

SC ADMINISTRATIVE CIRCULAR NO. 3-96, April 17, 1996

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TO :

COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS. REGIONAL TRIAL COURTS. METROPOLITAN TRIAL COURTS. MUNICIPAL TRIAL COURTS MUNICIPAL CIRCUIT TRIAL COURTS. QUASI-JUDICIAL AGENCIES, THE OMBUDSMAN, THE SOLICITOR GENERAL. THE GOVERNMENT CORPORATE COUNSEL MEMBERS OF THE GOVERNMENT PROSECUTION SERVICE. AND MEMBERS OF THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT:

CLARIFICATION OF THE PROVISIONS OF PARAGRAPH (3). REVISED CIRCULAR NO. 1-88 AND SUPPLEMENTAL RULES THEREFOR

Paragraph (3) of Revised Circular No. 1-88 provides as follows:

"(3) Copies of judgment or resolution sought to be reviewed - Petitions filed with the Supreme Court, whether under Rule 45, Rule 65'. R.A. No. 5440 or P.D. No. 1606 shall be accompanied by a clearly legible duplicate original or certified true copy of the decision, judgment resolution. or order subject thereof, and the requisite number of plain copies thereof. The certification shall be accomplished by the proper Clerk of Court or by his duly authorized representative or by the proper officer of the court. tribunal, board. commission, or office involved. or by his duly authorized representative. Certification by the parties themselves, their counsel or any other person shall not be allowed."

The failure to comply with or miscomprehension of the aforesaid requirement in petitions to the Supreme Court, or in petitions or other initiatory pleadings filed in other courts or quasi-judicial agencies which have adopted the same or similar provisions. has created unnecessary controversies and resulted in undue delay in the proceedings therein.

For the guidance of all concerned. the following clarifications and supplemental rules in complying with the requirement in Paragraph (3) of Revised Circular No. 1-88 are hereby announced for strict compliance:

- The "duplicate original copy" shall be understood to be that copy of the decision, judgement, resolution or order which is intended for and furnished to a party in the case or proceeding in the court or adjudicative body which rendered and issued the same. The "certified true copy" thereof shall be such other copy furnished to a party at his instance or in his behalf, duly authenticated by the authorized officers or representatives or" the issuing entity as hereinbefore specified.
- The duplicate original copy must be duly signed or initialed by the authorities or the corresponding officer or representative of the issuing entity, oi- shall at least bear the dry seal thereof or any other official indication of the authenticity and completeness of such copy. For this purpose, all courts, offices or agencies furnishing such

copies which may be used in accordance with Paragraph 13) of Revised Circular No. 1-88 shall make arrangements for and designate the personnel who shall be charged with the implementation of this requirement.

- The certified true copy must further comply with all the regulations therefor of the issuing entity and it is the authenticated original of such certified true copy, and not a mere xerox copy thereof, which shall be utilized as an annex to the petition or other initiatory pleading.

- Regardless of whether a duplicate original copy or a certified true copy of the adjudicatory document is annexed to the petition or initiatory pleading, the same must be an exact and complete copy of the original, and all the pages thereof must be clearly legible and printed on white bond or equivalent paper of good quality with the same dimensions as the original copy. Either of the aforesaid copies shall be annexed to the original copy of the petition or initiatory pleading filed in court., while plain copies thereof may be attached to the other copies of the pleading.

- It shall be the duty and responsibility of the party using the documents required by Paragraph (3) of Circular No. 1-88 to verify and ensure compliance with all the requirements therefor as detailed in the preceding paragraphs. Failure to do so shall result in the rejection of such annexes and the dismissal of the case. Subsequent compliance shall not warrant any reconsideration unless the court is fully satisfied that the non-compliance was not in any way attributable to the party, despite due diligence on his part. and that there are highly justifiable and compelling reasons for the court to make such other disposition as it may deem just and equitable.

This Circular shall be published in two newspapers of general circulation and shall take effect on June 1, 1996.

April 17, 1996.

(Sgd.) ANDRES R. NARVASA

Chief Justice

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