



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

OCA CIRCULAR NO. 149-2021

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

SUBJECT : UNIFORM PROCEDURE IN THE REQUEST FOR SERVICE OF COURT PROCESSES OUTSIDE TERRITORIAL JURISDICTION AND CLARIFICATIONS ON SECTION 10, RULE 141, REVISED RULES OF COURT

For uniformity of procedure, and in view of the unavailability of post offices in several provinces which could provide Postal Money Orders (PMO) relative to requests to serve summons, subpoenas and other court processes by the Clerk of Court (COC) and Ex-Officio Sheriff whose court/station has jurisdiction over the residence of the defendant or of the person subject of the process, pursuant to Paragraph 3, Section 10, Rule 141 of the Revised Rules of Court, the following procedure **shall be ADOPTED**:

1. The court where the case is filed in case of a single-sala court, or the branch where the case is raffled in case of multi-sala court, (hereinafter referred to as the requesting court) **shall ISSUE** a court order authorizing that a request be sent to the requested court (the court which has jurisdiction over the residence of the party to be served with the court process) to serve the court process. The request **shall specifically STATE** the party's residential address;
2. The Branch Clerk of Court (BCC) or Acting Branch Clerk of Court (ABCC) of the requesting court **shall**:
 - a. **COMMUNICATE**, using the facilities of the Philippine Judiciary 365 (PJ365), with the COC or Acting Clerk of Court (ACOC), Office of the Clerk of Court (OCC), of the requested court;
 - b. **PROVIDE** the requested court with an electronic copy of the order of request;
 - c. **REQUIRE** the requested court to provide the following information through PJ365 within three (3) working days from notice:
 - c.i. the corresponding amount prescribed under the requested court's **approved Uniform Fare Matrix**, relative to the service of summons, subpoenas and other court processes to the residence of the subject party, and the cost of returning the documents;
 - c.ii. the requested court's Sheriff's Trust Fund (STF) account number (in case the OCC of the requesting court is maintaining a savings account) or its account name (in case the OCC of the requesting court is maintaining a current account) for the issuance of a

check, or PMO check, to the requested court for the costs of service;

- d. **PROVIDE** the assigned sheriff/process server of the requesting court with the printed information received from the requested court through PJ365 for the preparation of the Disbursement Voucher (DV);
 - e. The assigned sheriff/process server of the requesting court **shall SUBMIT** the DV to the COC or ACOC, OCC, of the requesting court, together with the supporting papers such as court order authorizing the request of service and the printed information sent by the requested court. The amount in the DV shall include the cost of transmittal to the requested court and *vice versa*;
3. The COC or ACOC, OCC, of the requesting court, **shall PROCESS** the request of the requesting court to release the check, or to deposit to the STF account of the requested court, or to buy a PMO check, as the case may be, the total amount of the corresponding amount prescribed under the requested court's approved Uniform Fare Matrix and cost of returning the documents to the requesting court. The cost of transmittal from the requesting court to the requested court shall be in a form of cash or a separate check payable to the assigned sheriff/process server of the requesting court, as the case may be;
 4. The assigned sheriff/process server of the requesting court **shall TRANSMIT** the check, or the validated deposit slip, or the PMO check, as the case may be, to the requested court, through private courier, upon receipt of the same from the COC or ACOC, OCC, of the requesting court;
 5. The COC or ACOC, OCC, of the requested court, **shall**, upon receipt of the abovementioned court records/instruments from the assigned sheriff/process server of the requesting court:
 - a. **ISSUE** an Official Receipt (OR) in consideration of the amount received from the requesting court, as evidenced by a check or validated deposit slip, or PMO check, as the case may be;
 - b. **DESIGNATE** a sheriff/process server who shall perform the requested task within five (5) working days from the date of assignment, subject to the usual procedure of cash advance, service, liquidation and return of excess of deposit, if any;
 6. The designated sheriff/process server of the requested court **shall FORWARD** the return, together with the approved Statement of Liquidation, to the BCC or ABCC of the requesting court for appropriate action, upon completion of the assignment. The cost of transmitting the returns together with the other documents shall be charged against the fund received. In case of excess of fund received, a check shall be issued by the COC or ACOC, OCC, of the requested court, for the excess, or shall be deposited to the STF account of the requesting court, as the case may be, by the designated sheriff/process server of the requested court. The said check or the proof of deposit shall be included in the transmittal of the returns; and
 7. The approved Statement of Liquidation **shall be ACKNOWLEDGED** by the assigned sheriff of the requesting court from the BCC/ABCC of the requesting court, for submission to the COC/ACOC, OCC, together

with the check issued by the requested court (in case of excess fund sent). File copies shall always be made available for audit purposes to be kept by the OCC and the assigned sheriff/process server, both of the requesting court.

The transaction **shall be accordingly reflected** in the Cash Receipt Register and Cash Disbursement Register of the STF.

The One Thousand Peso (PHP 1,000.00) deposit, as required under Paragraph 2, Section 10, Rule 141 of the Rules of Court, shall also be collected from private complainant for criminal cases where civil action is instituted for the **personal service** of subpoena, as provided under Section 10(b), Rule 141 of the Rules of Court. In the service of summons, subpoena and other court processes, the prescribed forms marked as Annexes "A" to "F" **shall be USED**.

Expenses for criminal cases without the abovementioned deposit, shall be shouldered first by the requested court subject to reimbursement from the Financial Management Office, Office of the Court Administrator, pursuant to OCA Circular No. 263-2018 dated 27 December 2018.

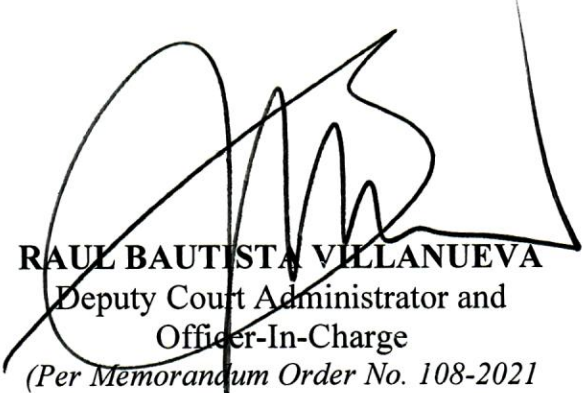
With regard to sheriffs' expenses in executing writs issued pursuant to court orders or decisions or safeguarding the property levied upon, attached or seized, including kilometrage for each kilometer of travel, guards' fees, warehousing and similar charges, the attached forms marked as Annexes "G" to "J" **shall be USED**. No sheriff or deputy sheriff shall execute writs outside his/her territorial jurisdiction without first **notifying in writing, and seeking the assistance** of the sheriff of the place where the execution shall take place pursuant to Paragraph 5 of Administrative Circular No. 12, dated 1 October 1985.

Moreover, the Judges and the COC/ACOC, OCC, who are receiving the Five Thousand Peso (P5,000.00) communications allowance granted under OCA Circular No. 49-2021, dated 16 April 2021, are **REMINDED to ENSURE** that the internet service procured has sufficient bandwidth to enable them to electronically receive, transmit court documents and verify online transactions necessary for collection of legal fees and other court funds, apart from the conduct of videoconferencing hearings.

Any circular issued inconsistent herewith is revoked.

For strict compliance.

9 December 2021



RAUL BAUTISTA VILLANUEVA
Deputy Court Administrator and
Officer-In-Charge
(Per Memorandum Order No. 108-2021
dated 17 November 2021)



MMA/CJ/DSI

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

**STATEMENT OF ESTIMATED TRANSPORTATION
AND TRAVEL EXPENSES (SETTE)**

SETTE File No.:	Date of Filing:	
Case No.:	Title of Case:	
Person to be Served:	Address/Destination:	
PARTICULARS	A M O U N T	
Estimated Expenses in the Service of the following Court Processes:		
<input type="checkbox"/> Summons with complaint/Petition	₱	
<input type="checkbox"/> Subpoena/Notice		
<input type="checkbox"/> Writ of: Replevin <input type="checkbox"/>		
Execution <input type="checkbox"/>		
Possession <input type="checkbox"/>		
Attachment <input type="checkbox"/>		
Habeas Corpus <input type="checkbox"/>		
Preliminary Injunction <input type="checkbox"/>		
<input type="checkbox"/> Temporary Protection Order (TPO)		
<input type="checkbox"/> Permanent Protection Order (PPO)		
<input type="checkbox"/> TRO/Decision		
<input type="checkbox"/> Notice of Garnishment		
<input type="checkbox"/> Levy on Goods/Chattel/Property		
<input type="checkbox"/> Posting		
<input type="checkbox"/> Notice of Sheriff's Fee		
<input type="checkbox"/> Notice of Special Raffle		
<input type="checkbox"/> As directed by the court		
<input type="checkbox"/> Others (please specify)		
Total Estimated Expenses (Refer to the Itinerary of Travel for complete details)	₱	
Cash Advance Requested by:	Recommending Approval:	Approved by:
(Sheriff/Process Server/ Court-Authorized Person)	(OCC/SS Clerk of Court)	(Executive Judge/ Presiding Judge)
_____ (Date)	_____ (Date)	_____ (Date)

Note:

This form shall be used for all transactions involving the service of court processes under the items listed above. Adopt a file numbering system for record and control purposes.

Republic of the Philippines

Court: _____

_____ Judicial Region

Station: _____

ITINERARY OF TRAVEL

DATE PREPARED: _____ CIVIL/SP/LRA CASE NO.: _____
NAME: _____ O.R. NO.: _____
POSITION: _____ O.R. DATE: _____

Purpose of Travel: Service of Court Processes

- Summons with complaint/Petition
- Subpoena/Notice
- Writ of: Replevin
- Execution
- Possession
- Attachment
- Habeas Corpus
- Preliminary Injunction
- Temporary Protection Order (TPO)
- Permanent Protection Order (PPO)
- TRO/Decision
- Notice of Garnishment
- Levy on Goods/Chattel/Property
- Posting
- Notice of Sheriff's Fee
- Notice of Special Raffle
- As directed by the court
- Others (specify)

DATE	PLACE OF ORIGIN	PLACE OF DESTINATION	NAME OF PERSON TO BE SERVED	DEPARTURE TIME	ARRIVAL TIME	MEANS OF TRANSPORTATION	AMOUNT
							P
Total							P

I hereby certify that I have personally prepared the foregoing Itinerary of Travel which is necessary to accomplish the above-stated purpose and that the period/time covered is reasonable and the expenses claimed are proper.

Sheriff/Process Server/Court-Authorized Person

Recommending Approval:

OCC/SS Clerk of Court

Approved by:

Executive/Presiding Judge

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

DISBURSEMENT VOUCHER

MODE OF PAYMENT:		Date:
<input type="checkbox"/> Cash	<input type="checkbox"/> Check	<input type="checkbox"/> PMO
		<input type="checkbox"/> Others
Payee:	Position/Court & Station:	Voucher No.:
Home Address:		For Case No.:
		For O.R. No.:

Particulars	Amount
<p align="center">CASH ADVANCE of Transportation and Travel Expenses to be incurred in the service of _____ to certain _____ with residence address at _____ for case number and official receipt number referred above as per attached APPROVED Statement of Estimated Transportation and Travel Expenses and Itinerary of Travel</p>	P
Total Amount Due	P

<p>A Certified: Correctness of the above data</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (Sheriff/Process Server/Court-Authorized Person)</p> <p>Date: _____</p>	<p>B Recommending Approval for Payment: Supporting documents certified complete and proper</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (OCC/SS Clerk of Court)</p> <p>Date: _____</p>	<p>C Approved for Payment:</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (Executive/Presiding Judge)</p> <p>Date: _____</p>
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D Received Payment:	
Signature: _____	Received : <u>Cash/Check/PMO</u>
Printed Name: _____	Check/PMO No.: _____
Date Received: _____	Date of Check/PMO: _____

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

STATEMENT OF LIQUIDATION		Date:
For Case No.:	For Voucher No.:	
Title of Case:	For Official Receipt No.:	
PARTICULARS		AMOUNT
<p>TO LIQUIDATE the cash advance incurred in the service of _____ to certain _____ with residence address at _____ issued under voucher number above as per attached Certificate of Travel Completed.</p>		P
TOTAL AMOUNT SPENT (Refer to the Itinerary of Travel for complete details of actual expenses)		P
LESS: AMOUNT OF CASH ADVANCE		
AMOUNT REFUNDED TO THE CLERK OF COURT/OIC		P
AMOUNT TO BE REIMBURSED		P
A Certified:	B Recommending Approval:	C Approved:
<p>Correctness of the above data</p> <p>_____</p> <p style="text-align: center;">Sheriff/Process Server/ Court-Authorized Person</p>	<p>Supporting documents certified correct and complete</p> <p>_____</p> <p style="text-align: center;">OCC/SS Clerk of Court</p>	<p>_____</p> <p style="text-align: center;">Executive Judge/ Presiding Judge</p>

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

CERTIFICATE OF TRAVEL COMPLETED

I certify that I have completed the travel authorized in the Itinerary of Travel dated _____ under the condition(s) [marked with a "✓"] indicated below:

- [] Strictly in accordance with the approved itinerary.
- [] Cut short as explained below. Excess cash advance in the amount of P_____ was refunded to the Clerk of Court/OIC (as evidenced by the Acknowledgment Receipt issued on _____).
- [] Extended as explained below. Additional itinerary was submitted.
- [] Other deviations as explained below.

Explanation or justification:

Evidence of travel (marked with a "✓") attached hereto:

- Fare Ticket (if applicable)
- Return of Service
- Others (specify)

Respectfully submitted.

Sheriff/Process Server/Court-Authorized Person

On evidence and information of which I have knowledge, the travel was actually undertaken.

OCC/SS Clerk of Court

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

STATEMENT OF REIMBURSEMENT	Date:
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For Case No.:	For Voucher No.:
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Title of Case:	For Official Receipt No.:
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PARTICULARS	AMOUNT
	P

TOTAL AMOUNT SPENT (Refer to the Itinerary of Travel for complete details of actual expenses)	P
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A Certified:	B Recommending Approval:	C Approved:
Correctness of the above data	Supporting documents certified correct and complete	
_____ Sheriff/Process Server/ Court-Authorized Person	_____ OCC/SS Clerk of Court	_____ Executive Judge/ Presiding Judge

ANNEX "G"

Republic of the Philippines

Court: _____

_____ Judicial Region

Station: _____

STATEMENT OF ESTIMATED EXPENSES FOR EXECUTION OF WRITS (SEEFWE)

SEEFWE File No.:	Date of Filing:
Case No.:	Title of Case:
NAME OF PETITIONER:	Address/Destination:

PARTICULARS	AMOUNT
Estimated Expenses for:	
<input type="checkbox"/> Travel Expenses	P
<input type="checkbox"/> Guards Fees	
<input type="checkbox"/> Warehousing Fees	
<input type="checkbox"/> Laborers Fee	
<input type="checkbox"/> Police Escort	
<input type="checkbox"/> Others (please specify)	
Total Estimated Expenses	P

Cash Advance Requested by:	Recommending Approval:	Approved by:
(Sheriff)	(BCC/COC)	(Executive Judge/ Presiding Judge)
(Date)	(Date)	(Date)

Note:

This form shall be used for all transactions involving the service of court processes under the items listed above. Adopt a file numbering system for record and control purposes.

Republic of the Philippines

Court: _____

_____ **Judicial Region**

Station: _____

DISBURSEMENT VOUCHER

MODE OF PAYMENT:		Date:
<input type="checkbox"/> Cash	<input type="checkbox"/> Check	<input type="checkbox"/> PMO
<input type="checkbox"/> Others	Voucher No.:	
Payee:	Position/Court & Station:	For Case No.:
Home Address:		For O.R. No.:

Particulars	Amount
<p>CASH ADVANCE of Expenses for Execution of writs against _____ with address at _____ for case number and official receipt number referred above as per attached APPROVED Statement of Estimated Expenses for Execution of Writs.</p>	P

Total Amount Due	P
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<p>A Certified: Correctness of the above data</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (Sheriff)</p> <p>Date: _____</p>	<p>B Recommending Approval for Payment: Supporting documents certified complete and proper</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (OCC/SS Clerk of Court)</p> <p>Date: _____</p>	<p>C Approved for Payment:</p> <p>Signature: _____</p> <p>Printed Name: _____</p> <p>Position: _____ (Executive/Presiding Judge)</p> <p>Date: _____</p>
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D Received Payment:	
Signature: _____	Received : <u>Cash/Check/PMO</u>
Printed Name: _____	Check/PMO No.: _____
Date Received: _____	Date of Check/PMO: _____

Republic of the Philippines
Court: _____
_____ Judicial Region
Station: _____

ITINERARY OF EXPENSES

DATE PREPARED: _____ CIVIL/SP/LRA CASE NO.: _____
PETITIONER: _____ O.R. NO.: _____
POSITION: _____ O.R. DATE: _____

Purpose of Execution of Writs incurring the following expenses:

- Travel Expenses PHP _____
- Guards Fees _____
- Warehousing Fees _____
- Laborers Fees _____
- Police Escort _____
- Others (please specify) _____
- TOTAL** PHP _____

In case of laborers, police escort & other manpower, accomplish the payroll matrix below:

DATE PAID	NAME	IDENTIFICATION	ADDRESS	AMOUNT PAID	SIGNATURE
				P	
TOTAL PAYROL					

I hereby certify that I have personally prepared the foregoing Itinerary of Expenses which is necessary to accomplish the above-stated purpose and that the period/time covered is reasonable and the expenses claimed are proper.

Name of Sheriff

Recommending Approval:

(BCC/COC)

Approved by:

Executive/Presiding Judge

Republic of the Philippines

Court: _____

Judicial Region

Station: _____

STATEMENT OF LIQUIDATION		Date:
For Case No.:	For Voucher No.:	
Title of Case:	For Official Receipt No.:	
PARTICULARS		AMOUNT
<p style="text-align: center;">TO LIQUIDATE the cash advance incurred in the execution of writs against certain _____ with address _____ issued under voucher number above as per attached approved SEEFEW and DV.</p>		P
TOTAL AMOUNT SPENT (Refer to the Itinerary of Travel for complete details of actual expenses)		P
LESS: AMOUNT OF CASH ADVANCE		
AMOUNT REFUNDED TO THE CLERK OF COURT/OIC		P
AMOUNT TO BE REIMBURSED		P
A Certified:	B Recommending Approval:	C Approved:
Correctness of the above data	Supporting documents certified correct and complete	
_____ Sheriff/Process Server/ Court-Authorized Person	_____ (BCC/COC)	_____ Executive Judge/ Presiding Judge