

[ **THE 2002 REVISED MANUAL FOR CLERKS OF COURT, March 08, 2002** ]

**THE 2002 REVISED MANUAL FOR CLERKS OF COURT**

Supreme Court of the Philippines  
Manila

FROM THE CHAMBERS OF

***Hilario G. Davide, Jr.***

CHIEF JUSTICE

**FOREWORD**

Since its conception in 1977 by the late Chief Justice Fred Ruiz Castro, a manual for clerks of court has always been a felt need. Justice Ameurфина A. Melencio-Herrera, who was then an Associate Justice of the Court of Appeals, was called upon to lead the initiative, and a draft manual was soon completed by Justice Herrera's committee. The High Court, however, was not able to act upon the draft.

On 16 March 1990, by virtue of Administrative Order No. 32-90, then Chief Justice Marcelo B. Fernan created a Committee to formulate and draft a Manual for Clerks of Court. With Justice Herrera, at the time already a member of the High Court, chairing the committee, the Manual was completed and approved by the Court in February 1991. In his foreword to the Manual, Chief Justice Fernan hailed it as a "major achievement in the Judiciary's reform program" and a "great contribution in our quest for an improved administration of justice."

The Manual for Clerks of Court remains an important component for a constantly improving Judiciary. With various developments in the Judiciary, not the least of which is the institutionalization of a Judicial Reform Program, the need to revise the 1991 Manual for Clerks of Court became evident. Thus, on 8 January 2001, the Chief Justice issued Administrative Circular No.4-2001 creating an *Ad Hoc* Committee for the Revision of the Manual for Clerks of Court. Naturally, the task of chairing the committee fell on the shoulders of the venerable Madame Justice Herrera, now Chancellor of the Philippine Judicial Academy. As the Committee embarked on its task, little did it realize that it would overhaul the manual that had been the virtual Bible of clerks of court all over the country since 1991 and which had afforded them convenience and facility in the execution of ordinary and special tasks.

The modified Manual, aptly called *The 2002 Revised Manual for Clerks of Court*, which the Committee has prepared, greatly deviates from the 1991 version. The

latter emphasized the functions and duties of clerks of court according to types cases and stages of trial court or proceedings. The revised edition, on the other hand, is subdivided according to judicial hierarchy, from the Supreme Court to the first level courts, including the Shari' a courts, with an additional chapter on guidelines on the maintenance and occupancy of the Halls of Justice. While the revised manual retains most of the information in the old manual, it clusters some topics which previously appeared in scattered sections thereof, namely, the chapters on land registration and cadastral cases, benefits and privileges of clerks of court and other court personnel, appointments and personnel action, legal fees and costs, and disposal and/or distribution of court records, papers and exhibits.

It bears repeating that our clerks of court are at the forefront of judicial administration because of their indispensable role in case adjudication and court management. The *2002 Revised Manual for Clerks of Court* will be their helpful guide and companion in achieving excellence in their tasks to contribute to the effective and efficient administration of justice in the country.

The Committee has thus accomplished a *magnum opus* which is consistent with and pursues further the Chief Justice's vision of a Judiciary that is independent, effective and efficient, and the mission of providing speedy and fair dispensation of justice to all and improving the people's access to judicial services. The Court is once again grateful to Mme. Justice Ameurfina A. Melencio-Herrera. Likewise, the Court recognizes the support and hard work contributed by the Committee's Co-Chairman, Court Administrator Presbitero J. Velasco, Jr., its Vice-Chairman, Atty. Luzviminda D. Puno and its Members, Dean Reynaldo L. Suarez, Assistant Court Administrator Antonio H. Dujua, Atty. Edna E. Difio, Atty. Eden T. Candelaria, Atty. Felipa B. Anama, Judge Manuela F. Lorenzo, Judge Thelma A. Ponferrada, Judge Gregorio D. Dayrit, Judge Ma. Theresa M. Arcega, Atty. Tessie L. Gatmaitan, Atty. Emma Rosario A. Lorbes, Atty. Elvessa P. Apolinario, Atty. Jesusa P. Maningas, Atty. Mercedes S. Gatmaytan, Atty. Engracio M. Escasinas, Jr., Atty. Racquel Crisologo-Lara, Atty. Lelu P. Contreras and Atty. Adelaida Cabe-Baumann.

The *2002 Revised Manual for Clerks of Court* is truly a major achievement which deserves to be another accomplishment of the Centenary celebrations of the Court.

(SGD.) HILARIO G. DAVIDE, JR.

Supreme Court of the Philippines  
Manila

**Resolution**

WHEREAS, on February 22, 1991, the Committee on the Manual for Clerks of Court constituted, pursuant to Administrative Order No. 32-90 issued on March 16, 1990, submitted to Chief Justice Marcelo B. Feman the draft of the 1991 edition of the Manual for consideration and approval;

WHEREAS, the draft of the Manual was subsequently approved by Chief Justice Feman, printed by the Supreme Court Printing Service in July 1991, and then distributed to the Clerks of Court of the Regional Trial Courts and First Level Courts;

WHEREAS, since 1991, many significant changes have occurred in the Judiciary: (1) on October 24, 1996, the Supreme Court strengthened the Office of the Court Administrator (OCA) as its principal arm in performing its constitutional power and duty to exercise its administrative supervision over all lower courts; (2) on February 26, 1998, Republic Act No. 8557 establishing the Philippine Judicial Academy and defining its powers and functions was enacted; (3) on October 28, 1997, Republic Act No 8369 constituting the Family Courts was passed; and (4) on different and various dates, numerous resolutions and administrative issuances were promulgated or issued on the general administration of lower courts, all of which relate to and impact on the functions, duties and responsibilities of the Clerks of Court of the 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;

WHEREAS, Chief Justice Hilario G. Davide, Jr., fully cognizant of these changes and the ever-evolving role of the Clerks of Court and the need to review and re-study the 1991 edition of the Manual for Clerks of Court issued Administrative Circular No. 4-2001, dated January 8, 2001, creating the *Ad Hoc* Committee for the Revision of the Manual for Clerks of Court;

WHEREAS, the members of the Ad Hoc Committee for the Revision of the Manual for Clerks of Court, after numerous intensive meetings and exhaustive discussions, whether in plenary or in sub-committees, have revised the 1991 edition of the Manual;

WHEREAS, the draft of the 2002 edition of the Manual for Clerks of Court includes not only the changes introduced by relevant Supreme Court resolutions, rules and administrative issuances promulgated after 1991 and by OCA circulars and administrative memoranda but also the features of new offices and programs and the provisions of important guidelines, with the following, among them:

1. Public Information Office;
2. Program Management Office;
3. Educational Support Program for the Lower Courts;
4. Supreme Court Health and Welfare Plan;
5. Supreme Court Motorcycle Acquisition Program for Process Servers;
6. Guidelines on the Wearing of Uniforms; and
7. Guidelines on the Occupancy, Use, Operation and Maintenance of Halls of Justice; and

WHEREAS, the Committee trusts that the Manual for the Clerks of Court shall serve as invaluable guidebook, reference source and work companion of all Clerks of Court and court personnel in the competent and faithful discharge of their duties

and responsibilities within the court milieu.

Now, THEREFORE, the Ad Hoc Committee for the Revision of the Manual for Clerks of Court respectfully submits the final draft of the 2002 edition of the said Manual for consideration and approval.

IN WITNESS WHEREOF, the members of the Ad Hoc Committee affix hereto their signatures this 8th day of March 2002.

(SGD.) AMEURFINA A. MELENCIO HERRERA  
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Chairman

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