



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 139-2010

TO: ALL JUDGES OF THE REGIONAL TRIAL COURT, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS AND THE MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT: ADDITIONAL GUIDELINES IN THE IMPLEMENTATION OF RESOLUTION NO. 99-1-04-SC OF THE SUPREME COURT

On July 07, 1999, Circular No. 43-99 was issued to provide for the guidelines in the implementation of the provisions of Resolution No. 99-1-04-SC granting incentives to judges who are given additional duty of hearing and deciding cases of other branches of their court or of other court of the same level. The aforesaid Resolution was further amended on January 17, 2006. Both Resolutions grant judges who are given additional assignment of hearing and deciding cases of other branches, **ADDITIONAL EXPENSE ALLOWANCE** at the rate of Five Hundred Pesos (P500.00) a day for every day rendered in the other branch of branches but in no case to exceed Six Thousand Pesos (P6,000.00) a month, provided that for deciding a case, the additional expense allowance shall be Three Hundred Pesos (P300.00). In addition, such judges shall be given a monthly **JUDICIAL INCENTIVE ALLOWANCE** of Five Hundred Pesos (500.00) for every additional branch that is assigned to them. The foregoing allowances are exclusive of the traveling allowances allowed by law or Court Circulars.

On April 27, 2010, the Court issued a Resolution amending the abovementioned Resolutions increasing the additional allowances granted to judges who are given additional assignment of hearing and deciding cases of other branches. **The ADDITIONAL EXPENSE ALLOWANCE was increased to ONE THOUSAND PESOS (P1,000.00) a day** for every day rendered in the other branch or branches but in no case to exceed Eight Thousand Pesos (P8,000.00) a month, if assigned to an additional sala, or **TWELVE THOUSAND PESOS (P12,000.00) a month**, if assigned to two or more salas. **Should the designation be limited to decision writing, judges shall be entitled to the additional expense allowance of Five Hundred Pesos (P500.00) for every case decided**, provided that the disposition of consolidated cases shall be considered only as a single decision. The Judges shall still be entitled to a **monthly JUDICIAL INCENTIVE ALLOWANCE of five Hundred Pesos (P500.00) for every additional branch** that is assigned to them. The abovementioned allowances shall be chargeable against the savings of the lower courts and exclusive of the transportation and traveling allowances prescribed by law or Court issuances.

The concerned judges are reminded to give priority to the cases in their official station. They shall hold trial or conduct proceedings preferably at least thrice a week in their official stations. In no instance shall they be designated to handle cases in more than three (3) other salas. However, they may be assigned to handle additional cases in a fourth or fifth sala, depending on the caseloads in their station and other assigned courts.

In addition to the guidelines and documentary requirements provided for in Circular No. 43-99 dated July 07, 1999, the following additional guidelines shall be observed in the implementation of the new rate of Additional Expense Allowance and Judicial Incentive Allowance:

1. The claimant shall submit a CERTIFICATION as to the number of additional courts assigned to him every time he submits his claims for the payment of Additional Expense Allowance and Judicial Incentive Allowance;
2. The Clerk of Court in the official station of the concern judge shall Certify that the latter hold trial or conduct proceedings therein thrice a week, otherwise, the claim for Additional Expense Allowance shall be appropriately reduced. Should the conduct of trial or proceedings in the original station be less than thrice a week, the Judge shall justify the same subject to the APPROVAL of the Court Administrator;
3. The Additional Expense Allowance of P1,000.00 shall be paid per day rendered in another branch. Per day should mean one full day of service rendered in the other branch or branches excluding the original station;
4. To be entitled to the Additional Expense Allowance, cases calendared for the day should be five (5) cases or more; and
5. Minutes of the trial shall specify with particularity the judicial proceedings conducted. Trial on the merits is require, absence thereof, Additional Expense Allowance shall not be paid. Minutes of the trial should strictly be certified by the Clerk of Court. Further, reasons for the postponement, cancellation or resetting of hearings must specifically be stated. Postponement, cancellation or resetting of hearings due to absence of parties, counsels or prosecutors shall not entitle the judge in the payment of Additional Expense Allowance.

Due to budgetary constraint, the implementation of the increased rate of the abovementioned allowances shall **take effect OCTOBER 2010.**

October 7 , 2010.


JOSE MIDAS P. MARQUEZ
Court Administrator