



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

OCA CIRCULAR NO. 103-2023

TO : ALL TRIAL COURT SHERIFFS

**SUBJECT : RETURNS OF AND PERIODIC REPORTS
ON WRITS OF EXECUTION**

The Office of the Court Administrator has received information that some sheriffs are remiss in their duties of reporting to the court which issued the writ of execution and of making periodic reports thereon as required under Rule 39¹ of the Rules of Court, *viz*:

Sec. 14 Return of writ of execution – The writ of execution shall be returnable to the court issuing it immediately after the judgment has been satisfied in part or in full. **If the judgment cannot be satisfied in full within thirty (30) days after his receipt of the writ, the officer shall report to the court and state the reason therefor.** Such writ shall continue in effect during the period within which the judgment may be enforced by motion. **The officer shall make a report to the court every thirty (30) days on the proceedings taken thereon until the judgment is satisfied in full, or its effectivity expires.** The returns or periodic reports shall set forth the whole of the proceedings taken, and shall be filed with the court and copies thereof promptly furnished the parties. (emphasis supplied)

In *Valdez v. Macusi, Jr.*², the Court, finding Sheriff Macusi guilty of simple neglect of duty for failure to submit the proper returns and periodic reports, pronounced that the abovementioned execution, period therefor and periodic reports are mandatory, thus:

“The 30-day period imposed for the execution of the writ after the judgment has been received by the sheriff, as well as the periodic report every 30 days, is mandatory under the rule. In *Aquino v. Martin*, we held that it is mandatory for the sheriff to execute the judgment and make a return on the writ of execution within the period provided by the Rules of Court. Also, the sheriff must make periodic reports on partially satisfied or unsatisfied writs in accordance with the rule in order that the court and the litigants are apprised of the proceedings undertaken. Such periodic reporting on the status of the writs must be done by the sheriff regularly and consistently every 30 days until they are returned fully satisfied.

¹ Execution, Satisfaction and Effect of Judgments

² A.M. No. P-13-3123, June 10, 2014

xxx In *Dilan v. Dulfo*, we held that sheriffs play an important part in the administration of justice because they are tasked to execute the final judgment of courts. If not enforced, such decisions are empty victories on the part of the prevailing parties.”

All concerned are sternly reminded to faithfully observe the above stated duties within the prescribed periods.

For strict compliance.

3 March 2023



JENNY LIND R. ALDECOA-DELORINO
Deputy Court Administrator and Officer-in-Charge
Office of the Court Administrator
(Per Memorandum Order No. 32-2023 dated 27 February 2023)