

ANNEX F
OCA Circular 2-2002

Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 2-2002

TO : COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURT, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND INTEGRATED BAR OF THE PHILIPPINES

SUBJECT: MEMORANDUM ON POLICY GUIDELINES

The Office of the Court Administrator and the Integrated Bar of the Philippines have jointly formulated a memorandum on Policy Guidelines. The following are the policy guidelines:

I. The OCA and IBP shall endeavor to have members of the bench and bar assist in the improvement of court proceedings.

II. The IBP shall see to it that its members undertake the following:

1. To make use of available Alternative Disputer Resolution (ADR) methods prior to resort to courts;
2. To encourage parties to include in their contracts a stipulation on compulsory resort to arbitration in any dispute arising therefrom;
3. To make full use of Pre-trial and avail of court referred mediation and appropriate cases, in order to obviate prolonged trial;
4. To resort to the modes of discovery under Rules 23 to 29 of the 1997 Rules of Civil procedure;
5. To agree to the delegation of the reception of evidence to the clerk of court under Section 9, Rule 30 of the 1997 Rules of Civil Procedure;
6. To refer an issue of fact to commissioners in accordance with Rule 32 of the 1997 Rules of Civil Procedure;
7. To agree to the use of affidavits of witnesses in the direct examination in appropriate cases subject to the right of the opposing counsel to object to inadmissible evidence and the right to cross-examine;

8. To utilize Sections 14 and 15 of Rule 119 to ensure the appearance or examination of material witnesses for the prosecution in criminal cases;
9. To observe restraint in filing motions to dismiss but instead allege the grounds thereof in the answer as defenses;
10. To discourage the filing of motions of postponement, extension of time to file pleadings, suspension of proceedings and like motions; and
11. To submit well-prepared and well-researched memorandum to assist the judge in rendering decisions.

III. The OCA and IBP shall coordinate with the Philippine Judicial Academy and the Mandatory Continuing Legal Education Committee in their projects, programs and activities for the implementation of these policy guidelines.

This Memorandum on Policy Guidelines was signed on March 12, 2002 by the undersigned and the President of the Integrated Bar of the Philippines.

For the information of all concerned.

30 April 2002.

(SGD) PRESBITERO V. VELASCO, JR.
Court Administrator