



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

OCA CIRCULAR NO. 376-2023

TO : ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT: SERVICE OF WRITS AND COURT PROCESSES IN CONNECTION WITH CASES INVOLVING FOREIGN GOVERNMENTS OR INSTRUMENTALITIES THEREOF

It has come to the attention of the Office of the Court Administrator that despite several issuances on the subject matter, there are still trial courts which send directly to the foreign embassies and consular offices based in the Philippines the subpoenas issued to the said offices instead of coursing the same through the proper diplomatic channels.

Relative thereto, and as another REMINDER to all judges of the first and second level courts, quoted herein is the pertinent directive in Memorandum Circular No. 3 dated 14 March 1978 (Re: Service of Writs and Court Processes in Connection with Cases Involving Foreign Governments or Instrumentalities Thereof):

Accordingly, you are hereby advised that henceforth **court processes and writs** issued in connection with cases involving foreign governments or agencies **should be forwarded to the Department of Foreign Affairs for transmission to the foreign embassy concerned by diplomatic note.** (*emphasis supplied*)

The foregoing directive was reiterated in Circular No. 22 dated 02 September 1987, Circular No. 3-91 dated 20 May 1991, and OCA Circular No. 272-2016 dated 05 December 2016.

For the guidance and strict observance of all concerned.

23 November 2023

  
RAUL E. VILLANUEVA  
Court Administrator



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

**OCA CIRCULAR NO. 272-2016**

**TO : ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS**

**SUBJECT : SERVICE OF WRITS AND COURT PROCESSES IN CONNECTION WITH CASES INVOLVING FOREIGN GOVERNMENTS OR INSTRUMENTALITIES THEREOF**

The Department of Foreign Affairs, through the Acting Assistant Secretary, Atty. Leo Tito L. Ausan, Jr., Office of Legal Affairs, requested the Office of the Court Administrator to issue a circular on the proper observance of Memorandum Circular No. 3 dated 14 March 1978 (*Service of Writs and Court Processes in Connection with Cases Involving Foreign Governments or Instrumentalities Thereof*), paragraph 2 of which pertinently provides:

Accordingly, you are hereby advised that henceforth **court processes and writs** issued in connection with cases involving foreign governments or agencies **should be forwarded to the Department of Foreign Affairs for transmission to the foreign embassy concerned by diplomatic note.** (Emphasis added)

The foregoing directive was reiterated in Circular No. 22 dated 02 September 1987 and further restated in Circular No. 3-91 dated 20 May 1991.

In view thereof and in consonance with the prevailing diplomatic practice, all concerned are hereby **DIRECTED to FORWARD** all court processes and writs issued in connection with cases involving foreign governments or agencies to the **DEPARTMENT OF FOREIGN AFFAIRS** for transmission to the foreign embassy concerned by diplomatic note.

For strict compliance.

December 5, 2016

  
**JOSE MIDAS P. MARQUEZ**  
Court Administrator





Republic of the Philippines  
Supreme Court  
Manila

OFFICE OF THE COURT ADMINISTRATOR

CIRCULAR NO. 3-91

TO : ALL JUDGES OF THE COURT OF TAX APPEALS,  
REGIONAL TRIAL COURTS, METROPOLITAN TRIAL  
COURTS, MUNICIPAL TRIAL COURTS IN CITIES,  
MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL  
COURTS, SHARI'A DISTRICT COURTS AND SHARI'A  
CIRCUIT COURTS

SUBJECT : Service of Writs and Court Processes in  
connection with Cases involving Foreign  
Governments or Instrumentalities thereof

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The attention of this Court has been called by the Department of Foreign Affairs, Manila, to persistent complaints from its foreign posts and the foreign embassies in Manila that court processes have been mailed or otherwise delivered to them without coursing the same through the Department.

As the practice complained of is not in consonance with diplomatic practice, this Court had previously issued Memorandum Circular No. 3 dated March 14, 1978, copy of which is herewith attached as Annex "A", and Circular No. 22 dated September 2, 1987, copy of which is likewise herewith attached as Annex "B", advising all judges that court processes and writs issued in connection with cases involving foreign governments or agencies should be forwarded to the Department of Foreign Affairs for proper transmission to the foreign embassies concerned by diplomatic note.

This Court hereby reiterates the herein mentioned Memorandum Circular No. 3 and Circular No. 22, and enjoins strict compliance therewith.

May 20, 1991.

  
JOSUE N. BELLOSILLO  
Court Administrator

Encls.: As stated.

FJL/b  
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Supreme Court of the Philippines  
Manila

ADMINISTRATIVE SUPERVISION OF COURTS

CIRCULAR NO. 22

TO : ALL JUDGES OF THE COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A DISTRICT COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT : Service of Writs and Court Processes in connection with Cases involving Foreign Governments or Instrumentalities thereof

The attention of this Court has been called by the Department of Foreign Affairs, Manila, to persistent complaints from its foreign posts and the foreign embassies in Manila that court processes have been mailed or otherwise delivered to them without coursing the same through the Department.

As the practice complained of is not in consonance with diplomatic practice, this Court had previously issued Memorandum Circular No. 3, dated March 14, 1978 advising all judges that court processes and writs issued in connection with cases involving foreign governments or agencies should be forwarded to the Department of Foreign Affairs for transmission to the foreign embassy concerned by diplomatic note.

This Court hereby reiterates this Circular and enjoins strict compliance therewith.

September 2, 1987



CLAUDIO TEEHANKEE  
Chief Justice

LDM/EEV/frd



Supreme Court of the Philippines  
M a n i l a

ADMINISTRATIVE SUPERVISION OF COURTS

MEMORANDUM CIRCULAR NO. 3

TO : ALL JUDGES OF THE COURT OF TAX APPEALS,  
COURTS OF FIRST INSTANCE, CIRCUIT  
CRIMINAL COURTS, JUVENILE AND DOMESTIC  
RELATIONS COURTS, COURTS OF AGRARIAN  
RELATIONS AND CITY AND MUNICIPAL COURTS

SUBJECT : SERVICE OF WRITS AND COURT PROCESSES IN  
CONNECTION WITH CASES INVOLVING FOREIGN  
GOVERNMENTS OR INSTRUMENTALITIES THEREOF

The attention of this Court has been called to diplomatic notes received by the Department of Foreign Affairs complaining that court processes or writs have been mailed or otherwise delivered directly to embassies of foreign governments or agencies thereof without coursing the same through the Department of Foreign Affairs. The practice complained of is not in consonance with diplomatic practice.

Accordingly, you are hereby advised that henceforth court processes and writs issued in connection with cases involving foreign governments or agencies should be forwarded to the Department of Foreign Affairs for transmission to the foreign embassy concerned by diplomatic note.

Strict compliance herewith is enjoined.

March 14, 1978.

(SGD.) FRED RUIZ CASTRO  
Chief Justice