



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

OCA CIRCULAR NO. 188-2016

TO : THE CONCERNED FIRST AND SECOND LEVEL COURT JUDGES HANDLING ELECTION CASES

SUBJECT : COMELEC MINUTE RESOLUTION NO. 16-0400 DATED 21 JUNE 2016 (IN THE MATTER OF THE PROPOSED GUIDELINES ON THE DISPOSAL OF BALLOT BOXES USED DURING THE MAY 2010 AND 2013 NATIONAL AND LOCAL ELECTIONS)

In his letter dated 11 July 2016, Atty. Juanito O. Icaro, Regional Election Director of Region IV, Commission on Elections (COMELEC), requests that the concerned Regional Trial Courts handling election cases in Region IV provide his Office with report/s on the status of election case/s pending before said courts. Attached in his letter is a copy of COMELEC Minute Resolution No. 16-0400 dated 21 June 2016 (*In the Matter of the Proposed Guidelines on the Disposal of Ballot Boxes Used During the May 2010 and 2013 National and Local Elections*), the pertinent provisions of which read as follows:

XXX

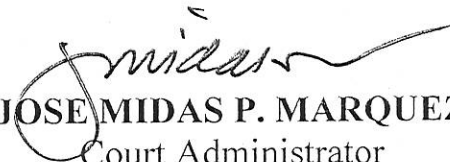
1. *Only ballot boxes that are damaged, broken and/or unserviceable, such as those that need repair or maintenance in excess of fifty percent (50%) of their current market value, can be disposed;*
2. *Contents of that damaged, broken or unserviceable ballot box cannot be disposed within a period of at (sic) six (6) years after the election on which it was used;*
3. *Contents of such damaged, broken or unserviceable ballot box is not the subject of any election contest, as duly certified by any or all of the following:*
 - a. *the Presidential Electoral Tribunal*
 - b. *the Senate Electoral Tribunal*
 - c. *the House of Representatives Electoral Tribunal*
 - d. *the Electoral Contests Adjudication Department*
 - e. *the Office of the Clerk of the Commission*
 - f. *the Regional Trial Court*
 - g. *the Metropolitan/Municipal Trial Court*

- 1) *The Office of the Deputy Executive Director for Operations (ODEDO) shall communicate with the Presidential Electoral Tribunal, the Senate Electoral Tribunal and the House of Representatives Electoral Tribunal about the pendency and status of any election contest or protest, particularly that of PET Case No. 001, Manuel Roxas vs. Jejomar Binay.*
- 2) *The Office of the Regional Election Director (ORED) concerned shall communicate with the various Regional Trial Courts in his/her area of jurisdiction about the pendency and status of any election contest or protest.*
- 3) *The Office of the Provincial Election Supervisor (OPES) concerned shall regularly communicate with the various Municipal/Metropolitan/Municipal Circuit Trial Courts in his/her area of jurisdiction about the pendency and status of any election contest or protest. [I]n the case of the National Capital Region, this shall be done by the ORED-NCR.*
- 4) *The Director IV of ECAD and the Clerk of Commission shall regularly give an update on the pendency and/or status of election contests or cases pending in their respective departments or offices.*

4. xxx

Considering that, pursuant to the aforementioned provisions, several COMELEC offices nationwide, i.e., the Offices of the Regional Election Director (OREDs), the Offices of the Provincial Election Supervisor (OPESs) and the Office of the Regional Election Director-National Capital Region (ORED-NCR), also need the subject report/s and information to effect the disposal of ballot boxes used during the May 2010 and 2013 national and local elections, all first and second level court judges who are handling election cases are hereby **DIRECTED** to submit a report to the concerned COMELEC office which shall contain the list and the status of all election cases filed and pending before their respective courts.

18 August 2016


JOSE MIDAS P. MARQUEZ
Court Administrator