



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

OCA CIRCULAR No. 54-2018

TO: Executive/Presiding Judges, Clerks of Court/Officers-in-Charge/Accountable Officers and Sheriffs of the Second Level Courts

SUBJECT: Collection of Filing Fees in Civil Actions Instituted with the Criminal Actions

A number of trial courts in the lower courts failed to collect fees in civil actions for the recovery of civil liability instituted with the criminal actions pursuant to Paragraphs 3, 4 and 5, Section 1, Rule 111 of the Revised Rules of Court (Prosecution of Civil Action), which provide:

“When the offended party seeks to enforce civil liability against the accused by way of moral, nominal, temperate, or exemplary damages without specifying the amount thereof in the complaint or information, the filing fees therefor shall constitute a first lien on the judgment awarding such damages.

Where the amount of damages, other than actual, is specified in the complaint or information, the corresponding filing fees shall be paid by the offended party upon the filing thereof in court.

Except as otherwise provided in these Rules, no filing fees shall be required for actual damages.”

In this regard, all clerks of courts are directed to collect the appropriate legal fees for the **total sum claimed, excluding actual damages**, for cases filed as follows:

1. second level courts, a Docket Fee under Section 7(a), Rule 141 of the Revised Rules of Court, Subpoena Fee/s, Legal Research Fee, Victim’s Compensation Fee and Mediation Fee (if applicable); and
2. first level courts, a Docket Fee under Section 8(a), Rule 141 of the Revised Rules of Court, Subpoena Fee/s, Legal Research Fee, Victim’s Compensation Fee and Mediation Fee (if applicable).

However, unlike in Batas Pambansa Blg. 22 and estafa cases, the sheriff’s expense (STF) of One Thousand Pesos (PHP1,000.00) shall **not** be collected.

For your information and strict compliance.

21 March 2018


JOSE MIDAS P. MARQUEZ
Court Administrator


/MBC/VFV/DSI