



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

OCA CIRCULAR NO. 209-2017

TO : ALL FIRST AND SECOND LEVEL COURTS

SUBJECT: GUIDELINES IN THE TAKING OF DEPOSITIONS BEFORE
THE PHILIPPINE CONSULAR OFFICERS ABROAD

For the information and guidance of all first and second level courts, appended herein as Annex "A" is the "*Guidelines in Taking of Depositions Before Philippine Consular Officers*" abroad, issued by the Office of Legal Affairs, Department of Foreign Affairs.

11 October 2017


JOSE MIDAS P. MARQUEZ
Court Administrator



DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS

Office of Legal Affairs
DIVISION IV – SERVICE OF PROCESSES AND LITIGATION

Guidelines in Taking of Depositions Before Philippine Consular Officers

1. The requesting counsel shall transmit the following documents to the Office of Legal Affairs, Department of Foreign Affairs (3/F, DFA Building, 2330 Roxas Boulevard, Pasay City), namely:
 - a. Letter addressed to the Assistant Secretary, Office of Legal Affairs, requesting the Department's assistance in taking the deposition and indicating:
 - i. the proposed date and time for the taking of the deposition which should not be less than **three (3) weeks** from receipt by the Office of Legal Affairs of the letter;
 - ii. the name and contact details of the deponent;
 - iii. the relevant contact details of the requesting counsel;
 - b. Order issued by the relevant trial court requesting the Department of Foreign Affairs to assist the requesting counsel in taking the deposition abroad;
 - c. Written interrogatories to be propounded to the deponent by the consular officer, if the deposition is to be conducted through written interrogatories. Annexes/exhibits, if any, must be attached, to be identified by the deponent.

N.B.: All of the above-listed documents should be submitted to the Office of Legal Affairs before the Department could issue the appropriate request to the concerned Foreign Service Post.

2. The Office of Legal Affairs shall transmit the written interrogatories to the Philippine foreign service post nearest the place of residence of the deponent and inform that Post of the proposed schedule for the deposition.
3. The Post shall comment on the acceptability of the proposed schedule of the deposition and indicate the name of the consular officer before whom the deposition will take place. This information shall be conveyed by the Office of Legal Affairs to the requesting counsel.
4. The requesting counsel shall coordinate directly with the deponent to ensure the latter's attendance at the scheduled deposition. It shall be the sole responsibility of the requesting counsel to contact the deponent and arrange for his presence during the deposition.
5. After the deposition has been concluded and once the consular fees mandated by Department regulations are paid, the consular officer before whom the deposition is conducted will transmit the transcript of the deposition to the Office of Legal Affairs.
6. Upon receipt of the transcript of the deposition, the Office of Legal Affairs shall transmit the same directly to the relevant trial court.
7. For any queries on this matter, the requesting counsel may contact the Service of Processes and Litigation Division, Office of Legal Affairs, Department of Foreign Affairs at telephone numbers **(632) 8343235 / 8343223** or email at **ola.div4@dfa.gov.ph**.

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