



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

OCA CIRCULAR NO. 129-2009

TO : ALL JUDGES AND CLERKS OF COURT OF THE
FIRST AND SECOND LEVEL COURTS

SUBJECT: EXEMPTION FROM PAYMENT OF TRANSCRIPT
OF STENOGRAPHIC NOTES (TSN) OF ALL
AGENCIES AND INSTRUMENTALITIES OF THE
NATIONAL GOVERNMENT

WHEREAS, Sec. 11 of Rule 141 of the Revised Rules of Court requires payment of stenographer's fees as follows:

"SEC. 11. *Stenographers.* – Stenographers shall give certified transcript of notes taken by them to every person requesting the same upon payment to the Clerk of Court of (a) TEN (P10.00) PESOS for each page of not less than two hundred and fifty words before the appeal is taken and (b) FIVE (P5.00) PESOS for the same page after the filing of the appeal, provided, however that one-third (1/3) of the total charges shall accrue to the Judiciary Development Fund (JDF) and the remaining two-thirds (2/3) to the stenographers concerned."

WHEREAS, Sec. 22 of Rule 141, as amended, clearly exempts the Commission on Audit (COA) from payment of legal fees, to wit:

"SEC. 22. **Government exempt.** – The Republic of the Philippines, its agencies and instrumentalities are exempt from paying the legal fees provided in the rule. Local governments and government-owned or controlled corporations with or without independent charters are not exempt from paying such fees.

However, all court actions, criminal or civil, instituted at the instance of the Provincial, City or Municipal Treasurer or Assessor under Sec. 280 of the Local Government Code of 1991 shall be exempt from payment of Court and Sheriff's fees. (Page 211 of the Manual for Clerks of Court)"

WHEREAS, in the resolution of the Court *En Banc* dated June 30, 2009 in A.M. No. 08-4-9-SC (Re: Request for Transcript of Stenographic Notes [TSN] Free of Charge from Drug Courts).- the Court Resolved, upon the recommendation of the Office of the Court Administrator, to:

- "(a) **NOTE** and **GRANT** the letter request of the Commission on Audit for exemption from payment of fees for copies of transcript of stenographic note; (*underscoring ours*) and
- "(b) **AUTHORIZE** the Office of the Court Administrator to issue a circular reminding all courts of the exemption provided under

Section 22. Rule 141, Revised Rules of Court, as amended, and clarifying that exemption from payment of stenographer's fee under Section 11 of the same rule should be granted by courts without the need for each and every agencies and instrumentalities of the national government to request this Court for authority to avail of such exemption."

NOW, THEREFORE, all Judges and Clerks of Court are reminded that the exemption from payment of legal fees of those mentioned in the above quoted Sec. 22 of Rule 141, as amended, specifically stenographer's fees should be recognized and granted by courts without the need for each and every agency and instrumentality of the national government to request the Supreme Court for authority to avail of such exemption.

September 24, 2009


JOSE P. PEREZ
Court Administrator


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