

SC CIRCULAR NO. 70-97, October 21, 1997

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TO

: ALL JUDGES AND CLERKS OF COURT OF THE METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARIA CIRCUIT COURTS. THE MEMBERS OF THE NATIONAL PROSECUTION SERVICE AND THE MEMEBERS OF THE INTEGRATED BAR OF THE PHILIPPINES.

SUBJECT

:PROCEDURAL GUIDELINES IN THE COLLECTION OF THE FILING FEES SUBJECT OF SUPREME COURT CIRCULAR NO. 57-97 DATED 16 SEPTEMBER 1997 AND OTHER LEGAL FEES INVOLVED; AND THE DOCKETING OF THE CRIMINAL CASE/S ON THE VIOLATION OF BATAS PAMBANSA BLG. 22

In implementation of the provisions of Circular No. 57-97 dated 16 September 1997 prescribing rules and guidelines in the filing and prosecution of criminal cases under Batas Pambansa Blg. 22 ("An Act Penalizing the Making or Drawing and Issuance of a Check Without Sufficient Funds or Credit and For Other Purposes"), the following procedures shall be followed in (a) the collection of the filing fees subject of said Circular No. 57-97 and other legal fees involved; and (b) the docketing of the criminal case or cases on the violation of Batas Pambansa Blg. 22:

- The Office of the Clerk of Court shall receive the information filed by the Office of the Chief State Prosecutor or the Provincial/City Prosecuton Office. Upon receipt, the information shall be entered in a separate record book and assigned an undocketed number (UDK No.) consisting of (a) the Investigation Slip No. ("I.S. No.") appearing on the said information for easy identification; and (b) a number, starting with No. 1 (Example: UDK No. 6789-1);
- Thereafter, the Clerk of Court shall, by form letter (Annex "A"), notify and advise the complainant of (a) the filing of the information; and (b) the requirement as to the payment in full of the filing fees under Circular No. 57-97 based upon the computation stated therein. The State Prosecutor, the Provincial/Assistant Provincial Prosecutor or the City/Assistant City Prosecutor who filed the information and the respondent shall be furnished with copies of the accomplished form letter sent by the Clerk of Court;
- The complainant shall have a period of ten (10) days from receipt of the letter within which to pav the filing fees. Should the compliant fa, to pay the filing fees within the ten (10)-day period stated herem. the case folder sha be archived After the lapse of two (2) months, the records may be disposed of.
- Upon receipt of the filing fees under Circular No 57 97 the information shall be entered in the court's general, docket book and assigned the court case number. Thereafter, the Clerk of the Court shall cause the inclusion of the case in the raffle cases.

The filing fees and other legal fees shall be processedin accordance with the flowchart attached herewith as

Annex "B."

- In the event that the amount of the actual damages claimed exceeds the maximum amount of P200,000.00, the filing fees to be collected in excess of the aforementioned amount shall be in accordance with the provisions of Section 7 (a), Rule 141 of the Rules of Court.

- This Circular shall take effect on 1 November 1997 and shall remain in force until further orders.

21 October 1997

(SGD.)ALFREDO L. BENIPAYO
Court Administrator

[SEE SUPREME COURT CIRCULARS 1997 FOR ANNEX "A" AND ANNEX "B" IMAGE AND FLOWCHART]

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