



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

OCA CIRCULAR NO. 146-2012

TO: All Justices of the Court of Appeals, Sandiganbayan and Court of Tax Appeals, Judges of the Trial Courts, the Investigating Officers and Bodies Authorized by the Supreme Court to Receive Evidence , including the Integrated Bar of the Philippines and Arbiters of Special Courts and Quasi-Judicial Bodies whose Rules of Procedure are Subject to Disapproval of the Supreme Court, insofar as their Existing Rules of Procedures Contravene the Provisions of this Rule.

SUBJECT: Suspension of the Implementation of the Judicial Affidavit Rule in Criminal Prosecutions

In a Resolution dated 4 September 2012 in A.M. No. 12-8-8-SC, the Court En Banc issued and promulgated the Judicial Affidavit Rule to take effect on 1 January 2013 (Section 12) in all actions, proceedings, and incidents requiring the reception of evidence before all the courts, as provided in Section 1 thereof.

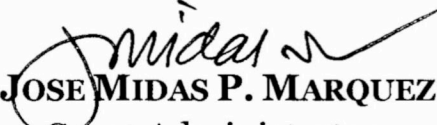
Section 9 of the said Rule provides how it shall apply to criminal actions.

However, the Prosecutors' League of the Philippines, in a letter dated 12 December 2012 addressed to the Honorable Chief Justice and Associate Justices, has requested the deferment of the implementation of the Judicial Affidavit Rule in criminal cases for at least one (1) year, pending the resolution of some issues raised.

On 21 December 2012, Associate Justices Diosdado M. Peralta, Lucas P. Bersamin and Roberto A. Abad met with the officers of the Prosecutors' League of the Philippines. Thereafter, Justice Abad drafted a recommendation to the Court En Banc for the deferment of the application of the Judicial Affidavit Rule for one (1) year from 1 January 2013 to 1 January 2014 under certain conditions.

Considering that the Court En Banc will not meet until 8 January 2013, Justice Abad is of the considered view that it may be more prudent for the justices, judges and arbiters concerned to suspend the implementation of the Judicial Affidavit Rule in criminal cases and await the resolution of the Court En Banc on the request of the Prosecutors' League of the Philippines.

December 27, 2012


JOSE MIDAS P. MARQUEZ
Court Administrator