



Republic of the Philippines  
Department of Environment and Natural Resources

# **LAMP, PROTOTYPE 1**

## **OUTPUT 2.2**

### **ADVISER'S REPORT ON JUDICIAL TITLING**

**November 2002**

**REPORT C8**



## PROGRESS IN JUDICIAL TITLING – as at 1 November 2002

### 1. Introduction

The aim of Prototype 1 is to devise a streamlined, cost-effective, community supported method for mass land titling that is capable of implementation in an expanded land titling project in Phase II. In Activity 11, the prototype focused on developing a mass Judicial Titling process and piloting it. In Activity 21, PIO 1 has continued to develop the judicial titling pilots. The pilots will continue in Activities 25 and 34. The aim of the pilots is to determine the suitability of judicial titling as an option for a mass land titling option and the potential for improving the process.

This report will examine:

- Progress and achievements in the pilots and the expansion
- Issues and lessons arising
- Suggested criteria for judicial titling and other approaches as long-term mass land titling methods

### 2. Progress and achievements in the original and expansion pilots

#### **2.1 Setting up the original pilot studies - Bridging TA and Activity 11 [August 2001 – June 2002]**

PIO 1 drafted the design of the methodology for the judicial titling pilots in the period August 2001–March 2002. This included the forms, field processes, consultation with judiciary, recruitment and training of staff and the mobilisation of the community. The fieldwork commenced in April 2002, initially in 13 barangays. Progress is summarized below:

*Table: Initial judicial titling locations*

<b>Location</b>	<b>Status</b>	<b>Action to take</b>
<b>Palo</b>		
Libertad	<p>A survey plan has been prepared by the staff of PIO 1 as part of the homestead patent pilots. Delays occurred as the verifiers returned to the field for corrections. It is now available for approval. However, before the contract can be approved, the earlier contract for the survey of the barangay must be terminated by PMO. This issue was referred to PMO in 2001 but the termination action has not been taken.</p> <p>Nine months later, progress has been stalled but systematic adjudication continues. Answers and other documents are being prepared.</p>	<p>PMO must terminate earlier survey contract.</p> <p>Then the recent survey can be approved. Then the Petition can be filed.</p> <p><b>Filing target:</b> October 2002</p>
Anahaway, San Isidro	<p>The 1990 survey has not yet been finalised for the two barangays. A validation team has revisited the survey and undertaken some correction work [additional subdivision work for 11 lots]. It has identified corrections that need to be made and this work remains outstanding.</p> <p>The new survey was being undertaken in the period September 23 – 1 October.</p>	<p>Correct the survey</p> <p>Approve the revised survey</p> <p>Lodge the petition.</p> <p><b>Filing target:</b> The tentative plan for the referral of the Petitions to the Solicitor General is mid October 2002.</p>
<b>Pastrana</b>		
Macalpi -ay	In Pastrana, it was originally intended to process	Solicitor General to

<b>Location</b>	<b>Status</b>	<b>Action to take</b>
	<p>five barangays. One barangay, Macalpi-ay, was the site of a homestead patent pilot project. It was surveyed during that pilot.</p> <p>Macalpi-ay was surveyed in August 2001 by a private survey contractor as part of the homestead patent pilot. Interviews commenced in May 2002.</p> <p>Survey approved in May 2002.</p> <p>The Petition was drafted on July 15 and was Petition sent to Solicitor General's Office in July, but has been significantly delayed in the approval process. It still has not been approved. This is one of the institutional issues to be flagged. It brings into question the capacity of other agencies to expedite judicial titling applications.</p> <p>In September 2002 PIO 1 decided to take direct responsibility for liaising with agencies in Manila rather than to rely on TA contacts.</p>	<p>approve the draft Petition.</p> <p>Then the Petition can be filed.</p>
Halaba Bahay Calsahaday Malitbogay	PIO 1 required a survey contractor and the procurement process was initiated. However the procurement was unsuccessful. Therefore it was decided to focus on completing the barangay of Macalpi-ay	Procurement of survey contractors
<b>Dagami</b>		
Bolirao	<p><i>Four petitions were filed in the Dagami municipal trial court on 26 April 2002 and initial hearings were scheduled from 7-15 August. This affects 685 parcels. Two of the notices of hearing were immediately published in the gazette, and two were not, resulting in at least a one-month delay in the initial hearings. PIO 1 has taken steps to ensure that this delay, which occurred because of a transcription/ proofreading error in the document, is avoided in future applications.</i></p> <p>The initial hearing was conducted on 8 August 2002 and the general default hearing was set. On that date, because of delays in appointing the cadastral officer, Answers had not been filed. The judge set another general default hearing for 30 October 2002. In late October the cadastral officer commenced reviewing the Answers, finding issues that required attention.</p> <p>It is unlikely that titles can issue in 2002.</p>	<p>Facilitate interviews with the Cadastral Officer. File Answers.</p> <p>Facilitate informal hearings by the Commissioner of the Court.</p>
Hinulogan	<p>The Petition was filed on 26 April 2002. The initial hearing on 15 August was rescheduled until 25 September. The reason was that the delegation of authority from the Solicitor General was not available for production to the court at the hearing, having expired some time previously. The target was to have all Answers printed signed and sworn before the cadastral officer and filed before that date.</p> <p>In late September the judge was participating in a workshop and so rescheduled the hearing for 2 October 2002.</p> <p>On 2 October the judge set the general default</p>	<p>Facilitate interviews with the Cadastral Officer. File Answers.</p> <p>Facilitate informal hearings by the Commissioner of the Court.</p>

<i>Location</i>	<i>Status</i>	<i>Action to take</i>
	hearing for 4 November	
Bayabas	The original initial hearing was delayed because of a delay in the publication of the Petition in the Gazette. This occurred because of an error in the list of claimants attached to the Petition sent to the government printer.  The initial hearing is scheduled for 6 November 2002. The general default hearing is expected for early December 2002.	Complete Answers.  Answers to be approved by the Cadastral Officer.
Cabariwan	A similar error resulted in the delay of the initial hearing for this barangay.  The initial hearing is scheduled for 13 November 2002. The general default hearing is expected for early January 2003.	Complete Answers.  Answers to be approved by the Cadastral Officer.
Ormocay	There was a barangay boundary problem with an adjoining barangay. Numerous meetings were initiated by PIO 1 but these failed to produce a solution. For that reason the barangay project activities ceased.	No further action.

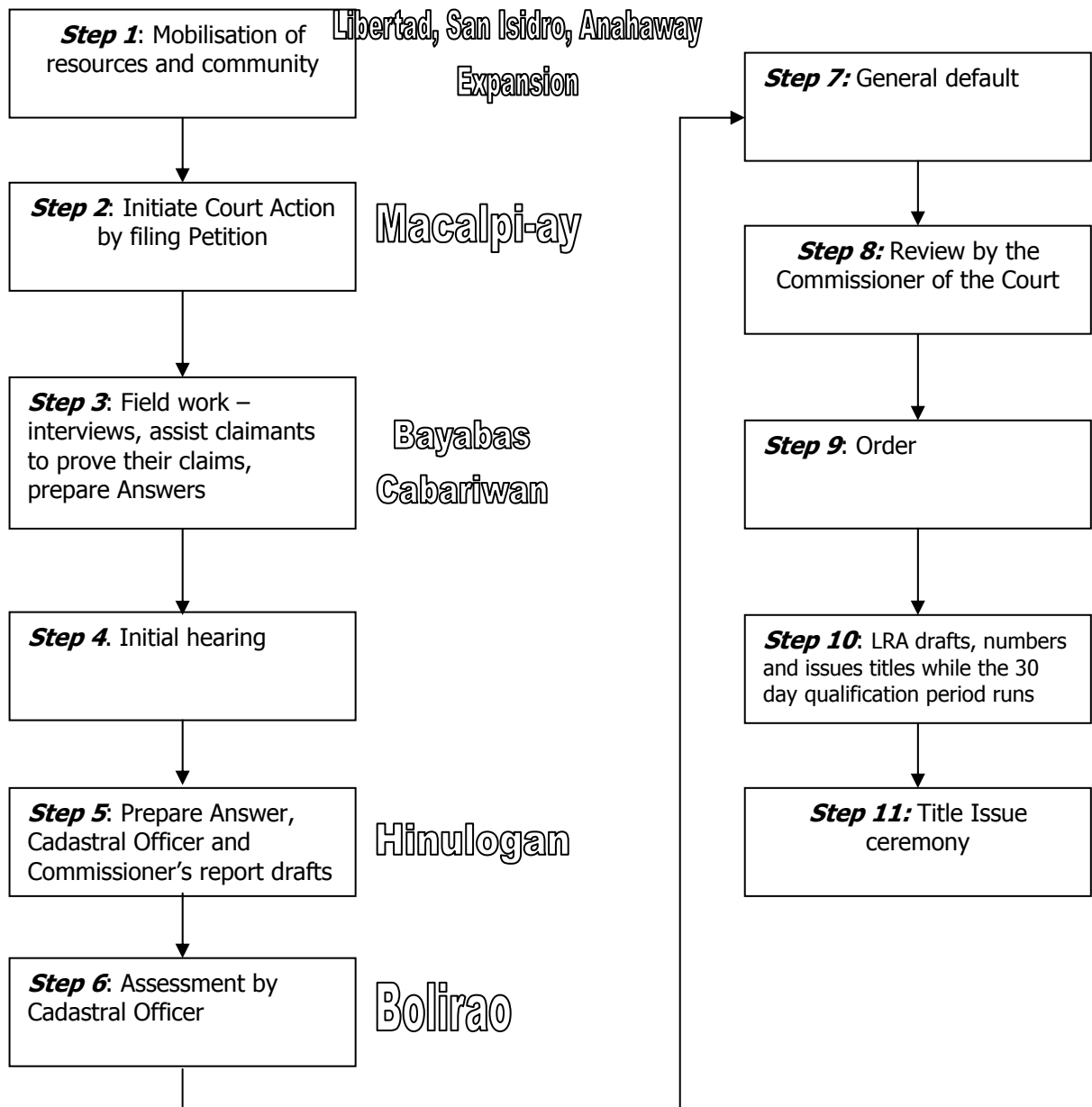
In May 2002 PIO 1 conducted a mid-term review of the process of judicial titling and among other things the following issues were flagged:

- Base camps are falling behind schedule in the preparation of Answers and Cadastral Officer's Reports. The Systematic Adjudication Team Leaders were requested to manage the production of outputs
- A strategy is required to cope with the lack of preparation by landowners and to obtain lacking evidence – this involves additional activity by the local CRS teams. As a result, follow-up interviews were scheduled.
- A timetable was set for Dagami to ensure deadlines are met in filing court documents
- Difficulties with obtaining tax records were raised. These were subsequently solved by PIO 1 obtaining evidence direct from the authority without sending applicants to the authority
- The need was identified for the Systematic Adjudication Team Leaders to be proactive in resolving management issues that inevitably arise in the management of fieldwork
- Inadequate management records in the base camps result in poor statistics. Daily Progress Report and Monthly Report formats were reviewed and their importance reinforced.
- Because of differences between the statistics of the adjudicator and the CRS Assistant, PIO 1 stressed the need for close coordination between the CRS Assistant and the Systematic Adjudication Team Leaders.
- The importance of CRS Assistant having a regularly updated Daily Progress Report was stressed. Without it the CRS resource does not have direction, lacking vital information about the status of each claimant.

Activity 11 concluded on 30 June and the adviser submitted his final report. Issues relevant at that time were raised.

The main steps in the judicial titling process are illustrated in the following diagram. It reflects the progress or lack of progress in the original pilot activities to date.

Diagram: Status of the original judicial titling pilots



## 2.2 Impact of policy studies on pilot programme

Policy studies presented by advisers in July 2002 proposed to DENR a revised process for land administration. Some of the proposals will have a major impact on the land titling programme of PIO 1. Included among the proposal were the following:

- To establish one land administration authority in place of the existing situation where multiple agencies have overlapping functions.
- That only one land titling method, administrative titling, be used. Judicial titling will thus be revoked.
- Only one form of title, the certificate of title, should be issued for all forms of tenure.
- Simplification of the possession period to be proven by the claimant in order to acquire title.

These major policy directions were endorsed by the Presidential Task Force. The impact on the PIO 1 pilot activities is still being assessed.

### **2.3 Outcomes and achievements in the original pilots**

The Table on the following page has been compiled by the Systematic Registration Coordinator. It draws on the individual reports from the base camps. Further detail can be found in the barangay profiles attached to this report. It is supported by the Table below summarizing the number of interviews and completed documentation prepared by the base camps.

*Table: Status of Answers, Cadastral Officer's Reports and Commissioner's Reports for Dagami as at 30/9/02*

<b>Name of Brgy.</b>	<b>No. of Lots</b>	<b>No. of Workable Lots</b>	<b>No. of Lots Interviewed</b>	<b>No. of Lots with Draft Answers</b>	<b>No. of Lots with Cadastral Officer's Report</b>	<b>No. of Lots with Commissioners Report</b>
<b>DAGAMI</b>						
Hinulogan	293	275	207	170	80	-
Bolirao	184	180	126	126	30	-
Bayabas	127	123	93	64	-	-
Cabariwan	81	73	66	34	-	-
<b>Subtotal</b>	<b>685</b>	<b>651</b>	<b>492</b>	<b>394</b>	<b>110</b>	
<b>%</b>		<b>95%</b>	<b>76%</b>	<b>61%</b>	<b>17%</b>	<b>0%</b>
<b>PASTRANA</b>						
Macalpi-ay	172	158	171	86	-	-
<b>Subtotal</b>	<b>172</b>	<b>158</b>	<b>171</b>	<b>86</b>	<b>-</b>	<b>-</b>
<b>%</b>			<b>100%</b>	<b>56%</b>	<b>0%</b>	<b>0%</b>
<b>PALO</b>						
Libertad	646	635	462	328	-	-
San Isidro	359	359	293	289	-	-
Anahaway	367	367	333	330	-	-
<b>Subtotal</b>	<b>1372</b>	<b>1361</b>	<b>1088</b>	<b>947</b>	<b>-</b>	
<b>%</b>			<b>80%</b>	<b>70%</b>	<b>0%</b>	<b>0%</b>
<b>TOTAL</b>	<b>2229</b>	<b>2170</b>	<b>1751</b>	<b>1427</b>	<b>110</b>	<b>-</b>
<b>%</b>			<b>81%</b>	<b>66%</b>	<b>5%</b>	<b>0%</b>

**LAND MANAGEMENT AND ADMINISTRATION PROJECT**

Prototype Implementation Office I

***BASIC DATA***

Cadastral Registration Proceedings

Municipality/ Barangay	No. of Lots	No. of Claimants	No. of Adj.	Land Use				Title Types				
				Res.	Agr'l.	Gov't Lots	Others	Titled	Unreg. Patent	Pending Patent	Disputed Lots	Untitled Workable
<b>DAGAMI</b>												
Hinulogan	293	176	2	27	237	28	1	10	-	5	17	278
Bolirao	184	81	1	-	163	19	2	9	-	17	2	156
Bayabas	127	74	1	-	114	12	1	2	-	7	3	115
Cabariwan	81	40	1	-	69	10	2	8	-	9	5	64
<b>TOTAL</b>	<b>685</b>	<b>371</b>	<b>5</b>	<b>27</b>	<b>583</b>	<b>69</b>	<b>6</b>	<b>29</b>	<b>-</b>	<b>38</b>	<b>27</b>	<b>613</b>
<b>PASTRANA</b>												
Macalpi-ay	172	112	2	27	141	3	1	12	-	-	2	158
<b>TOTAL</b>	<b>172</b>	<b>112</b>	<b>2</b>	<b>27</b>	<b>141</b>	<b>3</b>	<b>1</b>	<b>12</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>158</b>
<b>PALO</b>												
Libertad	646	582	1	92	541	13	-	247	-	101	11	298
Anahaway	367	169	1	38	326	3	-	262	-	14	-	91
San Isidro	359	122	1	65	215	4	75	145	-	20	-	94
<b>TOTAL</b>	<b>1372</b>	<b>873</b>	<b>3</b>	<b>195</b>	<b>1082</b>	<b>20</b>	<b>75*</b>	<b>654</b>	<b>-</b>	<b>135</b>	<b>11</b>	<b>483</b>
<b>GRAND TOTAL</b>	<b>2229</b>	<b>1356</b>	<b>10</b>	<b>249</b>	<b>1806</b>	<b>92</b>	<b>82</b>	<b>695</b>	<b>-</b>	<b>173</b>	<b>40</b>	<b>1254</b>

## ***2.4 Expansion preparation***

Since in the longer term judicial titling is to be revoked as a land titling option, the need to expand the judicial titling projects is potentially removed. However, the impact of the policy studies recommendations was reviewed by PIO 1. It decided to continue with the expansion of judicial titling for the following reasons:

- The community entry and community mobilisation phases for the expansion barangays have already been completed in Dagami. The community was already prepared for judicial titling. The Dagami expansion should continue.
- It will take time to revoke judicial titling as a first registration method. Until then it should continue to be used and potential for streamlining identified.
- The free patent law does not yet exist – as at early October 2002, the law reviving the use of free patents had not yet commenced.
- Even if the free patent law were operational, it will take time to negotiate simplified processes with DENR. The centralized approval and title issues processes required for free patents may also cause delays in the process.
- The repeal of judicial titling will leave a major hole in the land titling process as there will be no process for the titling of residential land. Free patents are generally not an option for residential land. There is merit in testing judicial titling in a residential environment. This will be tested in the Palo expansion focusing on residential areas.

In reviewing its programme for the expansion of judicial titling in the light of the policy studies, PIO 1 has decided that:

- The proposed sporadic judicial titling pilots at Alang Alang will be cancelled.
- Existing expansion activities in Dagami will be continued.
- Until the cancellation of judicial titling occurs, the most likely use of judicial titling in Phase II of LAMP will be to process applications for title in residential areas. Therefore this process will be tested in the Palo expansion. Six barangays have therefore been selected.
- The proposed pilot at San Miguel will be split into a mixed judicial titling and free patent pilot. This will more truly reflect the situation in the early stages of Phase II, where a combination of administrative and judicial titling could operate side-by-side.
- The new judicial titling pilots provide the opportunity to test a new method in the community mobilisation/ education function. At Palo, CRS will be undertaken by the Local Government Unit.

The Table below summarises potential expansion of the judicial titling pilots. It indicates that PIO 1 is now confronted with the decision for the major survey procurements in Santa Fe and Pastrana advertised in late October 2002. The prototype must decide whether the titling component of the survey work in those two municipalities will be completed by judicial titling or administrative titling.

*Table: Summary of plans for the expansion of judicial titling*

<b>Barangay</b>	<b>Status</b>
Dagami Expansion	10 barangays, 1881 lots - Maliwaliw, Cabuloran, Victoria, Caluctogan, Digapunan, Abaca, Banayon, Calutan, Sirab, San Benito
Palo Expansion	6 residential barangays – 1117 lots - Cavite East, Cavite West, Buri, Sta Cruz, Luntad, St Michael
San Miguel Expansion	<ul style="list-style-type: none"> <li>• Judicial titling pilot – 2 barangays - – Libtong and Cayare</li> <li>• Free Patents – 3 barangays and 552 lots - Lukay, Malaguinabut, Bairan</li> </ul>
Pastrana Extension	This was not originally planned within Output 2.2 but may now be included. Procurement of survey contractors for 25 barangays was advertised in October 2002. PIO 1 must now decide if the titling method to be applied is judicial titling or free patent.
Santa Fe	Survey contracts for the municipality were advertised in October

### 3. Issues and lessons arising

#### 3.1 Activity 21 Mid-term review

On 30 September 2002 PIO 1 conducted a mid-term review of the judicial titling pilots. The following issues were raised:

*Table: Issues raised during the mid-term review*

<b>Issue</b>	<b>Action taken to date</b>	<b>Action planned by PIO 1</b>
<b>Technical</b>		
Uncertainty about the suitability of draft Answers – there is no authentic statement of contents	Training has been given by a land lawyer. Support from the Cadastral Officer is required	PIO 1 plans to recruit a local lawyer as part of PIO 1.  Cadastral Officer appointed and interviews scheduled.  Further training inputs on Answers scheduled and conducted in early October
The project requires support from a local lawyer	PIO 1 has obtained PMO approval to the recruitment of a local lawyer	PIO 1 plans to recruit a local lawyer as part of PIO 1.  Further training inputs from Felino Cortez.
The delay in the cancellation of the prior survey for Libertad prevents filing of the Petition	PIO 1 has sought PMO action on several occasions	
Delay in completion of the survey for Anahaway and San Isidro is preventing filing of the Petition.	The original survey requires amendment and this has been organised	Completion of the amending survey is being monitored.  Approval of the amending survey
<b>Management</b>		
Encoding of documents in the base camp is a bottleneck	The process has been reviewed. The need for clerks of the court to have skills in word processing software has been identified  The need to give further training	All future base camp clerks will have computer skills before selection.  Computer skills will be continued for existing base camp clerks.

<b>Issue</b>	<b>Action taken to date</b>	<b>Action planned by PIO 1</b>
	to existing clerks of the court has been identified.	
Mobilisation of the Cadastral Officer needs to be completed urgently	All inputs required from the Court Administrator have been organised. The first Cadastral Officer has been appointed.  The prototype manager has had meetings with the judge to secure the appointments.	The training workshop on 3, 4 October will develop an action plan for the effective use of the Cadastral Officer.  The workshop will provide training to the Cadastral Officer and the Commissioner.
Mobilisation of the Commissioner needs to be completed urgently	The first Commissioner has been appointed	"
There is a delay in the release of the Petition for Macalpi-ay by the Solicitor General	PIO 1 has decided to take over the liaison process with the Solicitor General The Systematic Registration Coordinator has met with representatives. A further meeting is required	Contact Solicitor General for urgent release of the Petition
A strategy for ensuring titles are issued in 2002 is required		
The LRA needs to be mobilised to urgently draft titles	PIO 1 has agreed to provide a photocopier to the LRA to assist in the preparation of titles	Delegation to visit LRA
The removal of technical descriptions needs to be approved by all participants.	PIO 1 has decided to follow this up via the Presidential task force	PIO 1 to take this up with the Task Force and also direct with the LRA
There is a need to capture the valuable lessons from the initial Answers approved by the Cadastral Officer, the Commissioner and the Court. These need to be built into a training package for adjudicators		All lessons from inputs from the Cadastral Officer are to be recorded by the adjudicators and communicated to the Systematic Adjudication Team Leaders, so that all adjudicators can benefit from the valuable feedback
<b>Field</b>		
Daily Progress Reports are not updated by the base camps on a regular basis. This results in uncertainty over what files are completed and what work is still outstanding		Systematic Adjudication Team Leaders are to monitor this.
Daily Journals of the adjudicators are inadequate, lack information and seem to be completed in a half-hearted manner		Systematic Adjudication Team Leaders are to monitor these to ensure that (a) quality is high (b) management issues are flagged and addressed.
Management reports are not used effectively in the management of fieldwork		The Systematic Registration Coordinator will provide inputs to the SAT Leaders to help them to be proactive.
Claimants are not appearing for interview in spite of written and verbal notices served. For reasons like confusion,		Identify reasons from (i) the daily journal (ii) community-based monitoring and evaluation

<b>Issue</b>	<b>Action taken to date</b>	<b>Action planned by PIO 1</b>
disputes, manner of acquiring the land, etc		
Confusion with two possible interpretations of the law as to the length of possession to be proved		Clarify this via the Task Force
Confusion between claims based on documentation and those based on prescription		Gather statistics on the %. Then clarify the process for both.
Question whether all the evidences to support claims are required for all cases and reduction of documents to be submitted		Maintain high standard of data collection until the court indicates that the standard can be reduced
Lots appear on the ground but not in the cadastral index map.		The CIM should be reviewed more carefully
If titles don't issue this year, claimants are concerned that in 2003 they will need to apply for new tax certificates to support their applications		Review this with the Commissioner of the Court
The tax amnesty on the collection of interest on arrears in taxes is not being applied in Palo		Follow up with Palo. Possible LAG involvement.
No provision is being made for the CRS staff in the design of the base camp		Furniture to be procured
Local CRS staff should be prohibited from using motorcycles as they are not employees and therefore don't have insurance cover		Systematic Adjudication Team Leaders to monitor
There remains confusion about claimants who can't pay taxes and therefore don't have tax receipts.		PIO 1 clarified that the non-production of tax receipts does not prevent the issue of the title. The fact of non-payment is recited in the Answer. The court may order the lien for unpaid taxes to be recorded in the certificate of title for the land.
The provision of CRS notices to claimants over two weeks in advance is ineffectual		Amend CRS procedures
Lack of Answers from government agencies		The Systematic Registration Coordinator would address this.

The following action plan was submitted by the Systematic Registration Coordinator to the review:

*Table: Action plan for implementing systematic registration*

<b>Activity</b>	<b>Person responsible</b>
1. Keep the daily progress report up-to-date	SAT Leaders Adjudicators
2. Submit the progress report to the CRS Unit to ensure it contains the information they require	Systematic Registration Coordinator
3. SAT to give copy of the Daily Progress Report to the CRS Assistant weekly	Systematic Adjudication Team Leaders
4. SAT Leaders to prepare the monthly report [pages 1-4 and barangay profile] and to be submitted monthly to the M & E Unit	SAT Leaders Adjudicators

Activity	Person responsible
5. Implement systematic registration activities such as: <ul style="list-style-type: none"> <li>• Interview of claimants</li> <li>• Conduct ocular inspection</li> <li>• Mediation of disputes on claims and boundaries</li> </ul>	SAT Leaders Adjudicators
6. Office to Office requests for tax declarations [latest and oldest] from the Municipal Assessors and Provincial Assessor. Assign a liaison with the officer.	Systematic Registration Coordinator and support staff
7. Liaise with the Registry of Deeds and DAR for copies of titles and EP CLOA requested by the base camps to support claimants' Answers	Systematic Registration Coordinator and support staff
8. Develop procedures for withdrawing applications from the CENRO on behalf of claimants who sign letters of withdrawal of their applications	Systematic Adjudication Team Leaders Systematic Registration Coordinator
9. Set priorities for the activities of the Cadastral Officers and Commissioners: <ul style="list-style-type: none"> <li>• Determine their availability for training and meeting with claimants</li> <li>• Review draft Answers</li> </ul>	Systematic Adjudication Team Leaders Systematic Registration Coordinator
10. Organise pre-hearing conferences to set strategies before the court hearings	Systematic Adjudication Team Leaders Legal Assistant Systematic Registration Coordinator
11. Develop and package training for the SAT to enhance their knowledge both in cadastral proceedings and free patent titling	Systematic Registration Coordinator
12. Assist the training of staff of LAMP PIO 1 in conducting training for systematic registration	Systematic Registration Coordinator and support staff
13. Prepare training for support staff and base camp clerks on computer usage	Systematic Registration Coordinator and Training Coordinator
14. Ensure that the computers at the base camps are supplied with copies of the CIM data, validated lists of claimants, all forms of deeds and supporting documents	Systematic Registration Coordinator and support staff
15. Plan and implement the expansion of the pilot barangays: <ul style="list-style-type: none"> <li>• Establish base camps</li> <li>• Recruit adjudicators and base camp clerks</li> <li>• Requisition of equipment and supplies</li> <li>• Training of newly recruited staff</li> </ul>	Systematic Adjudication Team Leaders Adjudicators Systematic Registration Coordinator
16. Assist PCU and TA in organising continuing workshops to develop a streamlined process for free patents	Systematic Adjudication Team Leaders Systematic Registration Coordinator
17. Conduct regular weekly meetings	Systematic Adjudication Team Leaders Systematic Registration Coordinator TA
18. Conduct quarterly assessment of systematic registration in preparation for the regular LAMP PIO 1 quarterly assessment	Systematic Adjudication Team Leaders Systematic Registration Coordinator

Activity	Person responsible
19. Prepare Annual Report	Systematic Adjudication Team Leaders Systematic Registration Coordinator and Support staff

### 3.2 Lessons

The following lessons have been learned in the pilots to date.

**3.2.1 The management of the systematic adjudication process by PIO 1 is key** – there was a change in the Systematic Registration Coordinator in September 2001. The new coordinator has pursued the new duties energetically and is proactive in the management of the base camps, setting deadlines for Systematic Adjudication Team Leaders and regularly meeting with Systematic Adjudication Team Leaders to review progress. This has made a significant difference in the pilot activities. This is displayed by closer management of the activities of the Systematic Adjudication Team Leaders, regular meetings, enforcement of reporting requirements, regular inspections of the base camp activities and more regular reporting to PIO 1. As a result, there is also closer PIO 1 involvement in planning the expansion programme. This will be pursued in early November 2002.

The adviser has provided some support for the new coordinator in the development of a workplan and assisting in the development of the management meetings with Systematic Adjudication Team Leaders.

This encouraging development will make it possible for the TA to move more from judicial titling into the free patent pilots. There is scope for the Coordinator to take over responsibility for maintaining and updating the Judicial Titling Training and Operations Manual.

**3.2.2 The management of the systematic adjudication fieldwork is also key.** The mid-term review in September 2002 highlighted again the need for the Systematic Adjudication Team Leaders to operate effectively as front-line managers, to ensure the effective utilization of the resources provided by PIO 1 to the base camps. Although PIO 1 is responsible for the effective management of all field resources, it has entrusted this responsibility to the Systematic Adjudication Team Leaders.

Over the last six months there has been a noticeable improvement in the outputs from SAT Leaders. The following are particularly noteworthy:

- Generation of management reports on time. The reports are more thorough and of better quality. The difficult Daily Progress Report is being produced on a regular basis.
- Organisation of the activities of the basecamp clerks. Notice board displays have also improved.
- Support for technical meetings
- Updating of the barangay profiles and even improving the design of the forms
- Initiative in improving the report format for outputs from the adjudicators to reflect Answers complete, Answers incomplete, etc
- Capacity to organise programmes for project visitors and to explain field processes to visitors
- Support for CRS meetings, where the SAT Leader provides a description of the technical processes

The following still need emphasis:

- Ensuring the adjudicators submit adequate Daily Journals. There has been feedback from the Monitoring and Evaluation process that some journals are inadequate. This reflects on the lack of review by the SAT Leaders.
- Ensuring the adjudicators update the Daily Progress Report and that the base camp clerk submits a revised copy weekly to the CRS officer. This is essential for ensuring the CRS resources are used effectively. The updates of the completed work need to be done systematically to ensure that staff in the base camp, including the local CRS, know what documents remain outstanding.
- Suggesting ways for improving the output of individual adjudicators
- Setting deadlines for the completion of each barangay
- Monitoring the production of the draft Cadastral Officer's Report and Commissioner's Report by the adjudicators. Outputs on this are well behind schedule and adjudicators seem unconcerned that the outputs have not been provided. The longer the time taken to produce outputs, the higher the cost of production and the less likely the project will be of meeting cost targets for production of titles
- Ensuring that adjudicators do not delegate their functions to the base camp clerks
- Liaison with government landowners to ensure provision of Answers by for government land.
- Monitoring the performance of individual adjudicators and giving training where required.

The training Coordinator has a plan for the provision of management training to the SAT Leaders but to date there has not been the opportunity to provide the training.

**3.2.3 The Systematic Adjudication Team Leader should be supported by a deputy Team leader responsible for the quality of all technical outputs**

The functions of the Systematic Adjudication Team Leaders are many and varied. The importance of attention to the management and liaison functions has already been stressed. However, to date, the Leaders are also responsible for the very detailed monitoring of the quality of outputs, completion of the Quality Assessment Form etc. This has not been well done. In the interests of allowing the Leaders to focus, the mid-term review flagged the need for deputy team leaders to take over the quality function. The Systematic Registration Coordinator should develop revised terms of reference for the leader and deputy.

**3.2.4 Need to use the regular management reports as management tools for highlighting areas where attention is required** – the following management reports are provided on a regular basis:

- Daily Journal of adjudicators
- Daily Progress Report for the barangay
- Monthly reports

The need is to review these to ensure not only that they are furnished accurately and wholeheartedly but also to find the management issues flagged in the statistics and issues raised. Factors restricting the performance of the adjudicators should be addressed.

<b>Management report etc</b>	<b>Action by SAT Leader</b>	<b>Action by Systematic Registration Coordinator</b>	<b>Action by M &amp; E</b>
Daily journal	<ul style="list-style-type: none"> <li>• Ensure all content is set out.</li> <li>• Ensure signed by correct parties.</li> <li>• Give feedback to the adjudicators on the inadequacies.</li> </ul>	<ul style="list-style-type: none"> <li>• Review management issues and ensure they are addressed by the SAT Leader</li> <li>• Compare outputs between adjudicators</li> </ul>	

<b>Management report etc</b>	<b>Action by SAT Leader</b>	<b>Action by Systematic Registration Coordinator</b>	<b>Action by M &amp; E</b>
	<ul style="list-style-type: none"> <li>Highlight management issues affecting performance.</li> <li>Review productivity of each adjudicator.</li> </ul>	<ul style="list-style-type: none"> <li>Compare outputs between base camps</li> </ul>	
Daily Progress Report	<ul style="list-style-type: none"> <li>Ensure that completed</li> <li>Circulate to CRS</li> <li>Review total numbers completed per month</li> <li>Ensure activities are on target</li> </ul>	Compare totals completed per month with targets	
Monthly report	<ul style="list-style-type: none"> <li>Information accurate</li> <li>Ensure that base camp productivity is sufficient</li> <li>Identify issues affecting productivity</li> <li>Review quality of outputs</li> </ul>	<ul style="list-style-type: none"> <li>Ensure each base camp productivity is adequate and if not find reasons</li> <li>Compare outputs with the timetable</li> </ul>	
Mid-term review outcomes	<ul style="list-style-type: none"> <li>Present issues</li> <li>Review report</li> <li>Implement changes</li> <li>Report on implementation of changes</li> </ul>	<ul style="list-style-type: none"> <li>Review implementation of changes</li> </ul>	
Outcome report of weekly meeting of SAT Leaders	<ul style="list-style-type: none"> <li>Implement changes</li> <li>Report issues to base camp staff</li> </ul>	<ul style="list-style-type: none"> <li>Review implementation of changes</li> </ul>	

**3.2.5 Bottleneck is encoding** – A relate issue is the bottleneck in the encoding of documents. Reasons include:

- Lack of computers in some base camps until September 2002
- Lack of computer skills for Base Camp Clerks
- Allocation of adjudicator to type documents removes responsibility from clerks
- Tendency by adjudicators to rely on the adjudicator typing the documents to improve their quality
- Changes in forms part way through
- Lack of understanding of the need to produce three types of report.

The changes to the format of documents during the pilots highlighted the lack of capacity to cope with straightforward editing issues. The need for additional computer training has been flagged. It was agreed that all future base camp clerks in particular those appointed for the expansion pilots would have computer skills.

**3.2.6 Need to settle procedures for pending applications** – the mid-term review flagged that the procedures in the Training and Operations Manual are not being followed. This will be followed up by the Systematic Registration Coordinator.

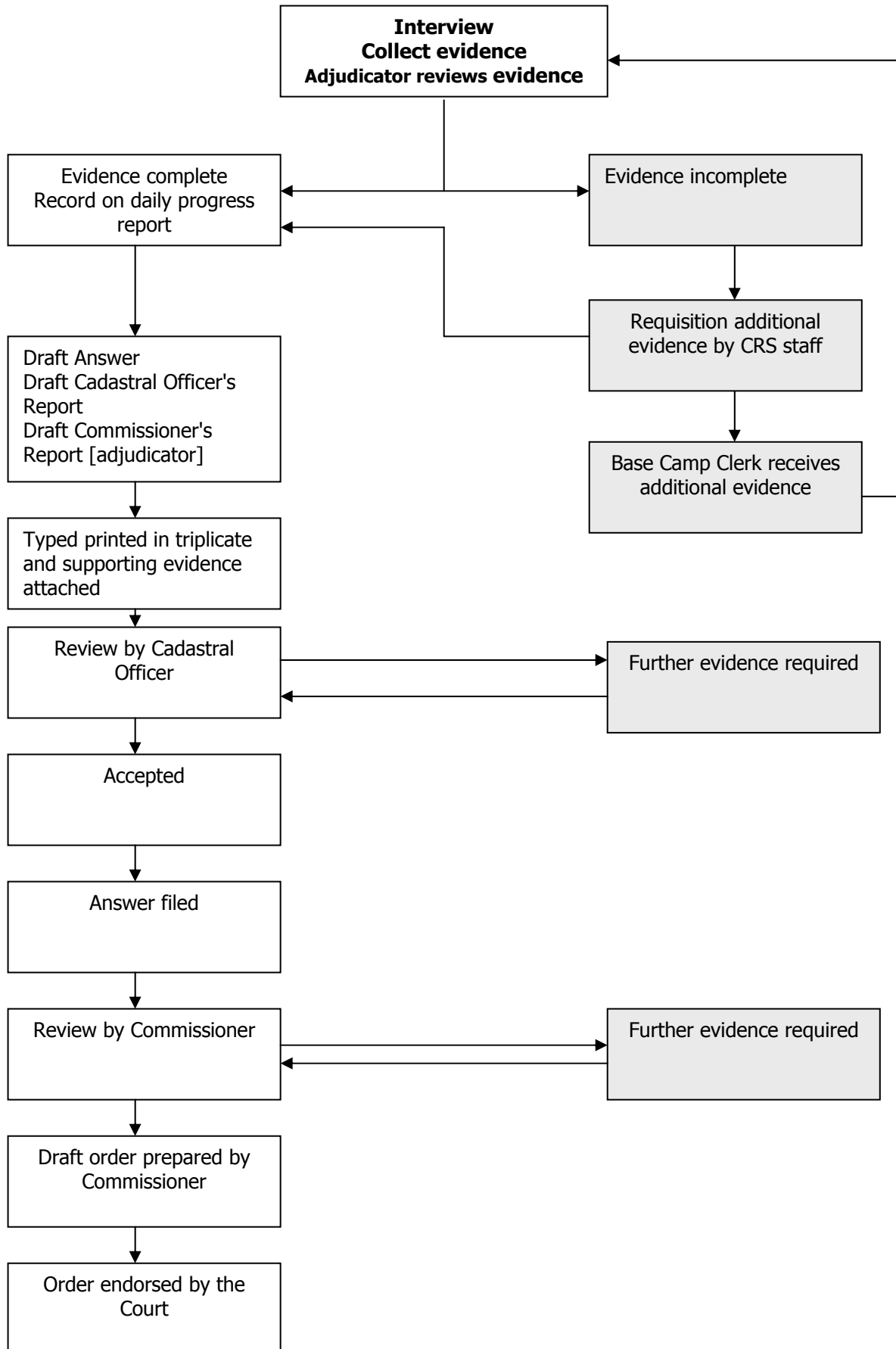
**3.2.7 Streamlining will be facilitated by PIO 1 obtaining supporting evidence direct from agencies** – a major lesson has been that efficiencies will be provided by PIO 1 obtaining supporting evidence direct from agencies as follows:

- *Registry of Deeds* – copies of registered titles etc
- *Tax assessors* – copies of tax certificates

However the mid-term review flagged that this process is not being implemented systematically by all base camps. PIO 1 has provided a research assistant to the Systematic Registration Coordinator to facilitate this area. This should ensure progress

**3.2.8 Need to clarify the confusing period during processing**

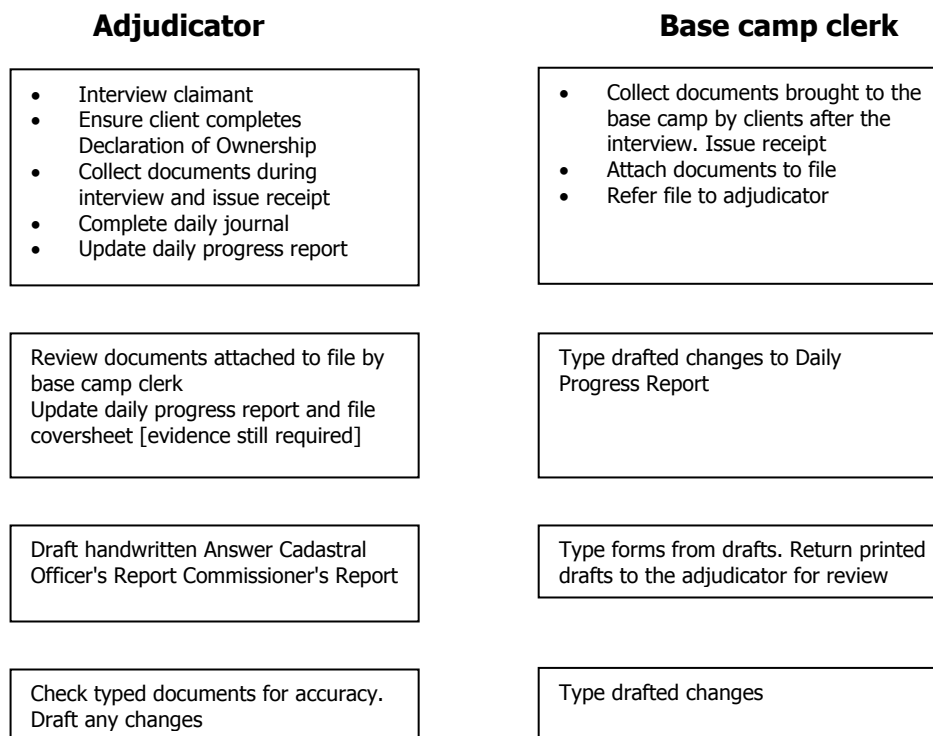
The following diagram illustrates that additional evidence may be received on at least three occasions in the base camp. This has caused needless confusion.



**3.2.9 Need to clarify the dividing line between the work of the base camp clerks and the adjudicators** – this became confused in the Dagami pilot as:

- the Systematic Adjudication Team Leader allocated adjudicators to undertake encoding of the outputs.
- The adjudicators initially provided the record of interview to the encoder and relied on the encoder to draft the three output documents. It was always envisaged that the adjudicators would draft the three outputs as a level of skill is required. These would then be quickly typed by the base camp clerks
- The mechanism for updating the Daily Progress Report was confused where the client brought documents to the office subsequent to the interview with the adjudicator

*Diagram: Clarification of roles*



**3.2.10 Need to improve the outputs by the adjudicators**

During the mid-term review it was suggested that the average daily output of answers by the Dagami adjudicators was approximately 0.6 Answers per day, compared with a target of 10 per day for surveyed land and 5 per day for unsurveyed land. Such an output is not cost-effective in the long run and substantial improvement is required. The drive for efficiencies in this area needs to come from the Systematic Adjudication Team Leaders. Factors include:

- Unclear procedures – these will be clarified during the review phase where the Cadastral Officer provides feedback on the drafted documents
- No authoritative declaration of what is required by the court - this will be clearer after the first decisions are obtained
- changes to report formats
- no lawyer in PIO 1 to assist with issues raised by the Cadastral Officer.

**3.2.11 Potential for streamlining**

The following potentials for streamlining have already been introduced:

- Copies of tax records obtained internally
- ROD records copies arranged internally
- Acceptance by potential cadastral officers of report format in a style similar to the order by the Commissioner/ Order.

Other potentials are being considered. For example:

- The process for interviewing owners of registered land and preparing draft Answers should be simplified. The key issues are to simply flag to the court that the land is registered and that the boundaries are changed or unchanged by the survey plan lodged with the proceedings. Title history and tax records are not relevant.
- Simplified encoding processes
- Certain procedures for the Answers
- Forms that are accepted by the courts and are unchanging

### **3.2.12 Need a report from the SAT Leader to the court**

It is apparent that the movement of large numbers of files to the Cadastral Officer and the Commissioner will require coordination to track results. It is recommended that the Systematic Adjudication Team Leaders compile a separate report tracking the outcomes. When complete it will in effect be a summary of the status of each lot. The design of the form below builds on the Daily Progress Report.

Report 1 – non-State land

Lot	Claimant	Dispute	Res/ Agric	Answer Filed	Registered land	Untitled land – deeds establish total possession period	Untitled – deeds incomplete and relies on affidavits and tax records	Untitled – insufficient evidence produced	Tax paid?

Report 2 – State Land

Lot	Authority	Land Use	Answer filed?		

### **3.2.13 Priority Actions in Activity 21 – Action to take to facilitate title issue in December 2002**

The following priority activities were flagged in September 2002 in order to ensure that targets in issuing titles in 2002 will be met.

Priority activity	Detail
Appoint and mobilise Cadastral Officers and use them effectively	Systematic Adjudication Team Leaders and CRS staff to work together to schedule interviews so that this can be communicated in advance to the claimants.
Appoint and mobilise Commissioners of the Court and use their time effectively	
Government users to file Answers	SAT Leaders to follow up.
Summary report by the SAT Leader	A summary report is required to set out the status of each application
SAT Leader to select the most perfect	Systematic Adjudication Team Leaders to

Answers where we are satisfied they are 100% in order and develop a hearing schedule of 30 lots per day. The first hearings will focus on the best Answers so we ease into the difficult cases gradually.	prioritise
Need to confirm that LRA is ready to produce titles in October November and December. This requires the project to procure urgently a photocopier for LRA	PIO 1 to schedule meeting with LRA
Systematic Adjudication Team Leader to liaise with staff producing the technical descriptions for LRA so that the most likely parcels to be approved first by the courts are given priority in the preparation of technical descriptions	Systematic Adjudication Team Leaders will need assistance from PIO 1.

However the bottleneck in November 2002 will be the process of approval by the Cadastral Officer. This makes it unlikely that titles will issue in 2002.

**3.2.14 Quality assessment processes need attention.** It is evident that the use of quality assessment forms has not worked effectively. There is a problem with expecting the Systematic Adjudication Team Leaders to focus on both broad management issues and detailed technical requirements of each application. The team should be restructured to give the Systematic Adjudication Team Leaders a deputy whose responsibility is to ensure the quality of outputs.

### **3.2.15 Further research required**

The following additional information has been requested:

- % of lots where fully documented and the claim is supported by deeds
- % of lots where the claim is not fully documented and relies on corroborative evidence and the nature of that evidence
- % of claims where the claimant failed to establish a good title and the reasons why
- Analysis of the impact of declaring the land "public"
- Government participation in the pilots
- Disputes. The base camp has been requested to conduct an analysis of the nature of disputes and attempts to resolve them. The following format has been recommended:

Table: Draft report format

<b>Barangay:</b>		<b>Adjudicator:</b>	
<b>Lot</b>	<b>Nature of Dispute<sup>1</sup></b>	<b>Action taken</b>	<b>Outcome</b>

Notes: <sup>1</sup> Specify (a) boundary dispute between adjoining owners (b) family dispute amongst potential claimants (c) competing claims (d) other – specify

### **3.2.16 Ongoing issues to be managed by the Systematic Registration Coordinator**

- Dagami base camp is recommended as a judicial titling training location – the possible function of the Dagami base camp as a site for on-the-job training should be implemented. This will include:
  - Selecting an adjudicator as trainer and give train the trainer inputs

- The Trainer reviewing the Training and Operations manual and reformatting it based on the review of judicial titling
- The trainer compiling all lecture material given by Attorney Apostol and packaging it for future courses.
- Selection criteria for all new staff – personnel strategies for recruitment, job descriptions, and criteria for selection and the conduct of interviews are required, to ensure that good quality staff are recruited in a reasonable manner.
- Review level of knowledge and effectiveness of training – a review of the knowledge levels of staff is required. This may be assessed by a written test or some other method in addition to the review of the quality of outputs
- Revised job descriptions for the Systematic Adjudication Team Leaders and the deputy team leader

### **3.3 Factors affecting progress of Judicial Titling**

#### ***3.3.1 Delays in the cancellation of the Libertad survey have prevented the filing of the Petition***

PIO 1 is waiting to PMO to notify it that DENR has cancelled the original contract so that it can proceed with the lodgment of the Petition.

#### ***3.3.2 Delays in the completion of the amending survey in San Isidro and Anahaway have prevented lodgment of the Petition***

PIO 1 is following up on the approval of the amending survey so that Petitions for san Isidro and Anahaway can be lodged.

#### ***3.3.3 Delays in the procurement of the survey contractors for Pastrana have resulted in deferral of activities in several barangays***

The revised procurement was advertised in October 2002.

#### ***3.3.4 Difficulty resolving barangay boundary conflict results in pilot being cancelled at Ormocay***

Despite numerous attempts at public meetings to resolve differences between the barangays, agreement to reset the contested boundary was not reached. The project activities were discontinued.

***3.3.5 Delays in the approval of the Macalpi-ay Petition by the Solicitor General*** – although the initial four Petitions for Dagami were processed rapidly by the Solicitor General, this was not repeated for the Pastrana Petition. The Petition was furnished to the Solicitor General's office in July 2002 and at the end of October 2002 it still has not been returned to PIO 1. The delay in approving the Petition has substantially delayed this pilot.

***3.3.6 General deputisation of the DENR Leyte lawyer required*** – the initial hearing of Hinulogan did not initially proceed because the DENR lawyer was unable to provide to the court a copy of his deputisation for the Solicitor General. Further enquiries confirmed that this had expired. Subsequently a general deputisation was subsequently obtained.

#### ***3.3.7 Local lawyer ceases to participate in training***

In early 2002 the project was fortunate to have the services of Attorney Apostol as a trainer of adjudicators in judicial titling. He provided detailed instruction on the evidence required to prove possession. He drafted samples of all documents likely to be required by adjudicators during the pilots. He drafted summaries of the law, procedures and guidelines on tacking of possession.

However in May 2002 he discontinued his participation in the project. In July 2002 the Systematic Adjudication Team Leaders requested PIO 1 to make up for this shortfall by providing legal support of the pilots. PIO 1 now has approval to appoint a lawyer permanently to the project. Terms of reference and selection criteria are now required.

### ***3.3.8 Process is not fixed but evolving***

The judicial titling activity is a pilot project, so the opportunity has been taken during the pilot to review and change processes were necessary. For example, during the training of the clerks of the Court the following changes were introduced:

- Slight change to the Answer format.
- Change to the style of the report by the cadastral officer to narrative format
- Change to the style of the report by the Commissioner of the Court to narrative format. This simplifies the document preparation process.
- Record of Interview renamed as Declaration of Ownership.

A late change occurred at the pre-hearing conference for Bolirao. At that meeting the original Cadastral Officer indicated that he would not approve Answers designated "Heirs of the late...". He would however accept applications in the name of "the estate of".

These changes have, according to adjudicators, slowed progress in preparing Answers. These issues highlight that additional training in the use of word processing software is required to minimize the disruption of future changes.

It is important that the Systematic Adjudication Team Leaders ensure that adjudicators maintain adequate outputs.

***3.3.9 Uncertainty of Systematic Adjudication Team Leaders and adjudicators about content of Answers*** – the major difficulty in the pilot has been the lack of a local lawyer to guide adjudicators in the finer points of the drafting of Answers. The Judicial Titling process is clearly dependent on legal process and therefore the need for accuracy on points of law is emphasised. During training provided by a local lawyer, a strict view was taken of the documents to be attached to the Answers. The aim was that the adjudicators should prepare the strongest case in the Answer rather than the weakest, by attaching the maximum supporting documents. This was seen as an effective strategy in the first pilots. If the evidence was excessive, the opportunity would be taken during the review to reduce the evidence.

It was intended that the Cadastral Officer would fill this role of reviewing draft Answers and providing feedback as the Answers were prepared, resulting in additional training inputs for the adjudicators. But there have been difficulties in mobilising the original Cadastral Officer [see below]

One proposal was for TA to engage a national lawyer to provide this input but PIO 1 succeeded in gaining the approval of PMO to engaging a local lawyer as part of the staff of the Prototype office.

The lawyer will assist with the following issues:

- Arranging all court documents.
- Liaison with the court, the delegate of the Solicitor General, the Cadastral Officer and the Commissioner of the Court.
- Liaising with the Cadastral Officer to list inadequacies in the initial documents prepared by the adjudicators on providing specific feedback to the adjudicators.
- Setting the standard of proof required in Answers and summarizing the evidence to be attached to each Answer.

- Providing training inputs to the adjudicators.

### ***3.3.10 Mobilisation of original Cadastral Office has been difficult***

The first Cadastral Officer was identified in August 2001 and he assisted the initial Judicial Titling Committee at that time. The original plan was to have the Cadastral Officer, a lawyer from the Registry of Deeds, fully involved in training courses and in reviewing the structure and content of Answers from the start of the Pilot. This plan was affected by the non-participation of the attorney. It was exacerbated by the loss of the short-term training resource, a local lawyer, who was originally able to fill the gap in the development of documentation for the pilots.

The original Cadastral Officer was officially appointed on 22 July but did not systematically undertake duties with the project or attend the initial hearings. As a result, PIO 1 decided to train the clerks of the court to be appointed as cadastral officers. This issue meant that the Systematic Adjudication Team Leaders lacked decisive legal information during the drafting of the Answers.

### ***3.3.11 Mobilisation of subsequent cadastral officers takes time***

As soon as it became clear that the original Cadastral Officer was not available, an alternative plan was initiated to have clerks of the Regional Trial Court appointed as Cadastral Officers. New training was developed and undertaken and action was commenced to appoint additional cadastral officers. This required correspondence between the local judges and the Court Administrator before this plan could be implemented. As a result:

- Additional training for the clerks of the court was conducted in July 2002
- The Dagami Municipal Trial Court judge was at that time requested to approve the appointment of clerks of the court as Cadastral Officers
- The judge was reluctant to do so without approval of the executive judge
- The executive judge required confirmation from the Court Administrator of his capacity to appoint clerks of the court as Commissioners and Cadastral Officers. Although all clerks of the court are law graduates, the judge also sought confirmation of the power to appoint non-lawyer clerks of the court as Cadastral Officers. This confirmation was given during September.
- One Cadastral Officer and one Commissioner were appointed by the end of September and an orientation workshop was conducted on 3 and 4 October to develop an interview programme so that production of titles could occur in December 2002. The Cadastral Officer works in Tacloban and prefers to interview claimants in her office.
- In view of the time-consuming nature of the interview process with the Cadastral Officer, PIO 1 has acted to have additional Cadastral Officers appointed. Three new appointments are expected by the end of October 2002.
- PIO 1 is proceeding to maximize the time of the Cadastral Officers to ensure adequate preparation of Answers.

### ***3.2.14 Subsequent Cadastral Officer takes strict view of the legal requirements***

The initial meetings with the Cadastral Officer indicate that a strict view of the evidentiary requirements is being taken and that additional documents will be required to support claims. This will delay preparation for the general default hearing on 30 October for Bolirao, making it unlikely that titles will be issued in 2002.

Every decision by the Cadastral Officer concerning inadequate documentation is being recorded so that this information can be conveyed to other Systematic Adjudication Team Leaders and adjudicators.

### **3.3.13 Mobilisation of Commissioners of the Court is ongoing**

Difficulties in the appointment of clerks of the court as Commissioners have now been resolved. Initially the judge was unwilling to appoint Clerks who were law graduates but not admitted lawyers. This was resolved with assistance from the Administrator of the Courts. The first Commissioner was appointed in September 2002.

### **3.3.14 Lack of Answers from government agencies**

The mid-term review highlighted the lack of participation by government landowners in the pilot areas. This is being followed up by the Systematic Registration Coordinator.

## **4. Evaluation of Judicial Titling as a long-term mass titling method**

The adviser has already provided PIO 1 with a suggested procedure for the review of the judicial titling pilots. For maximum benefit from the review, it is recommended that the review take place after the first titles have issued. This will allow the complete process to be analysed.

The following will be a guide for the review.

### **4.1 Elements of an effective land administration system**

The land titling method will form part of a total land administration system. A first draft of the key elements of a viable land administration is set out below. Judicial titling will then be evaluated in the context of its capacity to contribute to effective land administration. It should be noted that the elements essentially ignore land records management as a component as that is the subject of a further study.

*Table: Criteria for reviewing a land administration system*

<b>Desirable Elements</b>	<b>Features valued/ how rated</b>
<b><i>Legal structure</i></b>	
Ownership rights are clearly stated	
Security of tenure –long-term rights are given	
Access to the courts to enforce rights – there is easy access to the courts to enforce rights and courts make decisions according to sound principles	
Promotes orderly development of land	
Protection from wrongful removal from land – the owner is protected from eviction by strong players such as government and land developers	
Capacity of the government to take back the land is limited by the law	
Where the government resumes/ appropriates land, reasonable compensation is immediately given	
Capacity to challenge the government's valuation when it is unreasonable	
<b><i>Administration generally</i></b>	
All land is included in the land administration system – government and privately owned	

<b>Desirable Elements</b>	<b>Features valued/ how rated</b>
Land administration process is controlled by one agency	
Level of decentralisation – decision-making is delegated to appropriate levels of the organisation	
Administration of land titling is self-funding, with costs covered by fees	
The land titling system promotes and supports the orderly collection of taxation	
Does not expose participants to unreasonable and inequitable levels of tax	
Technology – land titling does not depend initially on complex technology	
Skill levels of staff required	
Availability of skilled staff	
Ability to make simple corrections administratively to errors on titles without access to the courts	
Land administration authority is not dependent on the courts for the adjudication of titles	
<b><i>Survey Control requirements</i></b>	
<b><i>Cadastral survey requirements</i></b>	
Land boundaries are defined in an authoritative way	
Capacity to reconstitute the boundaries in the field	
<b>Transaction One – Original registration of land – General issues</b>	
No inter-agency dependencies limit the decision-making capacity of the land titling authority	
No dependence on the court to adjudicate titles prior to registration of land	
Focus is on issuing titles to land not on revenue collection	
Land titling process not required to enforce related issues such as compliance with building schemes, land use planning schemes. There is capacity to enforce these requirements after the land title issues	
One form of title can cope with a variety of different tenures	
Restrictions on the use or enjoyment of the land are easily identified such as by recording on the title document	
Flexible procedures for issuing titles where survey standards are not met	
Flexible procedures for issuing titles where ownership has not been proved 100%	
Flexible procedures where taxes remain	

<b>Desirable Elements</b>	<b>Features valued/ how rated</b>
unpaid.	
Titles issued from an effective map index rather than owners index	
Process eliminates the possibility of more than one title issuing for a land parcel	
Titles effectively indexed and easily retrievable	
Title is accepted as authoritative and conclusive of ownership rights. It is accepted as strong or conclusive evidence of ownership and is not easily disputed	
The title is accepted as valuable by community members	
The holder of a title is protected from claims by previous owners in the chain of title	
Extent of government guarantee of the title	
<b><i>Specific issues</i></b>	
Time to issue a certificate of title/ ownership from start of process to the end	
Cost per title	
Decentralised process – the decision-making process is decentralised to field staff	
<b><i>Institutional / agency complexity – extent of dependence on other agencies</i></b>	
Processes required	
Agencies involved in the land titling process	
Roles of agencies	
Time required per agency	
Staff resources and skills required	
Skill types required	
Availability of staff with the skills	
Volume and type of training required to initiate the land titling method	
Capacity of the prototype to staff an expanded programme – capacity to rapidly acquire more staff/ resources with these skills to support an expanded programme	
Potential to use contract staff	
Information fully available describing process, time required, fees	
95% of claims processed in the advertised time	
Transparent processes <ul style="list-style-type: none"> <li>• Minimal potential for informal fees</li> <li>• Capacity to lodge complaints</li> <li>• Objective processing of complaints</li> </ul>	
Index maps readily available	
Existing land ownership data is readily available	
Existing tax records are readily available	
Suitability of existing laws to support and clarify field processes	

<b>Desirable Elements</b>	<b>Features valued/ how rated</b>
<b><i>Community Perceptions</i></b>	
Support for the methodology	
Understanding of the process	
Cost and capacity of community members to pay cost	
Ease in participating	
Ease of collecting the supporting evidence	
Reward for participating	
Ability to object to the registration of a parcel of land if there is a basis for the objection	
Perception of the value of the product	
Clear procedures that are understood by community members	
Recognised dispute resolution process available	
Quality of output compared to other options	
Extent to which community members trust the land titling agency	
Availability of people in the community with detailed knowledge of land ownership and land use patterns for the full period required to prove possession	
<b><i>Field methodologies</i></b>	
Compare the number of visits to claimants by CRS / community mobilisation staff to mobilise community participation	
Titling process applies to all land – privately owned, government land, church, residential, commercial, agricultural	
Minimal contacts from adjudication staff	
Extent of proof and technical detail required to substantiate claim	
Ease of proof – simple process	
Simple process for objecting to claims	
Integration of survey party and adjudication party processes	
<b><i>Form of title</i></b>	
Restrictions on the title	
Simple format for titles	
Format facilitates future transactions	
<b>Transaction Two - Registration of subsequent transactions - Capacity to make changes to update the system</b>	
Simple processes for changing owners	
Simple process for changing boundaries	
Existence of title should simplify land market processes	
Title does not need validation by a lawyer for subsequent transactions	
Reasonable fees – standard fees are displayed	

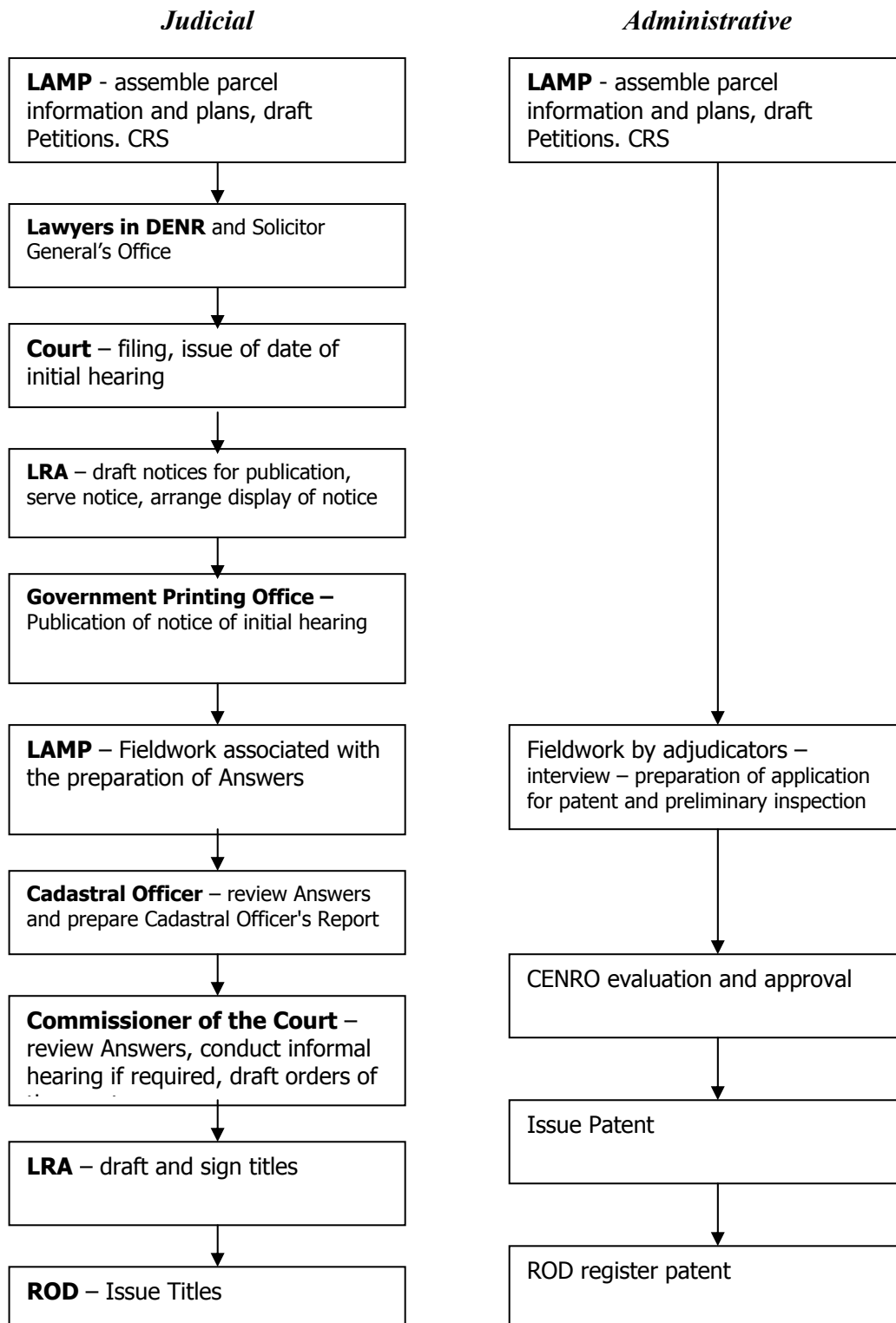
<b>Desirable Elements</b>	<b>Features valued/ how rated</b>
Clearly established process for registering transactions	
Orderly and fast process for registering transactions	
Transparent process	
Not dependent on expensive professional services	
Standard format of transaction forms	
How-To literature available	
Services accessible by all ranges of society regardless of gender, socio-economic grouping, ethnic background etc	
Valuation for fee/ transaction tax purposes is clearly defined and is not discretionary	
Time to register: <ul style="list-style-type: none"> <li>• Transfer</li> <li>• Mortgage</li> <li>• Inheritance</li> </ul>	
Cost to register: <ul style="list-style-type: none"> <li>• Transfer</li> <li>• Mortgage</li> <li>• Inheritance</li> </ul>	
There is a culture of registering transactions with land rather than accessing the informal system. Most members of the community make use of the process to register land transactions	
Participation in the registration process is rewarded – self-enforcing – people choose to participate rather than being compelled	
Acceptance of the transaction registration methods by banks and lending institutions	
Capacity of lending authority to register mortgages and securities against land and thereby gain priority for the registered security	
Process for registering transactions includes [or is integrated with] the review of index maps to ensure integrity of transaction	
Reasonable levels of fees and transaction taxes collected at the time of registration of taxes – compare types of fees and taxes collected and the % of land value paid in fees and taxes	
<b>Transaction Three - Ease of access for searching purposes</b>	
Searching is a simple process	
Searching has reasonable fees – standard and displayed	
Transparent process	
Searching process is accessible by all	
Time to search	
Cost to search	

**4.3 General observations**

Detailed evaluations will occur (i) after the first pilots are complete (ii) in the adviser’s report for Activity 21. However the following preliminary observations can be made.

**4.3.1 Judicial titling depends on a range of external agencies for inputs.** Delivery of this service is not within the control of the PIO 1. Timing of delivery cannot be guaranteed. The diagram shows the dependencies.

*Diagram: Contrast Interagency dependencies*



Administrative titling involves fewer agencies and thus permits a more streamlined approval process.

**4.3.2 The judicial titling field process is not clearly defined** – this is evidenced by different participants taking different approaches to issues and giving different information. This will be resolved by a simple regulation setting out the role of each participant, the length of possession to be proved and the procedures and evidence required to support applications.

**4.3.3 The judicial titling process is too detailed, technical and time consuming** – and the role of lawyers can slow the process. Whilst the support given by other agencies is appreciated, the involvement of a variety of lawyers at different times has made the process overly complicated and time-consuming when compared to administrative titling. The time line set out above clarifies this.

The following interventions are required by lawyers or court officials:

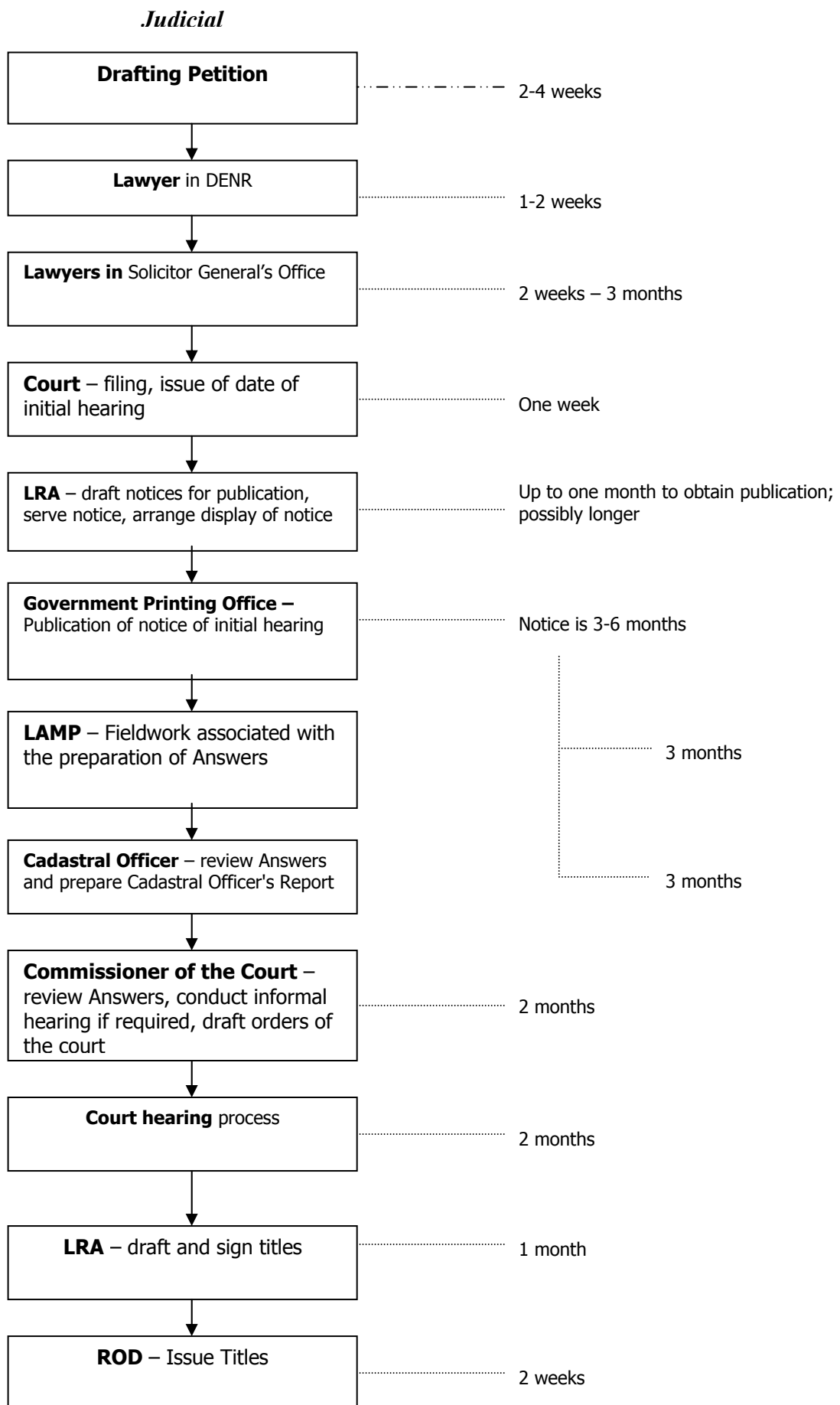
- Review of all documents by the Cadastral Officer
- Review of the claims and the Cadastral Officer's Report by the Commissioner of the Court
- Review of the Commissioner's recommendations by the judge

It is important that judicial titling cases be quickly dealt with as delays can cause problems:

- Circumstances can change for claimants after the original interview – such a sales, a death in the family
- The court may be concerned about the age of the Answer
- If the process goes into the following year, new tax certificates may be required to support the application.

**4.3.5 Time Analysis**

Diagram: time analysis



**4.5 Analysis of costs**

The following cost schedule is being completed by PIO 1:

<i>Feature</i>	<i>Detail</i>
<b>Titling option</b>	<b>Judicial titling</b>
<b>Cost of training</b>	
Facilitators	
Venue	
Accommodation and catering	
Cost of CIM production	
<b>Cost of CRS programme</b>	
Contract staff costs	
Printing and production costs	
Meeting costs	
Car hire costs	
Equipment costs	
Allowances	
<b>Cost of adjudication programme</b>	
Contract staff costs	
Base camp hire	
Base camp equipment	
Car hire	
Cost of monuments	
Allowances	
Base camp utilities	
<b>Survey control</b>	
Equipment	
Contract staff	
Vehicle hire	
Allowances	
<b>Survey costs</b>	
Contractor	
Other	
<b>Other agencies eg court</b>	
Court	
Equipment	
Allowances	
Cadastral Officer	
Equipment	
Allowances	
Title Production costs	
Other costs – please specify	
Total Cost To Produce One Title – All Costs Included	

***Attachments***

1. Barangay profiles
2. PIO 1 Mid-term review outcomes

**Barangay Profiles of the Initial Pilots**



<b>LAMP PROTOTYPE 1 LEYTE</b>				
<b>BARANGAY PROFILE</b>				
As of October 30, 2002				
Barangay:	BAYABAS		Municipality:	Dagami
Court:	MTC-	Dagami	Judge:	Hon. Eleanor P. Caña
1. Total lots:	127		% owner-occupied	58
2. Total Area:	1,240,727 sq. m.		% non-owner-occupied	42
3. Government:				
	No. of lots	%		
Government:	12	9		
Non-Government:	0	0		
4. Land Use				
Residential:	0	0		
Agricultural:	114	90		
Other:	1	1		
5. Existing title types				
	No. of lots	%		
Titled	4	3		
Patented	0	0		
Pending Patent	7	6		
Untitled	113	89		
6. No. of claimants	74			
7. No. of disputed lots	3			
8. Date Petition filed	26-Apr-02			
9. Date scheduled for Initial hearing	6-Nov-02			
10. Progress				
	No. of lots	%	Sex of claimants-approx. percentages	
Interviews conducted	99	78	Male	34%
			Female	35%
Answers Completed	76	60	Corporate/Joint	31%



<b>LAMP PROTOTYPE 1 LEYTE</b>				
<b>BARANGAY PROFILE</b>				
As of October 30, 2002				
Barangay:	BOLIRAO		Municipality:	Dagami
Court:	MTC-	Dagami	Judge:	Hon. Eleanor P. Caña
1.Total lots:	184		% owner-occupied	92
2.Total Area:	1,731,931sq.m.		% non-owner-occupied	10
<b>3.Government:</b>				
	No. of lots	%		
Government:	19	10		
Non-Government	1	1		
<b>4. Land Use</b>				
Residential:	0	0		
Agricultural:	163	89		
Other:	1	1		
<b>5. Existing title types</b>				
	No. of lots	%		
Titled	9	5		
Patented	0	0		
Pending Patent	17	9		
Untitled	156	85		
<b>6. No. of claimants</b>				
	81			
<b>7. No. of disputed lots</b>				
	2			
<b>8. Date Petition filed</b>				
	26-Apr-02			
<b>9. Date scheduled for Initial hearing</b>				
	10-Oct-02			
<b>10. Progress</b>				
	No. of lots	%	Sex of claimants ( <i>approx. percentages</i> )	
Interviews conducted	141	77	Male	8.15%
			Female	17.93%
Answers Completed	135(141*)	77	Corporate/Joint	73.92%
*- w/ complete draft answers				



<b>LAMP PROTOTYPE 1 LEYTE</b>				
<b>BARANGAY PROFILE</b>				
As of October 30, 2002				
Barangay:	CABARIWAN		Municipality:	Dagami
Court:	MTC-	Dagami	Judge:	Hon. Eleanor P. Caña
1.Total lots:	81		% owner-occupied	100
2.Total Area:	918,751 sq. m.		% non-owner-occupied	0
3.Government:				
	No. of lots	%		
Government:	10	12		
Non-Government:	0	0		
4. Land Use				
Residential:	0	0		
Agricultural:	69	85		
Other:	2	2		
5. Existing title types				
	No. of lots	%		
Titled	10	12		
Patented	0	0		
Pending Patent	7	9		
Untitled	66	81		
6. No. of claimants	42			
7. No. of disputed lots	5			
8. Date Petition filed	26-Apr-02			
9. Date scheduled for Initial hearing	13-Nov-02			
10. Progress			Sex of claimants (approx. percentages)	
	No. of lots	%		
Interviews conducted	65	80	Male	23%
			Female	17%
Answers Completed	40	49	Corporate/Joint	60%



<b>LAMP PROTOTYPE 1 LEYTE</b>				
<b>BARANGAY PROFILE</b>				
As of October 30, 2002				
Barangay:	HINULOGAN		Municipality:	Dagami
Court:	MTC-	Dagami	Judge:	Hon. Eleanor P. Caña
1. Total lots:	293		% owner-occupied	100
2. Total Area:	2,431,175 sq.m.		% non-owner-occupied	0
3. Government:				
	No. of lots	%		
Government:	28	10		
Non-Government:	1	0.34		
4. Land Use				
Residential:	27	9		
Agricultural:	237	81		
Other:	-			
5. Existing title types				
	No. of lots	%		
Titled	13	4		
Patented	0	0		
Pending Patent	3	1		
Untitled	278	95		
6. No. of claimants	233			
7. No. of disputed lots	17			
8. Date Petition filed	26-Apr-02			
9. Date scheduled for Initial hearing	2-Oct-02			
10. Progress			Sex of claimants (approx. percentages)	
	No. of lots	%		
Interviews conducted	275	94	Male	22.00%
			Female	39.00%
Answers Completed	185	63	Corporate/Joint	39.00%



<b>LAMP PROTOTYPE 1 LEYTE</b>				
<b>BARANGAY PROFILE</b>				
As of October 30, 2002				
Barangay:	LIBERTAD		Municipality:	Palo
Court:	MTC - Palo		Judge:	
1. Total lots:	646		% owner-occupied	
2. Total Area:	494 has.		% non-owner-occupied	
3. Government:				
	No. of lots	%		
Government:	13	2		
Non-Government:	0	0		
4. Land Use				
Residential:	92	14		
Agricultural:	541	84		
Other:		0		
5. Existing title types				
	No. of lots	%		
Titled	247	38		
Patented	0	0		
Pending Patent	101	16		
Untitled	298	46		
6. No. of claimants	582			
7. No. of disputed lots	11			
8. Date Petition filed				
9. Date scheduled for initial hearing				
10. Progress				
	No. of lots	%	Sex of claimants-approx. percentages	
Interviews conducted	577	89	Male	27%
			Female	13%
Answers Completed	421	65	Corporate/Joint	2%



<b>LAMP PROTOTYPE 1 LEYTE</b>			
<b>BARANGAY PROFILE</b>			
As of October 30, 2002			
Barangay:	ANAHAWAY		Municipality: Palo
Court:	MTC - Palo		Judge:
1. Total lots:	367		% owner-occupied
2. Total Area:	165.3137 has.		% non-owner-occupied
3. Government:			
	No. of lots	%	
Government:	3	1	
Non-Government:	0	0	
4. Land Use			
Residential:	38	10	
Agricultural:	326	89	
Other:	1	0	
5. Existing title types			
	No. of lots	%	
Titled	262	71	
Patented	0	0	
Pending Patent	14	4	
Untitled	91	25	
6. No. of claimants	169		
7. No. of disputed lots			
8. Date Petition filed	31-Oct-02		
9. Date scheduled for Initial hearing			
10. Progress			
	No. of lots	%	Sex of claimants-approx. percentages
Interviews conducted	366	100	Male 44%
			Female 41%
Answers Completed	365	99	Corporate/Joint 13%



<b>LAMP PROTOTYPE 1 LEYTE</b>			
<b>BARANGAY PROFILE</b>			
As of October 30, 2002			
Barangay:	ANAHAWAY	Municipality:	Palo
Court:	MTC - Palo	Judge:	
1. Total lots:	367	% owner-occupied	
2. Total Area:	165.3137 has.	% non-owner-occupied	
3. Government:			
	No. of lots	%	
Government:	3	1	
Non-Government:	0	0	
4. Land Use			
Residential:	38	10	
Agricultural:	326	89	
Other:	1	0	
5. Existing title types			
	No. of lots	%	
Titled	262	71	
Patented	0	0	
Pending Patent	14	4	
Untitled	91	25	
6. No. of claimants	169		
7. No. of disputed lots			
8. Date Petition filed	31-Oct-02		
9. Date scheduled for Initial hearing			
10. Progress			
	No. of lots	%	Sex of claimants-approx. percentages
Interviews conducted	366	100	Male 44%
			Female 41%
Answers Completed	365	99	Corporate/Joint 13%



# **PIO 1 OUTCOME REPORT**

**MID-TERM REVIEW 30 SEPTEMBER 2002**

**OUTPUT FROM THE MIDTERM REVIEW  
SYSTEMATIC ADJUDICATION TEAM**

September 30, 2002

Hotel Alejandro

### **1. Welcome Address and Overview**

The Prototype Manager, Engr. Ramon S. Unay gave the welcome address for the midterm review stressing the necessity of such an activity to monitor the progress that the project has achieved so far, specially in the field of systematic adjudication and the issues that were encountered so far in the field so as to be the basis for a newer course of action for the effective implementation of the project.

The Deputy Prototype Manager, Ms. Juliet Asuar, gave the overview as to the activities that transpired following the last assessment. The objectives of the midterm review were also identified so as to effectively identify the parts of the program. Being the Coordinator of the Systematic Adjudication Team, Ms. Asuar also gave the overview as to the structure of the Systematic Adjudication Unit, including the location of the existing base camps, the SA Team Leaders in charge of these base camps, their team members and also the expansion projects in these pilot municipalities.

Aside from that, statistical data was also presented on the existing pilots in the three municipalities with eight barangays. It detailed the existing number of lots and claimants, type of land use and also the title types. (Appendix A)

### **2. Status of the Project by Barangays**

***Macalpi-ay*** Interviews started in March 2002 and the drafting of petitions started on the 15<sup>th</sup> of July 2002. These were submitted to the Office of the Solicitor General (OSG) for review and approval. As of today, September 30, 2002, the petitions are still pending at the OSG. After which the publication and scheduling of the initial hearing would ensue as per the orders of the court on the matter.

***Libertad*** Although the surveys of the lots were conducted in August 2001, it is still to be approved. The cause of the delay is the field verifiers had to go back to the field for some corrections. Schedule for the filing of petitions is on October 2002.

***Anahaway & San Isidro*** There are no impediments as to the preparation of the draft petitions and validation surveys were conducted, as well. However, 11 lots needed correction, which started in September 23 and expected to finish by 30<sup>th</sup>. Tentative schedule for the filing of petitions is by the 2<sup>nd</sup> week of October 2002.

***Bolirao*** When the case was called for initial hearing in August 8, the counsel for the government appeared before the court and offered jurisdictional evidence. However, claimants were not able to file their answers because of the absence of the Cadastral Officer and the Commissioner of the Court. Next hearing was scheduled for October 10 and it is expected that claimants will submit their answers in court.

***Hinulogan*** There were problems as to the deputation of the government counsel during the initial hearing. However, the deputation by the OSG of the Leyte prosecutor as government counsel resolved such issue. But still, the initial hearing on September 25 was still rescheduled for October 2 because the presiding judge had to attend a workshop scheduled for the 25<sup>th</sup> – 28<sup>th</sup> of September.

***Cabariwan and Bayabas*** Petitions were filed at MTC Dagami and initial hearing was set. However, publication in the Official Gazette is delayed due to errors in the list of adjoining claimants wherein the postal address of the claimants was not indicated. The complete list of corresponding claimants with their postal addresses was sent to the Government Printing Office on July 22, 2002. Publication date is scheduled before the date of the initial hearing.

### **3. Non-Participation of the Cadastral Officer and Commissioner of the Court**

The Land Administration Authority Administrator issued an assignment order for Atty. Emeterio Villanosa, Deputy Register of Deeds, Leyte, dated July 22, 2002 to act as Cadastral Officer in all cases that will be filed by the LAMP PIO I. However, Atty. Villanosa did not attend the Brgy. Bolirao initial hearing and did not also disclose to the court that he had been appointed as Cadastral Officer. Because of this, the court verbally ordered Atty. Octa to make queries to the court administrator as to whether or not a non-lawyer could be appointed as Cadastral Officer.

In behalf of Atty. Octa, LAMP PIO I prepared a letter to the Executive Judge Ramon Apita requesting that he recommends to the Court Administrator that an RTC Clerk of Court under his jurisdiction be appointed as Cadastral Officer and Commissioner of the Court. RTC Executive Judge endorsed said request to Court Administrator Velasco in the Supreme Court. In a reply letter the Court Administrator gave his opinion that lawyers or law graduates appointed as clerk of courts of the RTC and the MTC can be appointed as Cadastral Officer and Commissioner of the Court.

Judge Eleanor Caña issued an order appointing Alia T. Apa, MTC Clerk of Court and Atty. Blanche Salino, RTC Clerk of Court as Commissioners of the Court and Atty. Roselyn Fallorina as Cadastral Officer. This appointment, however, is still to be confirmed by the RTC Executive Judge because the new appointees are under the control and supervision of the RTC Executive Judge.

### **4. Monthly Sat Leader's Progress Reports For Each Barangay**

The Systematic Adjudication Technical Adviser Systematic Adjudication Team has come up with a format for the reports to include the following: Barangay Profile, Daily Progress Report and there is also the Monthly Report prepared by the SAT Leaders of the municipalities. These contain information regarding the status in the barangay, the documents submitted by the claimants and other information pertinent in the processing of their claims. These information are prepared by the Systematic Adjudicators, summarized by the SAT Leaders to be submitted to the Systematic Adjudication Coordinator and further submitted to the Monitoring and Evaluation Unit. These forms are used for management and evaluation purposes.

Aside from those mentioned above, there is also the monthly report prepared by the SA Coordinator, known as the Physical Progress Report to be submitted to the M & E Unit, which is further submitted to the Project Management Office as official report.

### **5. Trainings participated in by the Systematic Adjudication Team**

The Systematic Adjudication Coordinator also outlined the different trainings attended by the SA Team, inclusive of the Team Leaders, the adjudicators and the base cam clerks on many different fields such as computer usage, judicial titling, and quality control among others. The SAT also attended the reviews for the team, the base camps and the adjudicators. The purpose of which is to enhance the knowledge and expertise of the team in the performance of the tasks assigned to them and to evaluate their activity for improvement.

### **6. Issues (presented by the TA and Deputy Prototype Manger)**

<b>Issue</b>	<b>Action taken</b>	<b>Action planned by PIO 1</b>
<b>Technical</b>		
<i>Uncertainty about the suitability of draft answers</i>	Training has been given. Support from the Cadastral Officer is required	PIO1 has plans to recruit a local lawyer as part of PIO 1. Further training inputs from Felino Cortez
<i>The project requires support from a local lawyer</i>	PIO 1 has obtained PMO approval to the recruitment of a local lawyer	PIO1 has plans to recruit a local lawyer as part of PIO 1. Further training inputs from Felino Cortez
<i>The delay in the cancellation of the prior survey for Libertad prevents filing of the petition</i>	PIO 1 has sought PMO action on several occasions	
<i>Delay in completion of the survey for Anahaway and San Isidro is preventing filing of the petition</i>	The original survey requires amendment and this has been organized	Completion of the amending survey Approval of the amending survey
<b>Management</b>		
<i>Encoding of documents is a bottleneck</i>	The process has been reviewed. The need for clerks of the court to have skills in word processing software has been identified  The need to give further training to existing clerks of the court has been identified	
<i>Mobilization of the Cadastral Officer needs to be completed urgently</i>	All inputs required from the Court Administrator have been organized  The prototype manager has had meetings with the judge to secure the appointments	The training workshop on 3-4 October will develop an action plan for the effective use of the Cadastral Officer  The workshop will provide training for the Cadastral Officer and the Court Commissioner
<i>Mobilization of the Commissioner needs to be completed immediately</i>	<b>-do-</b>	<b>-do-</b>
<i>There is a delay in the release of the petition for Macalpi-ay by the Solicitor General</i>	PIO 1 has decided to take over the liaison process with the Solicitor General. The Systematic Registration Coordinator has met with Representatives. A further meeting is required.	
<i>A strategy for ensuring titles are issued in 2002 is required</i>		
<i>The LRA needs to be mobilized to urgently draft titles</i>	PIO 1 has agreed to provide a photocopier to the LRA to assist in the preparation of titles	
<i>The removal of technical descriptions needs to be approved by all participants</i>	PIO 1 has decided to follow this up via the Presidential task force	

Issue	Action taken	Action planned by PIO 1
<i>There is a need to capture the valuable lessons from the initial Answers approved by the Cadastral Officer, the Commissioner of the Court. There is a need to be built into the training package for the adjudicators</i>		
<b>Field</b>		
<i>Claimants are not appearing for interview in spite of written and verbal notices served. For reasons like confusion, disputes, manner of acquiring the land, etc</i>		
<i>Confusion with two possible interpretations of the law as to the length of possession to be proved</i>		
<i>Confusion between claims based on documentation and those based on prescription</i>		
<i>Question whether all the evidences to support claims are required for all cases and reduction of documents to be submitted</i>		

## 7. Customer Relation Services (CRS) Status Report

The CRS, with its unit head Ms. Wilma Garcia gave a status report as to Unit's activities in the existing and expansion pilot barangays in Dagami, Palo, Patrana, Alangalang and San Miguel. It enumerated the accomplishments that the unit has achieved so far in terms of its support to the systematic registration activities conducted by the SAT. The report included the succeeding activities that the Unit plans to take on such as trainings for the local CRS, completion of the validation of the claims, etc. It also tackled the many concerns of the unit in the field and on the part of the administration to add to the issues encountered by the unit in its dealings with the claimants. More importantly, the report made known the lessons they learned with regards to the activities that they do in the field.

**8. REPORT BY SYSTEMATIC REGISTRATION TEAM LEADER****A. Profile of the Ongoing Pilots**

<b>ISSUE</b>	<b>DETAILS</b>
Title	Ongoing Judicial Titling Pilots in Dagami, Palo, Pastrana
Location	Dagami (Bolirao, Hinulogan, Bayabas, Cabariwan) Pastrana (Macalpi-ay) Palo (Libertad, San Isidro, Anahaway)
Lots–potential titles	1,254 lots
Surveyed/not surveyed	Dagami surveyed in 1985  Macalpi-ay surveyed during the bridging pilot  Palo: Libertad surveyed during the bridging pilot but the survey can't be approved until the earlier survey contract is cancelled by PMO. The Anahaway and San Isidro barangays have been surveyed but the surveys must be corrected before approval.
Commencing	In Activity 11, from April 1, 2002
Titling method	Judicial titling – cadastral proceedings
CRS Method	Managed by PIO 1 – this will enable the CRS processes to be documented into a procedural manual
Aims of the pilot	<ul style="list-style-type: none"> <li>▪ Develop judicial titling methodology</li> <li>▪ Test the methodology</li> <li>▪ Identify and evaluate all issues – institutional, legal and procedural</li> <li>▪ Identify potential to streamline the processes</li> <li>▪ Compare the methodology with the administrative titling options</li> <li>▪ Flag issues to be tested in the following pilots</li> </ul>
Pilot Methodology	<ul style="list-style-type: none"> <li>▪ Develop a methodology</li> <li>▪ Test the methodology in the field, initially in surveyed locations. This will permit faster results</li> <li>▪ Conduct internal reviews during the process</li> <li>▪ Towards the end of the process, conduct an external review with input from all stakeholders</li> </ul>
TA involved	Systematic Technical Adviser Some inputs from Survey and Mapping Adviser
Counterparts	Systematic Registration Coordinator
PIO 1 resources required	<ul style="list-style-type: none"> <li>▪ Planning and coordination</li> <li>▪ Support Services Unit for procurement, allowances etc</li> <li>▪ Systematic Registration Coordinator</li> <li>▪ Systematic Adjudication Team Leaders</li> <li>▪ CIM</li> <li>▪ CRS Officer</li> <li>▪ CRS Assistant</li> <li>▪ Training Coordinator</li> </ul>
SAT Leader	Dagami – Danny Sandino Pastrana – Ursulo Sanico Palo – Patrick Katada
CRS Assistant	Dagami – Solomon Faller Pastrana – Ferdinand Espina Palo – Wayne Bacale
Government resources	Solicitor General, LRA, Government Printing Office, Cadastral Officer, Commissioner of the Court, Registry of Deeds
Contract resources required	Local CRS, Adjudicators, Base camp clerks, Brgy. Representatives on the SAT
Base camp required	Already established at Dagami poblacion, Macalpi-ay, Libertad and Anahaway
Equipment required	

Procurement required	Dagami – Most equipment procured; maintain consumables at base camp; requires telephone link to PIO 1 Palo – requires 2 computers/printers and telephone link to PIO 1 Pastrana – telephone link
CIM required	Already completed
Date to commence field activities	Commenced 1 April 2002
Process for Evaluation	<ol style="list-style-type: none"> <li>1. internal evaluation on an ongoing basis</li> <li>2. mid-term review</li> <li>3. external review</li> </ol>
Cost	Cost per title Cost per programme
Programme Costs	
Time for each section of activity	Output per adjudicator per day Time per title Time taken in each section of the activities
	Comparison of judicial and administrative titling
Date of Evaluation	November 2002
Evaluation by	PIO 1
Issue expected to be encountered in nationwide gearing up	<ul style="list-style-type: none"> <li>▪ major education programme for non-PIO 1 participants</li> <li>▪ use of contract staff is expected to be successful. It is fundamental to a major gearing up programme. This covers (i) local CRS (ii) adjudicators (iii) survey contractors (iv) cadastral officers (v) commissioners of the court</li> <li>▪ mobilization of the courts and obtaining priority hearings for the courts will be an issue</li> <li>▪ expansion and increased production will highlight the limitation of the centralized title issue processes</li> </ul>
Status	

**STATUS ON ANSWERS, CADASTRAL OFFICER'S REPORTS  
AND COURT COMMISSIONERS REPORTS  
(Table 3)**

Name of Brgy.	No. of Lots	No. of Workable Lots	No. of Lots with Interview	No. of Lots with Draft Answers	No. of Lots with Cadastral Officer's Report	No. of Lots with Court Commissioners Report
<b>DAGAMI</b>						
Hinulogan	293	275	207	170	80	-
Bolirao	184	180	126	126	30	-
Bayabas	127	123	93	64	-	-
Cabariwan	81	73	66	34	-	-
<b>Subtotal</b>	<b>685</b>	<b>651</b>	<b>492</b>	<b>394</b>	<b>110</b>	
<b>PASTRANA</b>						
Macalpi-ay	172	158	171	86	-	-
<b>Subtotal</b>	<b>172</b>	<b>158</b>	<b>171</b>	<b>86</b>	<b>-</b>	<b>-</b>
<b>PALO</b>						
Libertad	646	635	462	328	-	-
San Isidro	359	359	293	289	-	-
Anahaway	367	367	333	330	-	-
<b>Subtotal</b>	<b>1372</b>	<b>1361</b>	<b>1088</b>	<b>947</b>	<b>-</b>	<b>-</b>
<b>TOTAL</b>	<b>2229</b>	<b>2170</b>	<b>1751</b>	<b>1427</b>	<b>110</b>	<b>-</b>

## 9. Monitoring and Evaluation Unit

The Unit presented the issues that they faced as regards systematic adjudication such as the lack of updated Daily Progress Reports from the Adjudicators, which causes the delay in the recommendations and revisions that the unit may make in the process. The concern as to the proper utilization of vehicles was aired out so as to correct the trip tickets for these vehicles. Inputs from the continued Community-based Monitoring and Evaluation were also presented, as was the new method that the Unit plans to adopt, the Upwelling Method. The purpose of which is organization and more involvement from the community to be able to solve the issues that may arise and to be able to gauge the commitment of the people of the community in the project activities.

## 10. Issues/Concerns Presented

### *Daily Progress Report/Daily Journal*

Both the Adjudicators and the CRS openly recognizes the necessity of preparing these documents to monitor the progress and the activities that the adjudicators and the CRS will need to do but still there is the concern as to its completion. An issue of equal comparison is how often these are accomplished by the Adjudicators and whether or not they are submitted to the SAT Leaders daily. Both the adjudicators and the management of the PIO 1 stressed the importance of its accomplishment and will serve as a lesson learned by the adjudicators for revisions in the process.

### *Output of the Adjudicators per day*

The low output of the base camps were traced down to the number of output that the adjudicators put in per day which totaled 0.6 per adjudicator per day. However, the

adjudicators justified this issue in stating that as far as their work is concerned, it will all still depend upon the land claimant's documents and their submission for interview. They also stressed that there can never be quality answers or even outputs without the participation of the claimants themselves. To add to that is the revisions in the forms used in the field, which totaled 4 in all and more importantly, the absence of the Cadastral Officers and Commissioners of the Court. Again, this issue will serve as a guide in future actions to be taken by the Base camps and the latter will be addressed in the training workshop for the Cadastral Officers and Court Commissioners on October 3-4, 2002.

### **Space for the CRS at base camps**

As per the administrative concern brought up by the CRS as to their status in the base camps, the SAT Leaders said that they would look into the matter and will provide for desks for the CRS people just as soon as these are procured from PIO 1.

### ***Claimant's applications at the CENRO***

The claimants also expressed their concern as to their application at the CENRO but are interested to apply for the titling project by LAMP. It was agreed upon that PIO 1 would have to request for an updated master list of applications from the CENRO. The court will order the CENRO to submit a report on the status of applications filed in their office.

### ***Non-participation of the community***

The SAT Leaders, the CRS and the M&E alike has noticed the obvious non-commitment of the community in their applications, particularly in the submission of the pertinent documents and in the interview. The group agreed that there is the need to devise a new and improved method to encourage their involvement in the process.

### ***Postponement of the hearings***

Though it delays the progress of the activity, the LAMP PIO1 cannot control such impediments because it is under the court's jurisdiction. What the project can do is just inform the people as to the reason for the postponement so as to avoid confusion and loss of interest.

## **10. Immediate next steps to be taken**

Focus on the pilot barangays with schedules for the initial hearing, so as to be ready with the answers, Cadastral Officer's Reports and Court Commissioners Reports by then. There is no need to worry as to the absence of the Cadastral Officers because they will be in and ready for the job after their training in October 3-4, 2002. Aside from that, LAMP should also focus on the strengthening of the management of the base camps together with the accomplishment of the daily journals and the daily progress reports of the adjudicators. To add to that is for the M&E unit to review whether there is a need for the adjustment of strategies in the systematic adjudication unit. Other matters that are left out can still be discussed by the group in other workshops following this one.

**REPORTS BY THE SYSTEMATIC ADJUDICATION TEAM LEADERS ON ONGOING PILOTS**

<b>ISSUES</b>	<b>DAGAMI</b> (Danilito Sandino)	<b>PASTRANA</b> (Ursulo Sanico)	<b>PALO</b> (Patrick Katada)
Progress in Answers	See Table 3	Drafted answers were incomplete due to the lacking documents, particularly the oldest tax declaration. There is also question as to the 40-year possession period. There is also the issue on notarization since most claimants do not return back with the drafted affidavit.	See Table 3
<b>Management of the base camps</b>	Meetings are conducted on Monday afternoons after the SA Team meeting. If not, then it is moved to Tuesday.	I am not effective in the management of the base camp because of I am not a full time SAT Leader. Meetings are held for making the reports of adjudicators, and other information for the CRS	Regular meeting is every Tuesday morning to plan out activities and threshing out of issues and problems. There is also daily monitoring and instruction. An attendance logbook is also maintained
<b>Management Reports</b>	Daily Journal – as of September 26 Daily Progress Report – as of Sept. 26 Monthly Report – as of September 30	It is necessary that progress reports are updated immediately and the CRS be furnished a copy of the updated progress report.	The daily journals, daily progress reports and Investigation reports are updated to be submitted to SA Coordinator.
<b>Liaison with CRS</b>	Furnish the CRS with the updated Daily Journal as a guide for them in the house to house approach in securing the lacking documents	Most often, the CRS are the one informing the claimants regarding lacking requirements, through notices and house visits.	Copy of the daily progress report is provided to the CRS Assistant to follow up the lacking documents of land claimants. There should always be coordination between the two units for speedy and efficient implementation.
<b>Quality Assessment</b>	Started with 30 best/complete Answers for each barangays of Hinulogan and Bolirao		Almost every week, ROIs and draft answers are being reviewed to come up with the proper answer and conferred in order to ensure the validity of the claim
<b>Supply of Equipment</b>	Needs communication facility, computer tables, etc.		Photocopier and computers came in time.
<b>Daily outputs by Adjudicators</b>	Average output per adjudicator is only 6 lots interviewed, inspected with ROI/ DOO prepared.	This usually depends on the availability and completeness of the ROI/DOO & evidences presented.	Libertad has an average of 4 lots/day due to the non-participation of the land claimants. San Isidro has an average of 5 lots /day. Anahaway's average is 6 lots/day.
<b>Strategy for using adjudicators in future projects</b>	Adjudicators, who are finished with their major assignments, should assist others to maximize working hours.	What the CRS are doing right now can be a part of an adjudicator's functions also those done before the interview process.	Since the work at the pilot barangays is about to be finished, the adjudicators can be used in the judicial titling in poblacion Palo.

<b>ISSUES</b>	<b>DAGAMI</b> (Danilito Sandino)	<b>PASTRANA</b> (Ursulo Sanico)	<b>PALO</b> (Patrick Katada)
<b>Strategy for completing court actions</b>	The base camp is doing its best to produce best and quality answers, adopting even newly introduced formats, and also rendering overtime just to finish the workload to beat schedules.	Coordination with the court and make some arrangement with the judge regarding limiting the number of hearings to be conducted and if possible present answers here, not just jurisdictional evidences.	
<b>Training Issues</b>	<ol style="list-style-type: none"> <li>1. Old Adjudicators – they are now trained in their field of work</li> <li>2. New Adjudicators – plan to make the Dagami base camp as training camp for new adjudicators, who will be trained in actual field work</li> </ol>	Adjudicators and SAT Leaders must undergo basic computer training.	Trainings/workshops are effective in a sense that they are knowledgeable in the laws required to answer queries on judicial titling.
<b>Interaction with External agencies</b>	Cadastral Officer (Assignment order of Atty. Villanosa was dated July 22, 2002) only last week that the base camp was assured that they would be having a Cadastral Officer, Atty. Rosely C. Fallorina and Commissioners of the Court, Atty. Blanche A. Salino and Ms. Alia T. Apa. They would only be available by the 2 <sup>nd</sup> week of October because they have to undergo training. So, since the AO of Atty. Villanosa was issued on July 22, it takes more than 2 months to have a replacement. If otherwise, the prospected issuance of titles by December 2002 is very possible. Commissioners of the Court, Solicitor General, ROD, Assessors.	Revision 10 of the tax declaration in Macalpi-ay had some inconsistencies, so the matter was brought to the Mun. Assessor and agreed that tax declarations with inconsistencies should be returned to the Office. As to the petition for Macalpi-ay at the OSG, there has been no follow up by the LAMP personnel. There is the plan to attend the regular session of the barangay to update the officials on the activities of the project	
<b>Strat</b>	We still maintain sufficient forms at the base camp		
<b>Encoding and support issues</b>	The system we adopted in the encoding of the answers, CO Reports was that the Adjudicators draft them and pass them to the Base Camp clerks for encoding. (Answers encoded average=20/day/BCC; Narrative Report=15/day/BCC)		
<b>Issues, problems affecting productivity</b>	Inputs from adjudicators	In Macalpi-ay, they sometimes do not have electric power for the whole day. The procurement of the services of the	Issues raised by the adjudicators include the non-appearance of claimants, non-submission of documents and also in notarizing the

<b>ISSUES</b>	<b>DAGAMI</b> (Danilito Sandino)	<b>PASTRANA</b> (Ursulo Sanico)	<b>PALO</b> (Patrick Katada)
		Cadastral Officer, we had to make some follow-up in Manila only to find out that it was the MTC Judge who will issue an order to this effect	documents due to some fees that need to be paid
<b><i>Lessons learned from the base camps</i></b>	Inputs from adjudicators		Unproductivity of the one-month notice of interview, tax declarations not being sufficient proof of ownership lot boundaries are not the actual size of lot owned by the claimant
<b><i>Recommendations by the SAT Leader</i></b>			It is highly recommended that petitions be filed for Brgys. Anahaway and San Isidro
<b><i>Programme for issue of title in 2002</i></b>	For the 2 pilot barangays, Hinulogan and Bolirao, we are almost on completion of the preparation of Answers with the corresponding Cadastral Officer's Report in narrative form and we are very sure to deliver this in due time.		

**LAND MANAGEMENT AND ADMINISTRATION PROJECT**  
 Prototype Implementation Office I

***BASIC DATA***  
 Cadastral Registration Proceedings

Municipality/ Barangay	No. of Lots	No. of Claimants	No. of Adj.	Land Use				Title Types				
				Res.	Agr'l.	Gov't Lots	Others	Titled	Unreg. Patent	Pending Patent	Disputed Lots	Untitled Workable
<b>DAGAMI</b>												
Hinulogan	293	176	2	27	237	28	1	10	-	5	17	278
Bolirao	184	81	1	-	163	19	2	9	-	17	2	156
Bayabas	127	74	1	-	114	12	1	2	-	7	3	115
Cabariwan	81	40	1	-	69	10	2	8	-	9	5	64
<b>TOTAL</b>	<b>685</b>	<b>371</b>	<b>5</b>	<b>27</b>	<b>583</b>	<b>69</b>	<b>6</b>	<b>29</b>	<b>-</b>	<b>38</b>	<b>27</b>	<b>613</b>
<b>PASTRANA</b>												
Macalpi-ay	172	112	2	27	141	3	1	12	-	-	2	158
<b>TOTAL</b>	<b>172</b>	<b>112</b>	<b>2</b>	<b>27</b>	<b>141</b>	<b>3</b>	<b>1</b>	<b>12</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>158</b>
<b>PALO</b>												
Libertad	646	582	1	92	541	13	-	247	-	101	11	298
Anahaway	367	169	1	38	326	3	-	262	-	14	-	91
San Isidro	359	122	1	65	215	4	75	145	-	20	-	94
<b>TOTAL</b>	<b>1372</b>	<b>873</b>	<b>3</b>	<b>195</b>	<b>1082</b>	<b>20</b>	<b>75*</b>	<b>654</b>	<b>-</b>	<b>135</b>	<b>11</b>	<b>483</b>
<b>GRAND TOTAL</b>	<b>2229</b>	<b>1356</b>	<b>10</b>	<b>249</b>	<b>1806</b>	<b>92</b>	<b>82</b>	<b>695</b>	<b>-</b>	<b>173</b>	<b>40</b>	<b>1254</b>

\* 74 CARP lands