

OCA CIRCULAR NO. 20-2011, January 28, 2011

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TO :

ALL JUSTICES , JUDGES AND CLERKS OF COURTS OF THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURT, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURT IN CITIES, MUNICIPAL TRIAL COURTS, AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT :

MEMORANDUM ORDER NO. 04 -2011 GUIDELINES ON GATHERING STATISTICAL DATA ON ANTI-CORRUPTION CASES FILED AND DISPOSED IN ALL COURTS

Quoted hereunder is Memorandum Order No. 04-2011 (Re: Guidelines on Gathering Statistical Data on Anti-Corruption Cases Filed and Disposed in All Courts) dated January 21, 2011 signed by the Honorable Chief Justice Renato C. Corona:

"MEMORANDUM ORDER NO. 04 -2011 GUIDELINES ON GATHERING STATISTICAL DATA ON ANTI-CORRUPTION CASES FILED AND DISPOSED IN ALL COURTS

WHEREAS, the principal mandate of the Component Working Committee (CWC) for Component B of the Judicial Reform Support Program (JRSP) is the enhancement of the institutional integrity of the Judiciary;

WHEREAS, the issue of corruption in the Judiciary is one of the matters that the CWC for Component B has to address pursuant to the said mandate;

WHEREAS, there is a need for a factual matrix on corruption to guide and aid the CWC for Component B in addressing the issue that has been adversely affecting the integrity of the Judiciary;

WHEREAS, among the components of the factual matrix are statistical data on cases of corruption filed against Justices, judges and court officials and personnel;

WHEREAS, to assist the government in its fight against corruption, data on cases against all government officials and employees filed and disposed in courts must also be gathered.

NOW, THEREFORE, the following guidelines are hereby established for compliance of the concerned court officials named below:

(1) For the purpose of this Memorandum Order, "corruption cases" shall refer to complaints and cases, whether administrative or criminal, filed against any Justice, judge, court official or court employee, as well as government official or employee, for committing acts of corruption including those penalized under Articles 212 to 221 of the Revised Penal Code, RA 3019 (Anti-Graft and Corrupt Practices Act), as amended, RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees), RA 7080 (Plunder Law), Section 11(b) of RA 9485

(Anti- Red Tape Act) and other pertinent laws.

Corruption cases shall not be limited to cases included in the regular dockets of the concerned courts but shall include cases that are still subject of informal preliminary investigation (IPI), whether the complainant is identified or anonymous.

(2) Information on corruption cases filed and disposed for the three- year period of 2007 to 2010 shall be gathered and generated by:

- (a) the Clerk of Court of the Supreme Court for cases filed against Supreme Court Justices, officials and personnel;
- (b) the Clerks of Court of the Court of Appeals, then Sandiganbayan and the Court of Tax Appeals for cases filed against Justices, officials and personnel of their respective courts and
- (c) the Court Administrator for cases filed against first and second level judges, officials and personnel.

Specifically, whenever applicable, the data shall contain the following:

- (a) the nature of the cases, whether administrative or criminal
 - (i) in administrative cases, whether the charges are formal or informal and whether the complainant is anonymous or identified and
 - (ii) in administrative cases, whether the complaint has already been docketed as a regular administrative case or still subject of IPI;
- (b) the number of cases filed according to their nature and
- (c) final outcome of the cases
 - (i) in administrative cases, whether imposition of disciplinary sanction or dismissal of the charge and whether dismissal of the complaint/ case was in the docketed regular administrative matter stage or in the IPI stage and
 - (ii) in criminal cases, whether conviction or acquittal.

(3) The same Judiciary officials shall also gather separate information regarding corruption cases against all other government officials and employees filed and disposed in the court(s) subject of their respective reports.

(4) All gathered data shall be submitted to the Office of the Chief Justice through the Statistics Division in the Court Management Office of the Office of the Court Administrator (CMO-OCA) within a period of sixty (60) days from receipt of this Memorandum Order; provided that the Court Administrator shall:

- (a), issue a circular on the matter for dissemination to all courts within five (5) days from receipt of this issuance and
- (b) direct submission by all first and second level courts of the required information within sixty (60) days from receipt of the circular.

(5) The Statistics Division of the CMO-OCA shall generate a statistical data based on the reports submitted by the concerned officials of the Judiciary within a 'one-month period from receipt thereof.

The statistical data shall thereafter be submitted to the Office of the Chief Justice. A copy thereof shall also be furnished to the CWC for Component B of the JRSP through its Chairperson.

On request of concerned government agencies and other proper parties, appropriate statistical data on corruption

cases may be provided by the Supreme Court through the Office of the Chief Justice upon favorable recommendation of the CWC for Component B of the JRSP.

(6) All the concerned officials mentioned in paragraph (2) are thereafter enjoined to continue the data-gathering activity and to submit data gathered for each year to the Office of the Chief Justice within the month of January of the immediately following year.

(7) Within ten (10) days from the issuance of this memorandum order, the Statistics Division of the CMO-OCA shall submit a proposed standard form for the reports required under this memorandum order to the CWC for Component B of the JRSP which shall in turn review the proposed standard form and recommend to the Chief Justice the approval thereof.

This Memorandum Order shall take effect upon its issuance this 21st day of January 2011."

Particular attention is invited to the provisions on the scope of the required data and the sixty-day deadline set forth.

January 28, 2011

(SGD.)JOSE MIDAS P. MARQUEZ
Court Administrator

CASES INVOLVING VIOLATION OF ANTI-CORRUPTION LAWS

January 20__ to December 20__

COURT and STATION :

Justice/Judge : CLERK OF COURT/BRANCH CLERK OF COURT/DIVISION CLERK OF COURT:

CASES SUBJECT OF CRIMINAL PROCEEDINGS :

COUNT

CASE NO.

COMPLAINANT (Indicate if Anonymous or Identified)

RESPONDENT/ACCUSED (Indicate Designation, Station)

OFFENSE

DATE FILED

FINAL OUTCOME or ACTUAL STAGE OF PROCEEDINGS

DATE

CERTIFIED CORRECT:

(Name & Designation)

CASES INVOLVING VIOLATION OF ANTI-CORRUPTION LAWS

January 20__ to December 20__

OFFICE :

CASES SUBJECT OF INFORMAL PRELIMINARY INQUIRY (I.P.I.)

COUNT

CASE NO.

COMPLAINANT (Indicate if Anonymous or Identified)

RESPONDENT/ACCUSED (Indicate Designation, Station)

OFFENSE

DATE FILED

FINAL OUTCOME or ACTUAL STAGE OF PROCEEDINGS

DATE

CASES SUBJECT OF FORMAL/REGULAR ADMINISTRATIVE PROCEEDINGS

COUNT

CASE NO.

COMPLAINANT (Indicate if Anonymous or Identified)

RESPONDENT/ACCUSED (Indicate Designation, Station)

OFFENSE

DATE FILED

FINAL OUTCOME or ACTUAL STAGE OF PROCEEDINGS

DATE

CERTIFIED CORRECT:

(Name & Designation)

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