



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

**OCA CIRCULAR NO. 171-2019**

**TO : ALL JUDGES, CLERKS OF COURT, BRANCH CLERKS OF COURT AND OFFICERS-IN-CHARGE/ACTING CLERKS OF COURT OF THE LOWER COURTS**

**SUBJECT : Clarification on the Suspension of New Rates of the Legal Fees on Motions pursuant to the Resolution of the Court *En Banc* dated 21 September 2004 in A.M. No. 04-2-04-SC**

Due to numerous inquiries and inconsistencies observed in the collection of fees on motions prescribed under Rule 141, Rules of Court, all judges and clerks of court are hereby reminded that the intention of the Resolution of the Court *en banc* dated 21 September 2004 in A. M. No. 04-2-04-SC is to suspend the new rates of legal fees on motions prescribed under Amended Administrative Circular No. 35-2004 (Rule 141 of the Revised Rules of Court).

Provisions on motions for the old and new rates/rules are presented for better understanding:

OLD RATES/RULES			NEW RATES/RULES		
Section 20, Administrative Circular No. 3-2000 dated 15 June 2000:			Section 21, Amended Administrative Circular No. 35-2004 dated 20 August 2004:		
	GF	JDF		JDF	SAJF
(b) For motions for postponements after completion of the pre-trial stage, one hundred pesos (P100.00) for the first, and an additional fifty (P50.00) pesos for every postponement thereafter based on that for the immediately		All for JDF	(b) For motions for postponement (whether verbal or written) after completion of the pre-trial stage:		
			1) TWO HUNDRED (P200.00) PESOS for the first, and an additional FIFTY	P100.00  P 50.00	P100.00

preceding motion; Provided, however, that no fee shall be imposed when the motion is found to be based on justifiable and compelling reason;		(P50.00) PESOS for every motion for postponement thereafter based on that for the immediately preceding motion.	
		2) For any other motion, TWO HUNDRED (P200.00) PESOS;	P200.00

The old rule has no provision for the payment of fees on other motions. Hence, only motions for postponement or resetting after completion of the pre-trial stage, whether oral or written, are to be assessed with a fee of one hundred pesos (PHP 100.00) for the first motion, and an additional fifty pesos (PHP 50.00) for every postponement thereafter based on the immediately preceding motion **(both for each case even if consolidated)**.

The provision that no fees shall be collected when the motion has been found to be based on justifiable and compelling reason was intentionally omitted in the new rules. Therefore, all motions for postponement or resetting shall be assessed with a fee regardless of the reason/s, except when the party is exempt from the payment of fees.

Strict compliance is enjoined.

04 October 2019

  
**JOSE MIDAS P. MARQUEZ**  
 Court Administrator

  
 /MBC/vfy/dsi