



ZG LAW

ZAMBRANO GRUBA CAGANDA & ADVINCULA

FREQUENTLY ASKED QUESTIONS

Court Operations Beginning 01 June 2020

WPG

/ a regional law network

Q: How will the courts operate by 1 June 2020?

- A:** All courts and offices of the courts nationwide beginning 1 June 2020 shall be in full operation from 8:00 a.m. to 4:30 p.m. in the National Capital Judicial Region, and from 8:00 a.m. to 5:00 p.m. in Regions 1 to 12, Monday to Friday. The Night courts and Saturday courts, however, shall remain suspended.

However, considering that mass transportation is not yet in full operation, the courts and offices of the courts may continue to function at work with a skeleton-staff, if necessary, to be determined by the Chief Justice, Associate Justices; Presiding Justices, Executive Judges, Presiding Judges, and Chiefs of Offices, as the case may be.

Q: How should case inquiries and transactions be made?

- A:** All inquiries on cases and transactions, including requests for documents and services, shall initially be coursed and acted upon only through the hotline numbers, email addresses and/or Facebook accounts of the courts (See <http://sc.judiciary.gov.ph/hotlines/>). No walk-in requests shall be entertained by any of the branches or offices of the courts.

Q: How should filing with the courts be made?

- A:** They may be filed either manually or electronically. All the courts shall receive all the petitions and pleadings filed by any party.

The initiatory pleadings, in both civil and criminal cases, including criminal complaints, informations, and applications for bail, together with all the required documents in relation thereto, may either be filed manually or electronically, and shall be received by the courts through their respective email addresses, as posted on the website of the Supreme Court, if electronically filed.

Pleadings and other court submissions on pending cases may likewise be electronically filed directly with the branch where the case is pending if the said branch has an official email address. Otherwise, the pleadings and other court submissions on pending cases may be filed electronically with the Office of the Clerk of Court, which shall forward said transmissions to the branches where the cases are pending.

Q: How will the raffle of cases be conducted?

- A:** The raffle of cases in all court stations shall proceed regularly, either electronically in eCourt stations, or in accordance with the procedure in A.M. No. 03-8-02-SC in non-eCourt stations, provided that only the members of the Raffle Committee will attend the raffle, excluding the private lawyers and the general public during this period of public health emergency.

Raffle through video conferencing shall no longer be conducted.

Q: How will hearing be conducted?

A: The hearings of cases, regardless of the stage of the trial, shall all be in-court, except in cases involving Persons Deprived of Liberty (PDLs) who shall continue to appear remotely from the detention facility, and in cases with extraordinary circumstances as may be determined by the justices and judges, which shall be heard through video conferencing.

In an “Announcement” dated 31 May 2020 published on the Supreme Court website, Court Administrator Midas Marquez announced that “[v]ideoconferencing hearings will continue during GCQ. This is authorized by both AC 40-2020 and AC 41-2020 which were issued by Chief Justice Diosdado M. Peralta. Hence, for example if a party wishes his/her case to be heard via videoconferencing, the proper motion just needs to be filed, and the court, using its sound discretion can either grant or deny the motion. This remedy is available in both civil and criminal cases.”

The courts shall adopt a system of hearings to enable them to implement continuous trial in criminal cases and comply with other existing guidelines and rules. Pre-trials shall already be set. An accused who has been granted bail need not appear in-court, unless the court has special reasons to require his or her in-court presence.

In all the in-court hearings, the health hygiene protocols, and other public medical standards shall be strictly observed.

Q: Where should justices and judges preside from in hearings conducted through videoconferencing?

A: In all videoconferencing hearings, the justices or judges shall preside from the courtrooms or chambers at all times, unless in exceptional circumstances where the justice or judge may preside from home, with prior permission from the Office of the Court Administrator in the case of first and second level court judges.

Q: Will there be any extensions in the filing of pleadings and other documents with the courts?

A: No. There shall no longer be extensions in the filing of petitions, appeals, complaints, motions, pleadings and other court submissions that will fall due beginning 1 June 2020. In the same manner, the periods for court actions with prescribed period beginning 1 June 2020 shall no longer be extended.

Source: 1) Supreme Court Administrative Circular No. 41-2020
2) Supreme Court Public Information Office Announcement dated 31 May 2020

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