

OCA CIRCULAR NO. 63-2014, April 22, 2014

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TO : Executive/Presiding Judges, Clerks of Court/Officers-in-Charge/Accountable Officers of the First and Second Level Courts

SUBJECT : Clarification on OCA Circular No. 116-2008 (Remittance of Interest Earned on Fiduciary/Sheriff's Trust Fund Deposits and Confiscated/Forfeited Bonds)

In a Resolution dated 11 March 2008 in A.M. No. 05-3-35-SC (Re: Audit Observation Memorandum), the Honorable Court En Banc resolved, among others, to:

- b) DIRECT the CLERK OF COURT to implement the Order in the resolution of January 31, 2006 directing the Fiscal Management and Budget Office to comply with the Audit Memorandum AOM No. 05-008-101-(04) by remitting the interests earned on the Fiduciary Funds and forfeited/confiscated bonds to the Bureau of Treasury as contained in Sec. 7, General Provisions of the General Appropriations Act, CY 2004.

Consequently, OCA Circular No. 116-2008 dated 24 November 2008 was issued directing concerned accountable officers to accomplish and submit to the Fiscal Monitoring Division, Court Management Office, Office of the Court Administrator, the following:

- 1) Schedule I - Withdrawn/Remitted Interest Earned on Fiduciary/Sheriff's Trust Fund Deposited to Judiciary Development Fund;
- 2) Schedule II - Withdrawn/Remitted Interest Earned on Fiduciary/Sheriff's Trust Fund Deposited to Bureau of Treasury ;
- 3) Schedule III - Unwithdrawn/Unremitted Interest Earned on Fiduciary/Sheriff's Trust Fund deposits;
- 4) Schedule IV - Withdrawn/Remitted Confiscated/Forfeited Bonds Deposited to the Judiciary Development Fund;
- 5) Schedule V - Withdrawn/Remitted Confiscated/Forfeited Bonds Deposited to the Bureau of Treasury; and
- 6) Schedule VI - Unwithdrawn/Unremitted Confiscated/Forfeited Bonds

There were also additional directives to all concerned to accomplish the relevant forms for all interests earned on Fiduciary/Sheriff's Trust Fund deposits and confiscated/forfeited bonds remitted to the Judiciary Development Fund on a yearly basis and to prepare separate forms for interests remitted to the National Treasury.

It is noted, however, that the Resolution dated 11 March 2008 in A.M. No. 05-3-35-SC makes no mention of the Sheriff's Trust Fund Deposits. In fact, Section 7 of the General Provisions of the General Appropriations Act CY 2004 pertains only to interests earned on Fiduciary Fund and confiscated/forfeited bonds.

Thus, OCA Circular No. 116-2008 is hereby amended to remove "Sheriff's Trust Fund Deposits" from its title and body to conform with the Resolution dated 11 March 2008 of the Honorable Court En Banc in A.M. No. 05-3-35-SC.

22 April 2014

(SGD.) JOSE MIDAS P. MARQUEZ

Court Administrator

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