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

OCA CIRCULAR NO. 204-2022-A

TO : ALL JUDGES, CLERKS OF COURT, AND ACTING CLERKS OF COURT/ OFFICERS-IN-CHARGE, AS WELL AS COURT USERS, OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT : GUIDELINES ON THE MINIMUM DOCUMENTARY REQUIREMENTS FOR THE POSTING OF CASH, SURETY AND PROPERTY BONDS, AND FOR THE POSTING OF BAIL INVOLVING AN ACCUSED WITH MULTIPLE CASES IN COURT

Section 2, Rule 114 of the Revised Rules of Criminal Procedure identifies the conditions and requirements for bail. This section provides, among others, that the original papers required for bail shall bear the full name and address of the accused, the amount of the undertaking, the conditions required by the said section, and the photographs taken within the last six (6) months showing the face, the left and right profiles of the accused.

For uniformity and ease of identification of requirements, the minimum documentary requirements for the posting of the different kinds of bail bonds shall be those listed below. Should any concerned branch ask for any other reasonable documentary requirements, as they deem fit and necessary, this should not preclude the immediate processing of the bail application, if so warranted, thus:

A. Cash Bail

1. Certified True Copy or Official Court Copy of the Information;
2. Four (4) sets of the accused's picture showing his/her front, left and right profiles, with the name and signature of the accused at the back of each picture;
3. Accused's left and right handprints or fingerprints;
4. Barangay Certification intended for bail purposes, reflecting accused's real name and residence;
5. Location plan or house sketch of the accused as certified by the barangay;
6. In case the accused is detained, or when he/she voluntarily surrenders to the police in a place different from the location of the court where

the case is pending, a Certificate of Detention showing the name, designation and signature of the personnel authorized to issue the said certificate where accused is detained.

The said certificate will not be necessary, however, when the accused has opted to post bail before the court where the case is pending but has not voluntarily surrendered to the police or is in any manner not under police custody;

7. Accused's notarized Undertaking and Waiver of Appearance in accordance with Rule 114 of the Revised Rules of Criminal Procedure; and
8. Bail amount recommended or imposed by the Court;

8.1 In case the Information states "Bail Not Required," "Bail is Not Necessary" or "No Bail is Recommended," or the bail imposed is more than or different from that which was recommended in the Information, certified copy of the Order stating the amount of the bail.

B. Corporate Surety Bond

In accordance with Administrative Matter No. 04-7-02-SC, or the "Guidelines on Corporate Surety Bonds," in criminal cases, the following documentary requirements shall be attached to the Bond:

1. Photocopy of the Certificate of Accreditation and Authority issued by the Court Administrator containing the photograph of the authorized agent (after presentation to the Clerk of Court of the original copy thereof as Copy of the Certificate of Accreditation and Authority containing the photograph of the agent), with attached documents as stated in Item Nos. V (A.4) (A.4.a) to (A.4.c) and (A.4.e) in Administrative Matter No. 04-7-02-SC;
2. Four (4) sets of photographs of the accused[1];
3. Original copy of the Waiver of Appearance of accused under oath;
4. Original copy of the Certificate of Detention, unless not required per the situation mentioned in A(6);
5. Certified True Copy or Official Court Copy of the Information; and,
6. Certification from the Barangay Captain attesting to the real name of the accused, his actual residence in the barangay and attaching a location plan showing the residence of the accused.

C. Property Bond

1. Transfer Certificate of Title of the property;
2. The real property's latest Tax Declaration; and,

[1] In accordance with Item No. V (A)(A.5)(A.5.a) of A.M. No. 04-7-02-SC, the bonding copy is obligated to "attach four (4) sets of recently taken black and white 2x2 photographs (front, left and right profiles) of the accused on all copies of the corresponding bail bond to be issued or posted."

For an accused with multiple pending applications for bail arising from the filing of multiple cases against him/her, the following guidelines regarding documentary requirements shall apply:

a. In the event an accused has additional case/s pending in the same court where he/she has already successfully posted bail, or the accused applies for bail for all the multiple cases at the same time pending before the same court, and such additional case/s require/s the same documents for the posting of bail, the submission of the original copies thereof in all the cases shall no longer be required. Instead, the original documents initially submitted in the same court shall simply be reproduced and certified as true copies by the Clerk of Court of the concerned branch for the processing of the accused's bail application/s.

b. If the accused is charged with another case which was raffled to another branch in the same station, the original documents that were submitted which resulted in the successful application for bail with the prior court shall be reproduced by the accused and certified as true copies by the concerned court's Clerk of Court or Acting Clerk of Court/Officer-in-Charge to be submitted to the other branch where there is/are pending application/s for bail.

c. In case the accused is charged with cases in other stations, the original documents for the application of bail therein should be submitted.

For guidance and compliance.

09 September 2022

RAUL B. VILLANUEVA
Court Administrator

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