

OCA CIRCULAR NO. 44-2012, May 28, 2012

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TO :

THE CLERKS OF COURT OF THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS AND FIRST LEVEL COURTS (METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS)

SUBJECT :

CLARIFICATION ON THE PROPER DEPOSITARY LBP ACCOUNT FOR THE COLLECTION OF MEDIATION FEES, THE PAYMENT OF MEDIATION FEES WHEN THERE IS/ARE COMPULSORY COUNTERCLAIM/S AND THE ADDITIONAL DUTY OF CLERK OF COURT IN THE SUBMISSION OF FINANCIAL REPORTS SET FORTH IN OCA CIRCULAR NO. 14-2012 DATED MARCH 1, 2012

On March 1, 2012, OCA Circular No. 14-2012 (Re: Reiteration of Provisions I [Paragraph A (1)] and II [Paragraphs 4 and 5] of OCA Circular No. 58-2007, and Restatement of Provision I, Paragraph A [1] Thereof by OCA Circular No. 51-2011) was issued providing, among others, that (1) the clerks of court, officers-in-charge, or their duly authorized officers shall deposit daily the collections accruing to the Fund with: [a] the SC PHILJA PMC Trust Fund (Rule 141) LBP Savings Account No. 3472-1000-08, for collections under Section 9, Rule 141 of the Revised Rules of Court; and [b] the SC PHILJA PMC Trust Fund, LBP Account No. 0592-1055-60, for collection under A.M. No. 01-10-5-SC-PHILJA; (2) the mediation fees shall be collected when there is/are compulsory counterclaim/s; and (3) the clerks of court shall directly submit all the required monthly financial reports and accompanying attachments, as well as the queries on collection and deposit of mediation fees to the Finance Office-Accounting Division of the Philippine Judicial Academy (PHILJA).

However, it appears that (1) the SC PHILJA PMC Trust, LBP Account No. 0592-1055-60 had already been a closed LBP account since September 2006; (2) the payment of legal fees for compulsory counterclaims remains suspended pursuant to Resolution of this Court in A.M. No. 04-2-04-SC dated September 21, 2004 and further reiterated in OCA Circular No. 96-2009 dated August 13, 2009; and (3) the clerks of court do not faithfully comply with the required attachments in the submission of their monthly financial reports. For this purpose, the PHILJA must continuously monitor such submission by directly coordinating with the clerks of court on the matter.

Henceforth, all concerned are hereby DIRECTED to (1) DEPOSIT daily the collections on mediation fees with the SC PHILJA PMC Trust Fund LBP Savings Account No. 3472-1000-08 only; (2) DISCONTINUE collecting mediation fees when there is/are compulsory counterclaim/s; and (3) COMPLY with any directives the PHILJA through its Finance Office-Accounting Division shall directly require them to do so.

Strict compliance is hereby enjoined.

May 28, 2012

(SGD.)JOSE MIDAS P. MARQUEZ

Court Administrator

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