

ASEAN Judicial Dialogue WEBINAR
Judicial Education and Training in the Time of Pandemic: Challenges and Lessons

Working Group on Judicial Education and Training (WG-JET)
Council of ASEAN Chief Justices (CACJ)

Country: Philippines

- 1) Please provide explanation on bodies that are formally responsible for judicial training and education to the court (Ministry of Justice, other ministry, Supreme Court, Judicial Council, and so forth). Please elaborate if possible, the organizational structure and its function in implementing judicial education and training program.

The Philippine Judicial Academy (PHILJA)¹ is the education arm of the Supreme Court of the Philippines tasked with (a) training of justices, judges, court personnel, and court lawyers; and, (b) assessment of aspirants to judicial posts.

It is a separate but component unit of the Supreme Court. The Court guarantees the participation of judges and court personnel in its programs and activities. In fact, no first and second level trial court judge would commence the discharge of adjudicative functions without undergoing the related courses prescribed by the Academy. The Judicial and Bar Council (JBC), constitutionally tasked to recommend appointments and promotions to the Judiciary, is also directed by law to consider the participation of judges in the programs of the Academy, pursuant to Republic Act No. 8557.

ORGANIZATIONAL STRUCTURE

A. BOARD OF TRUSTEES

The PHILJA Board of Trustees (BOT) is the governing board of the Academy. It is chaired by the Chief Justice, with the Senior Associate Justice as Vice Chair. Its members are the PHILJA Chancellor; Presiding Justices of the Court of Appeals, Sandiganbayan, and Court of Tax Appeals; Court Administrator; President of the Philippine Judges Association; President of the Philippine Association of Law Schools; and a judge of the First Level Court appointed by the Board.

¹ PHILJA was created on March 12, 1996, through SC Administrative Order 35-96, and institutionalized by Republic Act No. 8557 on February 26, 1998.

B. ACADEMIC COUNCIL

The Academic Council (AC), composed of sixteen (16) curricular departments

(Constitutional Law; Civil Law; Criminal Law; Commercial Law; Remedial Law; Taxation Law; International and Maritime Law; Humanitarian Law and Human Rights; Jurisprudence and Legal Philosophy; Ethics and Judicial Conduct; Legal Writing, Research and Methodology; Court Management; Special Areas of Concern; Court Technology; Shari'a and Islamic Laws and Jurisprudence; and, Alternative Dispute Resolution), considers and approves trainings, programs and activities of the Academy.

C. CORPS OF PROFESSORS

The Corps of Professors is the official instructional force of PHILJA. It is composed of chairpersons and members of the Academic Departments, special lecturers, full-time professors, part-time professors, and professorial lecturers.

D. EXECUTIVE OFFICES

The Executive Offices of the Academy are the Chancellor's Office, Vice Chancellor's Office and Executive Secretary's Office.

The **Chancellor** is the Head of the Academy who directs, manages and supervises the day-to-day activities of the Academy; exercises supervision and control over all personnel of the Academy; supervises the planning, development and implementation of the continuing program of judicial education; and, formulates and recommends to the BOT policies for the effective and efficient administration of the Academy.

The **Vice Chancellor** performs the duties and functions of the Chancellor in the latter's absence; assists the Chancellor in managing and supervising the day-to-day activities of the Academy, specifically, but not limited to, administrative and financial matters.

The **Executive Secretary** principally serves as the *ex officio* Recorder-Secretary of the BOT and AC, and custodian of all records of proceedings.

E. ACADEMIC OFFICES

The **Academic Affairs Office (AAO)** is responsible for drafting curricula and planning the academic undertakings of PHILJA for approval by the AC. It periodically evaluates the academic programs and performance of the lecturers with the assistance of the Curriculum Review Committee.

The **Research, Publications and Linkages Office (RPLO)** is responsible for carrying out the Academy's approved research undertakings and publishing the Academy's research outputs. It also establishes collaborative mechanisms with other institutions to improve resource generation and mobilization of training programs, research and development.

F. SUPPORT OFFICES

The **Administrative Office** oversees the implementation of the functions of the

Corporate Planning Division (CPD), Administrative Division (AD), and Information Systems Division (ISD).

The **Finance Office** is responsible for the formulation, allocation, administration and accounting of the Academy's budget and sources of financing and other resources.

The **PHILJA Training Center (PTC) Office** is in charge of the operation and maintenance of the Academy's 3.5 hectare-training facility located in Tagaytay City.

- 2) Please provide information on judicial education training and program provided for judges and staff in your judiciary.

PHILJA conducts seminars, workshops, and other judicial and legal education programs for justices, judges, court personnel and lawyers, as well as officials and lawyers of quasi-judicial bodies, whether pertaining to their adjudicative or administrative functions. The Academy includes courses in its curricula and programs that address the latest developments in substantive and procedural laws, and updates on technology and their possible application in the courts. It holds lectures on ethics and value formation and other special issues or areas of concern, such as, problems of vulnerable and marginalized groups in society, and conducts faculty enhancement and leadership trainings.

A. CORE PROGRAMS

The following flagship programs are conducted regularly by the Academy:

1. The **Pre-Judicature Program (PJP)** is intended to assess aspirants for judicial positions, as mandated by the Academy's statutory and administrative charters. It orients and guides aspirants towards a career in the judiciary as it offers them a judicial perspective on the law and introduces them to skills, attitudes, values and appropriate conduct called for by their appointment to the Bench. As the sessions of the program are not intended to repeat instruction in law school subjects nor serve as Bar review materials, all subjects are approached from a judicial perspective—the resolution of disputes by a judge.

The completion of the program and obtaining a passing assessment and performance is considered by the JBC as among the several factors for purposes of determining the competence, integrity, probity and independence of applicants to the judiciary. Thereafter, the JBC submits nominees to the President of the Philippines for appointment to judicial posts.

2. The **Judicial Career Enhancement Program (JCEP)** is a 3-day continuing

judicial education program intended for judges and judicial personnel who have been in the service of the judiciary for some time.

Emerging issues and concerns in various fields of law and jurisprudence are discussed, with special focus on the skills required in the discharge of the judges' respective duties and responsibilities.

3. The **Orientation Seminar-Workshop for Executive Judges and Vice Executive Judges**, which runs for at least 2 days, is intended to update the executive judges and vice executive judges on laws, legal developments and issuances that would enhance their capability to discharge their administrative functions.
4. **The Orientation Seminar-Workshop for Newly Appointed Judges** is a mandatory program for newly appointed judges to prepare them for assumption of office and the discharge of their duties.

The program covers the following: **Judicial Person**, dealing with the values, attitudes, behavior, and outlook of a member of the Bench; **Judicial Skills**, focusing on management and administrative skills, research, communication and decision writing skills; and, **Judicial Knowledge**, an intensive study and application of substantive and procedural laws from a judicial perspective.

5. The **Orientation Seminar-Workshop for Newly Appointed Clerks of Court** is intended to prepare newly appointed clerks of court for assumption of office and the discharge of their duties.
 6. The **Continuing Legal Education for Court Attorneys** runs for at least 2 days and aims to meet the professional enhancement needs of Court Attorneys of the Supreme Court and Appellate Courts. The program focuses on updates on law, current jurisprudence and administrative policies, judicial techniques and suggested remedies to problems in trial and procedure.
- B. DEVELOPMENT PROGRAM FOR COURT PERSONNEL** is a continuing judicial education in response to the need to enhance and update judicial personnel on skills, values, systems, and procedures for a more effective performance of their duties.
- C. SPECIAL FOCUS PROGRAMS** cater to judges, court personnel and other stakeholders. They are thematic in nature, focusing on new rules and current trends and developments. These may include interdisciplinary approaches and subjects involving vulnerable sectors.

D. Alternative Dispute Resolution (ADR) Programs, such as, Mediation and Judicial Dispute Resolution (JDR), are offered by PHILJA for Mediators and judges, respectively. Mediators are assigned to various Philippine Mediation Center units around the country. Judges are also trained on JDR in connection with their function under Rule 18 of the Rules of Court.

E. Convention-Seminars - All national conventions of judges and court employees have an academic component and are usually conducted for 1.5 days.² This opportunity has been optimized by the Academy to make judicial education accessible to a wider group of judicial persons.

² Under Administrative Circular No. 13-96 dated November 28, 1996.

3) Please provide explanation of themes and methods of training prioritized by your judiciary, especially during the pandemic.

Out of the 44 training programs and activities (TPAs) conducted in 2020, 24 were delivered via Distance Learning Program (DLP). Prior to the pandemic, PHILJA conducted an average of 13 to 14 TPAs per month. This dropped to around 7 TPAs per month in 2020, as PHILJA had to stop conducting face-to-face TPAs from March 15 to June 22, 2020. With 6 months left until the end of 2020, priority was given to TPAs which were (1) necessary to prepare the participants in the performance of their functions, (2) aimed at updating the participants on the recent revisions on certain rules of procedures; and, (3) essential in preparing judges in handling cases common to their respective courts.

The 24 TPAs conducted via DLP included the following: Orientation Seminar-Workshop for Newly Appointed Judges (2); Orientation Seminar-Workshop for Newly Appointed Clerks of Court (1); CEP for Clerks of Court (1); CEP for Court Legal Researchers (1); CEP for Court Interpreters (1); Orientation Seminar-Workshop for Newly Appointed Court Stenographers (2); CEP for First Level Court Sheriffs (1); PJP (1); Colloquium on Intellectual Property for the Judiciary (1); Competency Enhancement Training in Handling Cases Involving Children (1); Design and Delivery of Online Trainings (2); Seminar-Workshop on Dangerous Drugs Law for Judges, Prosecutors and Law Enforcers of the National Capital Judicial Region (1); The Hague Conference on Private International Law Conventions Webinar Series (1); Training Seminar on the 2019 Amendments to the Rules of Civil Procedure and Evidence (7); and, Virtual Convention of the Philippine Trial Judges League, Inc.

Some programs like the Orientation Seminar-Workshop for Newly Appointed Judges, were delivered as a hybrid program, where some participants attended the face-to-face lecture (following strict health and safety protocols at the site)

while the rest joined via videoconferencing.

- 4) Please provide explanation on the experiences of your judiciary in implementing judicial training and program in the time of pandemic. Please elaborate on the changes that you incorporated and the effects on the implementation of judicial education and training in your judiciary.

Prior to the pandemic, the closest PHILJA has done to online learning was the occasional use of videoconference to include judges from various parts of the country (usually limited to 2 remote sites) in watching a lecture being delivered at the Supreme Court Session Hall in Manila or PTC in Tagaytay. This mode has its limits as it required PHILJA to gather the participants in one venue at the remote site.

The pandemic was game-changing forcing PHILJA to face the following challenges: (1) determining the appropriate online applications to be used; (2) procurement of services for the development of a learning management system (LMS); (3) retooling the training staff to be able to handle the use of online applications; (4) addressing the concerns/issues under work-from-home (WFH) arrangement (e.g., reimbursement of expenses and provision for ICT equipment for the training staff); (5) orienting participants on both the use of online applications and proper decorum to be observed during webinars; (6) adjusting the program content to make it appropriate for online delivery; (7) speeding up the preparation for the delivery of priority programs; and, (8) unstable internet connection experienced in some areas across the country.

Less than a month after the declaration of the nationwide lockdown, the PHILJA Distance Learning (PDL) Core Group was convened to explore alternative methodologies in conducting TPAs under the “new normal.” The PDL Core Group invited various experts to discuss the capabilities of Zoom application and other possible online platforms, as well as the key steps in selecting a service provider for the appropriate LMS.

The AAO underwent an orientation on the use of Zoom applications and crafted a quick guide that will help the participants navigate through the webinar using Zoom application.

PHILJA also engaged the International Development Law Organization (IDLO) for a series of capacity-building programs that basically introduced PHILJA trainers and staff to key principles and skills in designing and conducting online learning sessions, including the concept of blended learning and various virtual tools, design and delivery of online trainings, and the use of LMS and content authoring tools (CAT). The training courses were also intended for long-term use considering the current trend on distance learning among training institutions.

PHILJA likewise tapped its CPD to look into the following concerns related to conducting webinars: (1) allocation of funds/budget and reimbursement of expenses incurred by the staff under the WFH arrangement; (2) guidelines on the selection and composition of PHILJA staff assisting in DLPs; (3) health and safety protocols to be observed for hybrid programs; (4) connectivity and communications in the implementation of PHILJA DLPs; and, (5) possible revisions to the PHILJA Evaluation Survey vis-à-vis the implementation of distance learning and blended learning methodology.

Pending acquisition of a LMS, PHILJA's ISD was tasked to develop a microsite for each webinar conducted. These microsites serve as the platform for PHILJA to share all reference materials and other relevant information to the participants of each program.

- 5) Please provide ideas or innovations that your judiciary is currently implementing or will be implementing in the future in conducting training during pandemic and beyond.

Prior to the pandemic, online trainings have already gained popularity. However, it was only during the pandemic that PHILJA was compelled to conduct its TPAs online. This also gave PHILJA an opportunity to introduce adult education techniques that are more responsive to the needs of the participants. Thus, PHILJA is now gearing towards conducting hybrid courses where learners will undergo both synchronous and asynchronous sessions. This format will be pilot tested in the upcoming New PJP in September 2021.

The PHILJA Faculty will thus be employing more suitable teaching and learning methodologies, the most significant of which is the hybrid training combination of asynchronous and synchronous sessions. Henceforth, even when face-to-face trainings are allowed once again, the asynchronous and synchronous combination will remain the standard as self-directed learning must be encouraged and rewarded. Starting with the New PJP, lecture sessions shall only be allowed for asynchronous work. If the New PJP is to function as an effective assessment tool, all synchronous sessions must be formulated and devoted to active interaction and trainee participation to surface the qualities for assessment that PHILJA is looking for.

As pure knowledge courses will largely be done asynchronously weeks in advance of the program, the Faculty will be actively involved in the preparation of the learning kits for the asynchronous sessions, such as, recorded lectures, handouts, updates on new laws and jurisprudence, flowcharts, templates, etc. These learning kits will be distributed to the participants with enough time to study on their own prior to the synchronous sessions.

A re-orientation and training of the Faculty on module and course development, learning techniques, and training methodologies will be necessary. A manual for

this purpose will also be prepared.

- 6) Please provide explanation on the lessons learned in conducting judicial education in the time of pandemic and beyond.

With more than a year since the outset of the pandemic in the Philippines, the Academy learned the significance of exploring and undergoing numerous studies and trials to develop blended and distance learning methodologies most suitable for its stakeholders, and extensive trainings for its faculty and personnel to equip them with apt skills for the operation of the new methods and technologies. The Academy learned to adapt to various substantial changes caused by an unprecedented crisis which shows its resilience and ability as an institution to accommodate innovations and techniques appropriate to current and future circumstances. It has since been successful in continuously delivering judicial education to its stakeholders, most significant of which is the asynchronous and synchronous combination via DLP which is a cost-efficient and effective channel in reaching a wider range of participants, especially with stakeholders who are professionals in different parts of the country.

Although challenges are still encountered, such as, health and safety concerns, internet connectivity, locating settings with the least interruptions, and acquiring more advanced technology and equipment, the Academy is enthusiastic with its adoption of the “new normal” approach and will thus continue with these methods even beyond the pandemic. While the pandemic may have affected the number of TPAs delivered in the previous year, it also opened opportunities for the Academy to develop more advanced standards towards excellence in the new normal.