

ADMINISTRATIVE CIRCULAR NO. 4-2004, February 04, 2004

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TO:

ALL JUDGES AND CLERKS OF COURT/BRANCH CLERKS OF COURT AND OFFICERS-IN-CHARGE OF THE OFFICES OF THE CLERK OF COURT OR BRANCH CLERKS OF COURT OF THE COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT:

REVISED FORM, RULES, GUIDELINES AND INSTRUCTIONS IN ACCOMPLISHING THE MONTHLY REPORT OF CASES

In the interest of effective administrative supervision of lower courts, it is imperative that the Supreme Court be provided with a broader scope of information not only on the movement or flow of cases, but also on the specific types of cases filed in court. Hence, the form of the Monthly Report of Cases (Administrative Order No. 61-2001 dated 10 December 2001) currently used by the lower courts is hereby revised to conform with the needs of the Supreme Court in the monitoring of cases.

The revised Monthly Report of Cases, hereafter known as the Revised SC Form No. 1-2004, a copy of which is hereto attached as Annex "A" and is made a part hereof.

In the accomplishment of the Revised SC Form No. 1-2004, hereafter referred to as the Form, the following rules, guidelines and instructions shall be strictly observed:

RULES:

- The Form shall henceforth be the official form to be used by all lower courts in the submission of their monthly report of cases.
- The Clerk of Court, Branch Clerk of Court or the Officer-in-Charge of the Office of the Clerk of Court or of the Branch Clerk of Court shall accomplish the Form in triplicate at the end of each month. The clerks in charge of criminal, civil and other cases shall assist the former in the preparation and accomplishment of the Form.
- The original copy of the Form shall be submitted to the Supreme Court through -

The Chief

Statistical Reports Division

Court Management Office

Office of the Court Administrator

Supreme Court

Taft Avenue, Ermita, Manila 1000

The court which submits the Form shall retain the second copy thereof. The third copy shall be submitted to the Executive Judge for the latter's information, appraisal and compilation.

- The Clerk of Court, Branch Clerk of Court or the Officer-in-Charge of the Office of the Clerk of Court or of the Branch Clerk of Court of a court with an assisting judge shall prepare separate Forms for the presiding judge and for the assisting judge. The monthly report of cases of the presiding judge shall be limited to cases which are assigned to him for hearing and those submitted to him for decision. The monthly report of cases of the assisting judge shall be limited to the cases assigned to him for hearing and those submitted or assigned to him for decision.

- The Form shall be signed and certified under oath both by the presiding judge/acting presiding judge/assisting judge and the Clerk of Court/Branch Clerk of Court/Officer-in-Charge concerned.

- The Form provides two (2) spaces for the following information:

- a) Judge (indicate whether presiding, acting or assisting);
- b) Clerk of Court (indicate whether clerk of court, branch clerk of court or officer-in-charge); and
- c) If the judge submitting the form is an acting or assisting judge, he shall likewise indicate the source of his authority, such

as an Administrative Order or Resolution of the Supreme Court with the number and date of its issuance.

- The following shall be attached to the Form which shall not be submitted separately or in batches, to wit:

- a. List of cases that have been newly filed or newly raffled;
- b. List of cases that have been revived/reinstated, or those received from other salas;
- c. List of cases that have already been decided or resolved, archived or transferred to other salas;
- d. List of cases with suspended proceedings; (refer to Administrative Circular No. 1-2001 dated 2 January 2001 for the details)
- e. Copies of orders considering cases submitted for decision; and
- f. Copies of decisions on the merits and orders of dismissal of cases (refer to Administrative Circular No. 67-2001 dated 8 October 2001 for the details.)

- Failure to submit the Form, as well as the documents required in the preceding paragraph, shall warrant the withholding of the salaries of the judge/s and clerks of court/branch clerk of court/ officer-in-charge concerned, without prejudice to whatever administrative sanction the Supreme Court may impose on them or criminal action which may be filed against them. The same sanctions shall apply to those submitting reports with incomplete or inaccurate entries or attachments.

- In case of loss of the Form while in transit, the court concerned must, upon notice of non-receipt thereof by the Statistical Reports Division, Court Management Office, immediately send to such Division a copy of the lost or missing report, including its attachments. The mere submission of a proof of mailing will not relieve the judge/s and clerks of court/branch clerk of court/ officer-in-charge of their obligation to submit the required monthly report of cases.

- The submission of the Form is a requirement separate and distinct from other reports required by the Supreme Court. Submission of other reports shall not justify or excuse the non-submission of the Revised SC Form No. 1-2004.

- In order to enable the courts to comply with the Form the monthly reports for the months of January and February 2004 shall be submitted on or before March 10, 2004. Subsequent monthly reports shall be submitted within the first ten (10) days of the succeeding month.

GUIDELINES AND INSTRUCTIONS:

- All information that are required in the upper left-hand portion of the first page of the Form should be stated for the proper identification of the court filing the Form. (The appropriate box applicable to the court filing the Form should be marked with an "X". The space opposite the term "MONTH/YEAR" shall indicate the month and year covered by the report.)

- The Form must be closely examined to understand and know the information required therein. Although the first and second pages of the Form are similar, they require information concerning different cases. The first page requires information concerning the movement of all criminal cases and the existence of detention prisoners; the second requires information concerning the movement of ordinary civil and other cases.

Item (Row) Nos. I to V pertain to the movement or case flow of each case type. (The columns refer to the various types of cases.)

- Data concerning Criminal Cases - Criminal cases are evaluated in two aspects: (a) the number of cases with detention prisoners; and (b) the total number of criminal cases filed in court and the types of these cases.

3.1 Total number of criminal cases - The data under column numbers 1 and 2, which contain information regarding detention prisoners, if added together, should be equal to the total number of criminal cases under column number 26.

3.2 Column numbers 3, 11, 16 to 25 - The number of cases falling under these columns, if added together, should be equal to the total number of criminal cases under column number 26.

3.2.1 Column number 3 - To arrive at the total number of child and family cases, the data under column numbers 4 to 10 should be added;

3.2.2 Column number 11 - To arrive at the total number of drug cases, the data under column numbers 12 to 15 should be added. Drugs cases involving minors should be excluded from columns 11 to 15 as these are already reflected in columns 3 to 10;

3.2.3 Column number 16 - Heinous crimes falling under child and family cases should be excluded from column number 16 as these are already included in column numbers 3 to 10.

3.2.4 Rape cases falling under Child and Family cases should not be included in column number 22.

- Data concerning Civil Cases -

4.1 Total number of ordinary civil and other cases - The data contained in column numbers 27, 32, 33, 40, 41 and 42, if added together, should be equal to the total number of ordinary civil and other cases under column 43.

4.1.1 To get the total number of ordinary civil cases under column 27, the data contained under columns 28 to 31 should be added;

4.1.2 To get the total number of special proceedings (column number 33) -

First - add the data under column numbers 35 to 37 to get the total number of child and family cases under column number 34.

Second - Thereafter, the data under column numbers 34, 38 and 39 should be added to get the total number of

special proceedings under column number 33.

- The GRAND TOTAL value under column number 44 is the sum of the total of criminal cases under column number 26 and the total ordinary civil and other cases under column number 43.

- Applying the above instructions, the following must be observed in filling up Item Nos. I to V:

6.1 Item No. I - Number of Pending Cases at the Beginning of the Month —

Fill up Columns 1 to 44 under Item No. I (Number of Pending Cases at the Beginning of the Month) based on the number of pending cases at the end of the month immediately preceding the month subject of the report.

Note No. 1:

In instances where the number of pending cases at the beginning of the month does not tally with the pending cases at the end of the preceding month, an amended monthly report covering the preceding month shall be submitted together with the latest monthly report. Without such amended monthly report, the succeeding reports are deemed to have not been filed and Rule No. 4 (re: non-submission of report/incomplete entries/attachments) shall be applicable.

6.2. Item No. II - Total Number of Cases Added during the Month —

The Total Number of Cases Added during the Month under Item No. II, otherwise referred to as the Case Inflow, refers to the number of cases added to those pending at the beginning of the month. These may be newly filed or raffled cases under Item No. II-A, revived or reopened cases under Item II-B, or cases received from other salas/branches due to inhibition by judges or change of venue under Item II-C.

To compute the Total Number of Cases Added during the Month (Item No. II), fill up the sub-categories in the following order:

- Items II-A-1 {Original Jurisdiction}, II-A-2 {Appealed from Lower Court} and II-A-3 (for Preliminary Investigation - applicable to MTCs and MCTCs only);
- Item II-A - Number of New Cases Filed or Raffled, if Multiple-Sala (Add entries in Items II-A-1, II-A-2 and II-A-3);
- Item II-B - Number of Cases Revived/Reopened; and
- Item II-C - Number of Cases Received from Other Branches.

The TOTAL NUMBER OF CASES ADDED DURING THE MONTH will be the SUM of Items II-A (for emphasis: II-A is the sum of II-A-1 to II-A-3), II-B and II-C.

6.3. Item No. III - Total Number of Cases Deducted during the Month

The Total Number of Cases Deducted during the Month under Item No. III, otherwise referred to as the Case Outflow, refers to the number of cases deducted from the total number of cases in Item No. I (Number of Pending Cases at the Beginning of the Month) and Item No. II (Total Number of Cases Added). These may be decided/resolved cases under Item No. III-A, archived cases under Item III-B, or cases transferred to other salas/branches due to inhibition of judges or change of venue under Item III-C. Cases with suspended proceedings are not included in the outflow of cases.

To compute the Total Number of Cases Deducted during the Month (Item No. II), fill up the subcategories in the following order:

- Items III-A-1 (decided/resolved cases after trial on the merits), III-A-2 (all other cases such as those resolved or dismissed through compromise agreement, plea of guilty by the accused, summary judgment, judgment on the pleadings, dismissal for lack of interest or failure to prosecute the case, and the like) and III-A-3 {number of criminal complaints that has been resolved after conducting a preliminary investigation};
- Item III-A - Number of Cases Decided/Resolved during the Month (Add entries in Items III-A-1, III-A-2 and III-A-3);
- Item III-B - Number of Cases Archived; and
- Item III-C - Number of Cases Transferred to Other Branches

The TOTAL NUMBER OF CASES DEDUCTED DURING THE MONTH will be the SUM of Items III-A (for emphasis: III-A is the sum of III-A-1 to III-A-3), III-B and III-C.

6.4. Item No. IV - Number of Pending Cases at the End of the Month

To get the number of cases under Item No. IV (Number of Pending Cases at the End of the Month), deduct the cases under the columns of Item No. III (Total Number of Cases Deducted during the Month) from the sum of the cases under the corresponding columns of Item No. I (Total Number of Pending Cases at the Beginning of the Month) and Item No. II (Total Number of Cases Added during the Month).

6.5. Item No. V - Number of Cases with Proceedings Suspended

Fill up Item No. V (Number of Cases with Proceedings Suspended) if at the end of the month there are cases where the proceedings were suspended due to petitions for review on certiorari, petitions for reinvestigation, prejudicial question, mental examination or rehabilitation of an accused, and other similar causes. Include all cases which were suspended prior to the month being reported. Note that these cases should not be deducted from the total cases pending at the end of the month.

- To sum up computations, refer to Column Numbers and Item Numbers. Thus, the computation shall be as follows.

ROW-WISE COMPUTATION:

ROW-WISE COMPUTATION

Column 3 = Columns 4 -+ 5 + 6 + 7 + 8 + 9 + 10

Column 11 = Columns 12 + 13-1- 14 + 15

Column 26 = Columns 3 - t- 11 + 16 + 17 + 18 + 19 + 20

+ 21 + 22 + 23 + 24 + 25 (must also equal

to Columns 1 + 2)

Column 27 = Columns 28 + 29 + 30 +31

Column 34 = Columns 35 + 36 + 37

Column 33 = Columns 34 + 38 + 39

Column 43 = Columns 27 + 32 4 -33+40 + 41 + 42

Column 44 = Columns 26 + 43

COLUMN-WISE COMPUTATION

Item No. II-A = Item Nos. II-A-1 (+) II-A-2 (+) II-A-3

Item No. II = Item Nos. II-A (+) II-B (+) II-C

(for emphasis: Item No. II-A is the sum of

Item Nos. II-A-1 to II-A-3)

Item No. III-A = Item Nos. III-A-1 (+) III-A-2 (+) III-A-3

Item No. III = Item Nos. III-A (+) III-B (+) III-C

(for emphasis: Item No. III-A is the sum

of Item Nos. III-A-1 to III-A-3)

Item No. IV = [Item No. I (+) Item No. II] (-) Item No.

III

- Item No. VI (List of Cases Submitted for Decision But Not Yet Decided at the End of the Month) covers all cases submitted for decision but not yet decided at the end of the month, including those submitted prior to the month covered by the report under preparation. Likewise included are cases with unresolved motions which may determine the disposition of the cases, such as Motions to Dismiss or Demurrer to Evidence. Patent non-indication of undecided cases or unresolved motions may constitute falsification of official document. All columns provided therein must be properly filled up. Incomplete entries as well as the use of another format not conforming with the prescribed form shall warrant the application of Rule No. 4 on withholding of salaries and other disciplinary measures.

Note No. 2:

Emphasis is given on the date the case was submitted for decision and the respective date when the reglementary period shall expire/have expired. The due date should be computed based on the 90 or 30-day period, whichever is applicable. Judges are further reminded that neither incomplete transcript of stenographic notes nor the non-submission of memoranda does not suspend the running of the period within which to decide a case.

- Item No. VII (Number of Accused at the End of the Month) refers to the ACTUAL number of accused, regardless of the number of criminal cases under Item No. IV, column for Total Criminal Cases. For instance, if Mr. A is accused of three (3) counts of Murder, the figure to be entered under Item No. IV, column for Total Criminal Cases, is "3", but in Item No. VII, the entry should only be "1" as there is only one (1) accused. Corollarily, if Mr. A, Mr. B, and Mr. C are accused of Rape, the figure to be entered under Item No. IV, column for Total Criminal Cases, should be "1", but under Item No. VII, the entry should be "3."

- Item No. XI (Aging of Pending Cases). This item refers to the period during which a case has been pending in court from the date of its filing (if filed with a single sala court), or its raffling (if filed in a multiple-sala court), up to the date when the current monthly report is prepared. The total of the criminal cases, ordinary civil cases and total cases under this item should tally with the entries in Item IV, columns 26, 27 and 44, respectively.

- Item No. XII (Decisions/Final Orders Appealed/on Certiorari/ Interlocutory Matters Elevated for Review). This item includes all cases that have been appealed to a higher court, which are not yet fully disposed of by the latter.

- Item Nos. VIII to IX and XIII to XIV are all self-explanatory.

- The Form should be subscribed and sworn to by the judge and his clerk of court/branch clerk of court or officer-in-charge concerned before the Executive Judge or Vice Executive Judge, or, in case of unavailability of both, before the Presiding Judge of the station nearest to his/her court. Should the distance or mode of transportation be such as to make it impractical to swear before the aforesaid judges, the declaration under oath may be done before a public prosecutor or a notary public, in this order.

REPEALING CLAUSE:

Administrative Circular No. 61-2001 dated 10 December 2001 is hereby repealed and is superseded by this Administrative Circular.

EFFECTIVITY:

This Administrative Circular shall take effect on the first day of March 2004 and the Revised SC Form No. 1-2004 (Monthly Report of Cases) herein prescribed shall be used starting for the month January 2004. However, the Monthly Report of Cases for the months of January and February 2004 shall be submitted within the first ten (10) days of March 2004 to give allowance for adjustment and familiarization with the requirements/guidelines in the accomplishment of the SC Form No. 1-2004.

FOR STRICT COMPLIANCE.

Issued this 4th day of February 2004.

HILARIO G. DAVIDE

Chief Justice

SC FORM NO. 1-4 (MONTHLY REPORT CASES)

SEE IMAGE AFTER ADMINISTRATIVE CIRCULAR NO. 4

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