



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

OCA CIRCULAR NO. 61-2015

TO: THE CONCERNED REGIONAL TRIAL COURTS IN CEBU CITY, MANDAUE CITY, AND LAPU-LAPU CITY

SUBJECT: IMPLEMENTING GUIDELINES FOR THE PILOT TESTING OF ASSISTING REGIONAL TRIAL COURTS IN CEBU CITY TO HELP THE OVERBURDENED REGIONAL TRIAL COURTS IN MANDAUE CITY AND LAPU-LAPU CITY

Pursuant to the 10 December 2014 Resolution of the Court *en banc* in A.M. No. 14-11-393-RTC (*Authorizing the Piloting of Assisting Courts to Help Nearby Overburdened Courts Deal With Their Case Loads*) directing, among others, the Court Administrator to “[e]stablish the mechanics for the designation of the Assisting Courts xxx and [p]erform such other tasks as are essential to the accomplishment of the purpose for which this piloting project has been authorized,” the following implementing guidelines shall be observed:

- I. All the branches of the Regional Trial Court (RTC) of Mandaue City and Lapu-Lapu City (otherwise known as the “Assisted Court”) shall have two (2) counterpart branches in the RTC of Cebu City (otherwise known as the “Assisting Court”), as follows:

ASSISTED COURT		ASSISTING COURT	
Mandaue City		Cebu City	
Br. 28	Hon. Mercedita G. Dadole-Ygnacio	Br. 10	Hon. Soliver C. Peras
		Br. 12	Hon. Estela Alma A. Singco-Caruso
Br. 55	Hon. Ferdinand T. Rafanan	Br. 11	Hon. Ramon B. Daomilas, Jr.
		Br. 13	Hon. Mory A. Nueva
Br. 56	Hon. Teresita A. Galanida	Br. 7	(vacant)
		Br. 9	Hon. Alexander Nicandro V. Acosta

Lapu-Lapu City		Cebu City	
Br. 27	Hon. Toribio S. Quiwag	Br. 17	(vacant)
		Br. 18	Hon. Gilbert P. Moises, Jr.
Br. 53	Hon. Anna Marie Pace Militante	Br. 21	Hon. Soliver C. Peras
		Br. 58	Hon. Ma. Lynna Pacamalan Adviento
Br. 54	Hon. Victor A. Teves	Br. 19	Hon. Wilfredo F. Navarro
		Br. 57	Hon. James Stewart Ramon E. Himalaloan

- II. Beginning 6 April 2015, upon filing of all civil and criminal cases before the Assisted Courts, the Offices of the Clerk of Court (OCCs) of the Assisted Courts shall require the parties to provide their landline or mobile phone numbers and email addresses, which shall form part of the official records of these cases. Said cases shall then be raffled in their respective stations in accordance with existing rules. For the purposes and duration of this project, the raffle in the Assisted Courts shall be on a 1:1 ratio. The Clerks of Court of the OCCs of the Assisted Courts shall immediately forward the case records to the branches to which the cases have been raffled, for recording. The branch clerks of court of the Assisted Courts shall then alternately distribute the raffled cases to its two (2) counterpart Assisting Courts. Thereafter, the case records shall be transmitted back to the OCCs of the Assisted Courts, and then forwarded to the OCC of the Assisting Courts, for distribution to their counterpart Assisting Courts.

The case records shall have two (2) covering Transmittal Forms, one (1) for civil cases (Annex "A"), and one (1) for criminal cases (Annex "B"), which shall be accomplished in duplicate. A copy of the transmittal form for criminal cases shall be sent by the OCC of the Assisting Courts to the Office of the Prosecutor in their station.

- III. In urgent cases that require immediate action, the Executive Judge of the Assisted Court station where the case was filed may act on urgent temporary reliefs prayed for, as provided under the Rules of Court, before the case is forwarded to the Assisting Court to which it has been assigned.

- IV. The caption of these newly-filed cases must include the identities of both the Assisted and Assisting Courts, to wit:

<p>REPUBLIC OF THE PHILIPPINES REGIONAL TRIAL COURT 7th JUDICIAL REGION BRANCH _____ CITY OF CEBU</p> <p>For</p> <p>BRANCH _____ CITY OF MANDAUE/LAPU-LAPU CITY</p>
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- V. Where the Assisting Court judge is disqualified or voluntarily inhibits from the case, or when Judicial Dispute Resolution (JDR) fails, the case shall be assigned and the court records transmitted to the second counterpart Assisting Court of the Assisted Court from which the case originated. If the second Assisting Court judge is disqualified or voluntarily inhibits from the case, the case records shall be transmitted to the Executive Judge of the Assisting Court station, who shall then conduct a special raffle among the other Assisting Courts handling cases from the same Assisted Court station. The OCC of the Assisted Court shall be furnished a copy of the Order of Inhibition or the Order terminating the JDR for failure to arrive at an amicable settlement, and the calendar of re-raffled cases.
- VI. The branch clerks of court of the Assisting Courts shall issue the corresponding summons and notices to the parties, which shall include a notice that all proceedings of the case until its termination shall be conducted in the Assisting Courts.
- VII. The Sheriff's Trust Fund (STF) for the transmitted civil cases shall be taken from the filing fees paid to the Assisted Courts. The judges of the Assisting Courts shall approve the estimated travel expense and cost of service submitted by the sheriffs of the Assisting Courts and issue the order to release the STF to these sheriffs. The STF shall be released and liquidated in accordance with existing rules and procedure. Sheriffs of the Assisted Courts may also be ordered by the judges of the Assisting Courts to serve summons and notices.

- VIII. Any motion for reconsideration shall be filed with the Assisting Court within the time allowed by the Rules of Court.
- IX. Appeals from the judgment or final order of the First Level Assisting Court shall be taken to the Second Level Court of the Assisted Court station.
- X. If no appeal or motion for reconsideration is filed within the time prescribed by the Rules of Court, the case records shall be forwarded from the Assisting Court to the OCC of the Assisting Court, and thereafter transmitted to the Assisted Court for execution. The judgment or final order shall be entered by the branch clerk of court of the Assisted Court in its book of entries of judgment.
- XI. Records of provisionally dismissed or archived cases by the Assisting Courts shall remain with them until the termination of this Project, whereupon the records of the cases shall be transmitted back to the Assisted Courts.
- XII. For reporting purposes, the Assisted Courts shall indicate in their monthly report forms the cases forwarded to the Assisting Courts. The Assisting Courts, on the other hand, shall maintain a separate monthly report form for cases forwarded to them by the Assisted Courts.
- XIII. The transmittal of case records, pleadings, decisions, and other court documents from the Assisted Court to the Assisting Courts and vice versa, shall generally be done every Friday.
- XIV. The provisions in OCA Circular No. 01-2015 (*Implementation Of Sections 11 and 12 Of The Guidelines For Decongesting Holding Jails By Enforcing The Rights of Accused Persons To Bail And To Speedy Trial [A.M. No. 12-11-12-SC] in Relation With The Full Roll Out Of Hustisyeah! In Hustisyeah! Courts [A.M. No. 13-04-11-SC]*) shall be observed by the Assisting Courts, where applicable.

For strict compliance.

31 March 2015


JOSE MIDAS P. MARQUEZ
Court Administrator

Annex A

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
7th JUDICIAL REGION
BRANCH _____
CITY OF LAPU-LAPU/MANDAUE CITY

**CIVIL CASES
TRANSMITTAL FORM**

Case No.	Title	Date Filed	Branch Raffled	Contact Details of Parties (Address/Tel. No.)		Remarks
				Complainant/ Petitioner	Respondent	

Branch Clerk of Court

Annex B

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
7th JUDICIAL REGION
BRANCH _____
CITY OF LAPU-LAPU/MANDAUE CITY

**CRIMINAL CASES
TRANSMITTAL FORM**

Case No.	Title	Date Filed	Branch Raffle	Contact Details of Parties (Address/Tel. No.)		Remarks
				Plaintiff	Defendant	

Branch Clerk of Court