



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

CIRCULAR NO. 48-2000

TO : THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS.

SUBJECT: A.M. No. 00-2-10-SC. RE: AMENDMENTS TO SECTION 4, RULE 7 AND SECTION 13, RULE 41 OF THE 1997 RULES OF CIVIL PROCEDURE.

For the information and guidance of all concerned, quoted hereunder are the amended provisions in the 1997 Rules of Civil Procedure: (a) Section 4 of Rule 7: and (b) Section 13 of Rule 41, to wit:

"RULE 7

Sec. 4. *Verification.* - Except when otherwise specifically required by law or rule, pleadings need not be under oath, verified or accompanied by affidavit.

A pleading is verified by an affidavit that the affiant has read the pleading and that the allegations therein are true and correct of his personal knowledge or based on authentic records.

A pleading required to be verified which contains a verification based on "information and belief," or upon "knowledge, information and belief," or lacks a proper verification, shall be treated as an unsigned pleading. (4a)

RULE 41

SEC. 13. *Dismissal of appeal.*- Prior to the transmittal of the original record or the record on appeal to the appellate court, the trial court may, *motu proprio* or on motion, dismiss the appeal for having been taken out of time or for non-payment of the docket and other lawful fees within the reglementary period.(13a)"

The foregoing amendments took effect last May 1, 2000.

August 29, 2000

A handwritten signature in black ink, consisting of a large, stylized loop at the top and a horizontal line below it with a small flourish at the end.

ALFREDO L. BENEPAYO
Court Administrator