



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

OCA CIRCULAR NO. 260-2023-A

TO : ALL FIRST AND SECOND LEVEL COURTS

SUBJECT : CLARIFICATION ON PAYMENT OF FEES FOR REQUESTS OF PERSONS DEPRIVED OF LIBERTY (PDLs) FOR CERTIFICATIONS FROM THE COURTS

In order to address the inquiry on whether a legal fee is required for requests of PDLs for the issuance of *Certifications of No Pending Cases and/or No Pending Appeal* or other related certifications being requested by them, all first and second level courts are **DIRECTED** to follow the guidelines outlined below:

1. If the request for certification is filed by a government agency or instrumentality having the custody of the PDLs, like the National Bilibid Prisons, the same shall be exempt from the payment of legal fee pursuant to Section 22 of Administrative Circular No. 35-2004 dated 20 August 2004, as amended (*Guidelines in the Allocation of the Legal Fees Collected Under Rule 141 of the Rules of Court, as Amended, Between the Special Allowance for the Judiciary Fund and the Judiciary Development Fund*);
2. If the request for certification is filed by a PDL, the same shall also be exempt from the payment of legal fee **provided that the concerned PDL meets the requirements of being an indigent litigant** as specified in Section 19 of Administrative Circular No. 35-2004, as amended; and
3. Pursuant to Administrative Matter No. 12-3-5-SC (Re: Exempting All Detainees From Payment of Court Fees as a Pre-Requisite for Their Release) dated 20 March 2012, which amended Sections 7(n) and 8(o), Rule 141 of the Rules of Court, the fee for clearances and certifications issued by the first level courts and the regional trial courts “shall be automatically waived in favor of detainees who could not pay the same after the lapse of ten (10) days from the issuance of the order for their release.”¹

¹ Administrative Matter No. 12-3-5-SC (Re: *Exempting All Detainees from Payment of Court Fees as a Pre-Requisite for Their Release*) dated 20 March 2012.

Should the accused be represented by the Public Attorney's Office, him/her being considered an indigent pursuant to the policies of the said Office may qualify him/her also to be entitled to such certificate free of charge.

For strict compliance.

11 September 2023



JENNY LIND R. ALDECOA-DELORINO
Deputy Court Administrator and Officer-in-Charge
Office of the Court Administrator
(per Memorandum Order No. 107 dated 8 September 2023)