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Impacts of judicial reform in small claims procedures on court congestion in the Philippines

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About this report

3ie accepted the final version of the report, *Impacts of judicial reform in small claims procedures on court congestion in the Philippines*, as partial fulfilment of requirements under grant PWP.03.SC.IE awarded through Country Policy Window – Philippines. The content has been copy-edited and formatted for publication by 3ie.

The 3ie technical quality assurance team for this report comprises Stuti Tripathi, Rosaine Yegbemey, Tara Kaul, Kirithi V Rao, Sayak Khatua, an anonymous external impact evaluation design expert reviewer and an anonymous external sector expert reviewer, with overall technical supervision by Marie Gaarder and Emmanuel Jimenez. The statistical analysis code used in generating the results in this study is available on 3ie's Harvard Dataverse. We are unable to make the datasets publicly available due to confidentiality requirements agreed between the Supreme Court of the Philippines, 3ie and the Innovations for Poverty Action (IPA). However, 3ie has reviewed and quality assured replication for datasets used in this evaluation. The 3ie editorial production team for this report comprises Anushruti Ganguly and Akarsh Gupta.

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Summary

The Rules of Procedure for Small Claims Cases (SCP) reform were rolled out by the Supreme Court of the Philippines (SC) as a simplified and inexpensive procedure to settle money claims that are civil in nature and have a claim value within the bounds of a given threshold. By offering litigants the opportunity to bypass regular court procedure, the reform has the twin objectives of speeding up new cases and reducing the incoming workload on judges, enabling them to focus on decongesting courts.

This study evaluates the impact of SCP reform on court efficiency using a regression discontinuity design approach. Our study sample is municipal (first-) level trial courts that have adopted an electronic case management system.¹ We focus on two main outcomes, both recorded at the case level: (1) case duration or time it takes to resolve a case from the date of filing; and (2) proportion of cases disposed in 60 and 30 days.

We collect high-frequency case data captured in electronic administrative records across first-level trial courts, supplemented by limited case information collected at the court. We use the value of money claims to sort the cases in order to identify treatment and comparison cases. Cases immediately below the threshold are considered “treated” by the reform, and those immediately above are the comparison or “control” cases.

We find strong but nuanced evidence in support of the SCP reform. The reform’s impacts are largest, most statistically significant, and unambiguously efficiency enhancing for the lowest monetary threshold (PHP100,000); more muted and mixed for the second-lowest threshold (PHP200,000); and mixed and less significant across all thresholds that have been implemented over the course of the reform.

This suggests that increasing the monetary threshold to allow progressively higher value money claims to go through has diluted the reform’s impacts. We conclude that threshold-setting is key to the success of the SCP reform and that secular increases to the threshold are unlikely to yield consistently efficiency-improving impacts. Setting up a robust research framework to continue monitoring the effects of future threshold increases is essential to ensure that the SCP reform yields efficiency-enhancing impacts.

A limitation of this study is that it only covers first-level courts under another reform, the Electronic Courts Case Management System (eCourts). Courts under eCourts use an electronic case management system, making case-level data accessible for analysis. However, eCourts are in mostly highly urbanized cities in heavily burdened courts and only cover 7 per cent of first-level courts in the country. Thus, while the study findings shed some light on the impact of the SCP on highly congested courts, the results may not be generalizable to other first-level courts across the country.

As the SC is transitioning toward greater integration of electronic data management systems and increased use of data in decision-making, the study provides an opportunity for the SC to better understand not only the impacts of the reforms being evaluated, but also to better understand the possibilities of its own data. In particular, we recommend

¹ The SCP reform was implemented in first-level courts nationwide, but we focus on eCourts since we need to compare small claims to regular cases, for which the monetary value is only recorded in eCourts.

that the monetary value of money claims cases be recorded in all applicable electronic case management and monitoring systems, which could provide more definitive estimation results in future analysis and expansion beyond eCourts. We also recommend testing other best practices in small claims case procedures, such as electronic filing of forms or varying the procedures of rules depending on rises in thresholds and/or complexity of cases.

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Abbreviations and acronyms

ABA ROLI	American Bar Association Rule of Law Initiative
CTMS	Continuous Trial Monitoring System
eCourts	Electronic Courts Case Management System
FGD	Focus group discussion
IE	Impact evaluation
IPA	Innovations for Poverty Action
IRB	Institutional Review Board
KII	Key informant interview
MCTC	Municipal circuit trial court
MeTC	Metropolitan trial court
MTC	Municipal trial court
MTCC	Municipal trial court in cities
NCR	National Capital Region
NCJR	National Capital Judicial Region
RDD	Regression discontinuity design
SC	Supreme Court of the Philippines
SC2MS	Small Claims Cases Monitoring System
SCP	Rules of Procedure for Small Claims Cases

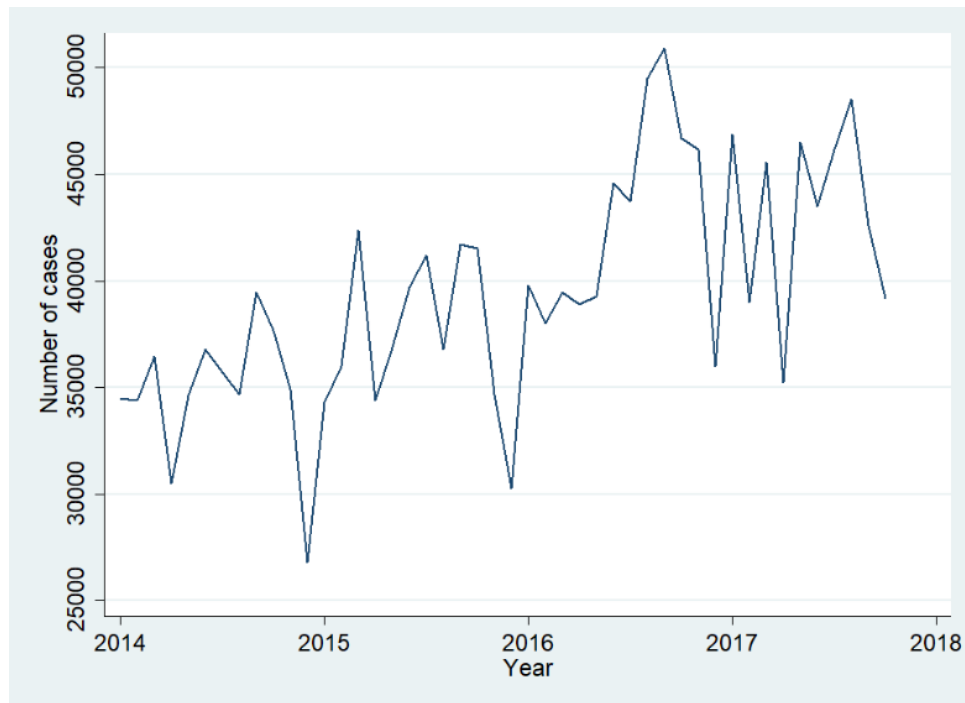
1. Introduction

1.1 Context²

An effective legal system is a litmus test for state capacity and a key condition for a functioning market economy. Better justice is both an end in itself and a means to achieve broader development objectives (World Bank 2012). In a bid to provide their citizens with better justice in line with the United Nation’s Sustainable Development Goal 16 on ‘peace, justice and strong institutions’, governments around the world have introduced wide-ranging judicial reforms, including revisions to procedures, changes in case management practices, and use of technology. However, little is known about how successful low- and middle-income countries have been in implementing such reforms, and to what effect.

The Philippine judiciary has long faced the challenge of court congestion, leading to severe delays in case resolution and high levels of backlog. The total numbers of newly filed cases and pending cases in the courts have continued to rise steadily over time. While the average number of newly filed cases per month in the lower trial courts was 35,000 in 2014–2016, it had escalated to an average of around 43,000 per month in 2016–2018 (Figure 1). This upward trend of newly filed cases has contributed to a steady upward trend in the total number of pending cases across all lower courts. Before the end of 2017, the total number of unresolved cases had reached nearly 900,000 (Figure 2).

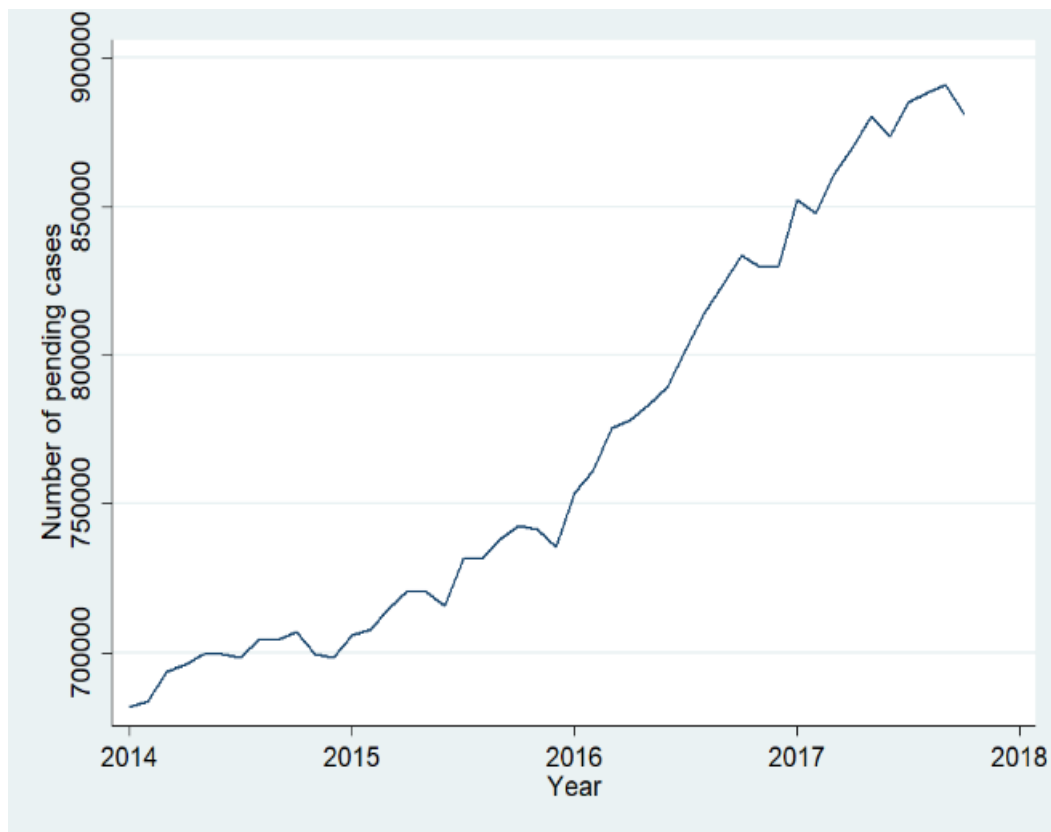
Figure 1: Total number of newly filed cases per month (2014–2018)



Source: Monthly Caseflow Report data, Supreme Court of the Philippines.

² This section is common across the three reports in this study series.

Figure 2: Total number of pending cases per month (2014–2018)



Source: Monthly Caseflow Report data, Supreme Court of the Philippines.

Since the initial World Justice Project Rule of Law Index rankings in 2015, the Philippines has seen a steady decline in rank, scoring below the global and regional average in the overall rule of law index, particularly on criminal justice and fundamental rights (World Justice Project 2020). In response, the judiciary has implemented several reforms in recent years, in line with the current government's goal of providing 'swift and fair administration of justice' to gain the trust of its citizens and the confidence of the international community (as outlined in the Philippine Development Plan 2017–2022) (NEDA 2017). A central goal of these reforms is to improve court efficiency, thereby speeding up cases and reducing court congestion.

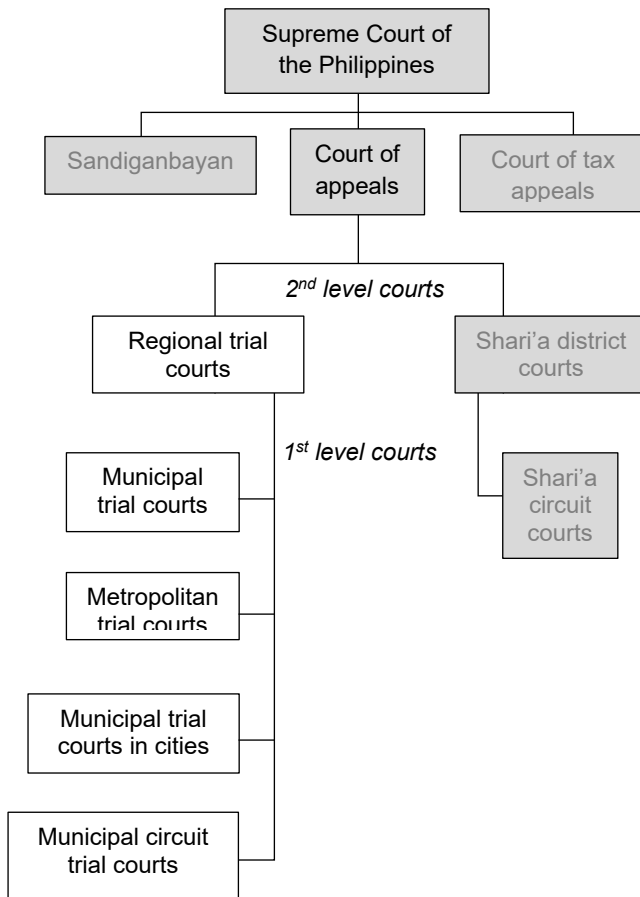
The International Initiative for Impact Evaluation (3ie) and Innovations for Poverty Action (IPA) have partnered with the Supreme Court of the Philippines (SC) to conduct a research study to understand the impacts of three justice reforms on court efficiency. The study series assesses the implementation and impacts of three notable reforms, namely: the electronic courts case management system (eCourts) to improve operational efficiency and transparency; the Rules of Procedure for Small Claims Cases to reduce court burden and ensure access to justice; and the Revised Guidelines for Continuous Trial of Criminal Cases to increase disposition of criminal cases. Assessment of these three reforms is intended to help the judiciary compare the merits of each program and make informed decisions on how to allocate available resources across the judicial system to achieve its stated goals.

1.2 The Philippine judiciary

The judiciary has four levels, with the SC at the top of the hierarchy, as illustrated in Figure 3. At the second level are the Court of Appeals, the Sandiganbayan³ and the Court of Tax Appeals. The courts covered in the study are the first and/or second-level trial courts (excluding shari'a courts). Courts at the first level have jurisdiction at municipality level and are the lowest level of trial courts. The four types are distinguished by geographic areas covered:

1. Municipal trial courts (MTCs), which cover one municipality;
2. Municipal circuit trial courts (MCTCs), which cover two or more municipalities;
3. Metropolitan trial courts (MeTCs), which are MTCs in Metropolitan Manila; and
4. Municipal trial courts in cities (MTCCs), which are MTCs in cities outside Metropolitan Manila.

Figure 3: Organogram of the Philippine judiciary



Some first-level courts may have more than one branch. The second-level courts – regional trial courts – are the highest level of trial courts. Second-level courts are established in each of the 13 judicial regions, with each region covering several provinces, except for the National Capital Judicial Region (NCJR), which covers cities

³ The Sandiganbayan is a special appellate collegial court that has jurisdiction over criminal and civil cases involving graft and corrupt practices, and other offenses committed by public officers and employees, including those in government-owned or -controlled corporations.

and municipalities. Second-level courts have multiple branches throughout its region. According to SC data, there are 1,090 second-level court branches and 1,191 first-level court branches in the country.⁴

1.3 Literature⁵

Strong institutions encourage investment and growth (Pande and Udry 2005; Rodrik 2000, 2005). Courts play a central role in strengthening institutions, with judicial efficiency a key measure of the costs of doing business in a country (World Bank 2017) as well as its institutional quality (Botero et al. 2003; Djankov et al. 2003; Lichand and Soares 2014; Ponticelli and Alencar 2016; Visaria 2009). Both the private and public sector rely on the judicial system to enforce contracts and realize the benefits of regulatory change (Ahsan 2013). Slow justice can impede market development (Chemin 2009a; Jappelli, Pagano and Bianco 2005; Laeven and Majnoni 2005; Laeven and Woodruff 2007; Powell, Cristini and Moya 2001; Visaria 2009), reduce firm growth (Amirapu 2017; Chakraborty 2016), weaken public sector performance (Coviello et al. 2016), and enable higher crime rates and increased industrial riots (Köhling 2002).

Yet the empirical literature on improving judicial productivity in developing countries is scant. In more developed countries, court-level studies prevail (Chang and Schoar 2006) and there is a lack of detailed case-level data (Coviello et al. 2016). Rigorous evidence on policy options to reduce judicial delays is rare (Chemin 2009b). In most studies, the evidence linking improved justice to investment fails to establish causality (Aboal, Nova and Rius 2014). Furthermore, the potential spill-overs (positive and negative) and trade-offs of speeding up adjudication are seldom documented (Kondylis and Stein 2018).

The evidence that does exist provides some indication of what works – successful reforms include training judges on better case flow management in Pakistan (Chemin 2009b); adopting first-in-first-out procedures in Italy (Bray et al. 2016); placing time limits on decisions in Senegal (Kondylis and Stein 2018); establishing specialized courts and simplifying procedures in Brazil (Lichand and Soares 2014); providing better information to litigants in Mexico (Sadka, Seira and Woodruff 2018); or implementing a bundle of reforms, including court-appointed mediation, limits on trial duration and adjournments, required affidavit furnishment, and mobile justice in India (Chemin 2009a).

Informative as these studies are, they by and large offer a relatively haphazard selection of options, with little claim to external validity, political considerations or the overall set of policy levers available to government. This is particularly important given that the political economy of policy reform is of central importance. For example, Dakolias and Said (1999) find in four countries (Colombia, Peru, Argentina and Ukraine) that judicial reforms work best when implemented in lower courts, with support from the top and from different stakeholders (such as lawyers, businesses, NGOs and communities). In addition, such reforms are best accompanied by changes in culture and management practices that complement administrative and procedural reforms. This suggests not only that the external validity of other studies is limited, but also that there is much to be learned by understanding the implementation successes and failures of multiple reforms within a single judicial system, thereby getting at the deeper questions of what worked, and why.

⁴ Data source: Monthly Caseflow Reports database, extracted February 2020.

⁵ This section is common across the three reports in this study series.

As noted earlier, the Philippine judiciary has invested heavily in several justice innovations, three of which (electronic case tracking, simplified procedures for small claims, and better case management practices) we study here. These reforms are intended to make the judicial system more efficient, transparent and accessible, and to improve the performance of judicial staff. This study contributes to the literature both by applying a common research approach enabling comparison across the three reforms, and by using a combination of qualitative and quantitative data to understand not just narrow impacts, but the mechanisms behind them.

1.4 This study

This report focuses on the impacts of the SCP reform, while two companion reports cover the Revised Guidelines for Continuous Trial of Criminal Cases and the eCourts case management system.

We divide the remainder of the report into six parts. Section 2 describes the SCP reform and its underlying theory of change, while section 3 lays out the evaluation questions, regression discontinuity design (RDD), key outcome measures and data descriptions. Section 4 presents the findings, including descriptive statistics, empirical specifications and estimated impacts. This is followed by a discussion in section 5; and conclusion and recommendations in section 6.

2. Intervention

2.1 Rules of Procedure for Small Claims Cases

The Rules of Procedure for Small Claims Cases, also referred to as Small Claims Procedure (SCP), provide a quick and inexpensive means of dispute settlement for civil cases concerning money claims that do not exceed a certain threshold. SCP were developed and implemented with the following objectives: (1) to free up courts' already scarce resources; (2) to ensure access to justice for all citizens and small enterprises; and (3) to make the existing procedure more cost effective and efficient. SCP simplify the case processing by providing simple forms, encouraging in-court dispute settlement and an informal hearing, and prohibiting lawyers from being present at hearings. The rules prescribe a speedy timeline by providing time-processing standards; allowing only one hearing and one postponement per party with limited reasons; limiting pleadings and motions; and mandating a case decision within 24 hours from hearing termination, or in some cases, within the same day.

The SC conceptualized the rules for small claims cases through efforts of a technical working group and partnership with the American Bar Association Rule of Law Initiative (ABA ROLI) from 2007 to 2008. The SC implemented a pilot of the rules in 44 first-level courts from October 2008. Following the pilot, the rules were revised and the SC put into effect the amended SCP nationwide (except in shari'a courts) on March 2010 with a threshold of PHP100,000 (approximately USD2,238).⁶

In 2015, an ABA ROLI assessment of SCP covering small claims cases filed from 2010 to 2013 showed an average age of 75 days for disposed small claims cases across 695

⁶ USD1 = PHP44.6853 (September 3, 2010), <<https://www.currency-converter.org.uk>>.

courts and an average age of 107 days for disposed cases in the NCJR. The report noted that overall caseload performance was not affected despite the reduction in average age of disposal and increase in caseload share of small claims cases. The report also highlighted frequent use of the procedures by corporations against individuals for debt collection from contract of loan, as well as the implications for caseloads and safeguards of individuals with increases to the threshold (ABA ROLI 2015). Findings from the report and lessons learned were considered in further revisions to the rules.

In February 2016, revised rules went into effect to further reduce case decongestion, improve access to courts and widen coverage to PHP200,000 (approximately USD4,343).⁷ The revised rules narrowed the applicability of cases to those purely civil in nature (no longer permitting the civil aspect of criminal action) and no longer allowed claims for damages arising from fault or negligence or quasi-contracts. The revised rules added provisions for plaintiffs engaged in lending, banking or similar activities including declaration of such business (consequences for misrepresentation); and total number of small claims cases filed within the calendar year regardless of judicial station, payment of regular filing fees and case filing in the municipality where the defendant resides if plaintiff has a branch in the same municipality.

The revised rules also included provisions for certification against splitting a single cause of action and against a multiplicity of suits; a schedule for additional filing fees to discourage numerous filings; additional prohibited pleading; serving of summonses by plaintiffs on defendants (if returned unserved to court); and a case decision within 24 hours of a hearing's termination. The revised rules also no longer allowed for re-assignment to another judge and use of judicial dispute resolution, since parties could enter into a compromise at any stage of the proceedings.⁸ Overall, the revisions to the rules set forth provisions to prevent further congestion and to better monitor lending institutions.

In July 2018, a court memorandum increased the SCP threshold to PHP300,000 (approximately USD5,675),⁹ which is the jurisdictional limit of first-level courts outside Metropolitan Manila (municipal trial courts). In April 2019, a court memorandum increased the SCP threshold for first-level courts in Metro Manila (metropolitan trial courts) to their jurisdictional limit of PHP400,000 (approximately USD7,728).¹⁰

The implications of each threshold increase allowed for faster case processing, but also a potential increase in the volume of small claims cases filed, especially by lending institutions. At the same time, provisions were added to narrow applicability, as well as to discourage the filing of numerous claims. Additionally, as the threshold increases, cases potentially become more complex and judges may become more prone to less strict adherence to the rules, such as for postponement or resetting, in an effort to balance fairness in procedures that would cause delays in processing.

⁷ USD1 = PHP46.0545 (2/04/2016), <<https://www.currency-converter.org.uk>>.

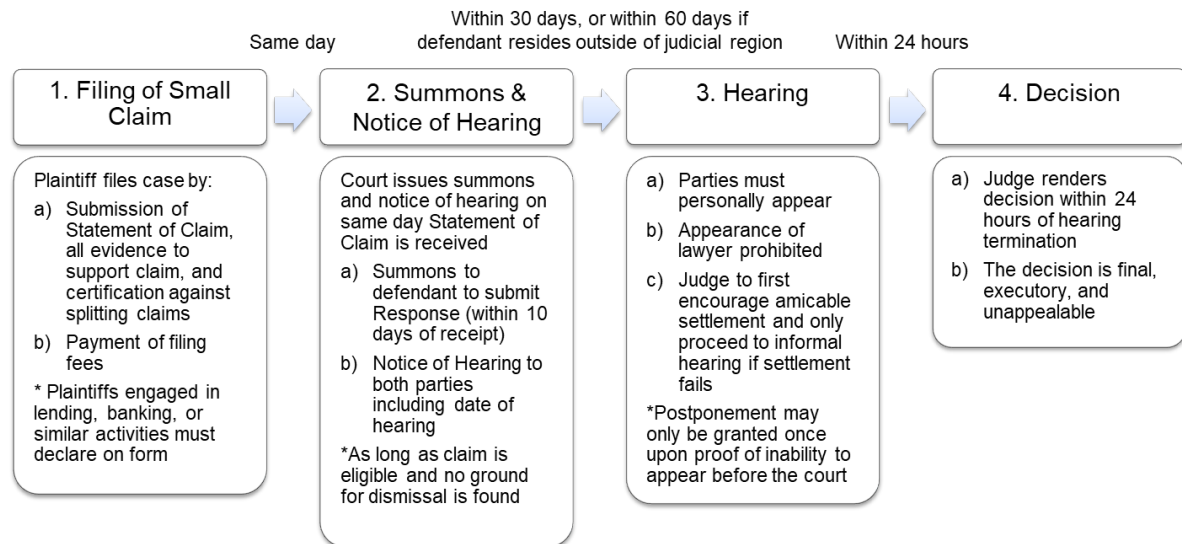
⁸ FAQ on the 2016 Revised Rules of Procedure for Small Claims, <<http://oca.judiciary.gov.ph/wp-content/uploads/2018/02/2016-Small-Claims-Frequently-Asked-Questions-FAQs.pdf>>.

⁹ USD1 = PHP52.8639 (7/08/2018), <<https://www.currency-converter.org.uk>>.

¹⁰ USD1 = PHP51.7604 (4/03/2019), <<https://www.currency-converter.org.uk>>.

Figure 4 outlines the case-processing steps for small claims cases that are filed and are heard by a lower court judge, as well as the timeline prescribed by the rules. The rules outline various circumstances that may arise, allowing the judge to render a decision without the case being heard or to dismiss the claim. Also, it should be noted that up until the start of the hearing, parties are encouraged to reach an amicable settlement.

Figure 4: SCP case-processing flowchart



Prior to the SCP, small claims cases underwent civil case proceedings, in consultation with and with representation from a lawyer. These proceedings, included case filing, serving of summonses (response 15 days), pre-trial (attempt at amicable settlement), trial and decision (rendered within 30–90 days from submission for decision and which can be appealed). Pleading, motions, petitions and postponements were allowed, which caused delays in case proceedings. A baseline study for the small claims pilot found that on average it took the sampled courts 120–180 days to dispose small claims cases prior to the introduction of the SCP (ABA ROLI 2015).

While there is no direct penalty for non-compliance, the SCP are an incentive-compatible program: all parties (judges and litigants) want to resolve cases faster under these simplified procedures, which frees up additional time. Nonetheless, compliance is monitored through multiple tracking systems, as described below.

2.1.1 Compliance-monitoring technology: Small Claims Cases Monitoring System

Over the past decade, the SC has made a range of investments in IT infrastructure and software in order to improve court efficiency. As part of these investments in technology, the SC rolled out a compliance-monitoring system for SCP in 2012 developed by ABA ROLI and maintained by the SC, the Small Claims Cases Monitoring System (SC2MS). First-level courts encode limited case details of SCP cases into SC2MS-compatible form and send an electronic copy to the SC for compilation into the centralized database.

Implementation of the reform is monitored by the SC through SC2MS and submission of quarterly reports. Furthermore, the number of small claims cases are reported in the Monthly Caseflow Report database, providing a source of cross-validation for data consistency. Aside from providing the SC with an effective monitoring technology, the

database is also one of our main sources of data for the analysis. We draw on these data to define our key outcome variables for case duration and proportion of cases disposed in 60 and 30 days.¹¹ Unfortunately, in order to reduce data entry workload SC2MS does not measure compliance with specific procedures (e.g. postponements, summons served, initial calendar setting, defendant within jurisdiction, etc.).

2.2 Theory of change

The Philippine judicial system suffers from court congestion, long trial durations, and laborious case management. The Philippine Development Plan 2017–2022 especially notes as a key issue to be addressed: “Backlogs in resolving cases and delays in case development procedures continue to increase, and penal facilities are occupied way beyond capacity” (NEDA 2017). The SCP reform was designed to address some of these problems.

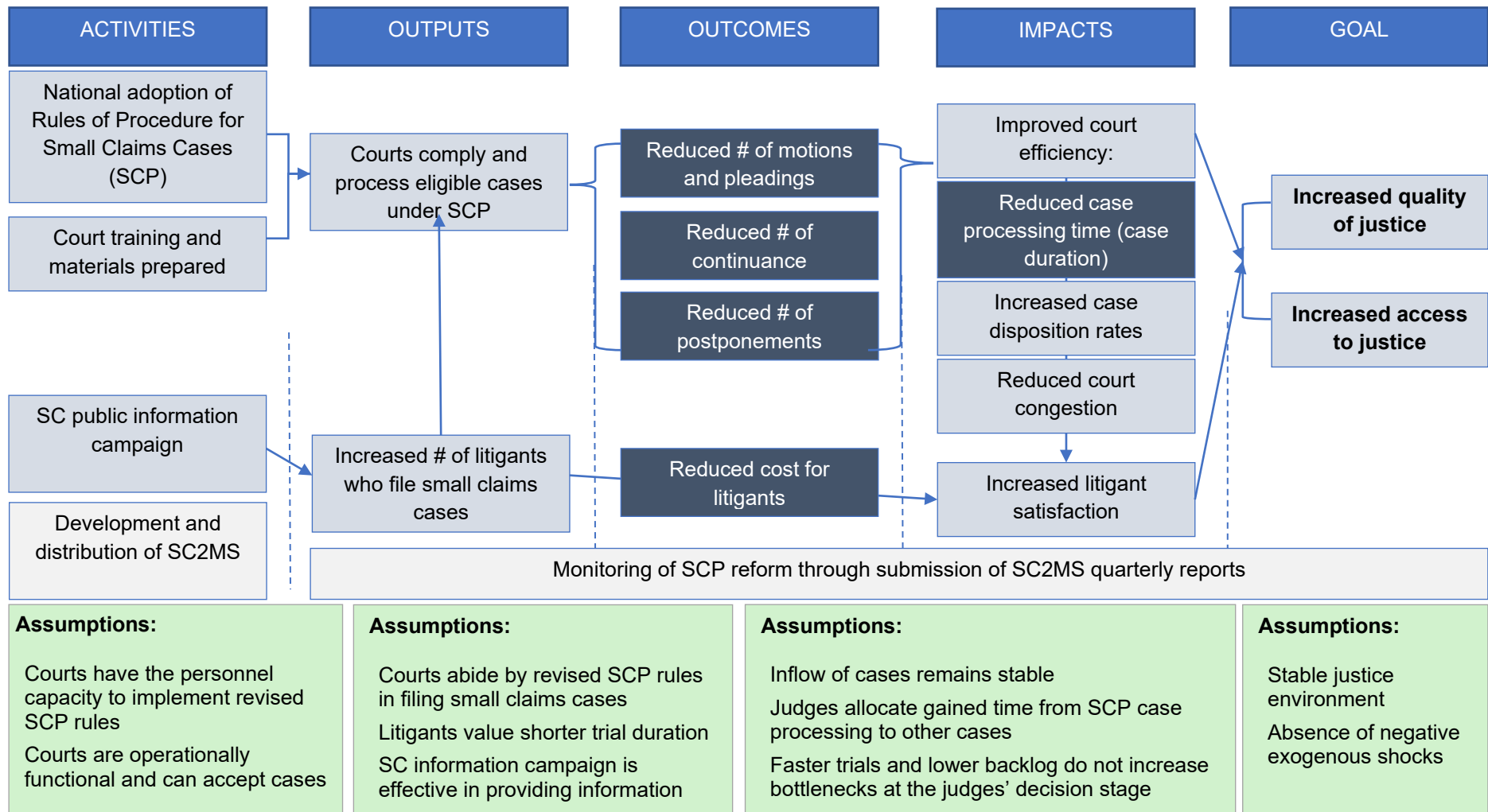
The theory of change spelled out below and displayed in Figure 5, uses elements from the results framework for the SCP presented by ABA ROLI (2015). It was further formulated by the research team in consultation with the SC’s Office of the Court Administrator and verified through qualitative interviews with executive judges, presiding judges, branch clerks of court, prosecutors and lawyers, as described in section 3.2 of this paper.

In principle, SCP rules should reduce case duration and speed up disposition of money claims, which would allow for an increased time allotment of judges to other cases. This increased time allotment should subsequently lead to an overall increase in case disposition and reduction in court congestion. Ultimately, the impacts of the SCP reform on court efficiency will contribute to the overall goals of improved quality of and access to justice. The underlying assumptions include: (1) the court system has the required staff and personnel capacity; (2) judges and/or courts implement rules; (3) shorter trial duration is valued; (4) improved case management does not lead to bottlenecks at the decision phase; (5) the justice environment is stable; and (6) there are no external shocks that affect the desired outcomes.

In this study, we test whether the SCP reduce case duration and speed up disposition of money claims valued below the threshold. We are not able to directly test the impacts on the overall goals of quality of or access to justice, but we draw on our qualitative interviews to speak to these areas.

¹¹ SC2MS data show that for our sample only 7% of small claims cases are disposed within 30 days and nearly 25% are disposed within 60 days.

Figure 5: SCP theory of change



Note: Dark boxes based on ABA ROLI results framework for the SCP (ABA ROLI 2015).

3. Evaluation

3.1 Research questions and outcomes¹²

Our overarching research question is whether improvements in technology and case management practices improve court efficiency and reduce congestion.¹³

We measure court efficiency through two main case-level outcomes, each of which are essential to understanding impact.

1. **Case duration:** Case duration is defined as the number of days from the date of filing to the date of court decision. While this is the most direct way to measure judicial speed, it is only defined for resolved cases – meaning that all cases pending in court would be excluded from the analysis.
2. **Case disposed in <#> days:** To ensure that results are meaningful and not driven by data censoring, we also include a second case-level outcome that is a dummy variable measuring whether or not a case was disposed within a given number of days of filing. This outcome is defined for all cases, and has the additional benefit of being duration flexible – in other words, it can be used to draw out the impact trajectory of any reform by measuring impacts; for example, over a period of 3, 6, 9 or 12 months. This is especially useful in the context of this study, where different reforms have different expected timelines of impact.

3.2 Design and methods

3.2.1 Quantitative design and methods

We pursued a research strategy that measures the average impacts of the SCP through RDD. Since the SCP define eligibility based on a threshold value of money claims cases, RDD provides the most appropriate identification strategy. RDD postulates that observations slightly below and slightly above the eligibility threshold are comparable; hence, it provides appropriate treatment and comparison units.

We used the value of the money claim to sort the cases in order to identify the treatment and comparison cases (i.e. those below the threshold are the treatment cases and those above are the comparison cases). The bandwidth that demarcates what is included in the analysis to satisfy the basic RDD hypothesis is optimally determined. The optimum is obtained by balancing bias and variance of the outcome of interest (Cattaneo, Idrobo, and Titiunik 2019).

¹² This section is an excerpt from a common section on research questions and outcomes in the other two reports in this study series.

¹³ In our pre-analysis plan, the research question for our overarching study of all three reforms includes an aspect of quality: 'Can improvements in technology and case management practices reduce court congestion and improve court efficiency, *without compromising the quality of judicial decisions?*' Due to limitations in the availability and consistency of case appeal and appeal decision data in the administrative databases, as well as restrictions imposed by the coronavirus (COVID-19) pandemic to collect further data from the courts, we are unable to pursue the second half of the question regarding quality.

Since the reform was first introduced the threshold of eligible money claims cases has changed several times. To address this, rather than using the actual value of the money claim, we use the centered value of the money claim (i.e. the difference between the actual value of the money claim and the prevailing threshold at the time the case had been filed) as the running variable. This enables a unified analysis across the different changes in the SCP eligibility threshold. As the speed of case disposition may be affected by court characteristics, such as the judge's characteristics (e.g. length of service) as well as case characteristics, a break at the threshold of these variables will compromise the identification properties of RDD.¹⁴ To provide sensitivity analysis, estimates with and without these covariates will be presented.

Since there is an incentive for litigants to avail themselves of the SCP procedure to facilitate case processing, there is a likelihood that there will be manipulation in the running variable – the amount of claim less the threshold. The presence of this manipulation is tested and a “donut hole” analysis conducted if found statistically significant, to determine how the estimates are affected by the manipulation. It should also be mentioned that because RDD derives its internal validity by comparing observations near the threshold, it also represents observations near the threshold and cannot characterize observations away from the threshold.

The cases included are cases filed after the introduction of the SCP. The assignment of cases to treatment and comparison is as follows: cases with value of money claims above the prevailing threshold are assigned to comparison, while those with value of money claims on or below the prevailing threshold are assigned to treatment.

The impact estimation will initially assume sharp RDD where all cases are assumed to follow their treatment assignment (i.e. those below the threshold value of the money claim prevailing when the case is filed are processed as small claims and those with value claims above the threshold are processed as ordinary civil cases). Only when we find substantial deviation from this assumption do we consider a fuzzy RDD estimation.

3.2.2 Qualitative design and methods

We conducted qualitative research to further investigate our quantitative findings and explore reasons for weak links in the chain of causation laid out in the theory of change. We gathered the perceptions, experiences, and levels of satisfaction of judges and clerks of court in relation to the justice reform programs. In coordination with SC offices, we selected and invited judges and clerks of court to participate in either focus group discussions (FGDs) or key informant interviews (KIIs). In March 2020, we shifted the FGDs to remote KIIs using video conferencing platforms due to the coronavirus disease (COVID-19) pandemic, and guidelines and restrictions imposed by the Philippine government. To complement the interviews with judges and clerks of court, and to gain further perspectives on the impact of the reform from other key players, the team also conducted interviews with prosecutors, public attorneys and private attorneys.

¹⁴ The data on judge characteristics pertain to the currently sitting judge. The most appropriate would have been the sitting judges at the time of filing of the case. These data are not, however, available.

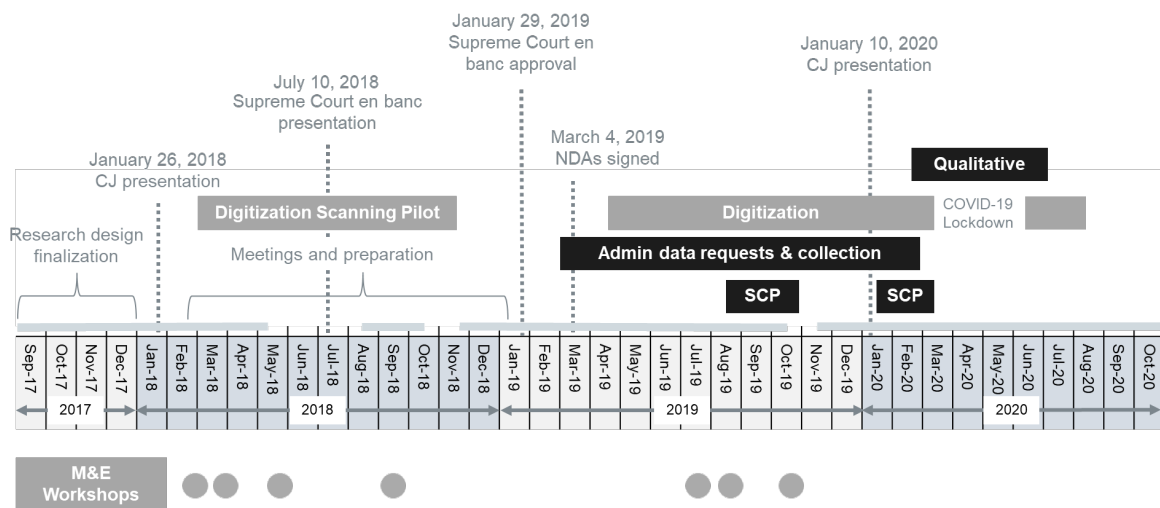
In addition to qualitative interviews, we launched an online survey for judges and clerks of court to increase the sample of responses on experiences and perceptions of the judicial reforms. The qualitative questionnaire and initial FGD findings guided the design of the online survey, which was subsequently administered to judges and clerks of court in all first- and second-level trial courts through the offices of the SC and the Philippine Judges Association.

We used rapid thematic analysis of the interviews to identify emerging themes and refine the online survey. At the end of each day of data collection, the research team debriefed and recorded their impressions. At the end of data collection, the team conducted a second round of content analysis on the transcribed interviews using a shared coding tool.

3.2.3 Timeline

Figure 6 illustrates the overall project timeline, which includes key milestones and all data collection activities that the team undertook during its engagement with the SC. The timeline also shows the series of monitoring and evaluation capacity-building workshops we conducted in 2018 and 2019 with SC offices.

Figure 6: Study timeline



Source: Authors.

Note: CJ = chief justice; NDAs = non-disclosure agreements.

At the start of the project, the team faced a long and unanticipated delay due to a series of leadership transitions within the SC. On January 29, 2019, the SC approved the final research design and on March 4, 2019 the team signed a series of non-disclosure and confidentiality agreements with the SC.

The data collection activities undertaken relevant to conducting the SCP study (marked by black boxes in Figure 6) included: (1) collection of administrative data; (2) collection of limited regular money claim case information from the courts; and (3) collection of qualitative data. The team spent the second quarter of 2019 coordinating with the various offices to formally request and collect the administrative data.

Over the following months, the team worked closely with the SC offices to acquire updated datasets, with the last set received in January 2020. In September 2019 and February 2020, we deployed field teams to collect limited case data of regular money claim cases from courts in the National Capital Region (NCR), Angeles City, Cebu City and Davao City. As for the qualitative component, we piloted the qualitative instruments in February 2020 and conducted the first set of FGDs in March 2020. Due to the COVID-19 pandemic, and the guidelines and restrictions imposed by the Philippine government, the team shifted the FGDs to remote interviews. We conducted the remote interviews and launched the online survey in June and July 2020, respectively.

3.3 Ethics¹⁵

The Human Subjects Committee for IPA provided oversight for this project, 'Impact Evaluation of Three Supreme Court Reforms in the Philippines: eCourts, Continuous Trial Guidelines, and Small Claims Procedures', protocol #14339. On February 28, 2018, the board found the study to be of minimal risk and approved the administrative data collection component.¹⁶ In accordance with the requirements of the IPA Institutional Review Board (IRB), we put in place procedures to ensure data security including encryption of data files and assigned unique codes to cases, court branches and judges. All research team members obtained certificates in human subject research, and all research team members and project personnel signed non-disclosure and confidentiality agreements with the SC. Data collection activities were conducted in coordination with and under the guidance of the SC Program Management Office and the Office of the Court Administrator.

In July 2019, an IRB amendment to the protocol was approved for the inclusion of FGDs with judges and clerks of court for eCourts and a focus on quasi-experimental designs using administrative data for the three reforms. In September 2019, an IRB amendment was approved to include a data collection activity to collect limited case information on money claims case values above the small claims threshold (control) from the lower courts. In February 2020, an IRB amendment was approved with a revised FGD questionnaire, protocol guide and consent that covered all three reforms. Following the outbreak of COVID-19 and approval from the chief justice, two subsequent amendments (April and June 2020) were approved to shift from FGDs to remote KIIs using a secure video call platform, and to include an anonymous online survey using a secure digital data collection platform. Upon completion of the project, all data, information and materials shared by the SC will be returned or destroyed.

3.4 Sampling and data collection

3.4.1 Sample selection

The SCP are implemented in all first-level trial courts: MTCs, MeTCs, MTCCs and MCTCs. The sample of cases included in the study come from first-level courts under the eCourt system reform (eCourts) and concern money claims cases within the jurisdictional thresholds of these courts, which is PHP400,000 for courts within Metropolitan Manila (MeTCs) and PHP300,000 for all others.

¹⁵ This section is common across the three reports in this study series.

¹⁶ At the time of submission, the research design also included two randomized experiments with survey data collection.

We limit the sample of cases in the study to courts under eCourts since these courts use an electronic case management system to record detailed case information of all filed cases, making case-level information available for the study period.¹⁷ The eCourts reform covers both first- and second-level courts in 11 mostly highly urbanized cities in the NCJR and Judicial Regions III, VII, VIII and XI. However, there are two eCourt stations/locations that are not included in the sample, since one had no data at the first-level courts and one had been established after the study time period covered. eCourt first-level courts comprise 7 per cent of the national first-level courts.

Table 1 shows the study sample for the SCP study, while Figure 7 shows a map of the judicial regions of the Philippines and the city locations of the sample.

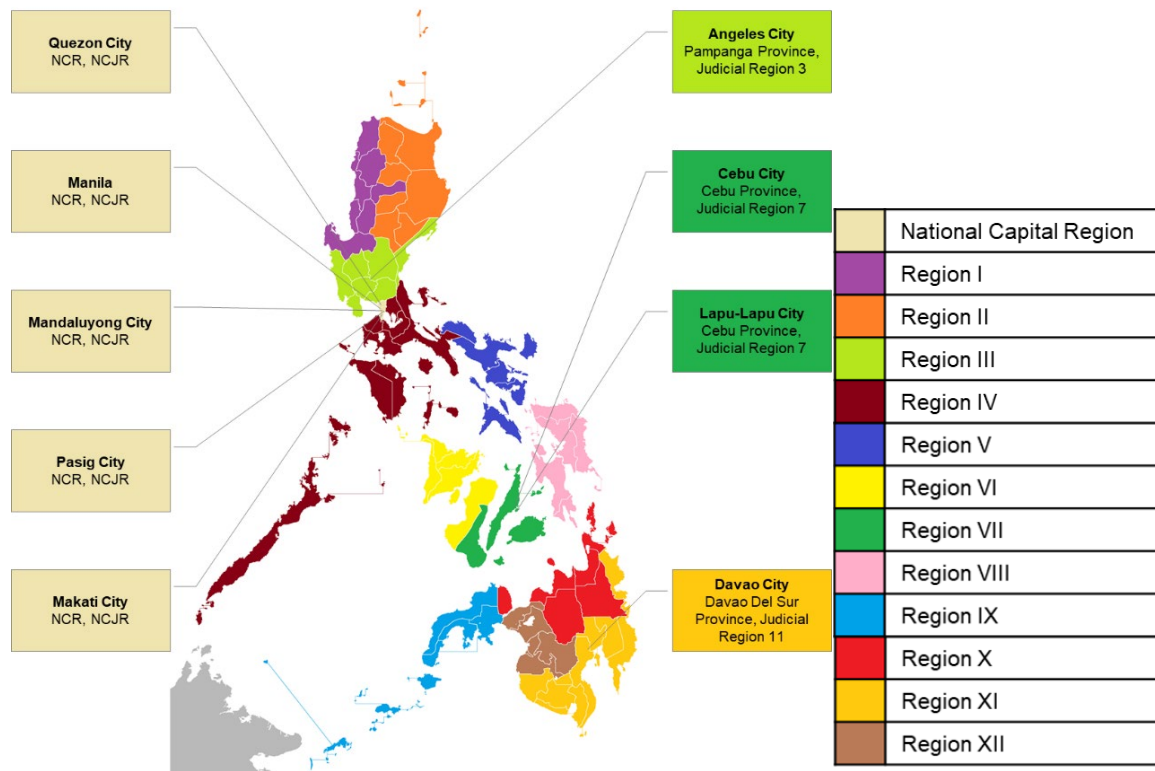
Table 1: SCP study sample court distribution by city and province

City/branch location	Province	Island group	# courts
Angeles City	Pampanga	Luzon	3
Cebu City	Cebu	Visayas	9
Davao City	Davao del Sur	Mindanao	7
Lapu-Lapu City	Cebu	Visayas	3
Makati City	NCR	Luzon	7
Mandaluyong City	NCR	Luzon	6
City of Manila	NCR	Luzon	30
Pasig city	NCR	Luzon	5
Quezon City	NCR	Luzon	12
Total			82

Note: The Philippines is commonly grouped geographically into three island groupings: Luzon in the north, Visayas in the center and Mindanao in the south. NCR is often separated out from Luzon given its unique characteristics.

¹⁷ While the SCP were implemented in all first-level courts in March 2010 -- well before the eCourt program -- we were only able to retrieve case-level information on regular (non-SCP) money claims cases from eCourts, since the SC2MS dataset only covers SCP cases and not regular claims cases. Hence the study is restricted to the SCP within eCourts.

Figure 7: Sample location by cities and judicial region



Source: Wikimedia Commons (2006).

The majority of courts not under the eCourt reform do not maintain an electronic recording system with case-level details for all filed cases.^{18,19} While the courts do submit semestral docket inventories in hard copy to the SC, which include case-level details, the original electronic document is neither collected by the SC nor usually archived by the courts.²⁰ In other words, collection of case-level details for the study period from courts without eCourts would be a laborious and time-intensive activity.

We constructed the target sample from all available money claims cases of first-level eCourts filed between March 2010 and March 2019 from two data sources: the eCourt system for regular money claims cases (above the threshold) and SC2MS for small claims cases (below the threshold).

3.4.2 Data description

Our quantitative data sources for the SCP study include the following administrative databases of the SC: the eCourts system and SC2MS. In addition to these datasets, we also collected data from the SC on publicly available data on judges, as well as vacancy data per court. We coordinated with SC offices to extract requested data spanning 2014–2019 from the information systems located at the SC.

¹⁸ The SC launched a case-level monitoring system for criminal cases in 2017 with the introduction of the Revised Guidelines for Continuous Trial of Criminal Cases and planned to expand the system with the introduction of the proposed amendments to the rules of civil procedure in 2020.

¹⁹ A few judges maintain their own electronic management/recording system of case-level details.

²⁰ Common practice is to write over the previously submitted report.

The eCourt system is an electronic case management system at court level developed by a development partner of the SC for courts in selected cities under the eCourt reform from 2013 to 2018. The eCourt system records case-level details for all case types from filing to resolution. It contains data on the court assigned, case number, nature of case, pertinent dates to determine duration of the case, court type, judicial region and province. For the SCP study, we limit cases to money claims cases in first-level courts.

SC2MS is an electronic database developed by a development partner for the SC for the monitoring of cases processed under the SCP. Courts record SCP case information in an electronic spreadsheet, which includes fields for the case number, nature of case, claim amount, pertinent dates and other relevant case information. The dates recorded include date of filing, raffle, summons, served, hearing and disposal. The spreadsheet is electronically submitted quarterly to the SC for compilation. SC2MS was launched in 2012 and is used by all first-level courts in the country. Small claims cases prior to the launch of the system were back-encoded, with priority given to those that were pending. The dataset covers cases filed as early January 2000 and as recently as January 2019.

On reviewing the eCourt data, we discovered that the eCourt system database did not contain the value of the money claim cases. In order to collect the claim amount of the cases above the threshold, we coordinated with the SC offices to collect limited case information directly from the courts. From the eCourt system we extracted the money claims cases and provided to the SC lists of case numbers by court for distribution to the courts of interest. The SC sent formal communication to courts in NCR, Angeles City, Cebu City and Davao City endorsing IPA for the collection of the claim amount. For some courts, we deployed field teams to encode limited case information from the case records under direction of the court staff using a digital data collection tool with offline transfer functionality. Other courts, which either had a smaller number of cases or had easily accessible data, opted to provide the encoded information.

We were not able to collect data from all the targeted money claims cases above the threshold since some of the physical case records were not accessible to the court at the time of request. Some courts store older records in off-site locations due to lack of space and some courts were in the process of transferring records, meaning that extraction of physical records was not possible at that time. Table 2 shows the number of cases in the impact evaluation by city/court branch location and claim type as identified from their respective databases.

Table 2: Number of cases in impact evaluation (IE) by claim type

City/branch location	Regular money claims case procedures			Small claims case procedures		Total	
	# Cases in eCourt system targeted	# Cases Collected	# Cases in IE	# Cases in SC2MS ^a	# Cases in IE	# Total Cases in IE	Col ^b %
Angeles City	64	50	50	449	447	497	3.1
Cebu City	599	228	227	1,937	1,899	2,126	13.4
Davao City	1,133	979	504	746	738	1,242	7.8
Lapu-Lapu City	102	75	45	413	412	457	2.9
Makati City	7,801	3,704	3,674	953	688	4,362	27.5
Mandaluyong City	137	123	118	551	507	625	3.9
City of Manila	184	151	151	2,202	2,132	2,283	14.4
Pasig City	1,145	790	644	1,163	1,153	1,797	11.3
Quezon City	2,479	1,186	936	1,846	1,561	2,497	15.7
Total	13,644	7,286	6,349	10,260	9,537	15,886	100

Note: a. SC2MS only includes cases in courts that adopted the eCourt system. b. Col = Proportion of cases in the IE.

3.4.3 Quality control

For the regular money claims cases, we first extracted the money claims cases that were not classified as small claims cases from the eCourts database. As mentioned, we then coordinated with the SC to collect the money claims values directly from the courts. In some cases, we visited the courts and collected the data under the guidance of the court personnel. We used a digital data collection tool with logic checks to record the value twice and used offline transfer to compile a dataset of regular money claims values. In other instances, the courts provided the values in the electronic spreadsheet we had prepared and provided to the SC for distribution. If we received the spreadsheet in hard copy, we double-encoded these values for inclusion in the dataset of regular money claims values.

For the small claims cases, we used SC2MS. To align with the eCourts dataset, we considered only the observations from locations where the eCourt system had been adopted. This was to focus on courts within the same areas, limiting possible sample bias. We then created a consolidated dataset of small claims cases from the SC2MS database and the regular money claims cases from eCourts and their corresponding claim value, which we collected from the courts.

We applied logic checks and dropped cases with resolution dates earlier than filing dates and duplicate cases. We also dropped cases with claim amounts equal to zero and outlier observations. Finally, given that the SCP reform was implemented in 2010, observations with filing dates prior to the reform launch were excluded. For each dataset, we assigned unique identification codes to the court branches, case numbers and judges. We maintained only the fields necessary – mostly date fields – in conducting the analysis.

To generate our outcome variable for case duration, we subtracted the date of case filing from the date the case was resolved, based on the date of decision or closing. In order to

consider the total small claims caseload, and not just disposed cases, we use another outcome, which is the proportion of cases resolved in <#> days to the total number of cases filed, in which we consider 60 and 30 days.

3.4.4 Estimating equation and hypotheses

The estimation equation, assuming a sharp RDD, is denoted by

$$Y_i = \beta_0 + \beta_1 T_i + \beta_2 * (x_i - c) + \beta_3 * (x_i - c) * T_i + X\gamma + R_\delta + \epsilon_i$$

where Y is the outcome of interest; T is the treatment assignment (1 if below threshold, 0 otherwise); x is the running variable (i.e. the value of the money claim); c is the eligibility threshold; and β_i is the impact estimator. Vectors X and R are court- and time-fixed effects.²¹ The estimation utilizes data-determined optimum bandwidth, using the characteristics of the outcome of interest. In addition, clustering of errors at the court level is implemented.

We had the following hypotheses:

H1: The introduction of the SCP improves the disposition of small claims cases.

H1a: The introduction of the SCP decreases the case duration of money claims cases.

H1b: The introduction of the SCP increases the proportion of cases disposed within <#> days, using 60 and 30 days.

3.4.5 Qualitative data and online survey²²

For the collection of qualitative data, we focused on the three geographic areas of NCR, Cebu City and Davao City in selecting participants, since these are areas wherein all three judicial reforms under evaluation by the research team had been implemented. We initially based participant selection on a range of criteria to allow for diverse perspectives and experiences, including length of service of the judge, duration of the implementation of eCourts, court level and preliminary results of the quantitative outcomes measured. To an extent, the initial selection also considered the proximity of a court to the proposed FGD locations in consideration of participant time allocation outside of court. In coordination with SC offices, we selected and initially invited 58 judges and clerks of court to participate in either: (1) one of six FGDs; or (2) KII with the judge and/or clerk of court.

Following the first set of FGDs conducted in March 2020, we shifted the remaining FGDs to remote KIIs using video conferencing platforms due to COVID-19 and the guidelines imposed by the Philippine government. In the shift, we coordinated again with the SC in identifying participants for the remote interviews from the initial selection based on participants' internet access, knowledge on use of technology platforms and availability. Based on these additional factors, we did not invite five judges and six clerks of court to participate, and did not find replacements since the rapid analysis showed that we were approaching saturation.

²¹ In our pre-analysis plan, we deliberately stayed away from specifying which covariates would be included in the estimating equation, as at the time it was unclear: (1) which covariates we would have access to; and (2) whether we would be sufficiently powered to include court- and time-fixed effects. By choosing to include fixed effects, which are the most robust set of "covariates" possible, we find strongly significant results. We have incomplete data on other covariates and so choose not to add them.

²² This section is common across the three reports in this study series.

However, we did determine from the rapid analysis the need to complement the interviews with judges and clerks of courts with prosecutors, public attorneys and private attorneys. We find that in-person interviews were better in establishing rapport and capturing interview setting, tone and non-verbal cues. However, remote online video interviewing was an efficient and effective method to collect qualitative data when done with additional preparations, such as pre-coordination with each participant to adequately explain the purpose of the study, and finding the appropriate time and schedule for the remote interviews. Table 3 shows characteristics of participants by region, position and sex.

Table 3: Qualitative participants by region, position and sex

Position	Cebu		NCR		Davao		Overall	
	Total	Female	Total	Female	Total	Female	Total	Female
Judges	9	44	7	71	8	50	24	54
Clerks of court	9	78	5	100	9	89	23	87
Prosecutors/PAO/private lawyers	1	100	7	29	3	67	11	45
Total	19	63	19	63	20	70	58	66

Notes: Judges and clerks of courts in Cebu participated in FGDs based on position, while the other participants participated in remote KIIs; PAO = Public Attorney's Office.

Overall, we collected qualitative data from a total of 58 participants (68% female) in either FGDs or remote KIIs with 24 judges, 23 clerks of court and 11 prosecutors/lawyers. Personnel data from the SC indicates that in 2018, 50 per cent of judges were female, showing that we have a gender-balanced sample of judges. Participation across the three regions was fairly distributed, with 33% in Cebu, 33% in NCR and 34% in Davao. We conducted 2 in-person FGDs in Cebu (31% of participants);²³ 12 individual and 2 paired remote KIIs with judges; 3 individual and 4 paired KIIs with clerks of court; 2 paired KIIs with both the judge and the clerk of court; and individual KIIs with 3 public attorneys, 2 private lawyers and 5 prosecutors.

The FGDs and the remote KIIs used the same questionnaire guide (Appendix A: FGD guide) to gather perceptions, experiences and levels of satisfaction of the judges and clerks of courts in relation to the justice reform programs. In most cases, each interview (including FGDs) had 1 main facilitator, 1 co-facilitator, 1 documenter, and 1–2 principal investigators. Each interview (including FGDs) was audio-recorded, with consent, and transcribed.

To gather a wider sample on perceptions of the judges and clerks of court on the judicial reforms, we launched an online survey developed with guidance from the qualitative

²³ We were supposed to do the same for the Davao and NCR courts, but the government imposed a lockdown due to COVID-19. Hence, we shifted to remote one-on-one/paired interviews for the remaining judges, clerks of court and other judicial stakeholders through Zoom or MS Teams.

questionnaire guide and initial findings from the FGDs (Appendix B: Online survey).²⁴ We used a digital data collection platform that offers a web-based option. We coordinated with the SC offices under the Office of the Court Administrator as well as the Philippine Judges Association to administer the online survey to judges and clerks of courts in all first- and second-level courts. The online survey was available for three weeks in July 2020. In order to encourage participation, we regularly sent updates to the offices on the number of participants per judicial region; 1,579 judges and clerks of court participated in the online survey, with 780 working in first level-courts, and they were asked questions on small claims procedure. There were 328 judges, 427 branch clerks of court and 25 clerks from the Office of the Clerks of Court.

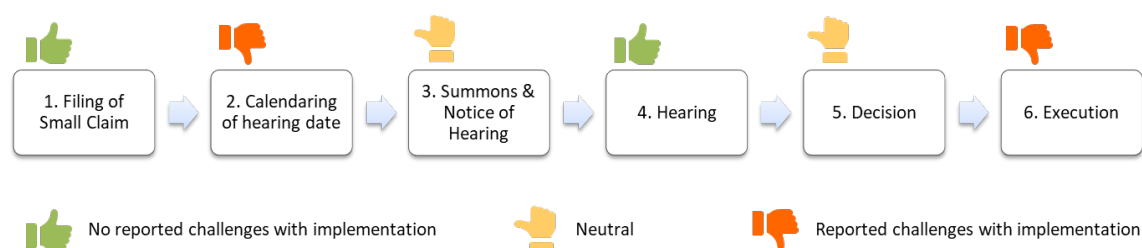
4. Findings

4.1 Intervention implementation fidelity

Findings from the qualitative interviews and online survey indicate that the SCP are uniformly perceived by respondents – judges, clerks of court and lawyers – as a simple and inexpensive strategy in improving disposition and access to justice. Most of the online survey respondents (88%) are satisfied with having the SCP in place, while only 1 per cent are unsatisfied, and the rest are neutral. The SCP are perceived by 75 per cent of respondents to have increased the speed of disposition of cases and are perceived by 74 per cent of respondents to have increased the number of small claims cases disposed.

Figure 8 presents the SCP case-processing flowchart, with the addition of two steps: calendaring of hearing date and execution. These are two aspects that were raised as challenges in implementing SCP, and achieving the goals of increased access to justice and quality of justice. The areas of reported challenges are marked with a red thumb down; areas reported as working well with no challenges are marked with a green thumb up; and neutral with a yellow thumb as neutral.

Figure 8: SCP case-processing flowchart, challenges in implementation



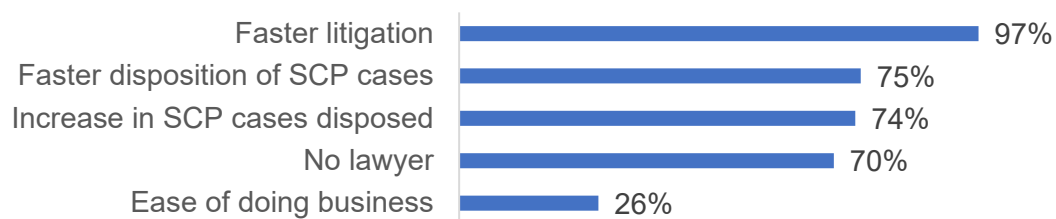
From the online survey we find respondents perceived several benefits of the SCP (Figure 9): 97 per cent of the respondents believed that the simplified procedures under SCP lead to faster litigation; and that 70 per cent believed that prohibiting attorneys from appearing before the court to represent the parties (unless the attorney is the complainant or the respondent) is also a benefit. Despite the limited involvement of private attorneys and the Public Attorney’s Office, parties to small claims often consult lawyers in terms of filing small claims. Prosecutors claimed that they still receive a

²⁴ While a survey of the public is beyond the scope of this study, this would be a natural next step.

number of cases filed by plaintiffs which they have identified as small claims and redirected lower courts. Despite having consultative and preliminary roles in the SCP, public attorneys and prosecutors said that the SCP contribute to a reduction of their workload because they spend less time on these cases and are not required to appear in court.

In order to further improve efficiency and decongest the Public Attorney’s Office and prosecution service, respondents suggested strengthening the role of the Lupong Tagapayapa, an alternative dispute system at barangay level (the smallest unit of local government in the Philippines). It was created to settle certain disputes of residents, including money claims. If residents cannot reach a settlement through mediation by the Lupong Tagapayapa, then cases can be filed with the regular court system; however, not all eligible cases are brought to the Lupong Tagapayapa as the first instance of mediation.

Figure 9: Perceived benefits of SCP implementation



SCP improves access to justice through the use of simplified forms and prohibition of attorneys from representing parties during hearings. Respondents commented that the readily available templates and direct-to-court filing process has made the process easier for more people to understand. Eliminating the need to have a lawyer also reduces the monetary and time costs of litigation for both parties.

The one-day trial rule of the SCP was seen by respondents to be the most effective in aiding speedy disposition. Despite the fast-tracking of processes, the SCP are seen to maintain the quality of decisions and quality of trials. According to 88 per cent of the respondents, the SCP allow all parties to present sufficient evidence and their defense. In addition, 88 per cent of first-level court judges claim that the SCP allow them to deliver fair decisions. The 24-hour period given to judges to render a decision was found to be sufficient since small claims cases are easy to decide and usually follow a template. In exceptional cases, some judges deem it necessary to obtain more evidence and conduct additional hearings, which is contrary to the summary nature of the procedure, causing the dismissal of a case and its re-docketing as a regular claims case.

Since money claim cases under the threshold are automatically classified as small claims cases, the simplified process for all concerned, including court staff, prosecutors, lawyers, plaintiffs and respondents is beneficial. In other words, the SCP lessen the work burden along with facilitating faster resolution of cases; therefore, all concerned are incentivized to adhere to the procedures. Additionally, judges especially are incentivized to adhere to court rules – not only the SCP – so as to not risk administrative cases or poor performance evaluations, which would inhibit chances for promotions and/or transfers to courts of choice.

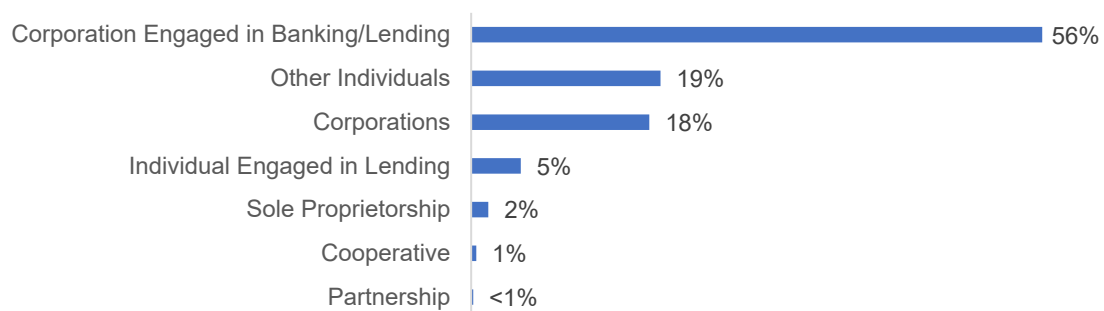
The qualitative findings highlighted several challenges in SCP implementation that are mainly outside the control of the courts. Delays often occur due to court congestion where court calendars are full or nearly full and cannot readily accommodate newly filed cases within 30 calendar days as stipulated in the revised procedures. Such delays are compounded when a hearing date is reset due to valid reasons. In order to limit resetting, courts have adopted strategies in anticipation of the probable time required for summonses and notices to be received by giving additional allowance for delays, so they defer the hearing to a later date depending on the area (i.e. within one month if within the region but within two months if outside the region).

Additionally, difficulties have been reported with issuing notices of hearing, particularly if the respondent is outside the regional jurisdiction of the court branch. To uphold the rights of the parties, the court will reschedule the hearing. The use of the regular postal service in delivering court summonses and notices, which is subject to late delivery and non-receipt, is a challenge for all cases, not just small claims cases.

Furthermore, while a case is marked closed once the order has been released, the execution of the order (wherein the defendant settles the decided sum of money) is not assured, as this step is outside of the court jurisdiction. Respondents to the online survey estimated that only 64 per cent of decided cases are successfully executed and that 65 per cent of the amount ordered to be paid is actually claimed.

From the SC2MS dataset, we observe that the majority of cases are filed by corporations (56% are filed by corporations engaged in banking or lending and 18% filed by corporations engaged in other business); only 19% are filed by individuals not engaged in lending. The remaining cases are filed by other businesses or individuals engaged in lending (Figure 10). This was confirmed by respondents in the qualitative interviews. They noted the large share of cases filed by corporations and expressed that it makes courts feel that the procedure is being exploited by large companies. According to them, the SCP have become a means to collect payment and intimidate clients without much effort and cost.

Figure 10: Distribution of SCP plaintiffs



Source: SC2MS dataset.

In order to address bottlenecks in implementation, several suggestions on how to improve the SCP were offered in the survey (Figure 11). The use of electronic notifications was suggested to ensure timely issuance of notices (56%). Some also preferred to have the leeway to schedule an additional hearing (55%), especially for cases with higher claim amounts and cases requiring additional documentation. Another

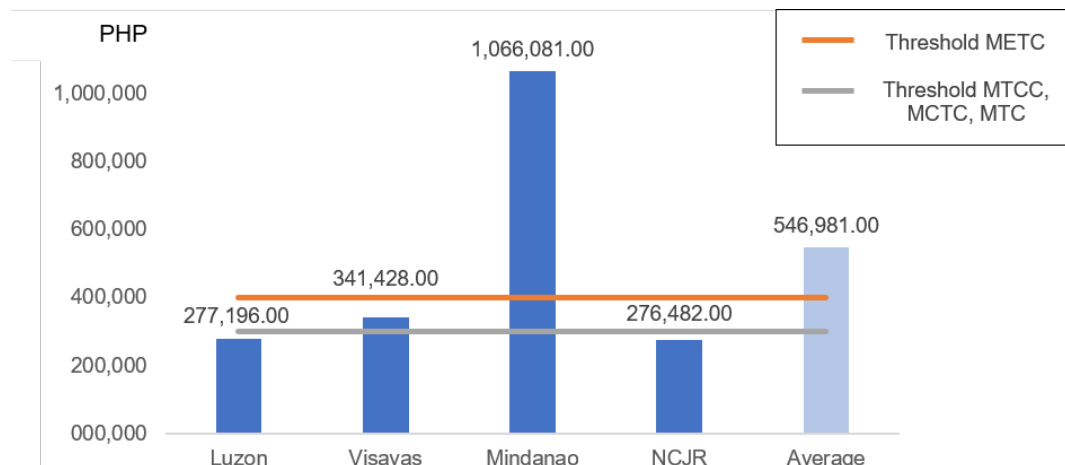
suggestion was to impose higher fees on corporations filing small claims complaints, which 53 per cent of online survey respondents agreed with as a means to discourage abuse of the procedure.

Figure 11: Suggested improvements to the SCP



One of the survey questions explored respondents’ opinion on a proposal to further increase the SCP threshold. Only 35 percent agreed. Two-thirds of those who disagreed reported that one hearing is not enough to render a decision on cases with higher claim amounts. The perceived ideal SCP threshold differed by island group, with NCJR and Luzon having the lowest average ideal thresholds at PHP276,482 and PHP277,196, respectively. Visayas reported a slightly higher ideal threshold of PHP341,428 and Mindanao respondents reported a much higher ideal threshold of PHP1,066,081.

Figure 12: Average ideal SCP threshold by island group



4.2 Impact analysis

Cases included in the impact analysis of the SCP reform are money claims cases in the first-level courts, which is the court level that has jurisdiction for processing money claims under the rules of small claims procedures. Since the courts included in the study sample only cover courts under the eCourt reform the types of first-level courts included are MeTCs and MTCCs due to the selection criteria for eCourts.

The SCP reform can be broken down into four phases, representing the different threshold amounts since the rules were first introduced. Table 4 shows the four phases of the SCP reform by effectivity date, money claims threshold and the type of first-level court to which it applies. In Phase 3, the money claims threshold reached the jurisdictional threshold of the first-level courts, except for courts in Metro Manila (MeTCs), meaning money claims cases with higher amounts would fall within the jurisdiction of the second-level courts. In Phase 4, the money claims threshold for MeTCs was raised to that of its jurisdictional threshold. We do not include Phase 4 in the analysis given the phase has only two observations in the dataset.

Table 4: SCP phases by court type and threshold amount

	Phase 1	Phase 2	Phase 3	Phase 4
Effectivity date	March 18, 2010	February 16, 2016	August 1, 2018	April 1, 2019
Threshold by court:				
<i>MTC, MCTC, MTCC</i>	PHP100,000	PHP200,000	PHP300,000	PHP300,000
<i>MeTC</i>	PHP100,000	PHP200,000	PHP300,000	PHP400,000

Using RDD, we evaluate two primary outcomes, both at the case level: case duration and proportion of cases disposed in <#> days, using 60 days and 30 days from the date of filing. We measure case duration as the difference between the date the case was disposed and the date it was filed, excluding cases that have not yet been resolved. To supplement this measure, we also look at the proportion of cases resolved within 60 days and 30 days, which approximates the volume of case disposition. It considers not only the number of cases disposed but also the number of cases filed.

To allow for integrated analysis considering the different SCP thresholds, the running variable used is the centered value of the prevailing threshold based on the date of filing (i.e. it is the deviation of the claim amount from the threshold prevailing at the date of filing). This makes the running variable negative when it is below the threshold and positive when it is above the threshold. Thus, cases below the threshold are considered the treatment, while the cases above are considered the comparison. We consider both perfect compliance and imperfect compliance. Assuming perfect compliance, we use sharp regression discontinuity (RD) and compute the intention-to-treat effect. In addition, with information of misclassification of cases we also compute fuzzy RD and compute the treatment effect on the treated.

For each outcome we conduct a series of RD estimations, which include court- and time-fixed effects. We first conduct sharp RD impact estimations on all phases included in the analysis collectively and then individually on each phase included in the analysis. We then consider the effect of misclassified cases in the estimations. From court records, there are cases that have been misclassified as non-small claims even though the amount of claim is below the SCP threshold. The misclassification of cases may have implications for the estimates. There are two ways of measuring the implications: (1) using fuzzy RD or (2) excluding misclassified cases. One uses fuzzy RD, where the treatment assignment (being below or above the threshold) is used as an instrument of the actual case classification by the courts. The other (less preferred) way is to exclude the misclassified cases.

All estimations are done using *rdrobust* software and graphs are done using *rdplot* (Calonico et al. 2017), except for the density test which uses the McCrary routine.²⁵

4.2.1 Descriptive statistics and validity tests

Descriptive statistics

In Table 5 we present the mean case duration and the proportion of cases resolved within 60 days and 30 days of money claims cases below and above the threshold, as determined by the running variable/claim amount, by each phase of the SCP.

²⁵ Available at: <http://emlab.berkeley.edu/~jmccrary/DCdensity/>.

Table 5: Descriptive statistics on case duration and cases disposed in 60 and 30 days

Phase	Below threshold	Above threshold
Phase 1: (3/18/2010–1/31/2016)		
Mean case duration	230.88	657.30
sd case duration	341.15	511.20
Mean disposition, 60 days	0.21	0.01
sd disposition, 60 days	0.41	0.12
Mean disposition, 30 days	0.04	0.01
sd disposition, 30 days	0.20	0.07
Frequency	1,762	1,466
Phase 2: (2/1/2016–7/31/2018)		
Mean case duration	77.09	147.44
sd case duration	67.80	171.58
Mean disposition, 60 days	0.42	0.17
sd disposition, 60 days	0.49	0.37
Mean disposition, 30 days	0.12	0.16
sd disposition, 30 days	0.33	0.36
Frequency	8,530	3,316
Phase 3: (8/1/2018–3/31/2019)		
Mean case duration	48.66	52.86
sd case duration	19.69	54.57
Mean disposition, 60 days	0.38	0.01
sd disposition, 60 days	0.49	0.11
Mean disposition, 30 days	0.08	0.01
sd disposition, 30 days	0.28	0.11
Frequency	470	340
Phase 4: (4/1/2019–report date)		
Mean case duration		
Mean disposition, 60 days	0	
Mean disposition, 30 days	0	
Frequency	2	
Total		
Mean case duration	102.08	407.64
sd case duration	162.98	461.44
Mean disposition, 60 days	0.38	0.11
sd disposition, 60 days	0.49	0.32
Mean disposition, 30 days	0.11	0.10
sd disposition, 30 days	0.31	0.31
Frequency	10,764	5,122

Note: sd = standard deviation.

Descriptive statistics show that there are 10,764 cases below the threshold and 5,122

cases above the threshold based on the recorded claim amount. Most of the cases are in Phase 2 and there are very few cases (2) in Phase 4. It also shows that the average duration for all phases is lower for those below the threshold. For the overall total of cases observed, on average the case duration is 102 days for those below the threshold, but 408 days for those above the threshold. The cases disposed in 60 days, or the proportion of cases resolved, is also higher for cases below the threshold and lower for cases above the threshold (e.g. 38% below the threshold and 11% above the threshold). The proportion of cases resolved in 30 days is 11 per cent for cases below the threshold and 10 per cent above the threshold.

In Table 6 we show the misclassification of claims by case type as recorded in the court database, and whether the claim amount is below or above the threshold. As described previously, there are cases that have been misclassified as non-small claims even though the amount of claim is below the SCP threshold.

Table 6: Misclassification of claims

Case type	Below threshold	Above threshold	Total
Small claims	9,514	21	9,535
Non-small claims	1,248	5,101	6,349
Total	10,762	5,122	15,844

Of the 10,762 cases, 1,248 (12%) cases below the threshold were not considered small claims. Also, 21 cases (0.41%) of the 5,122 cases above the threshold were considered small claims.

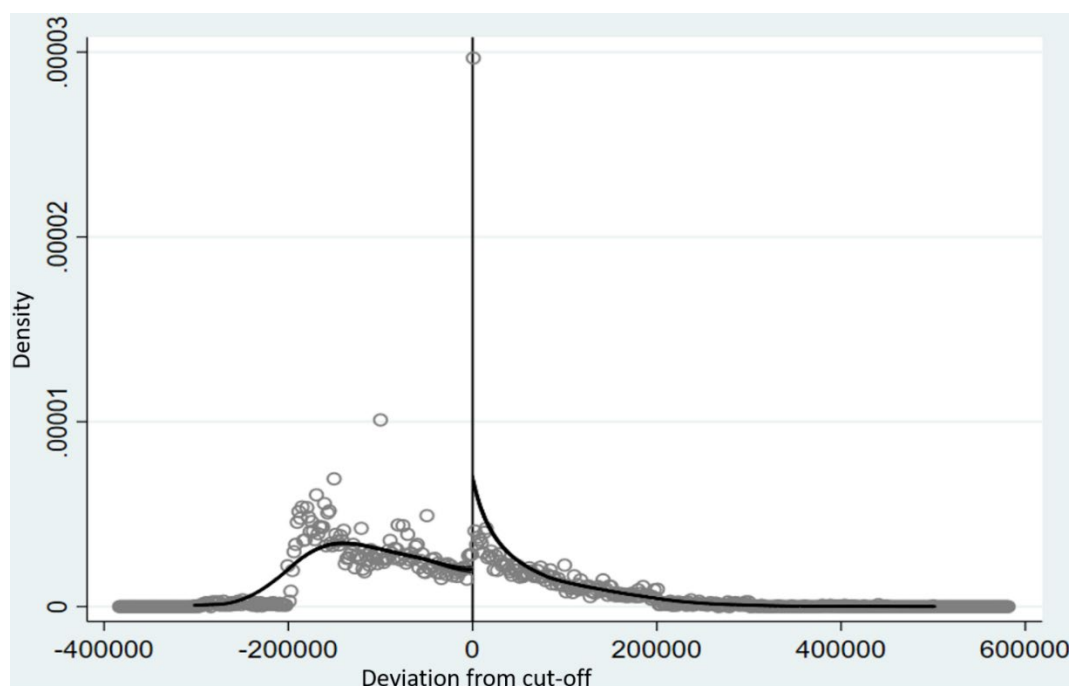
Validity tests

(A) McCrary density test

There is clear motivation for litigants to behave strategically to avail themselves of the SCP reform to facilitate a speedy, and less costly, resolution of money claim disputes. It is therefore likely that there will be manipulation in the running variable. This will put at risk the identification of the RDD analysis proposed in this study. To address this issue, we conduct a density test proposed by McCrary (2008) to determine if there is manipulation.²⁶ The McCrary density estimate is used to tell if there is discontinuity in the distribution of observation units around the threshold. As the graph shows in Figure 13, there is some evidence of a break at the threshold. However, even though there is heaping, it does not indicate manipulation in the expected sense. Had there been manipulation to exploit the availability of the SCP, it should mean that there should be heaping on the left – the eligible side of the threshold. Instead, we find heaping on the right, suggesting that our estimate is likely an underestimate of the true impact.

²⁶ The DCdensity to compute and graph the result of the test is available at: <https://eml.berkeley.edu/~jmccrary/DCdensity/>.

Figure 13: McCrary density test



(B) Breaks in likely determinants

In analyzing the impact of SCP reform on case duration and disposal, we identified available indicators that may provide information on possible bias. The collected data on the small claims cases and regular money claims cases were merged with a database containing vacancy information on court staff and judges.²⁷ Since court and case characteristics are expected to affect the speed of case disposal, we test for breaks in these variables to provide information on comparability of courts and cases above and below the threshold which can affect the attribution of the impact to the SCP reform.

Since the treatment impact estimate of RD is based on a break in the outcome of interest at the threshold, a standard validation test for RD is to check whether there is also a break in the likely determinants of outcome aside from the treatment. A break in the determinants at the threshold means whatever break is found in the outcome may be contaminated by the breaks in the determinants. To test for breaks in the determinants, we run the RD estimation with the determinants as the outcome variable.

The likely determinants of the primary outcomes of the study are court and case characteristics. We use the proportion of occupied positions of the court and the age of the judge at the time of filing of the case (as a proxy for experience) as the likely determinants of the primary outcomes. It is expected that a court with fewer vacant positions and a more experienced judge will have greater efficiency and process more cases. In Figure 14 and Figure 15, the results of the RD estimations are presented and there appear to be no breaks in potential determinants of outcomes, namely: (a) proportion of occupied positions and (b) age of judge. These results imply that these are not likely causes of whatever break may be at the threshold.

²⁷ The weakness of these variables is that these are not data from the time of filing (these are not available) but are the most recent court-level data available.

Figure 14: RD estimation using proportion of occupied positions

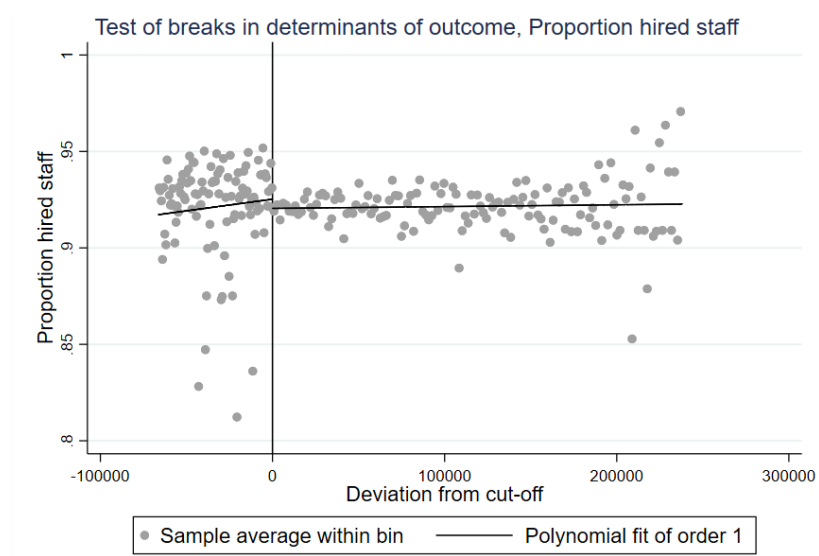
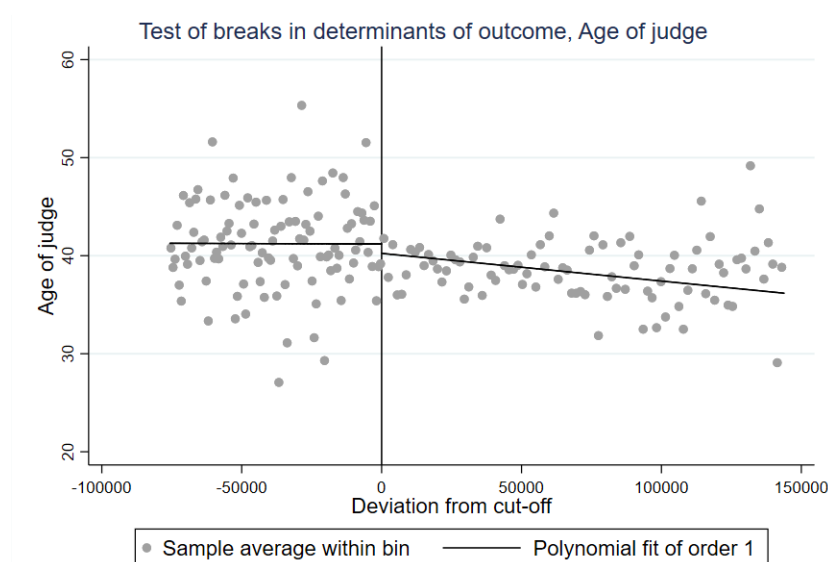


Figure 15: RD estimation using age of judge



4.2.2 Estimation results²⁸

Case duration

We measure case duration as the difference between the date the case was decided and the date it was filed, excluding cases that have not yet been resolved. Overall, we find that the SCP have a statistically significant impact on case duration. In Table 7, we present the RD estimation for all results using case duration as the outcome, with court- and time-fixed effects, and errors clustered by court. Following the convention of measuring impact as the difference between the outcome for the treated to the right of the threshold and the outcome of the comparison to the left of the threshold, we reverse the order of the running variable (i.e. cases below the SCP threshold – treated – are on the right and cases above the SCP threshold – comparison – are on the left).

²⁸ We conduct a supplemental RD estimation analysis on all outcomes using a local polynomial order 2. The results are in Appendix D.

Table 7: RD estimations using case duration (in days) as outcome

Method	Coef.	Std Error	z	P> z	95% Conf. Interval	
Panel 1: Sharp RD estimations, all phases						
Conventional	-32.429	12.147	-2.670	0.008	-56.236	-8.622
Robust	-	-	-2.311	0.021	-60.041	-4.930
	Left	Right				
Bandwidth ^a	71215.117	80345.558				
N	1208	3208				
Phase 1						
Conventional	-98.672	26.425	-3.734	0.000	-150.463	-46.881
Robust	-	-	-3.409	0.001	-162.341	-43.810
	Left	Right				
Bandwidth ^a	122000	29134.313				
N	757	520				
Phase 2						
Conventional	-61.626	6.080	-10.136	0.000	-73.543	-49.709
Robust	-	-	-8.712	0.000	-73.796	-46.691
	Left	Right				
Bandwidth ^a	495	2376				
N	38894.031	97852.766				
Phase 3						
Does not have enough obs to allow for estimation of RD.						
Panel 2: Fuzzy RD estimation						
Conventional	-50.963	18.322	-2.782	0.005	-86.874	-15.052
Robust	-	-	-2.410	0.016	-92.217	-9.490
	Left	Right				
Bandwidth ^a	75012.863	71638.066				
N	1255	2831				
Panel 3: RD estimation, excluding misclassified cases						
Conventional	-32.639	13.395	-2.437	0.015	-58.894	-6.385
Robust	-	-	-2.019	0.043	-60.954	-0.907
	Left	Right				
Bandwidth ^a	72233.24	50560.882				
N	1201	1736				

Note: Local polynomial order 1. Estimation adjusted for clustering of errors at the court level

^a Using two different Mean Square Error (MSE)-optimal bandwidth selectors.

Sharp RD estimations for all phases and by phase

The continuity approach of RD estimates for all phases a statistically significant reduction in case duration by 32 days on average for small claims cases as compared to non-small

claims cases. We further explore the impact estimates of case duration by phases of SCP. Analysis by phase also shows statistically significant reductions in both Phase 1 and Phase 2 for small claims cases. Phase 1 shows a reduction by 99 days on average, while Phase 2 shows a reduction by 62 days on average. Phase 3 does not have enough observations to enable an estimation. We show the results in Panel 1 of Table 7. Figure 16, Figure 17 and Figure 18 depict the estimates for All Phases, Phase 1 and Phase 2, respectively.

Figure 16: RD estimation using case duration (in days) as outcome

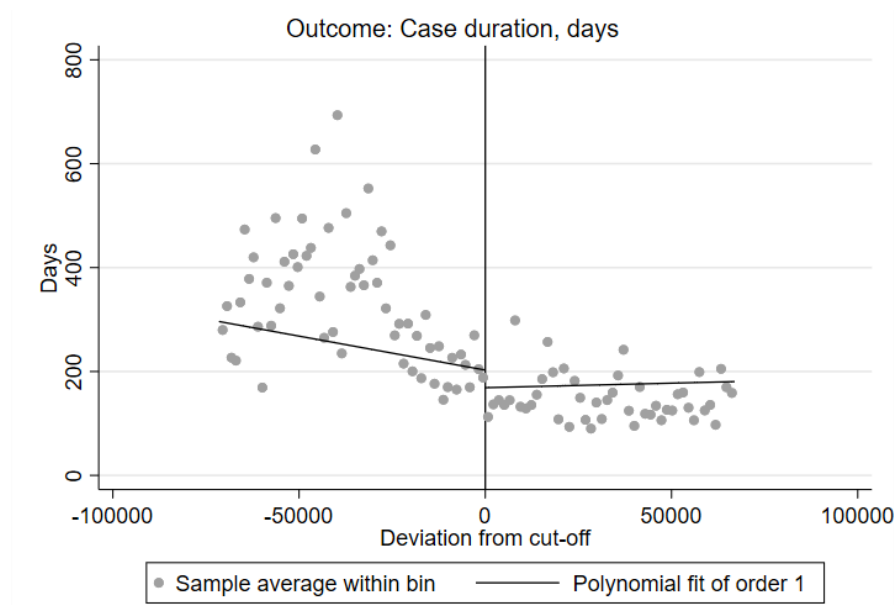


Figure 17: Phase 1 RD estimation using case duration (in days) as outcome

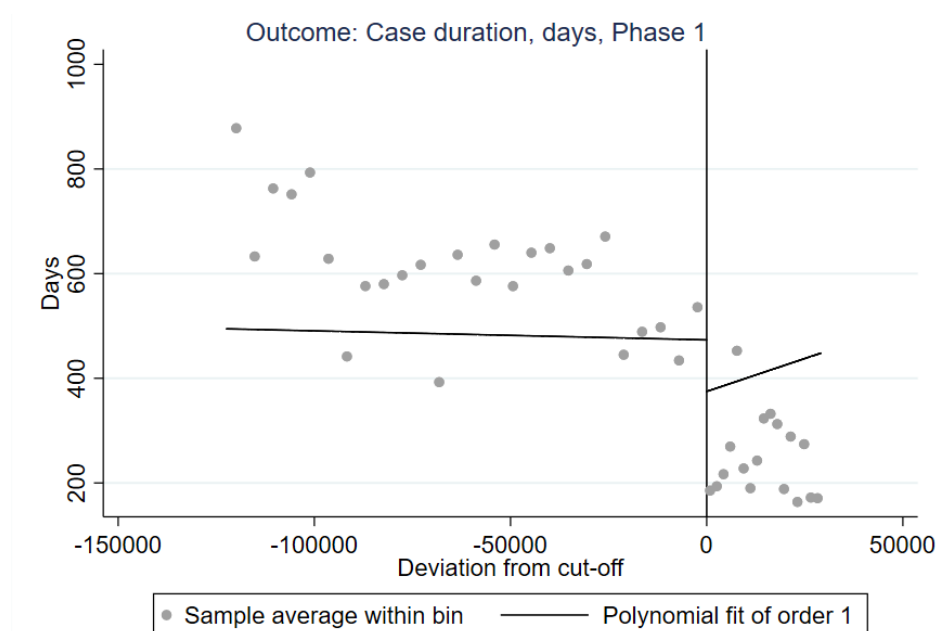
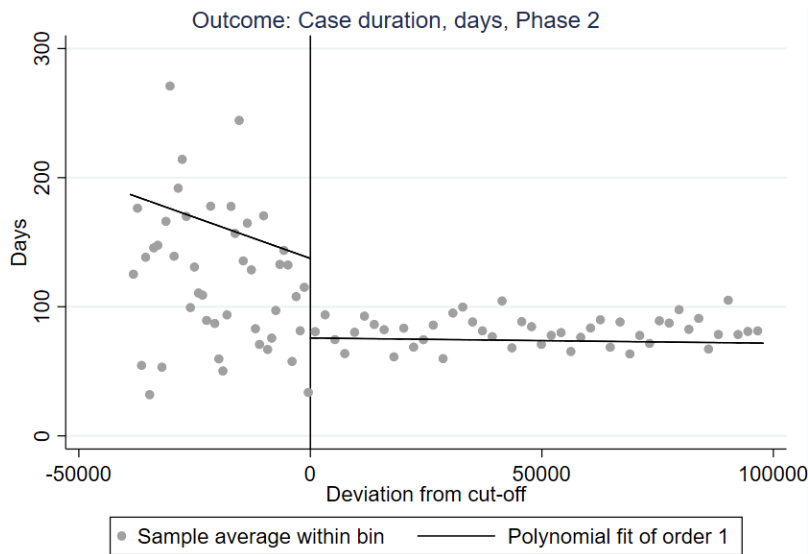


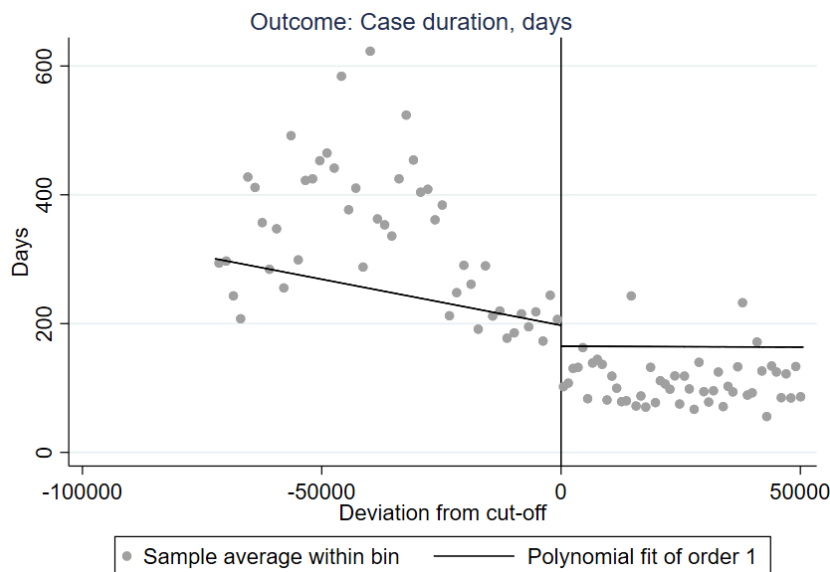
Figure 18: Phase 2 RD estimation using case duration (in days) as outcome



Addressing misclassified cases

We next consider the effect of misclassified cases in the estimations. In court records, 12 per cent of the 10,762 cases below the threshold were not considered small claims, while 0.41 per cent of the 5,122 cases above the threshold were considered small claims. In the first approach to addressing misclassified cases we use a fuzzy RD. In Panel 2 of Table 7, we show that fuzzy RD estimates result in a statistically significant reduction in case duration by 51 days on average for small claims cases compared to non-small claims cases. In the second approach to addressing misclassified cases, we exclude the misclassified cases. The result of the RD estimation excluding the misclassified cases in Panel 3 of Table 7 also shows a statistically significant reduction in case duration by almost 33 days on average for small claims cases. Figure 19 illustrates the estimation excluding misclassified cases.

Figure 19: RD estimation using case duration (in days) as outcome, excluding misclassified cases

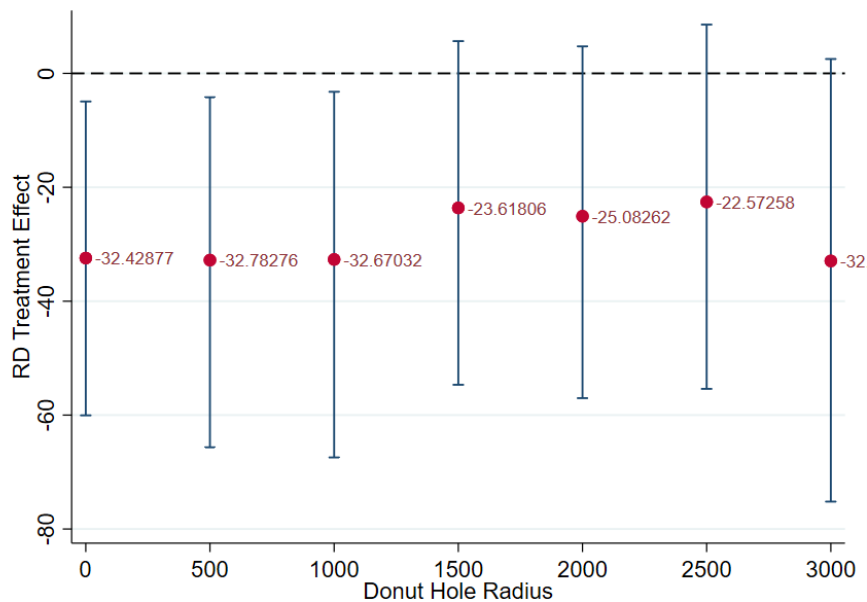


Donut hole analysis

The imbalance in the heaping of cases near the cut-off, as shown in the results of the McCrary density test, will affect the estimation results. To determine the effect of this phenomenon, we remove cases around the threshold in the estimation, in what is labelled as donut hole analysis. We progressively widen the hole from 500 to 3,000 in steps of 500.

The estimation results show that when one removes the cases near the cut-off, the impact estimates remains significantly negative until the removal of cases up to 1,000 from the threshold. Beyond that point until 3,000, while remaining negative the estimates become statistically insignificant. So, removing cases near the threshold does not change the direction of the impact, although it renders the estimate insignificant as one widens the hole. Figure 20 plots the RD treatment effect using the donut hole analysis.

Figure 20: Donut hole analysis using case duration (in days) as outcome



Proportion of cases disposed in 60 days

In the analysis using case duration as the outcome, we only consider cases that are disposed during the study period, which covers the time periods of Phases 1, 2 and 3 (March 18, 2010–March 31, 2019). This, however, does not capture the entire caseload of the courts. To capture the total caseload, the proportion of cases resolved in 60 days is used as an outcome. We supplement the analysis in the next section with estimates using the proportion of cases resolved in 30 days.

We find that for the RD estimation across all phases, fuzzy RD estimation and RD estimation excluding misclassified cases using cases disposed in 60 days yield insignificant impacts on small claims cases; however, estimates in Phase 1 and Phase 2 show significant increases in disposing small claims cases. In Table 8, we present the RD estimation for all results using the proportion of cases disposed in 60 days as the outcome, with court- and time-fixed effects and clustering by court.

Table 8: RD estimations using cases disposed in 60 days, proportion as outcome

Method	Coef.	Std Error	z	P> z	95% Conf. Interval	
Panel 1: Sharp RD estimations, all phases						
Conventional	0.021	0.024	0.848	0.396	-0.027	0.068
Robust	-	-	0.604	0.546	-0.035	0.067
	Left	Right				
Bandwidth ^a	81894.271	78906.757				
N	3072	3727				
Phase 1						
Conventional	0.122	0.023	5.229	0.000	0.076	0.168
Robust	-	-	5.124	0.000	0.078	0.174
	Left	Right				
Bandwidth ^a	80028.037	24827.892				
N	645	566				
Phase 2						
Conventional	0.083	0.023	3.578	0.000	0.038	0.129
Robust	-	-	3.118	0.002	0.028	0.124
	Left	Right				
Bandwidth ^a	42058.716	80826.712				
N	1416	2275				
Phase 3						
Conventional	-0.015	0.020	-0.746	0.456	-0.054	0.024
Robust	-	-	-0.641	0.522	-0.066	0.034
	Left	Right				
Bandwidth ^a	90589.49	62364.547				
N	294	33				
Panel 2: Fuzzy RD estimation						
Conventional	0.034	0.038	0.885	0.376	-0.041	0.108
Robust	-	-	0.615	0.538	-0.055	0.106
	Left	Right				
Bandwidth ^a	100000	49489.451				
N	3508	2361				
Panel 3: RD estimation, excluding misclassified cases						
Conventional	0.135	0.074	1.819	0.069	-0.010	0.280
Robust	-	-	1.542	0.123	-0.034	0.281
	Left	Right				
Bandwidth ^a	136000	161000				
N	4064	6919				

Note: Local polynomial order 1. Estimation adjusted for clustering of errors at the court level

^a Using two different Mean Square Error (MSE)-optimal bandwidth selectors.

Sharp RD estimations for all phases and by phase

The RD impact estimate for all phases shows that the proportion of cases is higher in small claims cases compared to non-small claims cases at the threshold, but it is not statistically significant. The proportion of resolved small claims cases is higher by two percentage points compared to non-small claims cases. A higher proportion of cases resolved would be indicative of higher productivity.

We further explore the impact estimates of cases disposed in 60 days by the phases of the SCP. The analysis by phase again shows a higher proportion of cases resolved in 60 days for small claims cases compared to non-small claims cases for Phase 1 and Phase 2. This is a positive 12 per cent increase in Phase 1 and a positive 8 per cent increase in Phase 2, with both being statistically significant. However, Phase 3 shows a negative but insignificant impact. We show the results in Panel 1 of Table 8. Figure 21, Figure 22, Figure 23 and Figure 24 depict the estimates for All Phases, Phase 1, Phase 2 and Phase 3, respectively.

Figure 21: RD estimation using cases disposed in 60 days, proportion as outcome

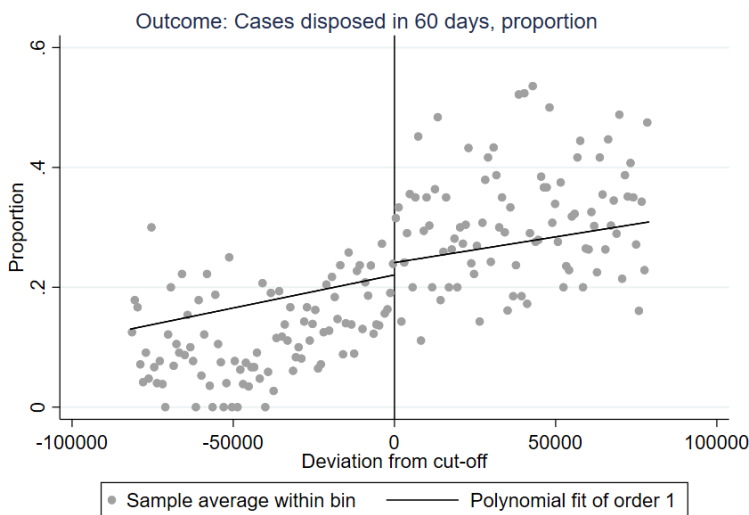


Figure 22: Phase 1 RD estimation using cases disposed in 60 days, proportion as outcome

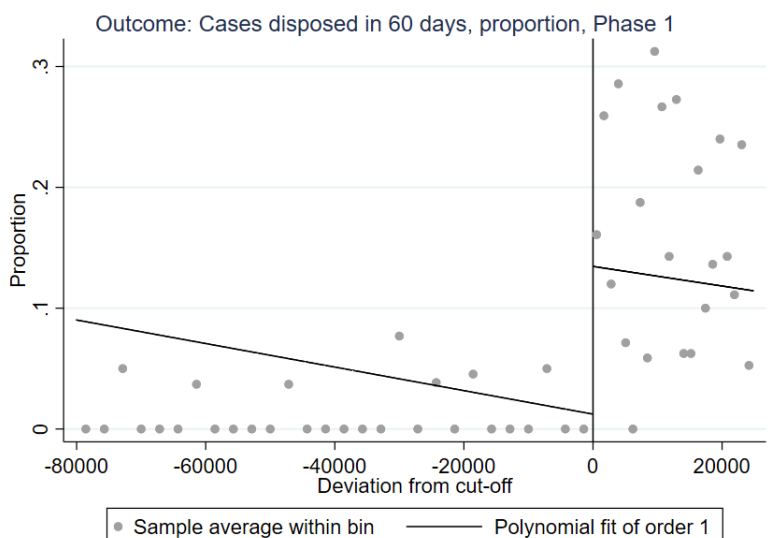


Figure 23: Phase 2 RD estimation using cases disposed in 60 days, proportion as outcome

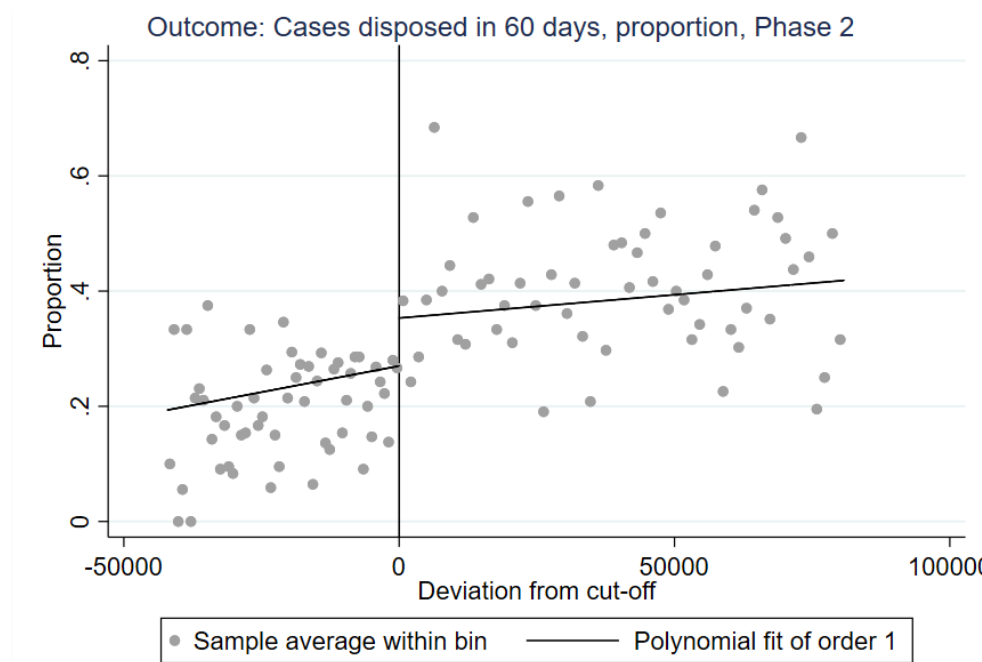
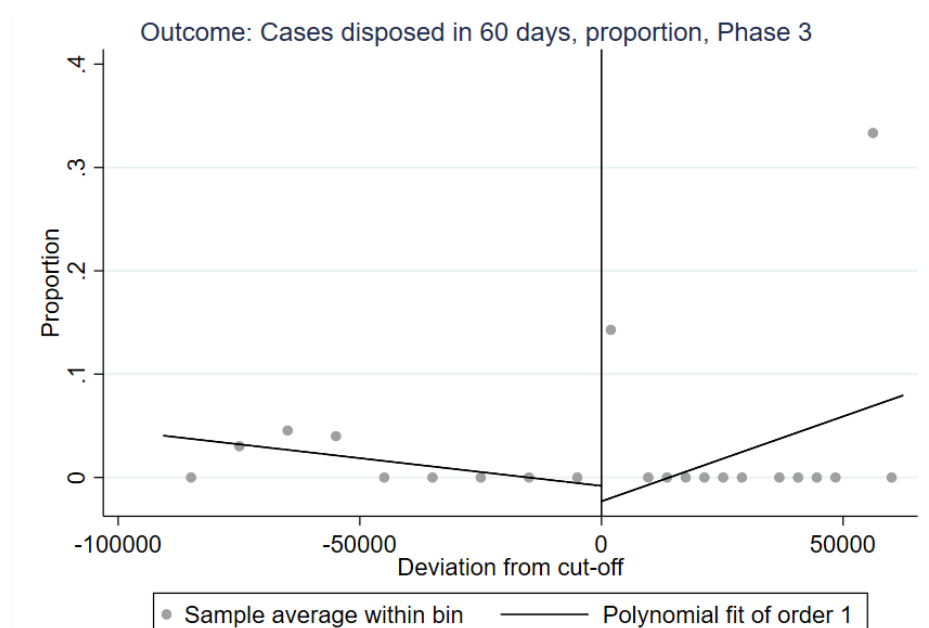


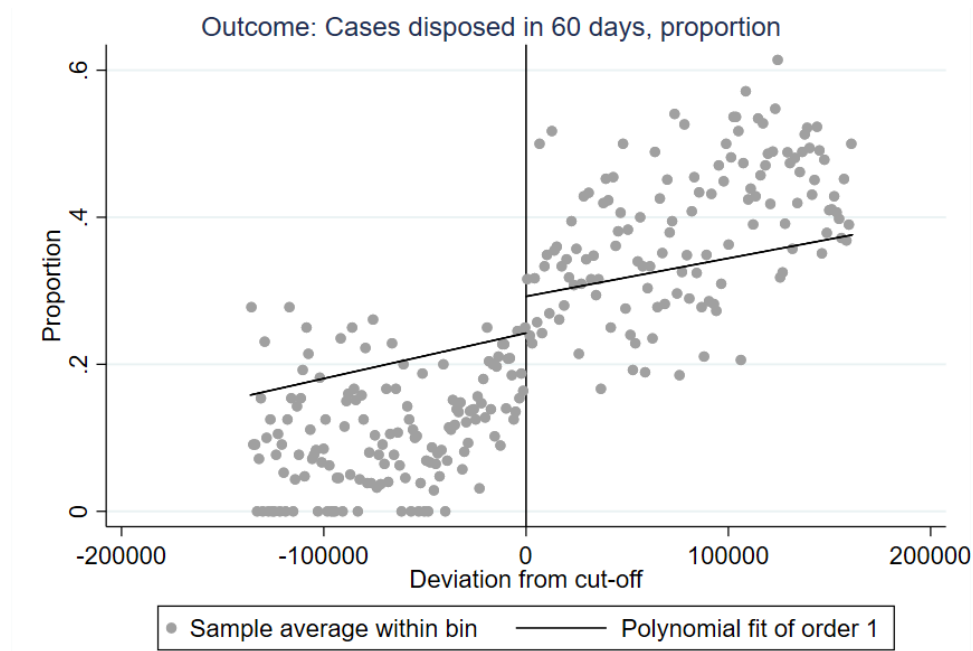
Figure 24: Phase 3 RD estimation using cases disposed in 60 days, proportion as outcome



Addressing misclassified cases

The analysis considering the misclassification of cases increases the difference in the proportion disposed in 60 days between small claims cases and non-small claims cases to 3 per cent for fuzzy RD and to 14 per cent for the RD estimate excluding the misclassified cases, although, in both cases the estimates are not statistically significant. We show the results for fuzzy RD estimate and RD estimate excluding misclassified cases in Panel 2 and Panel 3 of Table 8, respectively. Figure 25 illustrates the estimation excluding misclassified cases.

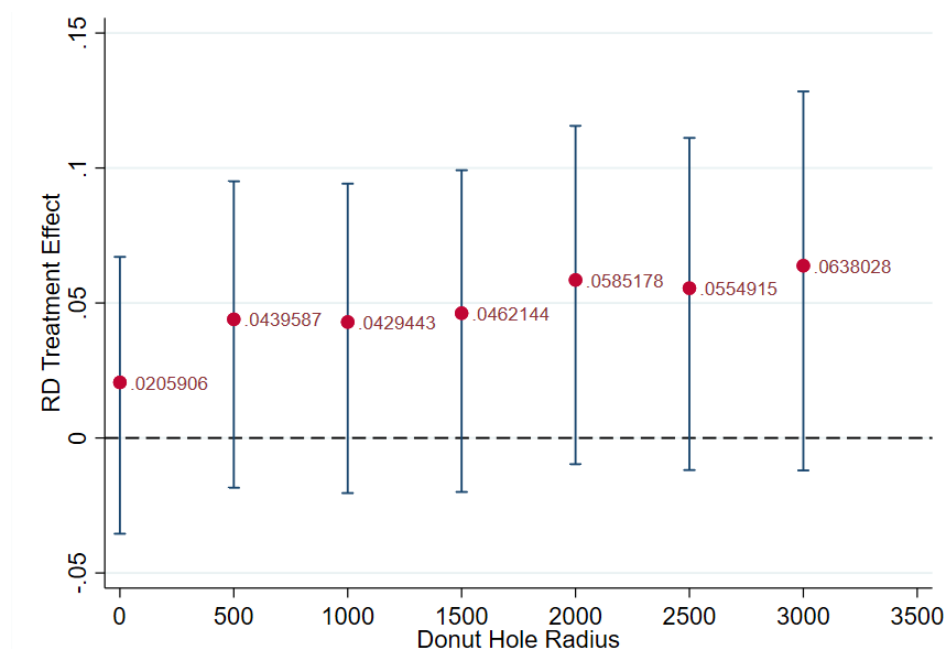
Figure 25: RD estimation using cases disposed in 60 days, proportion as outcome, excluding misclassified cases



Donut hole analysis

Similar to the analysis using case duration, we conduct a donut hole analysis using cases disposed in 60 days to examine the sensitivity of the RD treatment effect. Again, we progressively widen the hole from 500 to 3,000 in steps of 500. Removing cases around the threshold shows the sensitivity of the results to excluding cases around the threshold. The differences between the proportion disposed in 60 days for small claims relative to non-small claims widens from 2 per cent to 6 per cent, although these are all not statistically significant. Figure 26 plots the RD estimates using a donut hole analysis.

Figure 26: Donut hole analysis using cases disposed in 60 days, proportion as outcome



Proportion of cases disposed in 30 days

The SCP stipulate that the date of the hearing should not be more than 30 days from the filing date of the claim, unless the defendant resides outside of the court jurisdiction, in which case it is 60 days. We further analyze the outcome proportion of cases disposed in 30 days. Overall, the RD estimation for All Phases, the fuzzy RD estimation and the RD estimation excluding misclassified cases show a statistically significant decline in case disposal in 30 days for small claims cases compared to non-small claims; however, in Phase 1 the impact estimate is significantly positive.

In Table 9, we present the RD estimation for all results using the proportion of cases disposed in 30 days as the outcome with court- and time-fixed effects and clustering by court.

Table 9: RD estimations using cases disposed in 30 days, proportion as outcome

Method	Coef.	SE	z	p> z	95% conf. interval	
Panel 1: Sharp RD estimations						
All Phases						
Conventional	-0.124	0.020	-6.175	0.000	-0.164	-0.085
Robust	–	–	-5.6797	0.000	-0.171	-0.083
	Left	Right				
Bandwidth ^a	89610.92	77326.41				
N	3263	3663				
Phase 1						
Conventional	0.043	0.011	4.0372	0.000	0.022	0.065
Robust	–	–	4.0447	0.000	0.023	0.067
	Left	Right				
Bandwidth ^a	34717.66	32152.69				
N	285	653				
Phase 2						
Conventional	-0.108	0.018	-6.1242	0.000	-0.143	-0.073
Robust	–	–	-5.9114	0.000	-0.150	-0.075
	Left	Right				
Bandwidth ^a	40708.8	89762.32				
N	1391	2533				
Phase 3						
Does not have enough observations to allow for estimation of RD.						
Panel 2: Fuzzy RD estimation						
Conventional	-0.197	0.027	-7.3931	0.000	-0.249	-0.145
Robust	–	–	-6.9597	0.000	-0.260	-0.146
	Left	Right				
Bandwidth ^a	77084	43419.38				
N	2949	2149				
Panel 3: RD estimation, excluding misclassified cases						
Conventional	-0.188	0.023	-8.2853	0.000	-0.233	-0.144
Robust	–	–	-7.7305	0.000	-0.239	-0.142
	Left	Right				
Bandwidth ^a	3370	2284				
N	95232.15	59594.55				

Note: Local polynomial order 1. Only the impact estimates are provided and coefficients of court- and time-fixed effects are omitted. Estimation adjusted for clustering of errors at the court level. SE: standard error.

^a Using two different Mean Square Error (MSE)-optimal bandwidth selectors

Sharp RD estimations for all phases and by phase

The RD estimation for all phases shows a significant 12 per cent decline for the proportion of small claims cases disposed in 30 days. The analysis by phase shows a higher proportion of cases resolved in 30 days for small claims compared to non-small claims for Phase 1 and the opposite for Phase 2. This is 4 per cent for Phase 1, and -11 per cent for Phase 2. We present the impact estimates for All Phases and by phase in Panel 1 of Table 9.

Table 5 provides an explanation of seemingly odd results in Phase 2 that shows a decline in the proportion of cases disposed. It is shown in that table that in Phase 2 the number of small claims cases is 8,530 compared to 3,316 for non-small claims, or 2.6 times more claims. It is noticeable that the difference is not as pronounced in both Phase 1 and Phase 3. The surge in small claims cases in Phase 2 explains why there is a reduction in disposal of cases in 30 days in Phase 2. Phase 3 did not have enough observations to allow for an estimation of RD. Figure 27, Figure 28 and Figure 29 present graphs for the RD estimations using proportion of cases disposed in 30 days for All Phases, Phase 1 and Phase 2, respectively.

Figure 27: RD estimation using cases disposed in 30 days, proportion as outcome

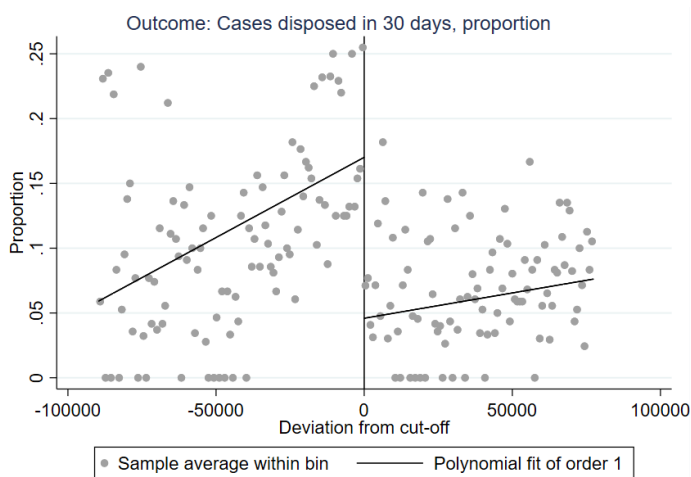


Figure 28: Phase 1 RD estimation using cases disposed in 30 days, proportion as outcome

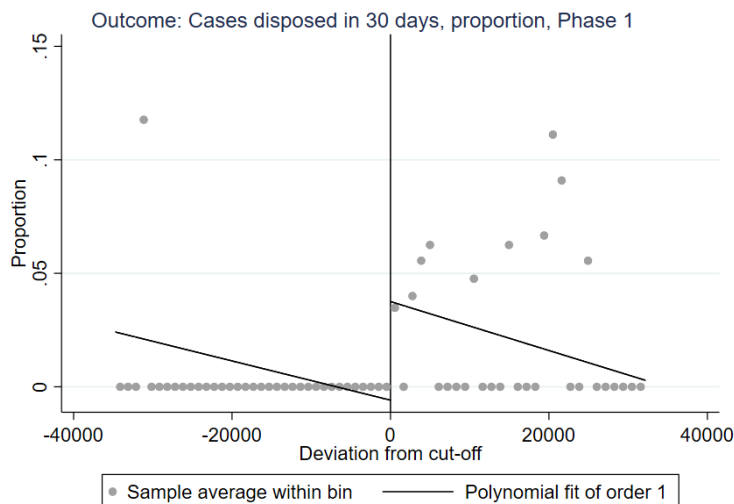
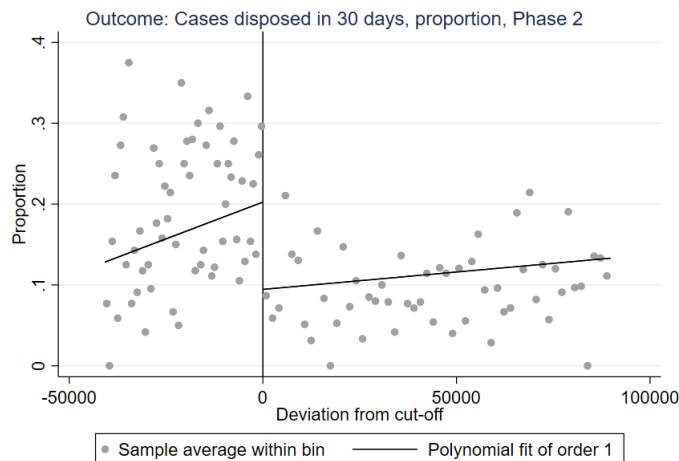


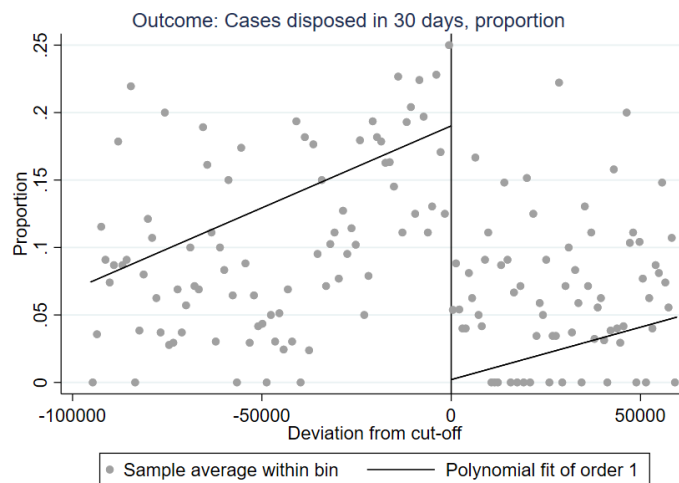
Figure 29: Phase 2 RD estimation using cases disposed in 30 days, proportion as outcome



Addressing misclassified cases

The analysis considering the misclassification of cases increases the difference in the proportion disposed in 30 days between small claims and non-small claims to -20 per cent for fuzzy RD and -19 per cent for the RD excluding the misclassified cases and, in all cases, the estimates are statistically significant. We show the results for fuzzy RD and RD excluding misclassified cases in Panel 2 and Panel 3 of Table 9, respectively. Figure 30 shows the RD estimation excluding misclassified cases using the proportion of cases disposed within 30 days of filing as the outcome.

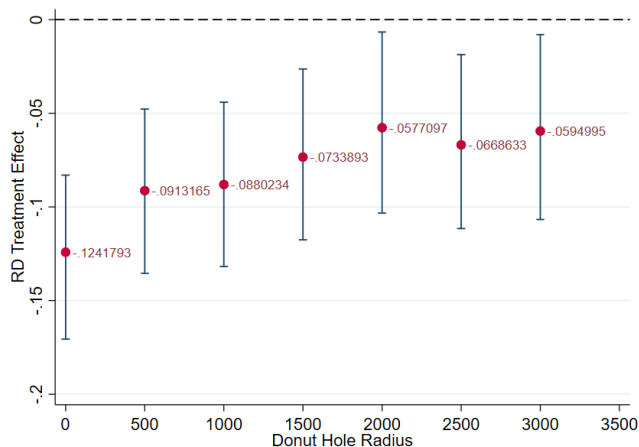
Figure 30: RD estimation using cases disposed in 30 days, proportion as outcome, excluding misclassified cases



Donut hole analysis

Similar to the other analyses, we conduct a donut hole analysis using cases disposed in 30 days to examine the sensitivity of the RRD treatment effect. Again, we progressively widen the hole from 500 to 3,000 in steps of 500. Removing cases around the threshold shows the sensitivity of the results to excluding cases around the threshold. The differences between the proportion disposed in 30 days for small claims relative to non-small claims narrows from -12 per cent to -6 per cent and these are all statistically significant. Figure 31 plots the RD estimates using a donut hole analysis.

Figure 31: Donut hole analysis using cases disposed in 30 days, proportion as outcome



5. Discussion

5.1 Findings

The SCP reform was introduced with the aim to provide simplified, inexpensive and speedy case processing for small claims, thereby increasing access to justice. In our study, we sought to answer the question whether improvements in technology and case management practices reduce court congestion and improve court efficiency. Using SC data from the SC2MS and the eCourt system, we conducted an RDD to estimate the impacts of the SCP reform on two main efficiency outcomes, namely, (H1a) case duration or the time it takes to resolve a case from the date of filing and (H1b) proportion of cases disposed in 60 and 30 days.

Our RD estimates show strong support for SCP overall, but with variation in the size and direction of effects depending on phase (i.e. the monetary threshold for small claims). On average, across all phases, we find that the SCP reform provides a statistically significant reduction in case duration by 32 days; a small but statistically insignificant increase of 2 percentage points in the proportion of cases resolved within 60 days; and a large and statistically significant 12 percentage-point decrease in the proportion of small claims cases disposed within 30 days.

Unbundling these by phase provides some indication as to why. In Phase 1, where the threshold was PHP100,000, SCP impacts are statistically significant and efficiency improves across all measures: case duration declines by 99 days, the proportion of cases resolved in 60 days increases by 12 percentage points and the proportion of cases resolved in 30 days increases by 4 percentage points. In Phase 2, the threshold was set at PHP200,000 and instead we find that the SCP impacts are statistically significant but mixed: case duration declines by 62 days, the proportion of cases resolved in 60 days increases by 8 percentage points and the proportion of cases resolved in 30 days declines by 11 percentage points. The muted effects on the first two indicators suggest that by increasing the threshold, the larger number of cases rerouted through the SCP clogged the courts, and the negative effect on the third indicator suggests that these cases were on average harder to resolve within a shorter time period (30 days).

The quantitative findings are consistent with the overall responses received from the qualitative interviews and online survey. About 75 per cent of the online survey respondents believe that the SCP somewhat increased or significantly increased disposition of small claims cases. A few interview respondents noted that they perceive the reform to have impacted case disposition, but not caseload. It may be the case that what respondents have in mind in giving their impressions are small claims cases compared to non-small claims cases away from the threshold.

While we did not find evaluation studies specifically on the impact of small claims reforms on court efficiency measures, our findings seem in line with the many findings of studies on procedural and case management reforms that have generally shown improvements in judicial outcomes. In a paper reviewing evidence of judicial reforms across countries, Botero et al. (2003) point out that incentive-oriented reforms, simplifying procedures and making them more flexible, yield better results compared to reforms focused on either increasing resources or reducing access.

Chemin (2009b) estimates that judges who were trained in case management techniques were able to dispose more cases on average, ranging from 182 to 581 additional cases depending on the estimation technique used. In studying the effect of a reform in Senegal, Kondylis and Stein (2018) estimate that it reduced case duration by 46 days. Another study by Chemin (2010) shows that the introduction of amendments to the Code of Civil or Procedure in India simplified and shortened procedural handling, decreasing both the number of pending cases and average case duration.

A limitation of this study is that it only covers first-level courts under a separate reform, the eCourt system. Courts under eCourts use an electronic case management system, making case-level data accessible for analysis. However, eCourts are in mostly highly urbanized cities in heavily burdened courts and only cover 7 per cent of first-level courts in the country. Therefore, the study may not be generalizable across the Philippines since the courts outside Metropolitan Manila and other cities will have different characteristics, and the results may be different. However, given that the SCP reform is supposed to help address congestion issues, the findings are policy relevant in shedding light on the effect of the reform on highly congested courts.

Expanding the study beyond eCourts to cover the same timeframe would require courts to back-encode cases, which may not be feasible. Further checks and validation of both the small claims and non-small claims case data would strengthen the internal validity of the findings. The team had planned to deploy a field team to conduct validation checks at the court level, which would have covered data checks from the SCP as well as the other two reforms under evaluation; however, this could not be pursued due to COVID-19 pandemic restrictions.

5.2 Challenges and lessons learned

Given the sensitive nature of the evaluation, it is important to consider the timeframe for approval processes in the research design and timeline. IPA initially encountered delays in obtaining the necessary Supreme Court en banc approval to proceed with the research study due to changes in leadership within the SC. The resolution for IPA's evaluation research was proposed in 2018 and was issued by the Supreme Court en

banc on January 8, 2019, and approved by Chief Justice Lucas P. Bersamin on January 29, 2019. It was critical to stay engaged with many levels within the SC over the course of the project to maintain and sustain support and interest in the research.

Second, due to the shortened timeline of the project, we pursued research designs using SC administrative data. The collection, processing and cleaning of the administrative data had unanticipated challenges. The data collected were sourced from several offices and databases within the SC, and often only one or two staff had the technical capability to assist with extraction requests. In some offices the data extraction was complex and required much of the staff's time to meet our requests. The data from each system were set up differently and not designed to be compatible, so the team had to find solutions for data cleaning and to merge the large datasets. Considerable time was spent cleaning and reconciling the collected data, creating consistent identifiers for each court branch and case, matching them with their respective geographic codes and socioeconomic indicators, and merging separate datasets together for the analysis.

Third, we discovered that the eCourt database did not contain values for money claims. We employed a field team to collect the limited case data from the courts for the money claims above the SCP thresholds. However, not all of the courts were able to pull out the physical case records we had identified in the sample. The reasons for non-retrieval included case files that were under appeal or had been transferred, as well as files stored in off-site warehouses due to lack of physical space within the courthouse. We were only able to collect information on 60 per cent of the intended cases and we were not able to deploy a field team to conduct follow up visits due to COVID-19 restrictions. The total number of cases collected were still adequate for the RD.

6. Conclusions and recommendations

The study finds strong but nuanced evidence in support of the SCP reform. While average impacts of the reform are mixed when considering all monetary thresholds, the impact estimates are large, significant and unambiguously efficiency enhancing for the lowest threshold (PHP100,000), and more muted and mixed for the second lowest (PHP200,000). The key takeaway is that, as one might expect, higher money value claims are more complex and take longer to resolve, irrespective of the procedure.

Increasing the threshold to allow more of these claims to go through the SCP dilutes the reforms impacts (comparing Phase 1 to Phase 2), and further increases in effect nullify the SCP impacts altogether (comparing Phase 1 and 2 to average impacts). This suggests a straightforward policy prescription: threshold-setting is key to the success of SCP reform and secular increases to the threshold are unlikely to yield consistently efficiency-improving impacts.

It is clear that the SCP have great potential to improve court efficiency, but this is highly dependent on the level of the threshold. For this reason, it is essential to continue to monitor SCP effects during further threshold changes. To lay the groundwork for future work, we offer the following recommendations:

- 1) Strengthen the monitoring of data encoded by the courts. Checks on key monitoring data may include date logic, duration between key dates, missing fields, uniform encoding practices and other key monitoring needs. Checks may

be integrated into data management systems or run separately using statistical software. Monitoring reports and/or data audits sent to the courts may help increase use of data systems and accuracy of data inputs. We note that this research study would not have been possible without the eCourt system database. The eCourt system and the systems currently under development for all courts will allow the SC not only to better monitor their courts and reforms, but to engage in future research endeavors to determine whether they are achieving their envisioned impact. However, it will be necessary to strengthen monitoring on accuracy and completeness to ensure policy makers are using credible and reliable data to guide evidence-based decision-making.

- 2) Record case details of both small claims and non-small claims cases, including the party, pertinent dates and money claims value. Improving the recording of both small and non-small claims cases will improve monitoring of the SCP. This will provide ample data and will provide a more definitive estimation of results in future analysis of the SCP. Additionally, reasons for misclassification of cases may need further study.
- 3) Revisit the SCP theory of change and identify solutions for areas where assumptions do not hold. For instance, the Philippine postal service was noted in our qualitative interviews as a possible cause of hold-ups in case processing and suggestions were raised about using electronic mail. The 24-hour rule was also noted as a concern for complex cases and suggestions were raised about allowing for an additional hearing for such cases. Addressing areas in the program's implementation where design assumptions no longer hold will help ensure that the reform achieves its objective.
- 4) Establish accurate monitoring data for small and non-small claims to provide baseline information as well as critical feedback data if the jurisdictional limit of first-level courts is to be increased to PHP1,000,000, and for subsequent increases to the SCP threshold.
- 5) Explore other methodologies to measure the impact of the SCP. The current method has assumptions that may not hold true for the nature of the cases evaluated. Methodologies used by researchers who have done similar research in other countries can be adopted.
- 6) Consider and test (e.g. through randomized experiments) other best practices in small claims case procedures in the Philippine context, such as electronic filing of forms or categorizing levels in the rules based on the complexity of cases.
- 7) Conduct further research on the impact of litigants to shed light on quality of and access to justice. This could include exploring take-up through informational campaigns, understanding knowledge of and/or perception of the SCP, examining benefits to the underprivileged, and determining the effectiveness of the justice served. Other research could study benefits to businesses in relation to the World Bank's Ease of Doing Business rankings and ties to economic performance of firms.

Online appendixes

Online appendix A: FGD guide

https://www.3ieimpact.org/sites/default/files/2020-12/PWP.03.SC_.IE_SCP-Online-appendix-A-FGD-Guide.pdf

Online appendix B: Online survey

https://www.3ieimpact.org/sites/default/files/2020-12/PWP.03.SC_.IE_SCP-Online-appendix-B-Online-Survey.pdf

Online appendix C: Pre-analysis plan

https://www.3ieimpact.org/sites/default/files/2020-12/PWP.03.SC_.IE_SCP-Online-appendix-C-Pre-Analysis-Plan.pdf

Online appendix D: RD estimation results, local polynomial order 2

https://www.3ieimpact.org/sites/default/files/2020-12/PWP.03.SC_.IE_SCP-Online-appendix-D-RD-estimation-results-local-polynomial-order-2.pdf

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