and environmental cases. With the new law establishing Family Courts in every province and city, with exclu-

sive original jurisdiction over child and family cases, Judges and personnel thereof will be given training in handling cases within their special jurisdiction.

e. Appellate Justices' Conference—

For the first time, the Court of Appeals Justices had their own conference. The first was held on August 29, 1997, with visiting U.S. Judge Clifford D. Wallace of the 9th U.S. Circuit Court of Appeals, in which program our Court of Appeals Justices exchanged views and information on the intricacies of the appellate justice system and strategies for improvement.

The second conference, held on November 18-20, 1997 was more of an information-sharing session and a discussion of common problems besetting the appellate court participated in by the Justices themselves. Instead of the usual lecture format, the panel discussion type was adopted with each Justice designated as a panelist to discuss a specific topic or issue.

A third activity is slated soon.

f. Programs for Court Personnel—

Court personnel receive their share of attention. We have designed programs for Clerks of Court, Legal Researchers, Social Workers, and Sheriffs, tailored to their respective needs. For Legal Researchers, for example, they are re-oriented in their respective functions and responsibilities, given problems to solve through library research and a theoretical problem which requires them to submit a Memorandum of Law. For Clerks of Court, records management and dynamics of Judges-Court Personnel Interaction are given. For Sheriffs, they are given a refresher on the nature and functions of their office, their limitations and liabilities, their role in the administration of justice, and guidelines for the execution of judgments. These are in addition to basic topics, such as, ethics for court personnel, relationships with the Bar and the public, workshops on problems with Judges, court personnel and lawyers, and the like.

Eleven (11) Seminars for Court personnel of different levels have been conducted.

g. Convention-Seminars for Judges and Court Personnel—

With the inclusion of PHILJA training programs in Convention-Seminars for Judges and Court personnel, held in different judicial regions, PHILJA has been able to reach many more judges and Court employees than would otherwise have been possible using only the limited facilities of the Tagaytay Ridge Convention Center. In 1997 specially with the Special Focus Programs, by actual count, PHILJA ministered to the training needs of 3,237 Justices and Judges and 5,316 Court personnel, although it is likely that there were double participations, depending on the type of program attended.

To date, six (6) such Conventions-Seminars for Judges of the first and second level have been held; while those of Court personnel totalled ten (10).

2. General Format of Training Programs

A Curriculum Committee, composed of authorities in their respective areas of expertise, collaborate and plan effective and efficient course offerings. A full-time faculty has yet to be formed.

The lecture format is usually availed of. Topics are carefully chosen to include the theoretical and practical aspects of judicial work. Subjects on ethics, values, and work attitudes are indispensable in every program. Lectures are followed by lively open fora where the participants propound relevant questions borne out of their work experiences.

When the negative public perception of Judges was released by the Social Weather Stations, Inc., in 1996, its officials were invited to present the results frankly and professionally to Judges and court personnel. Reactors from the Bench, the Bar and the media were also invited. Judges' reactions to the survey results varied from disbelief, indignation and even challenge of the methodology used. Nonetheless, everyone appreciated the need to strive for a more positive public perception of the Bench.

To familiarize Judges and court personnel with the advances in computer technology, the theoretical perspective and the practical application aspects are regularly given. In fact, it was also included and tried out in the Appellate Justices' Conference. Judges' clamor for computers continue to be addressed by the Narvasa Court as funding therefor becomes available.

Additional delivery mechanisms include workshops for increased interaction and maximum participation; demonstration trials with accompanying lectures on trial technique, case management, pre-trials, and judging; written assignments, like writing of decisions and pre-trial orders; suggestions to improve the public perception of Judges; and proposals for judicial reforms. Participants are graded for their work. And, lastly, dialogues between participants and pertinent officials to help judges with their administrative needs and problems ranging from court personnel, financial matters, requisition of supplies, materials, books, and practically anything and everything that they need clarification on. Thus, PHILJA Seminars serve not only as sources of information but also as a communication link.

Hand-outs consisting of the "Handbook on The Courts and the Criminal Justice System," latest pertinent laws, court decisions, and relevant Supreme Court Circulars affecting Judges and personnel are invariably given. Lecturers are also requested to give their outlines and/or texts of their lecture in advance as a facilitating factor.

The individual evaluations made by participants after every training program, guide the planners in designing future courses and in determining whether what has been taught has been caught.

3. Special Focus

The special areas of concern that PHILJA focused on were:

a. The Seminars on the 1997 Rules of Civil Procedure

One-day Seminars on the 1997 Rules of Civil Procedure were conducted nationwide in order to acquaint Justices of the Court of Appeals and the Sandiganbayan, Judges of the Court of Tax Appeals, Trial Judges, Clerks of Court, Division/Branch Clerks of Court, and Court Attorneys with the salient features of these Rules promulgated by the Narvasa Court on April 8, 1997 and made effective beginning July 1, 1997. Lecturers and Resource Persons in these one-day Seminars were the members of the Revision of the Rules of Court Committee themselves. The Seminars were conducted not only in the National Capital Judicial Region but in other strate-

gic areas in the different regions, notably in the cities of Dagupan, Naga, Iloilo, Cagayan de Oro and Davao.

The series covered nine (9) seminars.

b. The Seminars on Election Laws

A series of seminars on Election Laws was held beginning March 6, 1998 up to March 30, 1998 in Manila, and in different regions of the country. They were conducted in order to prepare our Regional Trial Court Judges for the many election cases that were expected to be filed arising from the May 11, 1998 elections and to update them on the party-list system, which was to be implemented for the first time.

Four (4) such seminars were held.

c. Courts, Domestic Violence and Child Abuse

With the proliferation of domestic violence and child abuse cases, seminars on how to make our Courts more gender-sensitive, child-sensitive and more effective in coping with the peculiar nature of those cases, are given.

Last May 14-15, 1998, PHILJA and the Ateneo Human Rights Center, with funding provided by "Save the Children Fund - U.K." jointly sponsored a Workshop on "Strengthening the Legal Protection for Children." Republic Act No. 8557 authorizes PHILJA to enter into consortium agreements like this with other educational and training institutions for the development and implementation of programs for career development and continuing judicial education. Participants ran the cross-section of Judges, prosecutors, social workers, police, public attorneys, physicians, psychologists and psychiatrists. It was PHILJA's first multi-disciplinary approach in the conduct of Seminars. In that Seminar, a survey on tele-video conferencing was also conducted to determine whether such a technology could be adopted in the courts in cases involving children, the stage of the case at which it could best be utilized, and the possible issues or problems that may arise from its use.

d. Training for Family Court Judges

Pursuant to Republic Act No. 8369 or the "Family Courts Act of 1997" which provides that its Judges and court personnel are to undergo training and must have the experience and demonstrated ability in dealing with child and family cases, the Narvasa Court has authorized the holding and implementation of a Training-the-Trainors Program. This is geared towards the learning of methods to determine the training needs of judges and personnel insofar as child and family laws and procedures are concerned, the preparation of course curricula, and designs and materials according to the requirements of the Family Courts Act.

The concept has struck a responsive chord with the United Nations Commission on Human Rights, which is now working on a training-the-trainors program involving youthful offenders. A joint activity may likely be undertaken involving all pillars of the criminal justice system in the near future.

e. Joint Educational Programs

On September 25, 1998, PHILJA cooperated with the Credit Card Association of the Philippines in its Seminar on "The Access Devices Regulation Act of 1998" or Republic Act No. 8484, to introduce Judges to new tools of trade and commerce such

as credit/charge cards and ATM cards; to discuss the salient features of the law, and to update them on commercial law concepts.

In the planning stage is a joint training activity with another group on "Y2K" or the "millennium bug," to apprise Judges of the facts and to enable them to cope with the legal questions that are bound to arise from this dreaded global concern.

4. Management and Performance Assessment Programs.

a) Total Quality Management (TQM) for Trial Courts

To strengthen the managerial capabilities of Judges and improve the quality of the delivery of basic judicial services to our people, a series of Seminar-Workshops on Total Quality Management for Trial Court Judges and Court Personnel was launched starting in Davao City in 1996. This focuses on a management strategy, which emphasizes team work and a participatory, rather than a hierarchical, method of management and personnel administration.

During these Seminars, participants are instructed on how to organize TQM teams upon their return to their respective courts with the Presiding Judge as Team Leader and all court personnel as members. They are then expected to formulate their long-term vision, their mission, and their shared values; identify their problems and propose solutions; and devise strategies for the improvement of their respective Courts. A system of periodic reporting is likewise encouraged whereby TQM teams regularly inform PHILJA of the progress of their efforts as well as problems/difficulties encountered and/or resolved. Thereby, the TQM Seminar does not become an end in itself, but one which sets into motion a series of activities that hopes to address strengths, weaknesses and defects in the judicial machinery at the basic unit, which is the trial court. The expectation is that TQM may prove to be an important vehicle for ushering in a new concept of quality service in our trial courts and leave our court users more satisfied with the justice system.

The Narvasa Court-UNDP project also speaks of the need for TQM in all levels of the Judiciary including the Supreme Court, in order to enhance administrative processes.

Eleven (11) TQM Seminars in different parts of the country have been undertaken for Judges and court personnel alike.

b) Seminar-Workshop on Trial Court Performance Standards (TCPS)

This was a novel project which the Office of the Court Administrator, PHILJA and IJA held last August 12 to 14, 1998, at Tagaytay City. It is patterned after a similar program by the Institute for Court Management in Virginia, U.S.A. The program is designed to develop a common language of describing, classifying and measuring the performance of trial courts, as well as create a mechanism for court self-evaluation in order to improve the administration of justice on the basis of universally accepted performance standards. Five (5) key performance areas by which Judges can measure their performance, were stressed, namely, (1) Access to Justice, (2) Expedition and Timeliness, (3) Equality, Fairness and Integrity, (4) Independence and Accountability, and (5) Public Trust and Confidence. The Seminar ends with a specific commitment by the participants to enhance their performance as judges through self-evaluation.

E. The Judicial Reforms Committee

Ever conscious of the need for institutional reforms, the Narvasa Court, on July 14, 1997, directed PHILJA to undertake an in-depth examination of the present legal and judicial system for the purpose of "upgrading, improving and reforming it to meet the changes and challenges of a new millennium." This was upon the suggestion of Associate Justice Artemio V. Panganiban. The directive led to the creation by PHILJA of a Judicial Reforms Committee in the latter part of 1997. For practical purposes, the Committee was divided into two (2) groups - the Consultants' Group composed of retired Justices of the Supreme Court, the Court of Appeals, and other legal authorities from the academe; and the Research Group with a diverse membership, which provides technical support to the Consultants' Group but without prejudice to the submission of its own recommendations. Proposals for reform so far submitted have included: (1) Elimination of Labor Cases from the Original Jurisdiction of the Supreme Court; (2) Proposed Reforms for Case Flow Management in the Supreme Court; (3) Proposed Constitutional Reforms in the Composition of the Senate and the House of Representatives Electoral Tribunals; (4) Proposed Reforms to Some Constitutional Provisions on the Judicial and Bar Council; (5) Proposal for Reforms in the Philippine Juvenile Justice System; (6) Proposal to Provide "PHILJA Updates in Electronic Format;" (7) Proposal to Place Under the Office of the Chief Justice the Publication and Information Office Created in the Office of the Court Administrator;" and lastly, suggested reforms in the Revised Internal Rules of the Court of Appeals (RIRCA), which will be taken up in that Court's conference next year.

These proposals are under advisement by the Court.

F. "Philja Updates In Electronic Format"

Cognizant of the need to provide Judges and court personnel with quick access to updated legal and other pertinent information, the Narvasa Court approved the "PHILJA Updates in Electronic Format" on June 1, 1998. This is an electronic research system, the use of which is subject to the terms of copyright. Initially, the "Updates" will include the following materials: (1) 1991-1998 laws; (2) selected 1997 administrative proceedings against Judges and Court personnel; (3) selected 1996-1998 Supreme Court Circulars, Administrative Orders and Resolutions; and (4) selected PHILJA lectures. Other relevant and useful information, like summaries of Supreme Court Decisions, will be included as the process matures. The initial distributions, starting this month, shall cover 99 pilot courts in the National Capital Judicial Region, which are equipped with the requisite minimum computer hardware equipment. The PHILJA Updates will be loaded into the hard disk units of those computers. In cases where hard disk loading can not be immediately accomplished, the PHILJA Updates will be stored in diskettes and delivered to the Courts in that form. Training sessions for designated users on the efficient use of the system, with a training manual provided, are now on-going. PHILJA's partner in this experimental endeavor is CD Asia, Inc., headed by its President, Atty. Emmanuel L. Caparas. They have graciously agreed to shoulder production and installation costs.

G. Conclusion

It is the vision, the leadership, the logistical support and the judicial will of the Narvasa Court that has made the foregoing reforms and innovations possible.

The Narvasa Court may be nearing the end of its voyage and reaching shore. But, as Coleridge has said "like a lantern on the stern of a ship, which illuminates the waves that are behind us," the Narvasa Court has charted for us the course to continue for legal and judicial education reforms.