

SC CIRCULAR NO. 1-88, November 29, 1988

SC CIRCULAR NO. 1-88, November 29, 1988

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/817990df21c6/>

TO :

ALL MEMBERS OF THE BAR

SUBJECT:

IMPLEMENTATION OF SEC. 12, ART. XVIII OF THE 1987 CONSTITUTION AND COMPLEMENTING ADMINISTRATIVE CIRCULAR NO. 1 OF JANUARY 28, 1988 ON EXPEDITIOUS DISPOSITION OF CASES PENDING IN THE SUPREME COURT.

Considering the provisions of Section 12, Article XVIII of the 1987 Constitution, mandating the adoption of a systematic plan to expedite the decision or resolution of cases or matters pending in the Supreme Court and complementing further the Court's Resolution of April 7, 1988, implementing Administrative Circular No. 1 of January 28, 1988, the Supreme Court, effective January 1, 1989, will entertain only petitions that comply strictly with the pertinent provisions of the Rules of Court, more particularly the following:

- Payment of docketing and other fees.— Section 1 of Rule 45 requires that petitions for review be filed within the prescribed period paying at the same time the prescribed fees. Unless exempted by law or rule, such fees must be fully paid at the time of the filing of the petition; otherwise, the Court may deny the petition outright. The same rule shall govern petitions under Rule 65.

The filing fees under Rule 141 are as follows:

PETITION FOR REVIEW ON CERTIORARI Under Rule 45

Docket Fee

P 48.00

Docket Fee (Judiciary Fund)

48.00

Legal Research Fund Fee

20.00

TOTAL**P 116.00**

SPECIAL CIVIL ACTION Under Rule 65

Docket Fee

48.00

Docket Fee (Judiciary Fund)

48.00

Legal Research Fund Fee

20.00

Deposit for Sheriffs Fee

100.00

Sheriffs Fee (Judiciary Fund)

100.00

Clerk's Commission

.50

TOTAL**P 316.50**

If a restraining order is prayed for in connection with a petition for review on certiorari under Rule 45, the sheriff's fees prescribed for special civil actions under Rule 65 in the aggregate amount of P200.00 shall also be paid.

If the petition involves more than one case, the docket and legal research fund fees will be multiplied by the number of cases. Payment should be made in cash, postal money order, bank manager's or cashier's check.

- Service of copies of the petition.—The Court shall not act on the petition under Rule 45 without proof of service of a copy thereof on the lower court concerned and on the adverse party. Henceforth, the petition may be denied outright if there is no such proof of service in accordance with Sections 3, 5 and 10 of Rule 13 attached to the petition when filed. (See attached form of Affidavit of Service, Annex "A");

- The copies of the 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 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.

Non-compliance with these requirements shall be a ground dismissal.

- Verified statement of material dates.—A petition under Rule 45 or 65 shall in all cases contain a verified statement of the date when notice of the judgment, order or resolution subject thereof was received, when a motion for reconsideration, if any, was filed and when notice of the denial thereof was received; otherwise, the petition may be dismissed.

- Effect of subsequent compliance.—Subsequent compliance with the above requirements will not warrant reconsideration of the order of dismissal unless it be shown that such non-compliance was due to compelling reasons.

- Effectivity Date.— This Circular shall take effect on January 1, 1989.

November 8, 1988.

(Sgd.) MARCELO B. FERNAN

Chief Justice

(Annex A- Please see image on page 67.)

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.