



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

OCA CIRCULAR NO. 36-2018

TO : ALL PRESIDING JUSTICES AND CLERKS OF COURT OF THE COURT OF APPEALS, SANDIGANBAYAN, AND COURT OF TAX APPEALS, AND JUDGES AND CLERKS OF COURT/ACCOUNTABLE OFFICERS OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT : COURT RESOLUTION DATED 10 JANUARY 2018 (ADMINISTRATIVE ADJUSTMENTS ON LEGAL FEES)

In its Resolution dated 10 January 2018 in **A.M. No. 17-12-09-SC** (*Re: Initial Recommendations on Administrative Adjustments from the Judiciary-Wide Committee on Legal Fees*), the Court *En Banc* **RESOLVED** to **APPROVE** the administrative adjustments on legal fees for consistency, the full text of which is appended herein as Annex "A".

For your information, guidance and strict compliance.

February 26, 2018


JOSE MIDAS P. MARQUEZ
Court Administrator



Annex "A"

Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE

Sirs/Mesdames:

*Please take notice that the Court en banc issued a Resolution dated **JANUARY 10, 2018**, which reads as follows:*

"A.M. No. 17-12-09-SC (Re: Initial Recommendations on Administrative Adjustments from the Judiciary-Wide Committee on Legal Fees).- The Court Resolved, upon the recommendation of the Judiciary-Wide Committee on Legal Fees, to **APPROVE** the following administrative adjustments for consistency:

(a) For the Supreme Court (SC), Court of Appeals (CA), Sandiganbayan (SB), Court of Tax Appeals (CTA), and the Lower Courts (LCs) –

(i) Appeal fees should be collected in all actions and proceedings, civil and criminal [Section 8(f), Rule 141], unless otherwise exempted. Thus, the appeal fees should be paid to the court that rendered the decision being appealed;

(ii) It must be clarified that the Sheriff's Trust Fund (STF) is not part of the filing fees. As such, there is a need to collect the said amount from those who are listed as exempted from the payment of filing fees. In this regard, the One Thousand Pesos (₱1,000.00) STF should also be collected from government agencies and from those exempt from the payment of filing fees.

Further, the use of the STF is not limited to sheriffs but actually involve process servers and those court personnel designated to serve notices, subpoenas and other court processes;

(iii) For those cases with application for temporary restraining orders (TRO)/writs of preliminary injunction (WPI), an additional

J. B. ...

amount of Three Hundred Pesos (P300.00) should be collected [Section 10(d), Rule 141];

(iv) Manager's checks/cashier's checks are acceptable forms of payment of filing fees provided that separate checks shall be payable for each fund, such as for the Judiciary Development Fund (JDF), and Special Allowance for the Judiciary Fund (SAJF).

Personal or corporate checks may be accepted as payment of filing fees provided that the amount does not exceed Fifty Thousand Pesos (P50,000.00), except for the SC [Section 4, Rule VI, Part II, Internal Rules of the SC, A.M. No. 10-4-20-SC, May 4, 2010, as amended] and CA [Section 6, Rule VIII, 2009 Internal Rules of the Court of Appeals].

With respect to the payments for the Mediation Fund (MF), Victim's Compensation Fund (VCF), Legal Research Fund (LRF), STF and such other fees not accruing to the JDF and SAJF, only cash payments will be accepted. [SC *En Banc* Resolution dated April 17, 2007 in A.M. No. 04-02-04-SC, as amended];

(v) The use of Postal Money Orders (PMOs) as a form of payment of filing fees shall not be acceptable for LCs. However, PMOs are allowed to be used by the LCs for purposes only of remittance of collections to the SC.

For the SC, CA, SB and CTA, PMOs shall be allowed as an acceptable form of payment of filing fees and other related fees; and

(vi) The filing fees paid in petitions or counter-petitions to confirm or enforce, vacate or set aside an arbitral award or for the enforcement of a mediated settlement agreement under Rule 20.1 of A.M. No. 07-11-08-SC should be divided equally between and deposited to the JDF and SAJF accounts.

(b) For the CA:

(i) The deposits for costs and sheriff's fees should be deposited to the Trust Fund of the CA.

(c) For the CTA:

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(i) The CTA, either cognizable by the *En Banc* or any of its Divisions, should collect the ₱1,000.00 mediation fee in applicable cases;

(ii) The CTA should include the summons fees in the computation of the LRF;

(iii) In cases of revival of judgments, they should be treated as new cases and the corresponding fees should then be collected based on the amount of the judgment.

(d) For the LCs (first and second level courts):

(i) The computation of fees for small claims cases should be based on Section 8(a) and (d), Rule 141, as the case may be;

(ii) As civil claims are automatically instituted in Estafa and violations of Batas Pambansa Bilang 22 cases, the courts should also collect STF.

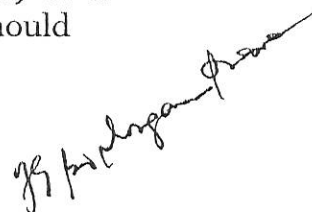
The STF to be collected should be based on the number of accused provided that for multiple cases these should have been consolidated;

(iii) For provisional remedies, a motion fee of ₱250.00 should be collected in the 1st level courts and ₱500.00 in the 2nd level courts [Sections 7(m) and 8(e), Rule 141];

(iv) In cases of adoption of minors, where there are two (2) persons/minors to be adopted, the assessment of filing fees should be per child/minor [Section 7(f)(1), Rule 141];

(v) The filing fees collected for newly-filed petitions for liquidation of insolvent juridical and individual debtors under the Financial Rehabilitation and Insolvency Act (FRIA) should be allocated equally between the SAJF and JDF accounts {For financial rehabilitation, [Section 2] (i), Rule 141]; for insolvency, [Section 7, Rule 141]}; and

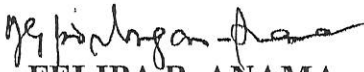
(vi) In cases of compulsory confinement (involuntary submission for rehabilitation) of a drug dependent, ₱300.00 per individual should



January 10, 2018

be collected as docket fee [Section 21(i), Rule 141]." (adv32)

Very truly yours,


FELIPA B. ANAMA
Clerk of Court

Court Administrator

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*For circularization