



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

OCA CIRCULAR NO. 164 - 2020

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

**SUBJECT : MANNER OF PAYMENT AND
DISPOSITION OF LEGAL FEES AND
OTHER COLLECTIONS IN THE LOWER
COURTS AMIDST THE COVID-19
PANDEMIC**

In consonance with the provisions of the **Administrative Circular No. 41-2020** dated 29 May 2020 on **electronic filing** of petitions and pleadings (like initiatory pleadings in civil and criminal cases), including criminal complaints, information, applications for bail, together with all the required documents in relation thereto, and other submissions on pending cases, the corresponding fees and/or other collections may be deposited/paid in any branch of the Land Bank of the Philippines (LBP) or through bank/online transfer by the paying parties upon receipt of an order of payment to the provided Fiduciary Fund (FF) account, whether under the Direct Bank Payment system or not. The order of payment shall be numbered sequentially, using the format provided herein marked as Annex "A". For courts under the *E-Payment* or *E-Court* system, the provided Assessment Form of the system shall be used.

The total assessed legal fees and the additional One Thousand Pesos (PHP1,000.00) deposit to defray the actual travel expenses of the sheriff, process server or other court authorized persons in the service of summons, subpoena and other court processes shall be temporarily deposited to the Fiduciary Fund (FF) account for easy verification. For fiduciary collections, the amount shall be separately deposited/paid to the same FF account with a separate order of payment.

The concerned Clerk of Court (COC)/Accountable Officer (AO) is hereby **DIRECTED** to:

- a) **COORDINATE** with the LBP branch where the court maintains its FF and STF accounts, and **ENROLL** the said accounts in the "weAccess" facility of the bank for purposes of verification and monitoring of transactions. Only the

bonded employees of the court **shall be authorized** to have a viewing access to the FF and STF accounts, under the supervision of the concerned Executive Judge (EJ)/Presiding Judge (PJ);

- b) **ASSESS** the appropriate legal fees and other collections due from the party/litigant, upon receipt of the copy of the petition, pleading, notice, application, or request;
- c) **SEND** to the party/litigant the order of payment to deposit/pay to the provided FF account the total amount due, representing collections for the Judiciary Development Fund (JDF), Special Allowance for the Judiciary Fund (SAJF), Mediation Fund (MF), Legal Research Fund (LRF), Victims Compensation Fund (VCF), Land Registration Authority Fund (LRAF), and Sheriff's Trust Fund (STF). If there is a fiduciary collection, a separate order of payment shall be **provided** to deposit/pay it separately in order to distinguish it from the temporary deposits;
- d) **PRINT** a copy of the proof/s of deposit, upon receipt hereof from the party/litigant, which shall be attached as supporting document/s to the financial monthly report, together with the certified photocopy of the assessment form/order of payment;
- e) **VERIFY** the deposit/s made by the party/litigant before the issuance of the corresponding Official Receipt (OR);
- f) **ISSUE** the corresponding ORs for all funds if verified as valid deposits;
- g) **WITHDRAW** the collections temporarily deposited to the FF account, through a court order issued by the concerned EJ/PJ, and **DEPOSIT** the same to its respective accounts. The said withdrawal and deposit shall be done on every fifteenth (15th) day and on or before the last day of the month. In case the court is maintaining an FF Current Account, there should be no drawing of check for the withdrawal of temporary deposits, but a bank debit memo effecting the withdrawal. All withdrawals of temporary deposits shall be supported with a list of collections using the attached format herein marked as Annex "B"; and
- h) **RELEASE** the original copy of the OR payor's copy upon demand of the party/litigant.

Should the bank/online transfer be utilized as a manner of payment, the party/litigant shall only use his/her personal account or his/her counsel's account. Bank/Online transfer coming from a third-party account **SHALL NOT BE ALLOWED**.

In case of lockdown of the LBP branch where the court, under the Direct Bank Payment system, maintains its account/s, the party/litigant **SHALL BE AUTHORIZED** to pay the amount of legal fees and other collections to the respective Offices of the Clerks of Court. It is incumbent upon the concerned Clerk of Court to deposit the said collections within a reasonable time to the nearest available LBP branch.

The above-mentioned manner of payment shall also be **applied** to all petitions, pleadings, notices, applications and requests received by the court through registered mail. The corresponding proof/s of payment must be included in the said mail.

Likewise, the above manner of payment **shall be allowed** if the party/litigant wishes to avail the bank/online transfer of deposits due to the unavailability of the LBP branch where the court maintains its deposits, or the overwhelming number of depositors in the same LBP branch.

Should any or all of the proofs of deposits provided are found out to be forged/falsified, the appropriate criminal charge/s shall be filed against the party/litigant by the concerned COC/AO.

The foregoing guidelines shall be effective only during the COVID-19 pandemic period.

7 October 2020


JOSE MIDAS P. MARQUEZ
Court Administrator


/MMAN/FY/DSI



Republic of the Philippines
Judicial Region
(Court Station)
(Province)

ORDER OF PAYMENT No. 2020-_____

You are directed to pay immediately the total amount of _____ (PHP _____) to the Fiduciary Fund Savings/Current Account Number _____, in any Land Bank of the Philippines (LBP) branches or through bank/online transfer whether for filing of petition/pleading/notice/application/request or posting of cash bond/other fiduciary collections, with the following details under the check (✓) mark:

FOR FILING OF PETITION/PLEADING/NOTICE OF APPEAL/APPLICATIONS/REQUEST:	
Name/s of Petitioner/s/Payor:	
Name/s of Respondent/s, if applicable:	
Title of the Case Filed, if any:	
Value of the Property Involved/ Monetary Value Prayed For, if applicable:	
Contact No. of the Petitioner/Payor:	
Mailing Address of Petitioner/Payor:	
FOR POSTING OF CASH BONDS/FIDUCIARY COLLECTIONS:	
Name/s of Petitioner/s:	
Name/s of Respondent/s:	
Title of the Case Filed:	
Contact No. of the Petitioner:	
Mailing Address of Petitioner:	

You are further directed to send the proof of deposit and a copy of this order of payment to this court via e-mail upon payment.

The original copy of the deposit slip or proof of deposit shall be submitted to the court upon demand of the original payor's copy of the Official Receipt.

DATE

Name & Signature of
COC/OIC/AO

