

JOINT MEMORANDUM CIRCULAR NO. 001

OFFICE OF THE COURT ADMINISTRATOR-SUPREME COURT
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
PAROLE AND PROBATION ADMINISTRATION

SUBJECT : GUIDELINES AND PROCEDURES IN THE
IMPLEMENTATION OF SUPREME COURT
ADMINISTRATIVE CIRCULAR NO. 17-2003 DATED
12 MARCH 2003

Pursuant to the Probation Law (*Section 10 of P.D. 968, as amended*)
Supreme Court Administrative Circular No. 17-2003 (*dated 12 March*
2003) and in line with the policy of the State to protect and advance the
right of Filipino people to a balanced and healthful ecology (Article II,
Section 16, 1987 Constitution), the following guidelines are hereby
prescribed for the information, guidance and compliance of all
concerned:

PRELIMINARY PROVISIONS

Section 1. Basic Policy.

It is the policy of the State to protect and advance the right of the
Filipino people to a healthful environment and establish holistic
ecosystem approach to restore Earth's natural system.

It is also the policy of the State to rehabilitate criminal offenders
and restore their relationship with society as useful and law-abiding
citizen. To achieve this goal, the State may place the offender under
probation, subject to certain conditions, such as rendering service to the
community.

Section 2. Name of the Program. This joint memorandum circular shall
be known as "Tree Planting Program for Probationers".

Section 3. Objectives. The following objectives shall be pursued:

To promote the relevance of tree planting as a State policy to
protect the right of the Filipino people to a healthful ecology;



To assist in the rehabilitation of open and denuded public and private lands, as may be permitted under the guidelines and to promote its sustainable management; and

To rehabilitate the offender through Community Work Service by planting trees as a therapeutic intervention to reconnect the offender with nature, to inculcate in him civic duties and to contribute economic development and nation building.

Section 4. Definition of Terms

- a) **Alienable and Disposable (A&D) lands** – lands of public domain which have been the subject of the present system of classification and declared as not needed for forest purposes.
- b) **Administrator** – refers to Administrator of Parole and Probation Administration
- c) **Court Administrator** – refers to the Administrator of the Supreme Court
- d) **Communal Grazing or Pasture lands** – refer to a portion of land established for grazing of domestic livestock by the residents of the municipality for personal purposes
- e) **Forest lands** – refer to lands of the public domain which have been classified as such under the land classification program of the DENR and all unclassified lands of the public domain.
- f) **Mineral lands** – refer to lands of public domain which have been classified as such by the Secretary of the Department of Environment and Natural Resources in accordance with prescribed and approved criteria guidelines and procedures.
- f) **Open and Denuded lands** – refer to lands that have been depleted of their natural forest cover and are predominantly covered by grasses, herbs or otherwise bare of any soil cover.
- g) **Probation** – refers to a disposition under which a defendant after conviction and sentence, is released subject to conditions imposed by the trial court and the supervision of the Probation Officer
- h) **Probationer**- refers to a person placed on probation.
- i) **Probation and Parole Officer** – one who investigates for the court a referral for probation or supervises a probationer or both.

- j) **Public Lands** – refer to lands of public domain which have not been declared or alienated as private property.
- k) **Resettlement Areas** – refer to lands which have been the subject of the present classification and declared for settlement purposes other than A & D lands
- l) **Secretary** – refers to the Secretary of the Department of Environment and Natural Resources.
- m) **Silvicultural practices** – refer to methods/techniques in establishing, reproducing, developing and proper caring of forest trees.
- n) **Supervision Treatment Plan (STP)** – refers to a treatment plan worked out by both the supervising probation and parole officer and the probationer within the framework of the conditions of the probation specified in the court order. The treatment plan is focused on the particular needs of the probationer-needs which relate to certain focal point in his life or environment.
- o) **Sustainable Resource Management** – refers to meeting the needs of the present generation without compromising the ability of the future generation to meet their own needs.
- p) **Trial Judges** – refer to judges of trial courts granting the probation.
- q) **Supervising Officer** – refers to probation and parole officer who actually supervises the rehabilitation and reformation of the probationer

COVERAGE

Section 5. Coverage.

This Joint Circular shall apply to a person placed under probation after the date of its effectivity of this Joint Memorandum Circular with planting of trees as one of the conditions for probation.



COORDINATING AGENCIES

Section 6. Duties of Coordinating and Implementing Agencies/Bodies:

A. Office of the Court Administrator-Supreme Court (OCA-SC):

- a. Promulgate in coordination with the DENR and PPA, rules and regulation in accordance with the sustainable resource management, protection of natural resources and rehabilitation of the offender;
- b. Coordinate with the Trial Court Judges and concerned officers of the DENR and PPA in the effective implementation of the program;

B. Department of Environment and Natural Resources (DENR)-Community Environment Office (CENRO) :

- a) Coordinate with the concerned Chief Probation and Parole Officer in the implementation of the program, including the development of a scheme for the protection and maintenance of turned-over plantations within public lands
- b) Assist in providing suitable planting materials and seedlings of economic importance;
- c) Identify and delineate suitable areas within public lands for the purpose;
- d) Provide other forms of technical assistance in proper silvicultural practices, handling/planting and management of seedlings and in the conduct of tree planting, protection and maintenance;
- e) Conduct, on at least three (3) occasions, field inspections with emphasis on site planting activities, silvicultural treatment and maintenance and terminal site visits, prior to the issuance of the Certificate of Completion to the Probationer; and,
- f) Coordinate with the concerned Chief Probation and Parole Officer in the conduct of monitoring and evaluation to facilitate the issuance of Certificate of Completion



C. Parole and Probation Administration – Department of Justice (PPA-DOJ) :

- a) Coordinate with the Community Environment and Natural Resources Officer in the preparation and implementation of the Tree Planting Plan using the form attached as Annex “A”;
- b) Ensure that the identified planting sites are accessible from the probationer’s home for proper maintenance and protection of the planted trees;
- c) Seek the assistance of the Community Environment and Natural Resources Officer in providing the technical and financial resources for the suitable planting materials and seedlings, and proper maintenance and protection of planted trees;
- d) Prepare quarterly status report on the implementation of the Program using the form attached hereto as Annex “B”; and
- e) Ensure that the planned activities reflected in the Tree Planting Plan be implemented and accomplishments of which be recorded in the said plan.

Section 7. National Coordinating Committee (NCC)

- a) A National Coordinating Committee shall be created, composed of one (1) representative from the Parole and Probation Administration, Community Services Division, as the chairman, and one (1) representative each from the Department of Environment and Natural Resource, Planning and Policy Office and Office of the Court Administrator-Supreme Court as members, and
- b) The Committee shall monitor the implementation of this Joint Circular and in doing so it may call upon or seek the assistance of any personnel from the aforementioned offices/agencies.

PROGRAM IMPLEMENTATION

Section 8. Design and implementation of the Training Program

The Supervising Officer shall tap the Community Environment and Natural Resource Officer to design and conduct training programs for probationers on matters concerning nursery operation plantation



establishment, maintenance and protection and other agencies to teach the technology on recycling materials to inculcate the value of resourcefulness to the probationers. The Supervising Officer, in turn, will design a training program for value formation/re-orientation of the probationers .

Section 9. Tree Planting Plan

The Tree Planting Plan shall serve as an agreement between the Parole and Probation Office and Community Environment and Natural Resource Office. It shall be prepared by the CENR Officer in consultation with the Chief Probation and Parole Officer. The Chief Probation and Parole Officer, in turn, shall implement the plan through the probationers. Individual tasks shall be assigned to the probationer to be reflected in their STP to effect the commitments made by the Parole and Probation Office in the Tree Planting Plan. Please refer to Annex "A".

Section 10. Planting Sites

The planting of trees shall be done in any of the following places:

- a) Lands owned by Probationer or Probationer's family;
- b) Private lands with written consent of the owner indicating his willingness to undertake the needed expenses for development and maintenance of the project;
- c) Lands that are of public grounds such as plazas, schools, markets, roadside and parks; and,
- d) Lands of public domain designated by the DENR, such as appropriate forest lands, communal grazing or pasture lands, mineral lands, resettlement areas, A & D lands and others.

Section 11. Planting, Protection and Maintenance

- a) planting material requirements shall be provided by the nearest field offices of the DENR and Department of Agriculture or local government unit;
- b) Trees to be planted should be in accordance with the requirements provided for in the planting plan;
- c) In cases of short term probations falling within the dry season, the probationer shall take part in the maintenance and protection of the planted tree species by other probationers



within the vicinity and shall be considered as full compliance of the tree planting condition of the probationer.

Section 12. Certificate of Compliance

Upon the recommendation of the Supervising Officer duly approved by the Chief Probation and Parole Officer, for the termination of the probation, the Community Environment and Natural Resources Officer may certify that the probationer has satisfactorily complied with the tree planting requirements as one of the terms and conditions under his probation, using the form attached hereto as Annex "C"

FUNDS

Section 13. Funding

- a) The DENR shall shoulder the expenses for the production of seedlings and inspection of the planting sites;
- b) The PPA will provide the manpower resource to effect the tree planting activities;
- c) The DENR and PPA may seek assistance from any government agencies, local government unit and private institution for the implementation of the program.

PENALTY

Section 14. Any person who issues false Certificate of Compliance, or fails to report the matter to the appropriate authorities in cases of violation thereof, and any violation or infraction of any of the provision of this circular shall be penalized in accordance with the existing laws, rules and regulations.



MISCELLANEOUS PROVISION

AUG 01 2005


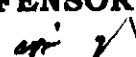
Section 15. Effectivity. This Order shall take effect on _____, 2005.

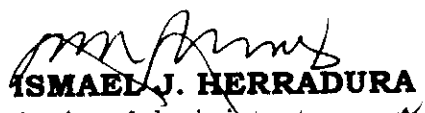

OFFICE OF THE COURT ADMINISTRATOR

JUSTICE PRESBITERO J. VELASCO, JR.
Court Administrator

**DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES**

**PAROLE AND PROBATION
ADMINISTRATION**


MICHAEL T. DEFENSOR
Secretary 


ISMAEL J. HERRADURA
Acting Administrator 



STATUS REPORT OF THE TREE PLANTING PROGRAM
_____ Quarter

Agency: _____
Region/Field Office _____

Activity Undertaken	Date of Activity Undertaken	Specific Site/ Location	No. of Clients Involved	Results of the Activity Undertaken	Problems Encountered

Submitted by:

Chief, Parole and Probation Officer
Regional Director

PROBATIONERS TREE PLANTING PLAN AND EVALUATION

Name of Probationer: _____
 Probation Period: _____
 Location of Tree Planting Site (indicate in a map of appropriate scale)
 BIK No. _____ Compartment No. _____

Precinct/Address: _____
 Land Status/Category: _____

Schedule of Planting and Maintenance Activities	Activity to be Undertaken	Specific Site/ Location	Expected Results of the activity to be undertaken	Source of Technical and Financial resources for the planting materials and seedlings, and proper maintenance and protection	Actual Results of the activity undertaken	Problems Encountered

Prepared by: _____
 Supervising Officer

and _____
 Client

Noted: _____

Chief Probation and Parole Officer _____
 Community Environment and Natural Resources Officer _____

Republic of the Philippines
 Community Environment and Natural Resources Office
 CENRO _____ Province _____
 Department of Environment and Natural Resources

CERTIFICATE OF TREE PLANTING COMPLIANCE
TREE PLANTING PROGRAM FOR THE PROBATIONERS

Pursuant to Sec. 10 of P.D. 968, as amended and Supreme Court Administrative Circular No. 17-2003 as implemented by

Joint Memorandum 2005-1, Office of the Court Administrator-Supreme Court, Department of Environment and Natural Resources and Parole and Probation Administration

Name: _____ Date of Birth: _____ Address: _____
 Civil Status: Single/ _____ Married/ _____ Widowed/Separated/ _____ Sex: Male/ _____ / Female/ _____
 Period of Probation: _____ Name of Supervising Probation and Parole Officer: _____
 Judicial Branch No: _____ Parole and Probation Office Address: _____
 Case No: _____

No. of Trees Planted	Species	Date Planted	Planting Site	Remarks

This is to certify that herein Probationer as graphically indicated above has satisfactorily completed his tree planting requirement as a condition to his probation in accordance to the tree planting plan agreed upon by the Parole and Probation Office and Community Environment and Natural Resource Office.

APPROVED BY:

 CENRO
 Certifying Officer

RECOMMENDED BY:

 SUPERVISING OFFICER

NOTED BY

 CHIEF, PROBATION AND PAROLE OFFICER

Cc:

1. Presiding Judge
2. National Coordinating Committee

NOTE:

1. When above is already filled up, back page should be used for additional line entries.