## GUIDE CLARIFYING AND SUPPLEMENTING INSTRUCTION ON THE ISSUANCE OF ORDER OF COMPROMISE AGREEMENT OR ORDER OF AMICABLE SETTLEMENT FOR CASES THAT REACHED A COMPROMISE AGREEMENT/AMICABLE SETTLEMENT

This Guide clarifies and supplements the instructions patterned after the Memorandum dated 04 November 2022 of the ADR Committee "Clarifying and Supplementing Instruction on the Issuance of Order of Compromise Agreement or Order of Amicable Settlement for Cases that Reached a Compromise Agreement/Amicable Settlement."

The Alternative Dispute Resolution Monitoring and Results System (ADR-MRS) is able to accommodate the creation of user accounts for the PENR Officers (PENROs) and the Regional Executive Directors (RED). The PENROs or the RED, with their involvement in the ADR process in the DENR and for proper documentation, takes action on a document transmitted to them through the ADR-MRS, by following the recommended steps specified in the ADR-MRS User Manual. More particularly, they upload the Order of Compromise Agreement or Order of Amicable Settlement. This action of the PENRO or RED, as the case may apply, finally disposes of the case pending before the Department.

In cases where the PENRO or the RED does not have an ADR-MRS account, the ADRO assigned in either the PENR Office or the Regional Office, as the case may be, may upload the signed Decision/Order Based on Compromise Agreement or Amicable Settlement and indicate in the applicable description in the actions taken menu, that an Order of Compromise Agreement (OCA) or Order of Settlement Agreement (OSA) was issued. (***Please see Excerpt of User Manual on the* Guide for Acting on/Approval of Compromise/Settlement Agreements at _Scenario A_).**

In cases where the PENR Office or Regional Office has no ADR-MRS account and has no ADR Officer, they may authorize personnel or an officer to create and access an ADR-MRS user account on behalf of the PENRO or RED and upload the signed Decision/Order Based on Compromise Agreement or Amicable Settlement and indicate in the applicable description in the actions taken menu, that an Order of Compromise Agreement (OCA) or Order of Settlement Agreement (OSA) was issued. The ADR Committee and/or its Secretariat shall be informed about the creation of those accounts, with the corresponding authorization document, evidencing the extent of the authority given to such personnel or officer, to do and perform each and every act which may be necessary for uploading, attaching and proper recording of the OCA or OSA in the System based on the User Manual. This is to ensure proper documentation of such authorization, determine liability if the need arises, and to ensure the confidentiality of the data in the MRS. (***Please see _Scenario B_ for cases where the* PENR Office or Regional Office has no ADR-MRS account and has no ADR Officer**).

In cases where the PENR Office or Regional Office has no ADR-MRS account, has no ADR Officer, and cannot designate authorized personnel or officer to create and access an ADR-MRS user account on behalf of the PENRO or RED, the guidelines for the referral of the subject cases to the appropriate ADRO, pursuant to DENR Memorandum Circular No. 2021-01 or "*the Guidelines in the Creation of Pool of Alternative Dispute Resolution Officers (PADROs) and the Referral of Land Claims and Conflicts Cases Thereto*" may be used suppletorily, in that the PENR Office or Regional Office which has no ADRO, may ask an ADRO from another PENR Office or Regional Office, as the case

may apply, to upload the signed Decision/Order Based on Compromise Agreement or Amicable Settlement, and indicate in the applicable description in the actions taken menu, that an Order of Compromise Agreement (OCA) or Order of Settlement Agreement (OSA) was issued. (*Please see Scenario C for cases where the* **PENR Office or Regional Office has no ADR-MRS account, has no ADR Officer, and cannot designate authorized personnel or officer to create and access an ADR-MRS user account on behalf of the PENRO or RED**).

<div align="center">

**Scenario A**

**Guide for Acting on/Approval of Compromise/Settlement Agreements**

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(*This guide assumes that a User Account was already created pursuant to Part II of the ADR-MRS User Manual.*)

If the CENRO has already TRANSMITTED the digital ADR case document through the System, the PENRO may be able to access the documents list menu by clicking the **Documents Menu** as marked by the red rectangle below.
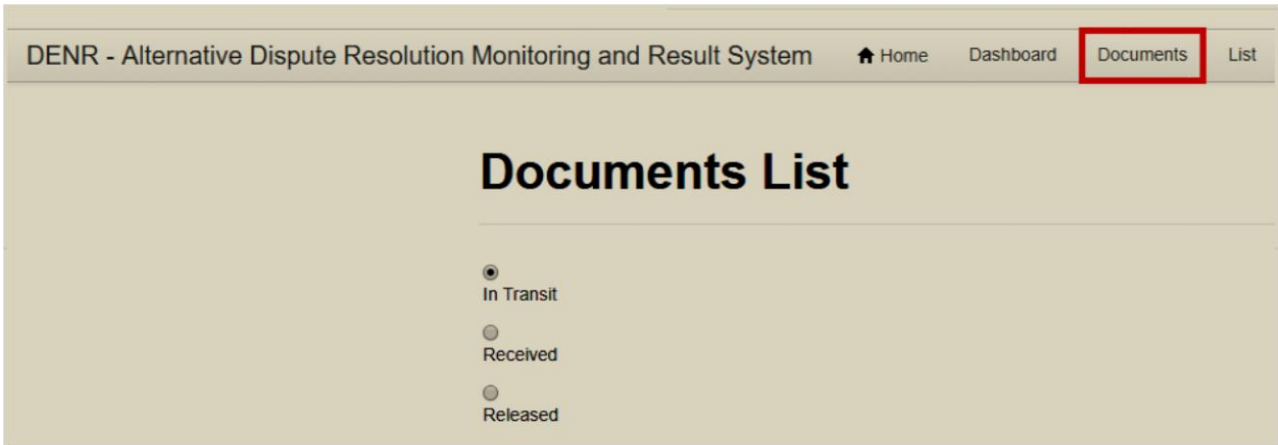


The PENRO/RED or ADRO in PENRO may also select the **Routing Status** of the Document such as if the document is among the following categories:

- **In transit -** the document has been sent from a lower level to the approving higher level but is pending approval from the latter.
- **Received -** the document was received by one level, which can be any of the approving higher level (PENRO, RD, ASec) after being released by the lower level.
- **Released -** the document has been released by a lower level, for instance the CENRO, and consequently has a document bearing the status of "In transit" while awaiting approval or action by the next level, such as the PENRO, in this case.

The following is the status of the document as **Released** by the CENRO-ADRO pending the approval of the PENRO.



PENRO Level:

After the CENRO-ADRO has transmitted the document, the PENRO will be able to see the said document as "**In Transit**", as illustrated below.

The PENRO will be able to take action of the document transmitted by the CENRO by following these steps:

1. Click the hyperlink (colored light blue) of the ADR Number.
2. The PENRO-ADRO is required to enter the Date Referred to ADRO, and press OK if done.





Consequently, the PENRO will be able to **Receive** the transmitted document as illustrated by its Routing Status below:



Regional Director Level:

After the PENRO-ADRO has transmitted the document, the RED-ADRO will be able to see the said document as "**In Transit**", as illustrated below.

**Documents List**

| | ADRNo | Subject | CaseNo | CaseNameCaptionParties | LocationofSubjectoftheCase | Region | Province | CityMunicipality | ForwardDate | ForwardBy | RoutingStatus |
|---|---|---|---|---|---|---|---|---|---|---|---|
| ○ In Transit<br>○ Received<br>○ Released | 2019-0128001-0158 | Claims and Conflict - Survey/Delineation of Public Lands | 2019-45 | Rodel Castro VS Felix Sy | Lot 12 Block 8 Rosario Center, Batac, Ilocos Norte | R01 | Ilocos Norte | Batac | 3/26/2019 | ilocosnorte | In Transit |

The RED or ADRO in Regional Office will be able to take action of the document transmitted by the PENRO by following these steps:

1. Click the hyperlink (colored light blue text) of the ADR Number.
2. The RED-ADRO is required to enter the Date Referred to ADRO, and press OK if done.



**Guide for Acting on/Approval of Compromise/Settlement Agreements**

The following is an excerpt from the ADR-MRS User Manual to guide PENR Officers and REDs on the steps for acting on or approval of a compromise and settlement agreement, for purposes of issuing an Order of Compromise Agreement (OCA) or Order of Settlement Agreement (OSA):

After a lower level office has completed the ADR-MRS process of **Transmitting a Compromise or Settlement Agreement (CA)**, an Administering Officer (PENRO/RED), in the following levels are entitled to act upon the CA pursuant to Sec. 31 of DAO 2016-30:

- PENRO act on the CA from CENRO;
- Regional Office act on CA Submitted by ADRO of Regional Office or CA transmitted by PENRO
- LMB act on CA on Claims within its jurisdiction;
- Assistant Secretary for Legal Affairs (Central Office) - Act on CA for cases on Appeal

To look for the ADR documents pending for action by the PENRO, click on the List Menu as encircled below.
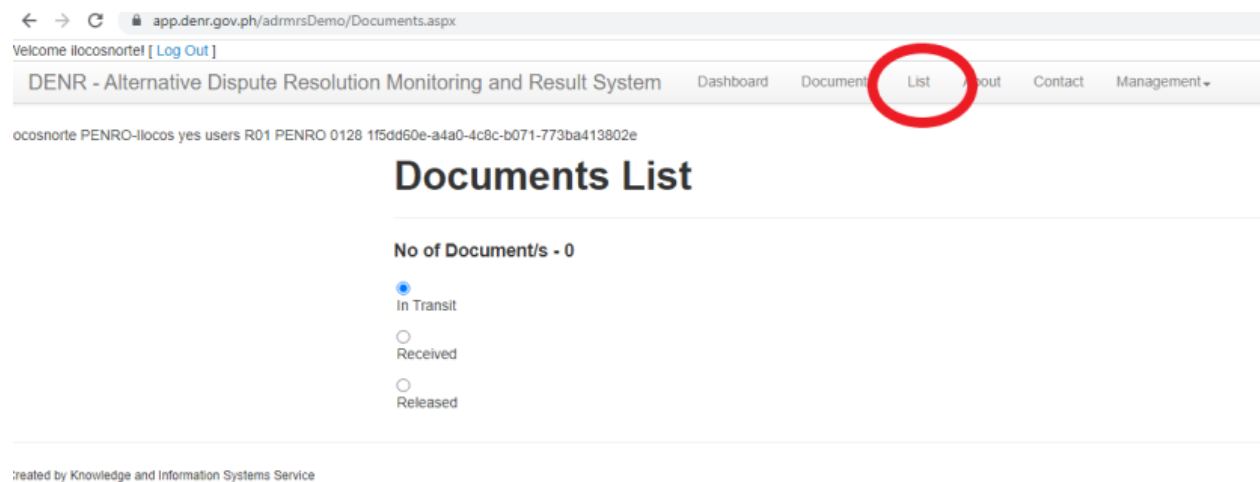
In the ADR List Menu, click the Search button to display the list of ADR cases acted on by your office.
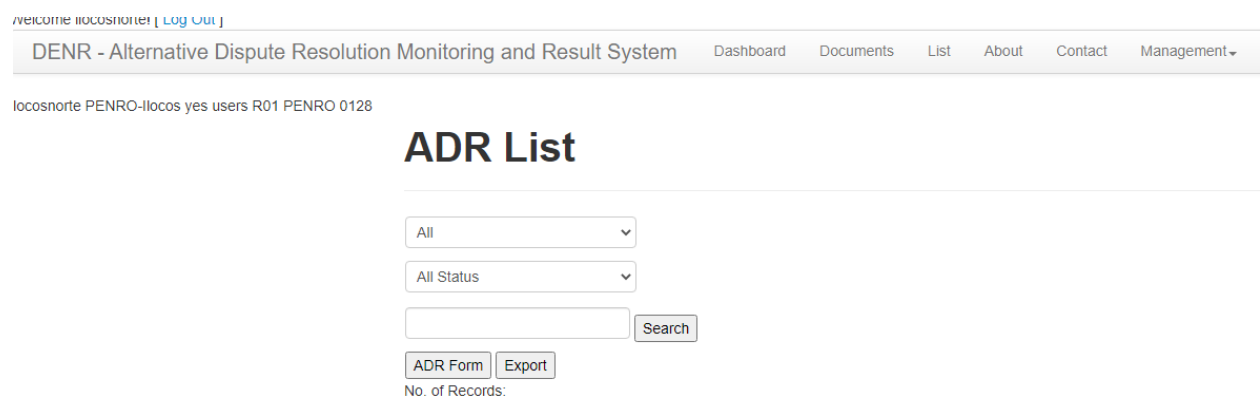


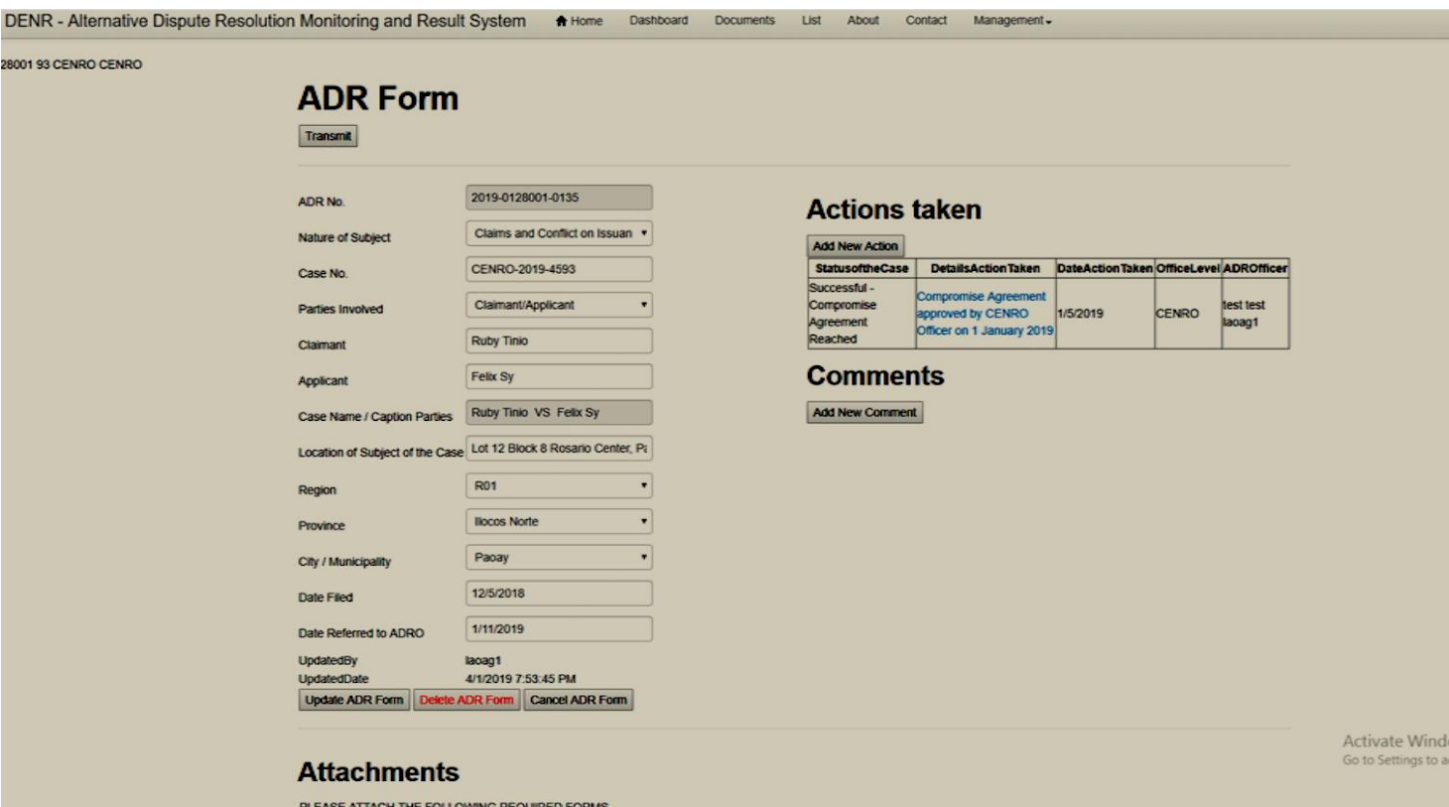In the illustrated case below, an ADRO or an Administering Officer in the PENR Office will be able to add a new action for the issuance of OCA/OSA, to act upon the CA/SA transmitted by the CENRO, by following the steps below:

- Click the **Add New Action** button under the Actions Taken Menu.

## Actions taken

Add New Action

| StatusoftheCase | DetailsActionTaken | DateActionTaken | OfficeLevel | ADROfficer |
|---|---|---|---|---|
| Successful - Compromise Agreement Reached | Compromise Agreement approved by CENRO Officer on 1 January 2019 | 1/5/2019 | CENRO | test test laoag1 |

## Comments

Add New Comment

- In the actions taken menu, select the Status of the Case dropdown menu and select the option **Order of Compromise Agreement Issued**.
- Similar action must be taken when selecting the Status of the Case as **Order of Amicable Settlement Issued.**
- Enter the necessary details, such as the Details of the Action taken and the Date when the Action was Taken.
- Then press the Save Action Taken button to complete the process.

## Actions taken

| | |
|---|---|
| Status of the Case | OCA Issued |
| Details Action Taken | CA is compliant with DAO 2016-3 |
| Date Action Taken | 4/1/2019 |
| Handling ADR Officer | Norte user Ilocos |
| Office Level | PENRO |
| ActionTaken Updated Date | |

Save Action Taken   Delete Action Taken   Cancel Action Taken

**Updated: Status Name: Order of Compromise Agreement Issued.**

The following can illustrate an **example of an action taken by the PENRO to act upon the compromise agreement from the CENRO.**

# Actions taken

Add New Action

| StatusoftheCase | DetailsActionTaken | DateActionTaken | OfficeLevel | ADROfficer |
|---|---|---|---|---|
| OCA Issued | CA is compliant with DAO 2016-30 | 4/1/2019 | PENRO | Norte user Ilocos |
| Successful - Compromise Agreement Reached | Compromise Agreement approved by CENRO Officer on 20 January 2019 | 1/1/2019 | CENRO | test test laoag1 |

## Scenario B

**If PENRO/RED**
- no User Account; and
- no ADRO in said Offices

PENRO/RED

Authorizes — with — Authorization Document — submitted to → ADR Committee / or Secretariat

Personnel or Officer

Create and Access User Account

ADR-MRS

Output:

Uploaded/Attached and Recorded OCA/OSA

**AND;**

**If PENRO/RED cannot designate authorized personnel or officer to create and access user account; (see next diagram)**

## Scenario C

**If PENRO/RED**
- no User Account; and
- no ADRO in said Offices; and
- Cannot designate authorized personnel or officer to create and access user account

May use **suppletorily**

DENR Memorandum Circular No. 2021-01 or "Guidelines in the Creation of Pool of ADROs and the Referral of Land Claims and Conflicts Cases Thereto

PENRO / RED

ADRO may upload OCA/OSA to ADR-MRS

No — Office With ADRO? — yes

Ask an ADRO from

Another PENR Office or Regional Office