



**RULES ON
EXPEDITED
PROCEDURES
IN THE FIRST LEVEL COURTS
(A.M. No. 08-8-7-SC)**



Supreme Court
of the Philippines
Case No. 12345
In the Matter of
The People vs. [Name]
[Name]
[Name]

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FROM THE CHAMBERS OF

Alexander G. Gesmundo

CHIEF JUSTICE

Message

The rights to the speedy resolution of cases and speedy trial have been the essential consideration of the Supreme Court in promulgating rules of procedure. These Constitutional rights ensure that every litigant who seeks to enforce or defend their claims before the courts are not unnecessarily burdened by the rigidities of legal proceedings. Until now, the maxim that “justice delayed is justice denied” resonates fervently to improve and develop our adjudication process.

The 1991 Revised Rule on Summary Procedure and the 2016 Revised Rules on Small Claims Cases have been at the forefront to guarantee that civil and criminal cases covered by these Rules shall be resolved in an accelerated manner, taking into consideration the opportunity of each contending parties to be heard. These Rules have been proven to assist the litigants in adjudicating their legal disputes promptly and without needless delay.


When Congress enacted Republic Act No. 11576, which took effect on 21 August 2021 and which expanded the jurisdictional amount cognizable by the First Level Courts in civil cases to Two Million Pesos (₱2,000,000.00), among others, it was imperative for the Supreme Court to revive and constitute the Committee on the Revision of the Rules on Summary Procedure and Small Claims Cases. The goal of the Committee was not only to adjust the cases covered by these Rules, but also to incorporate recent developments in procedural and substantive law and jurisprudence, as well as technological advancements. The members of the Committee have firsthand experience in resolving civil and criminal cases under the Rules on Summary Procedure and the Rules on Small Claims Cases. Hence, they have the vital expertise and proficiency to produce the draft Rules in line with the objectives of the Court.

Through the collective efforts of the Committee, with Associate Justice Henri Jean Paul B. Inting, as Committee Chairperson, Associate Justice Samuel H. Gaerlan as Committee Vice Chairperson, and its esteemed members and secretariat, they were able to timely submit the proposed Rules to the Supreme Court *En Banc*. In turn, the members of the Court thoroughly deliberated the provisions to



ensure that the essence of the speedy resolution of cases and speedy trial are intact and resolute. In record time, the Supreme Court *En Banc* approved the *Rules on Expedited Procedures in the First Level Courts* in A.M. No. 08-8-7-SC on 1 March 2022.

I am pleased to present the *Rules on Expedited Procedures in the First Level Courts*, which have incorporated both the Rule on Summary Procedure and the Rules on Small Claims Cases. It is the avid objective of the Supreme Court that these *Rules* be applied meticulously by the members of the bench and the bar, and the general public, so as to reinforce that every civil and criminal case covered by these *Rules* shall be resolved appropriately without unwarranted delay. The *Rules* will apply prospectively and will take effect on 11 April 2022.


Alexander G. Gesmundo
Chief Justice



FROM THE CHAMBERS OF

Henri Jean Paul B. Inting
ASSOCIATE JUSTICE

Message

As the Chairperson of the Committee on the Revision of the Rules on Summary Procedure and Small Claims Cases (Committee), I am proud of the *Rules on Expedited Procedures in the First Level Courts*. Taking effect on 11 April 2022, the *Rules* reflect the Court's continuing commitment to constantly develop and improve laws on procedure geared towards enhancing the efficiency of judicial administration and giving effective service to the public. Guided by this perennial objective, the members of the Committee did not merely confine the revisions of the 1991 Revised Rule on Summary Procedure and 2016 Revised Rules on Small Claims Cases to the jurisdictional amount adjustment mandated by Republic Act No. 11576.

I highly commend the efforts of the Committee in deliberately and exhaustively taking into consideration the on the ground experiences availing in the first and second level courts, as shared by the members representing said courts, as well as the relevant recent jurisprudence and issuance of other relevant rules of procedure. Recalibrating, reconciling, and harmonizing the coverage of the Revised Rules on Summary Procedure and Small Claims, the *Rules* now provide for a very efficient and expedited procedure governing both summary procedure and small claims cases. Particularly, there would be a more simplified, inexpensive, and speedier disposition of small claims cases as the *Rules* introduce technological innovations and best practices for the benefit of the underprivileged and the court users in general.

To optimize the execution and purpose of the *Rules*, this publication facilitated by the Philippine Judicial Academy incorporates the text of the *Rules*, a comparative matrix of the old *vis-à-vis* the rules on expedited procedures for the guidance of judges, updated Small Claims Forms with translations in Filipino and Visayan for ease of use, and Flowcharts and Timeline for Summary Procedure and Small Claims cases underscoring how expedited and efficient the new procedures are.

I am positive that this publication will help pave the way for achieving the Court's objective of ensuring simplified, inexpensive, and speedier disposition of cases.


Henri Jean Paul B. Inting
Associate Justice

*Chairperson, Committee on the Revision of the
Rules on Summary Procedure and Small Claims Cases*





FROM THE CHAMBERS OF
Samuel H. Gaerlan
ASSOCIATE JUSTICE

Message

The Court continues to embark on efforts to speed up the disposition of cases without sacrificing the quality of adjudication and depriving litigants of the opportunity to be heard and to seek the appropriate reliefs. Rules of procedure remain a work in progress, evolving along with the changing circumstances and the ever-growing needs of stakeholders.

The Revised Rules on Summary Procedure and Small Claims Cases, promulgated in 1991 and 2016, respectively, are perhaps the centerpiece of the Court's drive to make justice more accessible to more Filipinos, as well as micro, small and medium enterprises that comprise 99 percent of the corporations in the country. Ordinary individuals, small businesses and informal sectors deal with routine transactions and get involved in small-scale disputes that do not involve intricate or complicated questions of fact and law. When sufficient guidance exists in the body of jurisprudence, trial courts, as frontliners in the administration of justice, ideally should be able to identify and apply the relevant doctrines to cases brought before them with dispatch.

With the pandemic highlighting the need for simplified proceedings that will not be hampered severely by unexpected work interruptions, it is very timely that the Court has come up with the new *Rules on Expedited Procedures in the First Level Courts*.

The *Rules on Expedited Procedures in the First Level Courts* arose from the need to recalibrate, reconcile, and harmonize the coverage of the Revised Rules on Summary Procedure and Small Claims Cases. Under the new *Rules*, the jurisdictional amount in covered civil actions and complaints for damages is increased to ₱2,000,000.00, and small claims cases to ₱1,000,000.00; the definition of small claims cases is also fleshed out and is clarified to exclude actions seeking claims or reliefs other than the payment or reimbursement of a sum of money. The new *Rules* also now provide for the enforcement of barangay amicable settlement agreements and the revival of judgment of any first level court.

Most strikingly, the new *Rules* shall govern the criminal and civil aspects of violations of *Batas Pambansa Blg. 22* (the Bouncing Checks Law). The jurisdictional threshold in criminal cases is

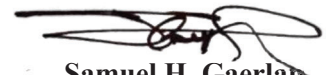


increased to those punishable by imprisonment not exceeding one year and/or a fine not exceeding ₱50,000.00 (or ₱150,000.00 in cases involving damage to property through criminal negligence).

The *Rules* also provide for innovations, such as the presumption that motions for postponement are dilatory, the inclusion of motions for and complaints in intervention among the prohibited pleadings, the option for the courts to set the case for videoconference hearing, the option of electronic service with the consent of the parties, the emphasis on exploring amicable settlement in civil cases, and the option for the public prosecutor to submit the written sworn statements of the complainant and/or the witnesses prepared by law enforcement agents or submitted during preliminary investigation, among others.

As Vice Chairperson of the Committee on the Revision of the Rules on Summary Procedure and Small Claims, I am very proud to be part of this significant undertaking which aimed not only to adjust the jurisdictional amounts but also to provide mechanisms to improve the legal framework and relieve the points of congestion in the proceedings as much as possible. The Court can only move forward and ensure that the fundamental goals of improving and equalizing access to judicial processes, de-clogging the dockets, eliminating inefficiencies, and preventing abuse shall always be within reach.

I have mentioned before that the Judiciary needs to exert all efforts to curb entropy in our system for administration of justice by infusing new energy in the form of reform. I am confident that our committee has done that, but it is up to every one of us to ensure that we continue to have the zeal to serve the people. There should be no reason to resort to improper and abusive methods when we assure the people of the availability of the lawful channels to assert and defend their rights.


Samuel H. Gaerlan
Associate Justice



SUPREME COURT

FROM THE CHAMBERS OF

Jose Midas P. Marquez
ASSOCIATE JUSTICE

Message

The *Rules on Expedited Procedures in the First Level Courts* is the latest initiative of the Supreme Court in its pursuit of simplifying and expediting court proceedings and its commitment to continuously enhance access to justice. Many people forego judicial remedies due to lengthy trials and costly legal representation. The small claims procedure was first established precisely to address these obstacles and empower the common person, especially the poor and marginalized, to seek redress from the courts for the most common of legal problems, the collection of a sum of money.

To respond to current developments and the evolving needs of our court users, the procedures were transformed to integrate best practices and lessons learned, current laws, rules, jurisprudence, and advancements in technology. Apart from increasing the threshold to accommodate more small claims of up to One Million Pesos, the small claims forms were revised and updated for ease of use and accomplishment, guidelines incorporated to help increase awareness of rights and remedies, and translations in Filipino and some local dialects made readily available for better understanding. The *Rules* likewise make it easier for litigants to attend hearings by making videoconferencing available, even through the use of popular and widely-used platforms.

It is hoped that the *Rules* encourage the public, and make it easier for them, to use the courts for the protection and enforcement of their rights. As the nature of rules is one of constant process, the Court shall continue to develop these rules to ensure their responsiveness and efficiency in an ever-changing landscape.


Jose Midas P. Marquez
Associate Justice



COURT OF APPEALS

FROM THE CHAMBERS OF

Maria Filomena D. Singh

ASSOCIATE JUSTICE

Message

The Rule on Summary Procedure and the Rule on Small Claims Cases, since their origination, have always had the same objective: expedited proceedings. When these two Rules were promulgated in 1983 and 2008, respectively, the expected net effect was the speedier resolution of covered cases. Promulgated 25 years apart, it can be said that the Rule on Small Claims Cases is the offspring of the Rule on Summary Procedure, the more radical and progressive one.

The Rule on Summary Procedure was the first rule of its kind in our procedural landscape. At its inception, the vision was to shorten the process of adjudication in cases which are considered simple, both as to nature and reliefs, as well as legal issues. The purpose remains the same until the present, but 40 years have seen many changes, including in jurisdictional purview and technological advances. These developments have rendered the original formulation of the rule less efficacious, thus necessitating its long overdue revision.

On the other hand, the Rule on Small Claims Cases has been judicial reform's showstopper since its adoption. For the first time in the history of the Court, we have a rule that only allows one day for hearing and judgment. We also prohibited appeals from decisions in small claims cases, limiting the remedy to a Rule 65 petition. This was prompted by our experiences in Summary Procedure, where you have a decision in ejectment, for instance, which is secured in less than six months, but which goes all the way up to the Supreme Court through various modes of review, taking years to be finally terminated. The objective of the Summary Rule is therefore defeated. Although we addressed this in Small Claims, the majority of First Level Court Cases fall under the Rule on Summary Procedure.

Thus, the initiative of the Chief Justice Hon. Alexander G. Gesmundo to integrate the Rule on Summary Procedure and the Rule on Small Claims Cases into one rule: the *Rules on Expedited Procedures in the First Level Courts*. It is aligned with the Chief Justice's goal of codifying all the procedural rules into one physical whole, to make it more user-friendly, for the benefit of the lawyers and the litigants, our own judges, and even our law students. With the *Rules on Expedited Procedures in the First Level Courts*, the goal of "delivering justice real time" is now a step closer.


Maria Filomena D. Singh
Associate Justice



RULES

**RULES ON EXPEDITED PROCEDURES
IN THE FIRST LEVEL COURTS
A.M. No. 08-8-7-SC**

RESOLUTION

WHEREAS, pursuant to Section 5(5), Article VIII of the Constitution, the Supreme Court is vested with the power to promulgate rules concerning the pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged;

WHEREAS, Congress enacted Republic Act No. 11576, which expanded the jurisdictional amount cognizable by the First Level Courts in civil cases to Two Million Pesos (₱2,000,000.00) and the jurisdictional amount for recovery of real property with the assessed value to Four Hundred Thousand Pesos (₱400,000.00);

WHEREAS, Congress enacted Republic Act No. 10951, which adjusted the value of property and damage on which a penalty is based, and the fines imposed under Act No. 3815, otherwise known as The Revised Penal Code, As Amended;

WHEREAS, the 1991 Revised Rule on Summary Procedure and the 2016 Revised Rules on Small Claims Cases were promulgated to simplify and expedite proceedings, taking into account the recent developments in procedural and substantive law and jurisprudence, as well as technological advancements;

WHEREAS, considering the passage of R.A. Nos. 11576 and 10951, there is a need to recalibrate, reconcile, and harmonize the coverage of the 1991 Revised Rule on Summary Procedure and 2016 Revised Rules on Small Claims Cases to efficiently attain their objectives;

WHEREAS, through Memorandum Order No. 70-2021 dated 16 August 2021 and 31 August 2021, as amended by Memorandum Order No. 116-2021 dated 29 November 2021, the Committee on the Revision of the Rules on Summary Procedure and Small Claims Cases was reorganized to review the rules and study proposals received by the Court. The Committee is composed of the following:



Chairperson: **Hon. Henri Jean Paul B. Inting**
Associate Justice, Supreme Court

Vice Chairperson: **Hon. Samuel H. Gaerlan**
Associate Justice, Supreme Court

Members: **Hon. Jose Midas P. Marquez**
Associate Justice, Supreme Court

Hon. Eduardo B. Peralta, Jr.
Associate Justice, Court of Appeals

Hon. Maria Filomena D. Singh
Associate Justice, Court of Appeals

Hon. Germano Francisco D. Legaspi
Associate Justice, Court of Appeals

Hon. Ma. Theresa Dolores C. Gomez-Estoesta
Associate Justice, Sandiganbayan

Hon. Raul Bautista Villanueva
Deputy Court Administrator (now Court Administrator)

Hon. Evangeline C. Cabochan-Santos
Presiding Judge, RTC, Br. 304, Quezon City

Hon. Jackie B. Crisologo-Saguisag
Presiding Judge, MeTC, Br. 67, Makati City

Hon. Karla A. Funtilla-Abugan
Presiding Judge, MeTC, Br. 17, Manila

Hon. Carlo D. Villarama
Presiding Judge, MeTC, Br. 36, Quezon City
(now Presiding Judge, RTC, Br. 217, Quezon City)

Atty. Marcelino Michael I. Atanante IV
IBP Governor for Greater Manila

Atty. Antonio Ceasar R. Manila
Office of the Chief Justice

Secretariat: **Atty. Ryan De Leon Ferraren**
Atty. Hannah Joy A. Villarta
Office of Associate Justice Henri Jean Paul B. Inting



Atty. Barbie Kaye Perez Lopez
Atty. Theodore Joseph M. Jumamil
Office of Associate Justice Samuel H. Gaerlan

Atty. Camille Sue Mae L. Ting
Office of Associate Justice Jose Midas P. Marquez

WHEREAS, pursuant to Memorandum Order No. 116-2021 dated 29 November 2021, the Technical Working Group for the Committee on the Revision of the Rules on Summary Procedure and Small Claims Cases was reorganized and is composed of the following:

Chairperson: **Hon. Maria Filomena D. Singh**
Associate Justice, Court of Appeals

Vice Chairperson: **Hon. Raul Bautista Villanueva**
Deputy Court Administrator (now Court Administrator)

Members: **Hon. Ma. Theresa Dolores C. Gomez-Estoesta**
Associate Justice, Sandiganbayan

Hon. Evangeline C. Cabochan-Santos
Presiding Judge, RTC, Br. 304, Quezon City

Hon. Jackie B. Crisologo-Saguisag
Presiding Judge, MeTC, Br. 67, Makati City

Hon. Karla A. Funtilla-Abugan
Presiding Judge, MeTC, Br. 17, Manila

Hon. Carlo D. Villarama
Presiding Judge, MeTC, Br. 36, Quezon City
(now Presiding Judge, RTC, Br. 217, Quezon City)

Atty. Marcelino Michael I. Atanante IV
IBP Governor for Greater Manila

Atty. Antonio Ceasar R. Manila
Office of the Chief Justice

Atty. Barbie Kaye Perez Lopez
Atty. Theodore Joseph M. Jumamil
Office of Associate Justice Samuel H. Gaerlan

Secretariat: **Atty. Ryan De Leon Ferraren**
Atty. Hannah Joy A. Villarta
Office of Associate Justice Henri Jean Paul B. Inting
Atty. Camille Sue Mae L. Ting
Office of Associate Justice Jose Midas P. Marquez

NOW, THEREFORE, acting on the recommendation of the Chairperson of the Committee on the Revision of the Rules on Summary Procedure and Small Claims Cases, the Court resolves to **APPROVE** the “*Rules on Expedited Procedures in the First Level Courts.*”

These Rules shall take effect on 11 April 2022 following their publication in two (2) newspapers of general circulation.

1 March 2022

(Original signed)
ALEXANDER G. GESMUNDO
Chief Justice

(Original signed)
ESTELA M. PERLAS-BERNABE
Senior Associate Justice

(Original signed)
MARVIC M.V.F. LEONEN
Associate Justice

(Original signed)
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

(Original signed)
RAMON PAUL L. HERNANDO
Associate Justice

(Original signed)
AMY C. LAZARO-JAVIER
Associate Justice

(Original signed)
HENRI JEAN PAUL B. INTING
Associate Justice

(Original signed)
RODIL V. ZALAMEDA
Associate Justice

(Original signed)
MARIO V. LOPEZ
Associate Justice

(Original signed)
SAMUEL H. GAERLAN
Associate Justice

(Original signed)
RICARDO R. ROSARIO
Associate Justice

(Original signed)
JHOSEP Y. LOPEZ
Associate Justice

(Original signed)
JAPAR B. DIMAAMPAO
Associate Justice

(Original signed)
JOSE MIDAS P. MARQUEZ
Associate Justice

(Original signed)
ANTONIO T. KHO, JR.
Associate Justice



RULES ON EXPEDITED PROCEDURES IN THE FIRST LEVEL COURTS

RULE I APPLICABILITY

Section 1. Coverage. – These Rules shall govern the expedited procedures in the Metropolitan Trial Courts (MeTCs), the Municipal Trial Courts in Cities (MTCCs), the Municipal Trial Courts (MTCs), and the Municipal Circuit Trial Courts (MCTCs), for the following cases falling within their jurisdiction:

A. CIVIL CASES

(1) **Summary Procedure** Cases, as follows:

- (a) **Forcible entry and unlawful detainer cases, regardless of the amount of damages or unpaid rentals** sought to be recovered. Where **attorney's fees** are awarded, the same shall **not exceed One Hundred Thousand Pesos (₱100,000.00)**.
- (b) **All civil actions, except probate proceedings, admiralty and maritime actions, and small claims** cases falling under Rule IV hereof, where the **total amount of the plaintiff's claim does not exceed Two Million Pesos (₱2,000,000.00)**, exclusive of interest, damages of whatever kind, attorney's fees, litigation expenses and costs.
- (c) **Complaints for damages** where the **claim does not exceed Two Million Pesos (₱2,000,000.00)**, exclusive of interest and costs.
- (d) Cases for **enforcement of barangay amicable settlement agreements and arbitration awards** where the **money claim exceeds One Million Pesos (₱1,000,000.00)**, provided that no execution has been enforced by the barangay within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, pursuant to Section 417, Chapter VII of Republic Act No. 7160, otherwise known as The Local Government Code of 1991.
- (e) Cases solely for the **revival of judgment** of any Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court, and Municipal Circuit Trial Court, pursuant to Rule 39, Section 6 of the Rules of Court.



- (f) The civil aspect of a violation of *Batas Pambansa Blg. 22* (the Bouncing Checks Law), if no criminal action has been instituted therefor. Should a criminal action be later instituted for the same violation, the civil aspect shall be consolidated with the criminal action and shall be tried and decided jointly under the Rule on Summary Procedure.

All other cases not included herein shall be governed by the regular rules of procedure.

- (2) **Small Claims Cases**, as defined hereunder, where the claim does not exceed One Million Pesos (₱1,000,000.00), exclusive of interest and costs.

A “small claim” is an action that is purely civil in nature where the claim or relief raised by the plaintiff is solely for the payment or reimbursement of a sum of money. It excludes actions seeking other claims or reliefs aside from payment or reimbursement of a sum of money and those coupled with provisional remedies.

The claim or demand may be:

- (a) For money owed under any of the following:

1. Contract of Lease;
2. Contract of Loan and other credit accommodations;
3. Contract of Services; or
4. Contract of Sale of personal property, excluding the recovery of the personal property, unless it is made the subject of a compromise agreement between the parties.

- (b) The enforcement of barangay amicable settlement agreements and arbitration awards, where the money claim does not exceed One Million Pesos (₱1,000,000.00), provided that no execution has been enforced by the barangay within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, pursuant to Section 417, Chapter VII of Republic Act No. 7160, otherwise known as The Local Government Code of 1991.

B. CRIMINAL CASES

The following criminal cases shall be governed by the Rule on Summary Procedure:

- (1) Violations of traffic laws, rules and regulations;
- (2) Violations of the rental law;



- (1) Prision correccional = 6 mos & 1 days to 6 years;
- (2) suspension = -do-
- (3) destierro = -do-
- (4) arresto mayor = from 1 month and 1 day to 6 months;
- (5) arresto menor = from 1 day to 30 days

- (3) Violations of **municipal or city ordinances**;
- (4) Violations of **Batas Pambansa Blg. 22** (the Bouncing Checks Law); and
- (5) **All other criminal cases** where the **penalty prescribed by law for the offense charged is imprisonment not exceeding one (1) year, or a fine not exceeding Fifty Thousand Pesos (₱50,000.00), or both**, regardless of other imposable penalties, accessory or otherwise, or of the civil liability arising therefrom. In offenses involving **damage to property through criminal negligence under Article 365 of the Revised Penal Code**, this Rule shall govern where the **imposable fine does not exceed One Hundred Fifty Thousand Pesos (₱150,000.00)**.

If the prescribed penalty consists of imprisonment and/or a fine, the prescribed imprisonment shall be the basis for determining the applicable procedure.

All other cases not included herein shall be governed by the regular rules of procedure.

Sec. 2. Non-applicability. – These Rules shall not apply to civil cases where the plaintiff's cause of action is pleaded in the same complaint with another cause of action subject to the regular procedure; nor to criminal cases where the offense charged is necessarily related to another criminal case subject to the regular procedure.

RULE II GENERAL COMMON PROVISIONS

Section 1. Applicability of the regular rules. – The regular procedure prescribed in the Rules of Court shall **apply to the cases covered by these Rules where no specific provision is found herein**. It shall also apply in a **suppletory manner** even if there is a specific provision found in these Rules, but only in so far as not inconsistent. In case of inconsistency, these Rules shall prevail.

Sec. 2. Prohibited pleadings and motions. – The **following pleadings, motions, or petitions shall not be allowed** in cases governed by these Rules:

- (a) In civil cases, a **motion to dismiss** the complaint or the statement of claim, and in criminal cases, a **motion to quash the complaint or information, except on the ground of lack of jurisdiction over the subject matter or failure to comply with the requirement of barangay conciliation**, pursuant to Chapter VII, Title I, Book III of Republic Act No. 7160;
- (b) **Motion to hear and/or resolve affirmative defenses**;
- (c) **Motion for a bill of particulars**;



- (d) Motion for new trial, or for reconsideration of a judgment on the merits, or for reopening of proceedings;
- (e) Petition for relief from judgment;
- (f) Motion for extension of time to file pleadings, affidavits or any other paper;
- (g) Memoranda;
- (h) Petition for *certiorari*, *mandamus*, or prohibition against any interlocutory order issued by the court;
- (i) Motion to declare the defendant in default;
- (j) Dilatory motions for postponement. Any motion for postponement shall be presumed dilatory unless grounded on acts of God, *force majeure*, or physical inability of a counsel or witness to personally appear in court, as supported by the requisite affidavit and medical proof;
- (k) Rejoinder;
- (l) Third-party complaints;
- (m) Motion for and Complaint in Intervention;
- (n) Motion to admit late judicial affidavit/s, position papers, or other evidence, except on the ground of *force majeure* or acts of God;
- (o) Motion for judicial determination of probable cause in criminal cases.

Sec. 3. Videoconference. – As far as practicable, and if the court finds that the conduct of a videoconference hearing will be beneficial to the fair, speedy and efficient administration of justice, the court, on its own initiative or upon motion, may set the case for a videoconference hearing at any stage of the proceedings.

Sec. 4. Service pursuant to international convention. – Service made pursuant to the *Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* shall be valid, and the period to answer shall commence from receipt of the document served.

RULE III THE RULE ON SUMMARY PROCEDURE

A. CIVIL CASES

Section 1. *Pleadings and verification.*— The only pleadings allowed to be filed are the complaint, compulsory counterclaim, cross-claim pleaded in the answer, and reply, as provided in Section 8 of this Rule.

All pleadings shall be verified.

Sec. 2. *Form and contents of pleadings.* – All pleadings submitted under this Rule shall comply with Rule 7 of the *2019 Amendments to the 1997 Rules of Civil Procedure*.

All cases requiring prior referral to barangay conciliation must contain a statement of compliance, pursuant to Chapter VII, Title I, Book III of Republic Act No. 7160. Where there is no showing of compliance with such requirement, the complaint shall be dismissed without prejudice, on the court's own initiative or upon motion by the defendant, and may be re-filed only after the requirement has been complied with.

Sec. 3. *Complaint.* – The complaint shall state the following:

- (a) The names of the affiants whose judicial affidavits will be presented to prove the plaintiff's claim. The judicial affidavits shall be attached to the complaint and form an integral part thereof. Judicial affidavits not attached to the complaint shall not be considered;
- (b) The summary of the statements in the judicial affidavits;
- (c) The documentary and other object evidence in support of the allegations in the complaint; and
- (d) Whether the plaintiff consents to service by electronic means or facsimile and, if so, the plaintiff's e-mail addresses or facsimile numbers for such purpose.

Sec. 4. *Summons.* – Within five (5) calendar days from receipt of a new civil case, if the court determines that the case falls under this Rule, the court shall direct the Branch Clerk to issue summons to the defendant, stating clearly that the case shall be governed by the Rule on Summary Procedure.

However, if from an examination of the allegations in the initiatory pleading and such evidence as may be attached thereto, a ground for the outright dismissal of the case is apparent, the court may dismiss the case on its own initiative. These grounds include lack of subject matter jurisdiction, improper venue, lack of legal capacity to sue, *litis pendentia*, *res judicata*, prescription, failure to state

a cause of action, non-submission of a certification against forum shopping, and lack of compliance with a condition precedent such as absence of barangay conciliation, among others.

A patently erroneous determination to avoid the application of the Rule on Summary Procedure is a ground for disciplinary action.

Sec. 5. *Filing and service.* – The rules on filing and service of pleadings under Rule 13 and service of summons under Rule 14 of the *2019 Amendments to the 1997 Rules of Civil Procedure* shall be applicable to cases under this Rule, unless inconsistent.

Sec. 6. *Answer.* – Within thirty (30) calendar days from service of summons, the defendant shall file an answer to the complaint and serve a copy thereof on the plaintiff.

The answer shall state the following:

- (a) The names of the affiants whose judicial affidavits will be presented to prove the defendant's allegations. The judicial affidavits shall be attached to the answer and form an integral part thereof. Judicial affidavits not attached to the answer shall not be considered;
- (b) The summary of the statements in the judicial affidavits;
- (c) The documentary and other object evidence in support of the allegations in the answer; and
- (d) Whether the defendant consents to service by electronic means or facsimile and, if so, the defendant's e-mail addresses or facsimile numbers for such purpose.

Affirmative defenses not pleaded in the answer shall be deemed waived, except for lack of jurisdiction over the subject matter, *litis pendentia*, *res judicata*, and prescription.

Cross-claims and compulsory counterclaims not asserted in the answer shall be considered barred.

Sec. 7. *Counterclaims within the coverage of this Rule.* – If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff's claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the answer; otherwise, the defendant shall be barred from suing on such counterclaim.

The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.

Any amount pleaded in a counterclaim in excess of Two Million Pesos (₱2,000,000.00), excluding interests and costs, shall be deemed waived.

Sec. 8. *Reply.* – All new matters alleged in the answer shall be deemed controverted.

The plaintiff may file a reply to a counterclaim only when an actionable document is attached to the answer. The reply shall be filed within ten (10) calendar days from receipt of the answer.

Sec. 9. *Effect of failure to answer.* – Should the defendant fail to answer the complaint within the period provided, the court, on its own initiative, or upon manifestation by the plaintiff that the period for filing an answer has already lapsed, shall render judgment as may be warranted by the facts alleged in the complaint and its attachments, limited to what is prayed for therein.

The court may reduce the amount of damages and attorney’s fees claimed for being excessive or otherwise unconscionable.

Sec. 10. *Preliminary Conference; notice.* – Within five (5) calendar days after the last responsive pleading is filed, the Branch Clerk of Court shall issue a Notice of Preliminary Conference, which shall be held within thirty (30) calendar days from the date of filing of such last responsive pleading. The rules on pre-trial under Rule 18 of the *2019 Amendments to the 1997 Rules of Civil Procedure* shall be applicable to the Preliminary Conference, unless inconsistent.

The Notice of Preliminary Conference shall include the dates respectively set for:

- (a) Preliminary Conference (within thirty [30] calendar days from the filing of the last responsive pleading);
- (b) Court-Annexed Mediation (within an inextendible period of thirty [30] calendar days from date of referral for mediation); and
- (c) Judicial Dispute Resolution, in the court’s discretion (within an inextendible period of fifteen [15] calendar days from notice of failure of the Court-Annexed Mediation).

Non-appearance at any of the foregoing settings shall be deemed as non-appearance at the Preliminary Conference and shall merit the same sanctions under Section 12 of this Rule.

Sec. 11. *Preliminary Conference Brief.* – The parties shall file with the court and serve on the adverse party in such a way as to ensure receipt, at least three (3) calendar days before the scheduled Preliminary Conference, their respective Preliminary Conference Briefs, which shall contain, among others:

- (a) A summary of admitted facts;
- (b) A summary of disputed facts and proposals for stipulations on the same;

- (c) A statement of factual and legal issues; and
- (d) A list of testimonial, object, and other documentary evidence offered in support of the party's claims or defenses, and their markings, if any.

Failure to submit a Preliminary Conference Brief within the period given shall merit the same sanction as non-appearance at the Preliminary Conference.

Sec. 12. *Appearance at Preliminary Conference.* – It shall be the duty of the parties and their counsel to appear at the Preliminary Conference, Court-Annexed Mediation, and Judicial Dispute Resolution, if the latter is ordered by the court. The non-appearance of a party and/or counsel may be excused only for acts of God, *force majeure*, or duly substantiated physical inability.

A representative may appear on behalf of a party, but must be fully authorized through a Special Power of Attorney or a board resolution, as the case may be, to: (1) enter into an amicable settlement, (2) to submit to alternative modes of dispute resolution, and (3) to enter into stipulations or admissions of facts and documents. An authority which fails to include all these acts shall be ineffective and the party represented shall be deemed absent.

The failure despite notice of the plaintiff and/or his or her counsel to appear at the Preliminary Conference shall be a cause for the dismissal of the complaint. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on the counterclaim, in accordance with Section 9 of this Rule. All cross-claims shall be dismissed.

If a sole defendant and/or his or her counsel fail to appear at the Preliminary Conference, the plaintiff shall be entitled to judgment in accordance with Section 9 of this Rule. This Rule shall not apply, however, where one of two or more defendants sued under a common cause of action and who had pleaded a common defense, shall appear at the Preliminary Conference.

Sec. 13. *Preliminary Conference Order.* – Immediately after the preliminary conference and the issues having been joined, the court shall issue a Preliminary Conference Order referring the parties to the mandatory Court-Annexed Mediation, and Judicial Dispute Resolution, which shall be conducted in accordance with the provisions of A.M. No. 19-10-20-SC or the 2020 Guidelines for the Conduct of the Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases.

The court may, in the same Preliminary Conference Order, declare the case submitted for judgment if, on the basis of the pleadings and their attachments, as well as the stipulations and admissions made by the parties, judgment may be rendered without the need of submission of position papers. In this event, the court shall render judgment within thirty (30) calendar days from issuance of the order. The court's order shall not be the subject of a motion for reconsideration or a petition for *certiorari*, prohibition, or *mandamus*, but may be among the matters raised on appeal after a judgment on the merits.

If the court, however, deems the submission of position papers still necessary, it shall require the parties, in the Preliminary Conference Order, to submit their respective position papers within ten (10) calendar days from receipt of such order. No other judicial affidavits or evidence will be admitted even if filed with the position papers.

Sec. 14. *Rendition of judgment.* – Within thirty (30) calendar days from receipt by the court of the Mediator’s Report or the JDR Report on the parties’ failure to reach an amicable settlement, the court shall render judgment.

However, should the court find it necessary to clarify certain material facts, it may, during the said period, issue an order specifying the matters to be clarified, and require the parties to submit additional judicial affidavits or other evidence on the said matters, within ten (10) calendar days from receipt of said order. Judgment shall be rendered within fifteen (15) calendar days after the receipt of the last clarificatory judicial affidavits, or the expiration of the period for filing the same.

The court shall not resort to the clarificatory procedure to gain time for the rendition of the judgment.

B. CRIMINAL CASES

Section 1. *How commenced; filing and service.* – The filing of criminal cases governed by the Rule on Summary Procedure shall either be by complaint or by information.

The complaint or information shall be accompanied by the judicial affidavits of the complainant and of his or her witnesses, in such number of copies as there are accused, plus one (1) copy for the court.

The complaint or information and other submissions of the parties may be filed with the court and served on the adverse party/ies, and judgments, resolutions, orders, and other court processes may be served to the parties, electronically with their consent, in accordance with the prevailing Rules and other Court issuances.

Sec. 2. *Duty of court; judicial affidavits.* –

(a) If commenced by complaint. – On the basis of the complaint and the judicial affidavits and other evidence accompanying the same, the court may dismiss the case outright for lack of probable cause, and order the release of the accused if in custody.

(b) If commenced by information. – When the case is commenced by information, or is not dismissed pursuant to paragraph (a), the court shall issue an order which, together with copies of the resolution of the investigating officer and the judicial affidavits and other evidence submitted by the prosecution, shall require the accused to submit a judicial counter-affidavit and the judicial affidavits

of his or her witnesses, as well as any other evidence in his or her behalf, within fifteen (15) calendar days from receipt of the order. The accused shall serve copies thereof on the private complainant and the public prosecutor within the same period.

Except on rebuttal, no witness shall be allowed to testify unless his or her judicial affidavit was submitted in accordance with this provision. The judicial affidavit shall take the place of the direct testimony of a witness.

However, instead of judicial affidavits, the prosecution may submit the written sworn statements of the complainant and/or the witnesses prepared by the law enforcement agents assigned to the case, or the affidavits submitted to the public prosecutor during preliminary investigation. If the prosecution chooses this option, the prosecutor shall not be allowed to ask additional direct examination questions of the complainant and/or the witnesses, except for meritorious reasons. The sworn statements and affidavits shall stand as the direct testimony of the affiants, supplemented by additional direct examination if allowed by the court.

Sec 3. Determination of probable cause. – Upon receipt of the accused’s judicial counter-affidavit and/or the judicial affidavits of his or her witnesses, or the lapse of the period given for the submission thereof, the court shall determine if probable cause exists to hold the accused for trial.

If the court finds that no probable cause exists, it shall order the dismissal of the case and the immediate release of the accused, if in custody.

If the court finds that probable cause exists, the court shall set the case for arraignment and pre-trial.

For detained accused, if the period for submission of judicial affidavits and other evidence by the accused has not yet lapsed and no submission has been made on the date set for the arraignment and pre-trial, the court may proceed with the arraignment if the accused waives the court’s consideration of his or her judicial counter-affidavit and/or the judicial affidavits of his or her witnesses in the determination of probable cause, without waiver of the admission of such judicial counter-affidavit and/or the judicial affidavits of his or her witnesses within a fresh period of ten (10) calendar days from the date of the arraignment and the pre-trial.

Sec. 4. Arrest. – The court shall not issue a warrant for the arrest of the accused in criminal cases governed by the Rule on Summary Procedure, except for failure to appear despite notice, whenever required by the court. Release of the person arrested shall either be on bail, or on his or her own recognizance, or that of a responsible citizen acceptable to the court.

If the warrant of arrest could not be served on the accused because he or she could not be located, the court shall issue an order archiving the case once the law enforcement agency entrusted with the service of the warrant of arrest files a return to that effect, or after six (6) months from the issuance of the warrant of arrest, there being no return filed by the law enforcement agency.

Sec. 5. Arraignment and pre-trial. –

(a) Upon receipt of the case, the court shall set the arraignment and pre-trial within ten (10) calendar days for detained accused and thirty (30) calendar days for non-detained accused.

The notice of arraignment and pre-trial shall require the attendance of the accused and his or her counsel and all defense witnesses, the private complainant and his or her witnesses, the public prosecutor and private prosecutor, where allowed, as well as the law enforcement agents assigned to the case.

Before arraigning the accused, the court shall inquire into the possibility of a plea bargain between the parties. If there is no plea bargain, the court shall arraign the accused on the original charge and enter his or her plea in the record.

If the accused pleads guilty to the original charge, the court shall forthwith sentence him or her.

If the accused offers to plead guilty to a lesser offense, the consent of the public prosecutor and the private complainant, or the law enforcement agent assigned to the case in victimless crimes, shall be secured, unless the latter are absent despite notice, in which case the consent of the public prosecutor shall suffice.

(b) After arraignment, the court shall conduct the Pre-Trial Conference in accordance with the *Revised Guidelines for Continuous Trial of Criminal Cases*.

No admission by the accused shall be used against him or her unless reduced into writing and signed by the accused and the defense counsel. The signatures of the accused and the defense counsel either on the Pre-Trial Order or the Minutes of the Pre-Trial Conference, which embodies such admissions, shall suffice.

Sec. 6. Trial and offer. – At the trial, the testimonies of witnesses shall consist of the duly subscribed written statements given to law enforcement agents, or the affidavits or counter-affidavits submitted before the investigating officer, or their judicial affidavits, subject to cross, re-direct, and re-cross examination questions.

Should any affiant fail to testify, his or her affidavit shall not be considered as competent evidence for the party presenting the affidavit, but the adverse party may utilize the same for any admissible purpose.

Except on rebuttal, no witness shall be allowed to testify unless his or her affidavit was previously submitted to the court in accordance with Section 2 hereof.

The prosecution shall have sixty (60) calendar days to complete its evidence presentation. On the last day of its presentation of evidence, the public prosecutor shall orally offer the prosecution evidence. The defense counsel shall then make his or her oral comments on the offer, and thereafter, the court shall orally resolve the offer of evidence of the prosecution. The ruling shall be embodied in the written order the court will issue thereafter.

The defense shall also have sixty (60) calendar days to complete its evidence presentation. On the last day of its presentation of evidence, the defense counsel shall orally offer the defense evidence. The public prosecutor shall then make his or her oral comments on the offer, and thereafter, the court shall orally resolve the offer of evidence of the defense. The ruling shall be embodied in the written order the court will issue thereafter.

If the prosecution decides to present rebuttal evidence, it shall have fifteen (15) calendar days from the court action on the offer of defense evidence to complete the same.

A motion for postponement of any trial date shall be presumed dilatory and denied outright, unless grounded on acts of God, *force majeure*, or duly substantiated physical inability of the counsel or witness. Any postponement granted by the court for the authorized causes shall not extend the period for presentation of a party's evidence. The party who sought the postponement shall only have the remaining trial dates assigned to him or her to complete his or her evidence presentation.

Sec. 7. Judgment. – The court shall render and promulgate the judgment not later than thirty (30) calendar days from the court's action on the last presenting party's offer of evidence.

C. APPEALS IN SUMMARY PROCEDURE

Section 1. Ordinary appeal. – Any judgment, final order, or final resolution in a Summary Procedure case may be appealed to the appropriate Regional Trial Court exercising jurisdiction over the territory under Rule 40 for civil cases and Rule 122 for criminal cases, of the Rules of Court. The appeal shall be taken by filing a notice of appeal, together with proof of payment of the appeal fees, with the court that rendered the judgment, order or resolution appealed from, within fifteen (15) calendar days from receipt of the same.

Sec. 2. Remedy from judgment on appeal. – The judgment of the Regional Trial Court on the appeal shall be final, executory, and unappealable.

RULE IV THE RULE ON SMALL CLAIMS

Section 1. Scope. – This Rule shall govern the procedure in actions before the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs) for payment or reimbursement of a sum of money where the value of the claim does not exceed One Million Pesos (₱1,000,000.00).



Sec. 2. Objectives. –

- (a) To protect and advance the constitutional right of persons to a speedy disposition of their cases;
- (b) To provide a simplified and inexpensive procedure for the disposition of small claims cases; and
- (c) To introduce innovations and best practices for the benefit of the underprivileged.

Sec. 3. Definition of terms. – For purposes of this Rule:

- (a) *Plaintiff* refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against a plaintiff;
- (b) *Defendant* is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim;
- (c) *Person* is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law;
- (d) *Individual* is a natural person;
- (e) *Motion* means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter;
- (f) *Good cause* means circumstances sufficient to justify the requested order or other action, as determined by the judge;
- (g) *Affidavit* means a written statement or declaration of facts that are sworn to or affirmed to be true;
- (h) *Business of lending* refers to any lending activity pursued with regularity;
- (i) *Business of banking* refers to the business of lending funds obtained in the form of deposits.

Sec. 4. Commencement of small claims action. – A small claims action is commenced by filing with the court an accomplished Statement of Claim/s with Verification and Certification Against Forum Shopping, Splitting a Single Cause of Action, and Multiplicity of Suits (Form 1-SCC) and duly

certified photocopies of the actionable document/s subject of the claim, affidavits of witnesses, and other evidence to support the claim, with as many copies thereof as there are defendants. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Statement of Claim/s, unless good cause is shown for the admission of additional evidence.

The plaintiff must state in the Statement of Claim/s if he/she/it is engaged in the business of lending, banking and similar activities, and the number of small claims cases filed within the calendar year regardless of judicial station.

For juridical entities, a board resolution or secretary's certificate authorizing the person to file the claim must be attached to the Statement of Claim/s.¹

No formal pleading, other than the Statement of Claim/s described in this Rule, is necessary to initiate a small claims action.

Sec. 5. Venue for small claims cases. – The regular rules on venue shall apply.

However, if the plaintiff is engaged in the business of lending, banking and similar activities, and has a branch within the municipality or city where the defendant resides or is holding business, the Statement of Claim/s shall be filed in the court of the city or municipality where the defendant resides or is holding business. If there are two (2) or more defendants, it shall be filed in the court of the city or municipality where any of them resides or is holding business, at the option of the plaintiff.

Sec. 6. Joinder of claims. – Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed One Million Pesos (₱1,000,000.00).

Sec. 7. Affidavits. – The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants or based on authentic records, which are admissible in evidence.

A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.

The non-submission of the required affidavits will cause the immediate dismissal of the claim or counterclaim.

Sec. 8. Payment of filing fees. – The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent. Exemption from the payment of filing fees shall be granted only by the Supreme Court.

¹ Per Resolution dated 15 March 2022, A.M. No. 08-8-7-SC.



However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of Five Hundred Pesos (₱500.00) shall be paid for every claim filed after the fifth (5th) claim, and an additional One Hundred Pesos (₱100.00) or a total of Six Hundred Pesos (₱600.00) for every claim filed after the tenth (10th) claim, and another One Hundred Pesos (₱100.00) or a total of Seven Hundred Pesos (₱700.00) for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.

If a case is dismissed without prejudice under Section 12(f), and is re-filed within one (1) year from notice of dismissal, the plaintiff shall pay a fixed amount of Two Thousand Pesos (₱2,000.00) as filing fee, inclusive of the One Thousand Pesos (₱1,000.00) fee for service of summons and processes.

If the plaintiff is engaged in the business of lending, banking, and similar activities, the amount of filing and other legal fees shall be the same as those applicable to cases filed under the regular rules of procedure.

A claim filed with a motion to sue as indigent (Form 6-SCC) shall be referred to the Executive Judge for immediate action in case of multi-sala courts. If the motion is granted by the Executive Judge, the case shall be raffled off or assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) calendar days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the One Thousand Pesos (₱1,000.00) fee for service of summons and processes.

Sec. 9. Dismissal of the claim. – After the court determines that the case falls under this Rule, it may, from an examination of the allegations of the Statement of Claim/s and such evidence attached thereto, on its own initiative, dismiss the case outright on any of the following grounds:

- (a) The court has no jurisdiction over the subject matter;
- (b) There is another action pending between the same parties for the same cause;
- (c) The action is barred by prior judgment;
- (d) The claim is barred by the statute of limitations;
- (e) The court has no jurisdiction over the person of the defendant;
- (f) Venue is improperly laid;
- (g) Plaintiff has no legal capacity to sue;
- (h) The Statement of Claim/s states no cause of action;
- (i) That a condition precedent for filing the claim has not been complied with; and
- (j) Plaintiff failed to submit the required affidavits, as provided in Section 7 of this Rule.



The order of dismissal shall state if it is with or without prejudice.

If, during the hearing, the court is able to determine that there exists a ground for dismissal of the Statement of Claim/s, the court may, on its own initiative, dismiss the case even if such ground is not pleaded in the defendant's Response (Form 3-SCC).

If plaintiff misrepresents that he/she/it is not engaged in the business of lending, banking, or similar activities when in fact he/she/it is so engaged, the Statement of Claim/s shall be dismissed with prejudice and plaintiff shall be meted the appropriate sanctions, including citation for direct contempt.

However, if the case does not fall under this Rule, but falls under summary or regular procedure, or if the case is filed under summary or regular procedure but falls under this Rule, the case shall not be dismissed. Instead, the case shall be re-docketed under the appropriate procedure, and returned to the court where it was assigned, subject to payment of any deficiency in the applicable regular rate of filing fees.

Sec. 10. *Summons and Notice of Hearing.* – If no ground for dismissal is found, the court shall forthwith issue Summons (Form 2-SCC) within twenty-four (24) hours from receipt of the Statement of Claim/s, directing the defendant to submit a verified Response.

The Summons to be served on the defendant shall be accompanied by a copy of the Statement of Claim/s and documents submitted by plaintiff, and a blank Response Form (Form 3-SCC) to be accomplished by the defendant.

The court shall also issue a Notice of Hearing (Form 4-SCC) to both parties, directing them to appear before it on a specific date and time for hearing, with a warning that no unjustified postponement shall be allowed, as provided in Section 20 of this Rule. A blank Special Power of Attorney (Form 7-SCC) shall be attached to the Notice of Hearing.

The Notice of Hearing shall accompany the Summons and shall contain: (a) the date of the hearing, which shall not be more than thirty (30) calendar days from the filing of the Statement of Claim/s, or not more than sixty (60) calendar days if one of the defendants resides or holds business outside the judicial region; and (b) the express prohibition against the filing of a motion to dismiss or other prohibited motions under Section 2, Rule II.

Sec. 11. *Electronic filing and service.* – The service of court issuances and filings by the plaintiff/s and defendant/s may be made through e-mail, facsimile, and other electronic means. Notices may also be served through mobile phone calls, short messaging service (SMS), or instant messaging (IM) software applications. The consent to, and chosen mode of, electronic service and notice shall be indicated in the Statement of Claim/s or Response, as the case may be.

Sec. 12. Service of Summons. –

- (a) The Summons and Notice of Hearing must be issued within twenty-four (24) hours from receipt of the Statement of Claim/s.

The Summons, together with the Notice of Hearing, shall be served by the sheriff, his or her deputy, or other proper court officer within ten (10) calendar days from issuance. Within five (5) calendar days from such service, the Officer's Return shall be filed with the court with a copy furnished to the plaintiff at the given address/es of record.

- (b) If Summons is returned without being served on any or all of the defendants, the court shall order the plaintiff or his or her representative to serve or cause the service of Summons.
- (c) In cases where Summons is to be served outside the judicial region of the court where the case is pending, the court may order the plaintiff or his or her representative to serve or cause the service of Summons.
- (d) If the plaintiff is a juridical entity, it shall notify the court, in writing, and name its authorized representative therein, attaching a board resolution or secretary's certificate thereto, as the case may be, stating that such representative is duly authorized to serve the Summons on behalf of the plaintiff.
- (e) If the plaintiff misrepresents that the defendant was served with Summons, and it is later proved that no Summons was served, the case shall be dismissed with prejudice, the proceedings shall be nullified, and the plaintiff shall be declared in indirect contempt under Rule 71 of the Rules of Court, and/or be meted a fine in the amount of Five Thousand Pesos (P5,000.00).
- (f) In both instances under paragraphs (b) and (c), the plaintiff shall inform the court within thirty (30) calendar days from notice if said Summons was served; otherwise, the Statement of Claim/s shall be dismissed without prejudice as to those who were not served with Summons. This is not a ground to archive the case. The case, however, may be re-filed within one (1) year from notice of dismissal, subject to payment of reduced filing fees under Section 8 hereof.

Sec. 13. Response. – The defendant shall file with the court and serve on the plaintiff a duly accomplished and verified Response (Form 3-SCC) within a non-extendible period of ten (10) calendar days from receipt of Summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.

Sec. 14. Effect of failure to file response. – Should the defendant fail to file his/her/its Response within the required period, and likewise fail to appear on the date set for hearing, the court shall render



judgment within twenty-four (24) hours from the termination of the hearing, as may be warranted by the facts alleged in the Statement of Claim/s and its attachments.

Should the defendant fail to file his/her/its Response within the required period but appear on the date set for hearing, the court shall ascertain what defense he/she/its has to offer, which shall constitute his/her/its Response, proceed to hear the case on the same day as if a Response has been filed and, thereafter, render judgment within twenty-four (24) hours from the termination of the hearing. If the defendant relies on documentary evidence to support his/her/its defense, the court shall order him/her/it to submit original copies of such documents within three (3) calendar days from the termination of the hearing and, upon receipt thereof or expiration of the period to file, the court shall render judgment within twenty-four (24) hours.

Sec. 15. Counterclaims within the coverage of this Rule. – If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff's claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from suing on such counterclaim.

The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.

Any amount pleaded in a counterclaim in excess of One Million Pesos (₱1,000,000.00), excluding interests and costs, shall be deemed waived.

Sec. 16. Availability of forms; assistance by court personnel. – The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements, as well as procedure, for small claims cases.

Plaintiff shall be given copies of Forms 1-SCC (Statement of Claim/s), 1-A-SCC (Other Plaintiffs or Defendants) for additional plaintiffs or defendants, if any, and 1-B-SCC (Plaintiff's Information Sheet).

The Branch Clerk of Court must ensure that there should be, at least, one (1) hearing day every week devoted to Small Claims, with a minimum of five (5) cases scheduled per hearing day. Cases with the same party-plaintiff may all be set on the same date for facility in the preparation of notices and judgments. The court should post a notice of its Small Claims hearing day conspicuously at the Branch and at the Office of the Clerk of Court.

Sec. 17. Appearance. – The parties shall personally appear on the designated date of hearing.

Appearance through a representative must be for a valid cause. The representative of an individual-party must not be a lawyer. Juridical entities shall not be represented by a lawyer in any capacity.

The representative must be authorized under a Special Power of Attorney (Form 7-SCC), board resolution or secretary's certificate, as the case may be, to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.

Sec. 18. Appearance of attorneys not allowed. – No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.

If the court determines that a party cannot properly present his/her/its claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter's consent.

Sec. 19. Non-appearance of parties. – Failure of the plaintiff to appear shall be cause for the dismissal of the Statement of Claim/s without prejudice. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on the counterclaim.

Failure of the defendant to appear shall have the same effect as failure to file a Response under Section 14 of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.

Failure of both parties to appear shall cause the dismissal with prejudice of both the Statement of Claim/s and the counterclaim.

Sec. 20. Postponement when allowed. – A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.

Sec. 21. Duty of the court. – At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.

Sec. 22. Hearing. – At the hearing, the judge shall first exert efforts to bring the parties to an amicable settlement of their dispute. Settlement discussions must be conducted in strict confidentiality.

Any settlement or resolution of the dispute shall be reduced into writing, signed by the parties, and immediately submitted to the court for approval at the hearing (Form 9-SCC). The court shall render judgment based on the compromise agreement within twenty-four (24) hours, and furnish copies thereof to the parties (Form 10-SCC).

If at any time before or at the hearing, a compromise agreement is submitted, signed by both parties, but only one (1) or neither party appears to confirm it, the court shall issue an order directing the non-appearing party/ies to confirm the compromise agreement within three (3) calendar days from notice thereof; otherwise, it shall be deemed confirmed.

If efforts at settlement fail, the court shall immediately proceed to hear the case in an informal and expeditious manner and, thereafter, render judgment within twenty-four (24) hours from termination of the hearing.

Sec. 23. Resort to alternative videoconferencing platform. – Should the hearing be done through videoconferencing, the court shall require the parties to participate through the use of the Court-prescribed videoconferencing platform. However, if any of the participants communicates his or her difficulty in accessing or using the said videoconferencing platform, the court may allow the use of alternative videoconferencing platforms or instant messaging (IM) applications with video call features, *provided* that the following conditions are met:

- (a) The court shall use either its official e-mail address or cell phone number to access the alternative videoconferencing platform or instant messaging (IM) application;
- (b) The parties shall use the e-mail address or cell phone number they indicated in their Statement of Claim/s or Response, as the case may be, to access the alternative videoconferencing platform or instant messaging (IM) application; and
- (c) The court shall maintain a record and transcription of the proceedings.

Sec. 24. Decision. – After the hearing, the court shall render its decision based on the facts established by the evidence, within twenty-four (24) hours from termination of the hearing (Form 11-SCC). The refund of the remaining balance from the Sheriff's Trust Fund (STF), subject to accounting and auditing procedures, shall be included in the decision.

The decision shall immediately be entered by the Clerk of Court in the court docket for civil cases and a copy thereof forthwith served on the parties.

The decision shall be final, executory and unappealable.

Sec. 25. Execution. – When the decision is rendered and proof of receipt thereof is on record, execution shall issue (Forms 13-SCC, 13-A-SCC, or 13-B-SCC) upon *ex parte* motion of the winning party (Form 12-SCC). However, a decision based on compromise shall not be covered by the requirement of proof of receipt.

Sec. 26. Certification of documents. – All documents attached to the Statement of Claim/s or Response that are required to be certified, except public or official documents, shall be certified by the signature of the plaintiff or defendant concerned.

Sec. 27. *Non-applicability.* – The rules on mediation and judicial dispute resolution shall not apply, as the parties may enter into compromise at any stage of the proceedings.

RULE V EFFECTIVITY

The Rules on Expedited Procedures in the First Level Courts shall take effect on 11 April 2022 and shall prospectively apply only to cases filed from the said date of effectivity. Those pending cases covered by these Rules, which are currently before the second and first level courts, shall remain with and be decided by those same courts based on the rules applicable at the time those cases were filed.



SMALL CLAIMS CASES FORMS 1 TO 13 (ENGLISH/FILIPINO)

FORM 1-SCC**PLAINTIFF'S STATEMENT OF CLAIM/S**
Habla ng Pagsingil**FOR OFFICIAL USE ONLY***Para sa Opisyal na Gamit lang*

Clerk stamps date here when form is filed.

Instructions for the Person Suing

- YOU ARE THE PLAINTIFF.** The person you are suing is the defendant. Before you fill out this form, read Form 1-B-SCC, Information for the Plaintiff, to know your rights. Get Form 1-B-SCC at the Office of the Clerk of Court of any court nearest you or go to <https://oca.judiciary.gov.ph/small-claims/>.
- Fill out pages 1-6 of this form. Then make copies of all pages of this form and the attached documents (make one copy for each defendant named in this case and an extra copy for yourself.) Take the original and these copies to the Office of the Clerk of Court and pay the filing fees. Have the forms and all your supporting documents notarized or administered by either a notary public, the Clerk of Court of the Office of the Clerk of Court (OCC) where the case will be filed, a Branch Clerk of Court, or a Barangay Chairperson.
- Go to court on your trial date and time indicated in the Notice of Hearing.

Mga Bilin sa Taong Nagdedemanda:

- IKAW ANG NAGHAHABLA.** Ang taong sinampahan mo ng kaso ay ang hinahabla.
- Bago mo punan/sagutin ang form na ito, basahin ang Form 1-B-SCC (Kaalaman para sa Naghahabla) para malaman ang iyong mga karapatan. Kumuha lamang ng kopya ng Form 1-B-SCC sa Office of the Clerk of Court ng hukuman malapit sa iyo o bisitahin ang <https://oca.judiciary.gov.ph/small-claims/>.
- Punan/sagutin ang pahina 1-6 ng form na ito. Gawan ng mga kopya ang lahat ng pahina ng form na ito at ng nakalakip na mga dokumento (Gawan ng kopya ang bawat Hinahabla at mag-iwan ng kopya para sa iyo). Ihain ang orihinal at mga kopya sa hukom at magbayad ng filing fees. Ipasertipikado lahat ng form at dokumento alinman sa Clerk of Court ng Office of the Clerk of Court (OCC) kung saan isasampa ang kaso o sa Branch Clerk of Court o notaryo publiko o Punong Barangay.
- Dumalo sa pagdinig sa petsa at oras na ipinahiwatig sa Abiso sa Pagdinig.

Fill in court name, street address, and email:

**Republic of the Philippines**
Court:**Branch:****Street address:****Hotline:****Email address:**

Court fills in case number when form is filed.

Case Number:**Case Title:**

Branch Clerk of Court fills out this checklist.

1. Cause of action

☐ Check☐ Promissory Note☐ Contract☐ Oral☐ Written☐ Barangay Agreement☐ Others (Pls. specify) _____

2. Barangay conciliation

☐ Required☐ Certificate to File Action attached☐ Compromise Agreement attached☐ Not Required (Pls. state reason): _____**1 THE PLAINTIFF (the person, business, or public entity that is suing) is: Ang Naghahabla**

Name Pangalan ng Naghahabla

Sex Kasarian

Age Edad

Civil Status Katayuang Sibil

Check those that apply: Pumili sa mga sumusunod at lagyan ng tsek:

Type of Plaintiff Uri ng Naghahabla

☐ Individual Tao/Indibidwal☐ Corporation Korporasyon☐ Partnership Bakasan☐ Cooperative Kooperatiba☐ Sole Proprietorship Solong Pangmay-ari

Type of Business Uri ng Negosyo

☐ Banking Bangko☐ Lending Pagpapautang☐ Others (pls. indicate): Iba pang uri ng negosyo _____**Home Address Pahatirang Sulat sa Bahay ng Naghahabla**

Unit/Floor/House/Building No. Palapag Street Kalsada

Barangay

Zip Code

City/Lungsod/Municipality Munisipalidad

Province Lalawigan

Region Rehiyon

Contact No. Telepono/Selpon Blg.

Email Address

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 1 of 10



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

Place of Work/Business Lugar ng Pinagtatrabahuhan/Negosyo

Unit/Floor/House/Building No. Palapag Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad	Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.	Email Address	

If more than one plaintiff, list next plaintiff here:

Name Pangalan ng Naghahabla	Sex Kasarian	Age Edad	Civil Status Katayuang Sibil
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Check those that apply: Pumili sa mga sumusunod at lagyan ng tsek:

Type of Plaintiff Uri ng Naghahabla

- ☐ Individual Tao/Indibidwal
☐ Corporation Korporasyon
☐ Partnership Bakasan
☐ Cooperative Kooperatiba
☐ Sole Proprietorship Solong Pangmay-ari

Type of Business Uri ng Negosyo

- ☐ Banking Bangko
☐ Lending Pagpapautang
☐ Others (pls. indicate): Iba pang uri ng negosyo

Home Address Pahatirang Sulat sa Bahay ng Naghahabla

Unit/Floor/House/Building No. Palapag Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad	Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.	Email Address	

Place of Work/Business Lugar ng Pinagtatrabahuhan/Negosyo ng Naghahabla

Unit/Floor/House/Building No. Palapag Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad	Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.	Email Address	

- ☐ Check here if more than two plaintiffs and attach Form 1-A-SCC (Other Plaintiffs or Defendants).
Lagyan ng tsek kung higit pa sa dalawa ang naghahabla at ilakip ang Form 1-A-SCC (Iba pang mga Naghahabla o Hinahabla).

Plaintiff's Representative, if applicable Kinatawan ng Naghahabla, kung meron

Name Pangalan ng Kinatawan ng Naghahabla
--

Home Address Pahatirang Sulat sa Bahay ng Kinatawan ng Naghahabla

Unit/Floor/House/Building No. Palapag Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad	Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.	Email Address	

Place of Work Lugar ng Pinagtatrabahuhan ng Kinatawan ng Naghahabla

Unit/Floor/House/Building No. Palapag Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad	Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.	Email Address	

Plaintiff as a juridical entity, if applicable Juridical entity ang naghahabla, kung sakali

- ☐ Check here if there is a board resolution or secretary's certificate attached to the Statement of Claim/s authorizing the person to file the claim for the juridical entity
Lagyan ng tsek kung may board resolution o secretary's certificate na nakakabit sa Statement of Claim/s na pinapahintulutan ang tao na ihain ang paniningil para sa juridical entity

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 2 of 10

Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

2 THE DEFENDANT (the person, business, or public entity being sued) is: Ang Hinahabla

Name <i>Pangalan ng Hinahabla</i>	Sex <i>Kasarian</i>	Age <i>Edad</i>	Civil Status <i>Katayuang Sibil</i>
-----------------------------------	---------------------	-----------------	-------------------------------------

Check those that apply: Pumili sa mga sumusunod at lagyan ng tsek:

- | | |
|--|--|
| <input type="checkbox"/> Type of Defendant <i>Uri ng Hinahabla</i> | <input type="checkbox"/> Cooperative <i>Kooperatiba</i> |
| <input type="checkbox"/> Individual <i>Tao/Indibidwal</i> | <input type="checkbox"/> Sole Proprietorship <i>Solong Pangmay-ari</i> |
| <input type="checkbox"/> Corporation <i>Korporasyon</i> | |
| <input type="checkbox"/> Partnership <i>Bakasan</i> | |

Home Address *Pahatirang Sulat sa Bahay ng Hinahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

Place of Work/Business *Lugar ng Pinagtatrabahuhan/Negosyo ng Hinahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

- ☐ Check here if there is more than one defendant and attach Form 1-A-SCC (Other Plaintiffs or Defendants).
Lagyan ng tsek kung higit pa sa isa ang hinahabla at ilakip ang Form 1-A-SCC (Iba pang mga Naghahabla o Hinahabla).
- ☐ Check here if any defendant is detained or serving sentence in a prison facility. Write his/her name and the name and address of the detention or prison facility *Lagyan ng tsek kung ang hinahabla ay nakakulong. Isulat ang pangalan niya pati ang pangalan at lugar ng bilangguan:*

Defendant's Representative, if applicable *Kinatawan ng Hinahabla, kung meron*

Name <i>Pangalan ng Kinatawan ng Hinahabla</i>
--

Home Address *Pahatirang Sulat sa Bahay ng Kinatawan ng Hinahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

Place of Work *Lugar ng Pinagtatrabahuhan ng Kinatawan ng Hinahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

3 PLAINTIFF'S CLAIM

- A. Plaintiff claims that the defendant owes him/her/it money in the amount of:
Ang hinahabla ay umutang sa naghahabla ng halagang:

₱ _____

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 3 of 10



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

B. Why does the defendant owe the plaintiff money? *Bakit nagkautang ang hinahabla ng salapi sa naghahabla?*

C. When did this happen? *Kailan ito nangyari?* Date *Petsa* : _____
If no specific date, give the time period *Kung walang tiyak na petsa, ibigay ang tantiyang panahon:*

Date started *Petsa nagsimula*: _____ Through *Hanggang*: _____

D. How did you compute the money owed to you? (Do not include court costs or fees.) *Paano mo kinuwenta ang salaping inutang sa iyo? (Hindi kasama ang bayad sa pagpapatala sa hukuman.)*

☐ Check here if you need more space. You may write at the back of this form or attach additional sheets of paper and write "Form 1-SCC, Item 3" at the top. Kung kailangan mo ng karagdagang patlang, maari mong isulat sa likod ng Form na ito o maglakip ng mga karagdagang papel at isulat ang "Form 1-SCC, Item 3" sa itaas.

4 DEMAND FOR PAYMENT

A. Did you ask the defendant to pay you before filing this case? *Siningil mo ba ang hinahabla bago ka nagsampa ng kasong ito?*

☐ Yes *Oo*

☐ No *Hindi*. If no, please explain. *Kung hindi, ipaliwanag.* _____

B. How did you ask the defendant? *Paano mo siningil ang hinahabla?*

☐ In person *Sa kanya mismo*

☐ By phone *Sa telepono*

☐ In writing *Sa sulat*

☐ Others (pls. specify) *Iba pa (pakisulat kung paano):* _____

C. When did you do this? *Kailan mo ginawa ito?*

5 PROOF OF CLAIM

A. What is your proof that defendant owes you money? *Ano ang katibayan o pruwera na ang hinahabla ay may utang na salapi sa iyo?*

☐ signed

☐ checks

☐ deed/contract/agreement

☐ latest demand letter (with proof of delivery and receipt)

☐ promissory note

☐ affidavit of witnesses to support the claim

☐ bank deposit slip

☐ others (pls. specify): _____

☐ receipts

B. Did you attach your proof to this form? *Iya bang inilakip ang katibayan o pruwera sa form na ito?*

☐ Yes *Oo*

☐ No *Hindi*

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 4 of 10



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

6 BARANGAY CONCILIATION *Katarungang Pambarangay*

Was this claim referred to the barangay? *Dumaan ba sa barangay ang paniningil na ito?*

☐ Yes *Oo*

If yes, do you have any of the following from the barangay? *Kung oo, meron ka ba ng mga ito na isinagawa sa barangay?*

- ☐ Certificate to File Action *Patunay sa Pagsampa ng Kaso*
☐ Compromise Agreement *Kasunduan*

☐ No *Hindi*

☐ Not covered *Hindi sakop*

If no, state reason. *Kung hindi, isulat ang dahilan.*

7 NUMBER OF SMALL CLAIMS CASES FILED

How many small claims cases have you filed within this calendar year prior to this present case in this court station and in the entire country? _____

Pang ilang kaso na itong isinampa mo sa loob ng kasalakuyang taon sa korte na ito at sa buong bansa? _____

8 CONSENT TO ELECTRONIC SERVICE

☐ I give my consent to be served with official court notices, processes, orders, resolutions and decisions, as well as filings by the Defendant, through: *Nagbibigay ako ng pahintulot na maihatid sa akin ang mga opisyal na paunawa, proseso, utos, resolusyon, at desisyon ng hukuman, pati ang mga pagsasampa ng Hinahabla, sa pamamagitan ng: (Check those that apply Pumili sa mga sumusunod at lagyan ng tsek)*

- ☐ email address: _____
☐ fax number: _____
☐ cell phone number: _____
 o phone call
 o text message (SMS)
 o instant message (ex. Viber, WhatsApp, Facebook Messenger) pls. specify: _____

9 PRAYER *Pagsamo*

WHEREFORE, plaintiff respectfully prays for judgment ordering defendant/s to pay the amount of (in words) _____
(in figures) ₱ _____, with interest at the rate of _____% per annum/month, from _____ until fully paid.

DAHIL DITO, ang naghahabla ay magalang na sumasamo na igawad ang kapasiyahang utusan ang hinahabla na magbayad sa naghahabla ng halagang (in words) _____ (in figures) ₱ _____, pati ang tubo na _____% bawat taon/buwan, simula _____ hanggang ganap o lubos na mabayaran ito.

City *Lungsod:*

Date *Petsa:*

Plaintiff's Signature *Lagda ng Naghahabla:*



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

10 VERIFICATION AND CERTIFICATION AGAINST FORUM SHOPPING, SPLITTING A CAUSE OF ACTION, AND MULTIPLICITY OF SUITS *Pagpapatotoo o Pagpapatunay na Walang Ibang Kasong Nakasampa/Nakabinbin sa Ibang Hukuman*

I Ako, _____, of legal age *nasa hustong gulang*, _____,
(Name Pangalan) (Citizenship Pagkamamamayan)
_____, and a resident of _____
(Civil Status Katayuang Sibil)

(Residence Tirahan)

under oath, state *ay sumusumpa na*:

1. I am the plaintiff in the above-entitled case who prepared and filled out the Statement of Claim/s. I read and understood its contents which are true and correct of my own personal knowledge and/or based on true records.
Ako ang naghahabla sa kasong ito, na gumawa at nagpuno ng Habla ng Pagsingil. Naiintindihan ko ang mga nilalaman nito at pinatotohanan ko ang mga nakasaad dito base sa aking personal na pagkakaalam, tunay na talaan, dokumento, at ebidensya;
2. The Statement of Claim/s is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation.
Ang Habla ng Pagsingil ay isinumite sa hukuman hindi upang magdulot ng pag-abala, pag-antala, o walang kabuluhan pagpapahirap sa proseso ng hukuman;
3. I have not commenced any action or proceeding involving the same issue or subject matter in the Supreme Court, Court of Appeals, or any other tribunal or agency, and that the check/s covered in this case has/have not been the subject of a criminal charge filed before the Office of the Provincial/City Prosecutor; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, Court of Appeals, or any other tribunal or agency; and that, if I should learn thereafter that a similar action or proceeding has been filed or is pending before this court, tribunal, or agency, I undertake to report that fact to this court within five (5) calendar days therefrom.
Ako ay walang ibang kasong isinampa o nakabinbin sa ibang hukuman o sa ibang ahensya ng pamahalaan patungkol sa transaksyon na ito, at kung may cheke/mga cheke na naisama rito, walang hiwalay na kasong kriminal na isinampa rito. Kung ako man ay may madiskubreng kaso na nakasampa o nakabinbin sa hukuman o ibang ahensya ng pamahalaan patungkol sa transaksyong o cheke/mga chekeng ito, nangangako akong isiwalat ito sa hukuman sa loob ng limang (5) araw sa kalendaryo mula sa aking pagdiskubre;
4. The filing of this case is not in violation of the rule against splitting a single cause of action or multiplicity of suits.
Ang pagsampa ng kasong ito ay hindi labag sa patakaran ng Korte Supreme na ipinagbabawal ang pagsampa ng iba't ibang kaso na nagmumula lamang sa isang transaksyon.

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Plaintiff's Name and Signature
Pangalan at Lagda ng Naghahabla

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public / Administering Officer



FORM 1-SCC**INFORMATION FOR THE SMALL CLAIMS DEFENDANT*****Kaalaman para sa Hinahabla***

This information sheet is written for the person sued in the small claims court. It explains some of the rules of, and some general information about, the small claims procedure. It may also be helpful for the person who sued.

Ang dahon ng impormasyon na ito ay isinulat para sa taong hinahabla ukol sa Pagsingil ng maliit na halaga. Ipinapaliwanag nito ang ilan sa mga tuntunin/patakaran ng Pagsingil at ilang pangkalahatang impormasyon tungkol sa proseso. Maaari din itong maging kapaki-pakinabang para sa taong naghabla.

“Small Claims Rule” is a simple and informal procedure where money claims for ₱1 Million Pesos or less are heard by the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs).

The claim or demand may be for the following:

- a. Money owed under any of the following:
 - 1) Contract of lease
 - 2) Contract of loan and other credit accommodations
 - 3) Contract of service
 - 4) Contract of sale of personal property (this excludes the recovery of personal property unless it is the subject of a compromise agreement).
- b. The enforcement of a barangay amicable settlement or an arbitration award involving a money claim if within six (6) months, from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, no execution has been enforced by the Barangay, pursuant to Section 417 of Republic Act No. 7160 (The Local Government Code of 1991).

“Tuntunin sa Pagsingil ng Maliit na Halaga” ay isang simple at impormal na pamamaraan sa pagdinig kung saan ang halagang salapi na sinisingil ay ₱1 Milyong Piso o mas mababa. Ang mga ito ay dinudulog sa Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) at Municipal Circuit Trial Courts (MCTCs).

Ang habla ay maaaring para sa mga sumusunod:

- a. Ang singil ay pera na inutang sa ilalim ng alinman sa mga sumusunod:
 - 1) Kontrata ng pag-upa
 - 2) Kontrata ng utang at iba pang credit accommodation
 - 3) Kontrata ng serbisyo
 - 4) Kontrata ng pagbebenta ng personal na pag-aari (hindi kasama ang pagbawi ng personal na pag-aari maliban kung napapailalim sa isang kasunduan sa kompromiso).
- b. Ang pagpapatupad ng isang pag-areglo o arbitration award ng barangay na kinasasangkutan ng pagsingil sa pera, kung sa loob ng anim (6) na buwan mula sa petsa ng pag-areglo o sa petsa ng pagtanggap ng arbitration award o mula sa petsa kung kailan nagiging nararapat at hinihingi ang obligasyon na nakatala o naihatol sa arbitration award, wala pang ipinapatupad ang Barangay, alinsunod sa Section 417 ng Republic Act No. 7160 (The Local Government Code of 1991).

1. **What must I do upon receipt of the Summons and Statement of Claim?** You must file in court and serve on the plaintiff a verified Response, attaching all documents and evidence to support your defense. You must also attend the hearing on the date and time indicated in the Notice of Hearing.

Ano ang dapat kong gawin matapos matanggap ang patawag at ang Habla ng Pagsingil? Kailangan mong isampa sa hukuman at ihatid sa naghahabla ang iyong napatunayang Sagot na nakalakip lahat ng dokumento at ebidensiyang sumusuporta sa iyong napatunayang Sagot, at dumalo sa pagdinig sa petsa at oras na nakasulat sa Abiso sa Pagdinig.

2. **How do I file my verified Response?**

- You must do the ff:
- a. Fill out Form 3-SCC (Verified Response)
 - b. Attach all documents and evidence supporting your response, if any.
 - c. Make copies of all pages and your supporting documents (file the original in court and make copies for the plaintiff and yourself).
 - d. If the original documents consist of records that could not be separated, you can photocopy the pertinent document and have it certified by the Clerk of Court of the Office of the Clerk of Court (OCC) as a faithful reproduction of the original.
 - e. Have Form 3-SCC and all supporting documents, especially part 9 on Verification (or part 10 on Verification Certification Against Forum Shopping, Splitting a Cause of Action, and Multiplicity of Suits, if you have a counterclaim), subscribed and sworn to before either a notary public, the Clerk of Court of the Office of the Clerk of Court (OCC) where the case

Paano ko isasampa ang aking napatunayang Sagot? Dapat mong gawin ang mga sumusunod:

- a. Punan/Sagutan ang Form 3-SCC (Sagot)
- b. Ilakip ang lahat ng dokumento at ebidensya na sumusuporta sa iyong napatunayang Sagot, kung meron man.
- c. Gawin ng kopya ang lahat ng pahina at ng iyong mga pang-alalay na dokumento (ihain ang orihinal sa hukuman, gumawa ng kopya para sa naghahabla at para sa iyo).
- d. Kung ang orihinal na dokumento ay binubuo ng mga talaan na hindi mapaghiwalay, maaari mong ipakopya ang nauukol na dokumento at ipasertipikado sa Clerk of Court ng Office of the Clerk of Court (OCC) na ito ay tapat na kopya ng orihinal.
- e. Kailangan na ang Form 3-SCC at lahat ng kalakip na pang-alalay na dokumento, lalong higit ang ika-9 na bahagi sa Pagpapatotoo (o ika-10 na bahagi sa Pagpapatotoo/Pagpapatunay na Walang Ibang

Plaintiff's Statement of Claim/s
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Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

will be filed, a Branch Clerk of Court, or a Barangay Chairperson.

- f. If you have a counterclaim, pay the filing fee, if any.
- g. Within ten (10) calendar days from receipt of the Summons, you must serve on the plaintiff a copy of your verified Response, together with the supporting documents, and file the original with the court that issued the Summons.

If you have questions regarding Form 3-SCC, you may inquire with the court that issued the Summons. You may also contact the court at the number or email address written in the Summons and Statement of Claims.

Kaso/Nakabinbin sa Ibang Hukuman, kung meron kang Ganting Pag-singil, ay nilagdaan at sinumpaang alinman sa harap ng notaryo publiko o Clerk of Court ng OCC kung saan isasampa ang kaso o Branch Clerk of Court o Punong Barangay.

- f. *Magbayad ng bayarin sa pagsampa ng ganting-pagsingil, kung meron man.*
- g. *Sa loob ng sampung (10) araw ng kalendaryo mula pagtanggap ng Patawag, kinakailangan na maghatid/maghain ng kopya ng iyong beripikadong Sagot kasama ang mga pang-alalay na dokumento sa naghabla at isampa ang orihinal nito sa hukuman.*

Kung ikaw ay mayroong mga katanungan tungkol sa Form 3-SCC, maaari kang magtanong sa hukuman na nagpalabas ng Patawag. Maaari mo ring kontakin ang hukuman sa numero o email address na nakasulat sa Patawag at Habla ng Pagsingil.

3. **What is a counterclaim?** It is a claim that you, the defendant, may have against the plaintiff.

You can set up a counterclaim in your Verified Response (Form 3-SCC) if:

- 1) It is not more than ₱1 Million Pesos, exclusive of interest and costs. Any amount in excess of ₱1 Million pesos, excluding interests and costs, shall be deemed waived;
- 2) It does not require the joinder of third parties; and
- 3) It is not the subject of another pending action.

Ano ang Ganting-Pagsingil? Ito ay pagsingil na mayroon ka laban sa naghahabla.

Ang hinahabla ay maaring magsampa ng ganting-pagsingil sa kanyang beripikadong Sagot (Form 3-SCC) kung:

- 1) *Ang ganting-pagsingil ay hindi lampas ng ₱1 Milyong Piso, na hindi kasama ang interes at gastos sa pagsampa ng kaso. Ano mang halaga labis sa ₱1 Milyong Piso ay itinuturing na tinalikdan na ng hinahabla;*
- 2) *Hindi kinakailangan ang pagsali ng ibang partido sa isinasampung kaso; at*
- 3) *Walang ibang kasong isinampa at nakabinbin sa parehong ganting-pagsingil.*

4. **What happens if I do not file the verified Response and do not appear at the hearing?** The court shall proceed with the hearing. If you or your representative did not attend, the court will render judgment as may be warranted by the facts alleged in the Statement of Claim/s.

Anong mangyayari kung hindi ako maghain ng napatunayang Sagot at hindi dumalo sa pagdinig? Ang hukuman ay magpapatuloy sa pagdinig. Kung ikaw o ang iyong kinatawan ay hindi dumalo sa pagdinig, magbibigay ng desisyon ang hukuman ayon sa mga katotohanan na sinasaad sa Habla ng Pagsingil.

5. **What happens if I do not file a verified Response within the required period but I appear at the hearing?** The court will consider any defense you offer during the hearing as your Response. Hearing will proceed on the same day and the court will render judgment within twenty-four (24) hours from termination of the hearing. If you rely on documentary evidence to support your defense, the court will order you to submit original copies of such documents within three (3) calendar days from the termination of the hearing. Upon receipt thereof or expiration of the period to file, the court will render judgment within twenty-four (24) hours.

Anong mangyayari kung hindi ako maghain ng napatunayang Sagot ngunit dumalo ako sa pagdinig? Isasaalang-alang ng hukuman ang anumang pagtatanggol na iaalok mo sa panahon ng pagdinig bilang Sagot mo. Magpapatuloy ang pagdinig sa mismang araw na iyon at magbibigay ng desisyon ang hukuman sa loob ng dalawampu't apat na oras (24 hours) mula sa pagwawakas ng pagdinig. Kung ikaw ay umaasa sa mga dokumento na ebidensya para suportahan ang iyong depensa, ang hukuman ay mag-uutos sa iyo na isumiti ang mga orihinal na kopya ng mga naturang dokumento sa loob ng tatlong (3) araw sa kalendaryo mula sa pagwawakas ng pagdinig. Sa pagtanggap ng hukuman ng mga naturang dokumento o sa pagkaubos ng panahon na isumiti ito, ang hukuman ay magbibigay ng desisyon sa loob ng dalawampu't apat na oras (24 hours).

6. **Do I need a lawyer?** YOU CANNOT HAVE A LAWYER AT THE HEARING. You may consult a lawyer before or after the hearing but the lawyer cannot appear for or with you at the hearing.

Kailangan ko ba ng abogado? HINDI KA MAAARING MAGSAMA NG ABOGADO SA PAGDINIG. Maaari kang kumunsulta sa abogado bago o pagkatapos ng pagdinig pero ang abogado ay hindi pinahihintulatang dumalo para sa iyo o sumama sa iyo sa pagdinig.

7. **What if I do not speak English well?** The judge will speak in Filipino or the local dialect. A court interpreter shall also be available on the hearing day.

Paano kung hindi ako makapagsalitang mabuti ng Ingles? Ang hukom ay magsasalita sa Filipino o sa lokal na dayalekto. Isang panghukumang tagasalin ang tiyak na tutulong din sa araw ng pagdinig.

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 8 of 10



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

8. What happens at the hearing? Be sure you are on time for the hearing. You must bring with you the original affidavits of witnesses, receipts, and any evidence you need to prove your statements in your verified Response, if these have not been previously submitted to the court. If you are representing a juridical entity, you must bring your original written authority to appear at the hearing and to enter into an amicable settlement, submit to alternative modes of dispute resolution, and enter into stipulations or admissions of facts and of documents.

If you or your representative and the plaintiff or his/her/its representative appear at the hearing, the judge will listen to both of you. The judge will conduct mediation and encourage you and the plaintiff to settle your case. If you do not settle, the judge will render judgment within twenty-four (24) hours from termination of the hearing. You cannot appeal the decision.

Ano ang nangyayari sa pagdinig? Siguruhing nasa takdang oras ka para sa pagdinig. Dapat mong dalhin ang mga orihinal na sinumpaang salaysay ng mga saksi o testigo, mga resibo, at anumang ebidensya na kakailanganin mo para patunayan ang iyong mga pahayag sa iyong napatunayang Sagot, kung ang mga ito ay hindi mo pa naibigay sa hukuman. Kung ikaw ay kumakatawan sa isang organisasyon/samahan na kinikilala ng batas bilang isang juridical entity, dapat mong dalhin ang orihinal na nakasulat na kapangyarihan para ikaw ay dumalo sa pagdinig at pumayag sa mapayapang pagkakasunduan, sumailalim sa alternatibong paraan ng paglutat ng pagtatalo, at pumayag sa kasunduan at gumawa ng pag-amin ng pangyayari at ng mga dokumento.

Kung ikaw o ang iyong kinatawan at ang naghahabla o kanyang kinatawan ay dadalo sa pagdinig, ang hukom ay makikinig sa inyong dalawa. Ang hukom ay mamamagitan at hihikayatin kayo na mag-ayos at lutasin ang inyong kaso. Kung hindi kayo magkakasundo, magbibigay ng hatol ang hukuman sa loob ng dalawampung't apat (24) na oras mula sa pagwakas ng pagdinig. Hindi ka maaaring mag-apela sa desisyon ng hukuman.

9. Do I have options? Yes, you can do any of the following:

- **Settle the case before the hearing.** If you and the plaintiff agree on how to settle the case, both of you must notify the court. You may ask the Office of the Clerk of Court (OCC) or Branch Clerk of Court for help.
- **File your verified Response and/or appear at the hearing.** Bring the original affidavits of witnesses, receipts, and any evidence you need to prove your case, if these have not been previously submitted to the court.
- **Agree with the plaintiff's claim and pay the same.** If you cannot pay the amount claimed now, go to the hearing and manifest before the court that you want to make payments by installment.
- **Let the case proceed without you.** If you did not settle, did not file a verified response, and did not attend the hearing, the judge may give the plaintiff what he/she/it is praying for, including court costs. If this happens, the court may order that your money or property be taken to pay the monetary award together with interests as stated in the Decision.

Mayroon ba akong mga pagpipilian? Oo, maaari mong gawin ang alinman sa mga sumusunod:

- **Ayusin na ang usapin bago pa dumating ang pagdinig.** Kung ikaw at ang naghahabla ay magkaisa kung paano mapagkasunduan ang kaso, dapat kapwa ninyo ito ipaalam sa hukuman. Maaaring humingi ng tulong sa Office of the Clerk of Court (OCC) o sa Branch Clerk of Court
- **Maghain ng napatunayang Sagot at/o dumalo sa pagdinig.** Dalhin ang mga orihinal na sinumpaang salaysay ng mga saksi o testigo, mga resibo at anumang katibayan na iyong kailangan upang mapatunayan ang iyong kaso, kung ang mga ito ay hindi mo pa naibigay sa hukuman.
- **Sumang-ayon sa halagang sinisingil ng naghahabla at bayaran ito.** Kung hindi mo mabayaran agad ang halaga ng sinisingil, dumalo ka sa pagdinig at ipahayag sa hukuman na gusto mong magbayad ng hulugan.
- **Hayaang magpatuloy ang kaso ng wala ka.** Kung hindi ka nakipag-ayos, hindi naghain ng napatunayang Sagot, at hindi dumalo sa pagdinig, maaaring ipagkaloob ng hukom ang anumang hinihingi ng naghahabla sa Habla ng Pagsingil. Kung nangyari ito, maaaring ipag-utos ng hukuman na kuhain ang iyong pera o ari-arian para bayaran ang halaga na ipinagkaloob sa Desisyon, kasama ang tubo.

10. What happens if the plaintiff does not appear at the hearing? The court will dismiss plaintiff's Statement of Claim without prejudice. This means that the plaintiff is allowed to re-file the claim. If you, the defendant, appears at the hearing, you may be entitled to a judgment on your counterclaim, if any.

Ano ang mangyayari kung ang naghahabla ang hindi dumalo sa pagdinig?

Ibasura ng hukuman ang kanyang Habla sa Pagsingil ng walang kapinsalaan/pagtatangg. Ang ibig sabihin nito ay pinapayagan ang naghahabla na isampa muli ito. Kung ikaw na hinahabla ay dumalo sa pagdinig, ikaw ay may karapatan na makakuha ng desisyon sa iyong ganting-pagsingil, kung meron man.

11. What happens if both you and the plaintiff fail to appear at the hearing? If both you and the plaintiff fail to appear at the hearing, the court shall dismiss with prejudice both the Statement of Claim and your counterclaim, if any.

Ano ang mangyayari kung kapwa kami hindi dumalo ng naghahabla sa pagdinig? Kung pareho kayo ng naghahabla na hindi dumalo sa pagdinig, ibasura ng hukuman ang parehong Habla ng Pagsingil at ang iyong ganting-pagsingil, kung meron man.

Plaintiff's Statement of Claim/
(Small Claims)

Form 1-SCC, Page 9 of 10



Plaintiff (list name) Isulat ang pangalan ng naghahabla

Case Number:

12. What happens after a decision is rendered by the Court?

When a decision is rendered in favor of the plaintiff, and there is proof on record that you received the same, plaintiff can cause the execution of the decision by filing an *ex parte* motion (Form 12-SCC). However, if the decision is based on a compromise agreement, the proof that you received the decision is no longer necessary.

The decision of the court is final, executory and unappealable.

Anong mangyayari pagkatapos ng paghatol? Kapag ang desisyon ay pabor sa naghahabla, at may patunay sa record/talaan na natanggap mo ito, maaaring ipatupad ng naghahabla ang desisyon sa pamamagitan ng pagsampa ng *ex parte* mosyon (Form 12-SCC). Gayun pa man, kung ang desisyon ay base sa Napagkasunduan o Kompromiso, ang patunay na natanggap mo ito ay hindi na kailangan.

Ang desisyon ng hukuman ay wakas na, ipatutupad na, at hindi na maaaring i-apela.

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 10 of 10



FORM 1-A-SCC**OTHER PLAINTIFFS OR DEFENDANTS**
Iba pang mga Naghahabla o HinahablaCase Number:

- ☐ This form is attached to Form 1-SCC (Statement of Claim/s), item 1 or 2.
Ang form na ito ay nakalakip sa Form 1-SCC (Habla ng Pagsingil), item 1 o 2.

1 OTHER PLAINTIFF

Name <i>Pangalan ng Naghahabla</i>	Sex <i>Kasarian</i>	Age <i>Edad</i>	Civil Status <i>Katayuang Sibil</i>
<p>Check those that apply: <i>Pumili sa mga sumusunod at lagyan ng tsek:</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>Type of Plaintiff <i>Uri ng Naghahabla</i></p> <p><input type="checkbox"/> Individual <i>Tao/Indibidwal</i></p> <p><input type="checkbox"/> Corporation <i>Korporasyon</i></p> <p><input type="checkbox"/> Partnership <i>Bakasan</i></p> <p><input type="checkbox"/> Cooperative <i>Kooperatiba</i></p> <p><input type="checkbox"/> Sole Proprietorship <i>Solong Pangmay-ari</i></p> </div> <div style="width: 48%;"> <p>Type of Business <i>Uri ng Negosyo</i></p> <p><input type="checkbox"/> Banking <i>Bangko</i></p> <p><input type="checkbox"/> Lending <i>Pagpapautang</i></p> <p><input type="checkbox"/> Others (pls. indicate): <i>Iba pang uri ng negosyo</i></p> </div> </div>			

Home Address *Pahatirang Sulat sa Bahay ng Naghahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

Place of Work/Business *Lugar ng Pinagtatrabahuhan/Negosyo ng Naghahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

Plaintiff's Representative, if applicable *Kinatawan ng Naghahabla, kung meron*

Name <i>Pangalan ng Kinatawan ng Naghahabla</i>

Home Address *Pahatirang Sulat sa Bahay ng Kinatawan ng Naghahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

Place of Work *Lugar ng Pinagtatrabahuhan ng Kinatawan ng Naghahabla*

Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address	

- ☐ Check here if more than three (3) plaintiffs and fill out as many Form 1-A-SCC as may be necessary.
Lagyan ng tsek kung higit sa tatlo (3) ang naghahabla at punan ang mga karagdagang Form 1-A-SCC.

Other Plaintiffs or Defendants
(Small Claims)

Form 1-A-SCC, Page 1 of 3



Plaintiff as a juridical entity, if applicable *Juridical entity ang naghahabla, kung sakali*

- ☐ *Check here if there is a board resolution or secretary's certificate attached to the Statement of Claim/s authorizing the person to file the claim for the juridical entity*
Lagyan ng tsek kung may board resolution o secretary's certificate na nakakabit sa Statement of Claim/s na pinapahintulutan ang tao na ihain ang paniningil para sa juridical entity

Consent to Electronic Service *Pahintulot para sa electronic service*

- ☐ I give my consent to be served with official court notices, processes, orders, resolutions and decisions, as well as filings by the Defendant, through: *Nagbibigay ako ng pahintulot na maihatid sa akin ang mga opisyal na paunawa, proseso, utos, resolusyon, at desisyon ng hukuman, pati ang mga pagsasampa ng hinahabla, sa pamamagitan ng:*

(Check those that apply Pumili sa mga susunod at lagyan ng tsek)

- ☐ email address: _____
☐ fax number: _____
☐ cell phone number: _____
 ○ phone call
 ○ text message (SMS)
 ○ instant message (ex. Viber, WhatsApp, Facebook Messenger) pls. specify: _____



			Case Number:
2 OTHER DEFENDANT			
Name <i>Pangalan ng Hinahabla</i>	Sex <i>Kasarian</i>	Age <i>Edad</i>	Civil Status <i>Katayuang Sibil</i>
Check those that apply: <i>Pumili sa mga sumusunod at lagyan ng tsek:</i> Type of Defendant <i>Uri ng Hinahabla</i> <input type="checkbox"/> Individual <i>Tao/Indibidwal</i> <input type="checkbox"/> Cooperative <i>Kooperatiba</i> <input type="checkbox"/> Corporation <i>Korporasyon</i> <input type="checkbox"/> Sole Proprietorship <i>Solong Pangmay-ari</i> <input type="checkbox"/> Partnership <i>Bakasan</i>			
Home Address <i>Pahatirang Sulat sa Bahay ng Hinahabla</i>			
Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay		Zip Code
City <i>Lungsod/Municipality</i> <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>	
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address		
Place of Work/Business <i>Lugar ng Pinagtatrabahuhan/Negosyo ng Hinahabla</i>			
Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay		Zip Code
City <i>Lungsod/Municipality</i> <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>	
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address		
Defendant's Representative, if applicable <i>Kinatawan ng Hinahabla, kung meron</i>			
Name <i>Pangalan ng Kinatawan ng Hinahabla</i>			
Home Address <i>Pahatirang Sulat sa Bahay ng Kinatawan ng Hinahabla</i>			
Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay		Zip Code
City <i>Lungsod/Municipality</i> <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>	
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address		
Place of Work <i>Lugar ng Pinagtatrabahuhan ng Kinatawan ng Hinahabla</i>			
Unit/Floor/House/Building No. <i>Palapag</i> Street <i>Kalsada</i>	Barangay		Zip Code
City <i>Lungsod/Municipality</i> <i>Munisipalidad</i>	Province <i>Lalawigan</i>	Region <i>Rehiyon</i>	
Contact No. <i>Telepono/Selpon Blg.</i>	Email Address		

☐ Check here if more than two (2) defendants and fill out as many Form 1-A-SCC as may be necessary.
Lagyan ng tsek kung higit sa dalawa (2) ang hinahabla at punan ang mga karagdagang Form 1-A-SCC.

Other Plaintiffs or Defendants
(Small Claims)

Form 1-A-SCC, Page 3 of 3



INFORMATION FOR THE SMALL CLAIMS PLAINTIFF

KAALAMAN PARA SA NAGHAHABLA

This information sheet is written for the person who sues in the small claims court. It explains some of the rules of, and some general information about, the small claims court. It may also be helpful for the person who is sued.

Ang dahon ng impormasyon na ito ay isinulat para sa taong naghahabla sa hukuman para sa habla ng pagsingil ng maliit na halaga. Ipinapaliwanag nito ang ilan sa mga tuntunin/patakaran at ilang pangkalahatang impormasyon tungkol sa hukuman para sa habla ng pagsingil ng maliit na halaga. Maaari din itong maging kapaki-pakinabang para sa taong hinabla.

“Small Claims Rule” is a simple and informal procedure where money claims for ₱1 Million Pesos or less are heard by the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs).

The claim or demand may be for the following:

- a. Money owed under any of the following:
 - 1) Contract of lease
 - 2) Contract of loan and other credit accommodations
 - 3) Contract of service
 - 4) Contract of sale of personal property (this excludes the recovery of personal property unless it is the subject of a compromise agreement).

- b. The enforcement of a barangay amicable settlement or an arbitration award involving a money claim if within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, no execution has been enforced by the Barangay, pursuant to Section 417 of Republic Act No. 7160 (The Local Government Code of 1991).

1. Who can file a claim?

- a. You must be at least eighteen (18) years old to file a claim. If you are not yet eighteen (18), a parent or legal guardian may file the claim for you.
- b. If a juridical entity files a claim, it shall notify the court and name its authorized representative in writing, attaching a board resolution or secretary's certificate stating that such representative is duly authorized to file the claim in its behalf.

2. What must you prepare before filing a claim?

- a. Documents and evidence supporting your claims, such as signed deeds and contracts, promissory notes, checks, receipts, affidavits of witnesses, and other important documents.
- b. Latest demand letter, if any, its proof of service and receipt.
- c. Certificate to File Action from the Barangay, if necessary, and only when you and the defendant reside within the same municipality or city.
- d. If you cannot attend the hearing, a Special Power of

“Tuntunin sa Pagsingil ng Maliliit na Halaga” ay isang simple at impormal na pamamaraan sa pagdinig kung saan ang halagang salapi na sinisingil ay ₱1 Miyong Piso o mas mababa. Ang mga ito ay dinudulog sa Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) at Municipal Circuit Trial Courts (MCTCs).

Ang habla ay maaaring para sa mga sumusunod:

- a. Ang singil ay pera na inutang sa ilalim ng alinman sa mga sumusunod:
 - 1) Kontrata ng pag-upa
 - 2) Kontrata ng utang at iba pang credit accommodation
 - 3) Kontrata ng serbisyo
 - 4) Kontrata ng pagbebenta ng personal na pag-aari (hindi kasama ang pagbawi ng personal na pag-aari maliban kung napapailalim sa isang kasunduan sa kompromiso).

- b. Ang pagpapatupad ng isang pag-areglo o arbitration award ng barangay na kinasasangkutan ng pagsingil sa pera, kung sa loob ng anim (6) na buwan mula sa petsa ng pag areglo o sa petsa ng pagtanggap ng arbitration award o mula sa petsa kung kailan nagiging nararapat at hinihingi ang obligasyon na nakatala o naihatol sa arbitration award, wala pang ipinapatupad ang Barangay, alinsunod sa Section 417 ng Republic Act No. 7160 (The Local Government Code of 1991).

Sino ang maaaring magsampa ng pagsingil?

- a. Ikaw ay dapat na labingwalong (18) taong gulang upang magsampa ng pagsingil. Kung wala ka pa sa sapat na gulang, isang magulang o ang iyong legal na tagapag-alaga ang magsasampa ng pagsingil para sa iyo.
- b. Kung ang nagsasampa ng pagsingil ay organisasyon o korporasyon na kinikilala ng batas bilang isang juridical entity, kinakailangan na ipagbigay-alam sa hukuman ang pangalan ng kinatawan na binigyan ng kapangyarihan na magsampa ng kaso, kalakip ang board resolution o secretary's certificate na nagsasaad na ang naturang kinatawan ay pinahihintulutan na magsampa ng pagsingil sa ngalan nito.

Ano ang dapat mong ihanda bago ka magsampa ng pagsingil?

- a. Mga dokumento at katibayan na sumusuporta sa iyong pagsingil tulad ng pirmedang kasulatan at kontrata, katibayan ng pagkakautang, mga tseke, mga resibo, salaysay ng mga saksi/testigo, at iba pang importanteng mga dokumento.
- b. Pinakahuling liham ng paniningil, kung meron, katibayan ng pagpapadala at pagkatanggap nito.
- c. Katibayan upang Dumulog sa Hukuman galing sa



Attorney (SPA), board resolution or secretary's certificate, as the case may be, authorizing your representative to represent you during the hearing, enter into an amicable settlement, submit to alternative modes of dispute resolution, and make admission or stipulations of facts and documents without further consultation from you.

- e. If you are filing the claim in behalf of a legal entity, a secretary's certificate or board resolution authorizing you to file the case.

Barangay kung ikaw at ang hinahabla ay nakatira sa iisang munisipyo o lungsod.

- d. *Kung hindi mo kayang dumalo sa pagdinig, isang Natatanging Gawad-Kapangyarihan (SPA), board resolution o secretary's certificate, kung saan man ito naaayon, na nagpapahintulot sa iyong kinatawan na kumatawan sa iyo sa panahon ng pagdinig, pumayag sa isang mapayapang pagkakasunduan, sumailalim sa alternatibong paraan ng paglutas ng pagtatalo, at gumawa ng pag-amin o pumasok sa kasunduan ng mga pangyayari at dokumento ng walang karagdagan konsultasyon mula sa iyo.*
- e. *Kung ang pagsampa ng pagsingil ay sa ngalan ng isang juridical entity, kinakailangan ang secretary's certificate o board resolution na nagpapahintulot sa iyo na isampa ang kaso.*

- 3. **Where can you file your claim?** You must sue in the right court and location. This rule is called **venue**. If you file your claim in the wrong court, the court can dismiss the claim. The regular rules on venue shall apply, *i.e.*, where you or the defendant resides, or in the case of a non-resident defendant where he or she may be found, at your option.

However, if you are engaged in the business of lending, banking and similar activities, and have a branch within the municipality or city where the defendant resides or is holding business, the case shall be filed in the court of the city or municipality where the defendant resides or is holding business. If there are two (2) or more defendants, the case shall be filed in the court of the city or municipality where any of them resides or is holding business, at your option.

Saan ka maaaring magsampa ng iyong pagsingil? Dapat kang magsampa sa tamang hukuman at lokasyon. Ang panuntunan na ito ay tinatawag na **venue**. Kung isasampa mo ang pagsingil sa maling hukuman, puwede itong ibasura ng hukuman. Ang regular na panuntunan sa venue ang nararapat na sundin, halimbawa, kung saan ka o ang hinahabla ay nakatira, o kung sakali man na ang hinahabla ay hindi residente, ang venue ay doon sa lugar kung saan siya matatagpuan, base sa iyong opsyon o pagpili.

Gayunpaman, kung ikaw ay nasa negosyo ng pagpapautang, bangko at iba pang katulad na negosyo, at meron kang sangay ng negosyo sa loob ng munisipyo o lungsod kung saan nakatira o nagnenegosyo ang hinahabla, ang kasong pagsingil ay isasampa sa hukuman ng lungsod o munisipyo kung saan nakatira o nagnenegosyo ang hinahabla. Kung dalawa (2) o higit pa ang mga hinahabla, ang paniningil ay dapat isampa sa lungsod o munisipyo kung saan ang alinman sa kanila ay naninirahan o mayroong negosyo, ayon sa iyong pagpipilian.

- 4. **How do I file my claim?**
 - a. Fill out Form 1-SCC (Statement of Claim).
 - b. Attach all documents and evidence supporting your claim.
 - c. Make as many copies of all pages of Form 1-SCC and your supporting documents as there are defendants. If the original documents consist of records that could not be separated, you can photocopy the pertinent document and have it certified by the Clerk of Court of the Office of the Clerk of Court (OCC) as a faithful reproduction of the original.
 - e. Have Form 1-SCC and all supporting documents and copies thereof notarized or administered by either the notary public, Clerk of Court of the Office of the Clerk of Court (OCC) where the case is filed, any Branch Clerk of Court, or a Barangay Chairperson.
 - f. Pay the filing fee (except if your motion to plead as an indigent has been granted by the Executive Judge).
 - g. Get the date and time of your hearing from the court to which your case was raffled or assigned.

Paano ko isasampa ang aking pagsingil?

- a. Punan/Sagutan ang Form 1-SCC (Habla ng Pagsingil).
- b. Ilakip ang lahat ng dokumento at ebidensya na sumusuporta sa iyong pagsingil.
- c. Gawan ng kopya ang lahat ng pahina ng Form 1-SCC at ng iyong mga pang-alalay na dokumento. Ang dami ng kopya ay dapat kasing dami ng mga hinahabla.
- d. Kung ang orihinal na dokumento ay binubuo ng mga talaan na hindi mapaghiwalay, maaari mong ipakopya ang nauukol na dokumento at ipasertipikado sa Clerk of Court ng Office of the Clerk of Court (OCC) na ito ay tapat na kopya ng orihinal.
- e. Kailangan na ang Form 1-SCC at lahat ng kalakip na pang-alalay na dokumento, pati ang mga kopya nito, ay nilagdaan at sinumpaang alinman sa harap ng notaryo publiko o Clerk of Court ng OCC kung saan isasampa ang kaso o Branch Clerk of Court o Punong Barangay.
- f. Magbayad ng bayarin sa pagsampa (maliban kung ikaw ay pinayagan ng Executive Judge na makapagsampa ng kaso bilang indigent o isang taong walang sapat na kabuhayan).



g. Alamin ang araw at oras ng pagdinig mula sa hukuman kung saan ang iyong kaso ay naripa o naitalaga.

5. **What if I cannot afford to pay the filing fee?** If you are unable to pay the filing fee because you have no adequate financial means, you may file the case as an indigent by filling out Form 6-SCC and attaching the following documents:
- Affidavit of Indigency
 - Barangay Certificate of Indigency
 - City or Municipal Assessor's Certificate
 - City or Municipal Treasurer's Office Certificate
 - Affidavit of two (2) disinterested persons

Paano kung hindi ko kayang bayaran ang bayarin sa pagsampa? Kung hindi mo mabayaran ang bayarin sa pagsampa dahil wala kang sapat na kakayahang pinansyal, maaari kang magsampa ng kaso bilang isang indigent (taong walang sapat na kabuhayan) sa pamamagitan ng pagpunan o pagsagot ng Form 6-SCC at naglalalip ng mga sumusunod na dokumento:

- Sinumpaang Salaysay na Walang Sapat na Kabuhayan
- Katibayan ng Barangay na Walang Sapat na Kabuhayan
- Katibayan ng Tagatasa (assessor) ng Lungsod o Munisipyo
- Katibayan ng Tanggapan ng Pambayang Inga-Yaman ng Lungsod o Munisipyo
- Sinumpaang Salaysay ng dalawang (2) taong walang interes sa kaso

6. **How does the defendant find out about the claim?** You must make sure the defendant finds out about your lawsuit. This has to be done according to the rules. Otherwise, your case may be delayed or dismissed. The correct way of telling the defendant about the lawsuit is called **service of process**. This means serving Summons along with the Notice of Hearing, a copy of the Statement of Claim/s and all its attachments, and a blank copy of Form 3-SCC (Response), to the defendant.

Paano malalaman ng hinahabla ang tungkol sa pagsingil? Dapat mong siguraduhin na malaman ng hinahabla ang tungkol sa iyong kaso. Kailangan ito ay magawa alinsunod sa mga tuntunin o patakaran. Kung hindi, ang iyong kaso ay maaaring maantala o mabasura. Ang tamang paraan ng pagbibigay alam sa hinahabla tungkol sa habla ay tinatawag na **serbisyo ng proseso**. Ibig sabihin nito ay paghatid/paghain ng Patawag at pagbigay ng kopya ng pagsingil.

a. Ways to serve the defendant with Summons:

- 1) Personal Service.** This entails handing the Summons to the defendant in person and informing him/her that he/she is being served. If he/she refuses to receive and sign for it, the Summons may be left within the defendant's view and presence. This shall be done by:

- The sheriff, his/her deputy, or other proper court officer; or
- You or your representative, when the court so orders under the following instances:
 - When Summons is returned by the sheriff, his/her deputy, or other proper court officer without being served on any or all of the defendants; and
 - Where Summons is to be served outside the judicial region of the court where the case was filed.

- 2) Substituted Service.** If, for justifiable causes, the defendant cannot be served personally after at least three (3) attempts on two (2) different dates, service may be effected by:

- Leaving the Summons at the defendant's residence with a person residing thereat who

a. Mga paraan para ihatid/ihain ang Patawag at kopya ng pagsingil sa hinahabla:

- 1) Personal na Serbisyo.** Kailangan na ibigay ng personal ang Patawag sa hinahabla at ipagbigay alam sa kanya na siya ay pinapaghatiran o pinaghainan nito. Kung tatanggi siyang tanggapin at pumirma para dito, ang Patawag ay maaaring iwanan sa harap ng hinahabla na abot kaya ng kanyang paningin. Ito ay dapat gawin ng:

- Sheriff, kanyang kinatawan, o ibang natatanging alagad/opisyal ng hukuman; o
- Ikaw, o ang iyong kinatawan, kung ito ay ipinag-utos ng hukuman sa ilalim ng mga sumusunod na pagkakataon:
 - Kapag ang Patawag ay ibinalik ng sheriff, kanyang kinatawan, o ibang natatanging alagad/opisyal ng hukuman nang hindi ito naihatid/naihain sa sino man sa hinahabla o lahat ng hinahabla; at
 - Kung ang Patawag ay ihahatid/ihahain sa labas ng panghudikaturang rehiyon ng hukuman kung saan sinampa ang kaso.

- 2) Kapalit na Serbisyo.** Kung ang personal na serbisyo sa hinahabla ay hindi kayang gawin ayon sa makatwirang kadahilanan matapos ang tatlong (3) beses na pagtangka sa dalawang (2) magkaibang petsa, ang serbisyo ay maaaring maisagawa sa pamamagitan ng:

Information for Plaintiff
(Small Claims)

Form 1-B-SCC, Page 3 of 6



is at least eighteen (18) years old and with sufficient discretion;

B) Leaving the Summons at the defendant's office or regular place of business with some competent person in charge thereof. A competent person includes, but is not limited to, one who customarily receives correspondences for the defendant;

C) Leaving the summons, if refused entry upon making your authority or purpose known, with any of the officers of the homeowners' association or condominium corporation, or its chief security officer in charge of the community or the building where the defendant may be found; or

D) By sending an email to the defendant's email address, if allowed by the court.

3) When the defendant is a domestic corporation, partnership, or association with a juridical personality, service may be made on the president, managing partner, general manager, corporate secretary, treasurer, or in-house counsel of the corporation, wherever they may be found. If they are absent or unavailable, service may be made on their secretaries.

4) When the defendant is a prisoner confined in a jail or institution, service shall be effected upon him or her by the officer having management of such jail or institution who is deemed as a special sheriff for this purpose. The jail warden shall file a return within five (5) calendar days from service of Summons to the defendant.

b. Timing and proof of service. No matter which method of service, the defendant must be served by a certain date or your case may be dismissed. The sheriff, his/her deputy, or other proper court officer must serve the Summons, together with the Notice of Hearing, within ten (10) calendar days from issuance. If the service is to be done by you, you must inform the court within thirty (30) calendar days from notice if Summons was served or not (Form 5-SCC, or Form 5-A-SCC in case of substituted service).

7. What if the defendant also has a claim? Sometimes the defendant may also have a claim against you. This is called a **counterclaim**.

The defendant must raise it as a defense in the same case; otherwise, it will be deemed waived. The defendant can set up a counterclaim in his/her/its verified Response if:

1) It is not more than ₱1 Million Pesos, exclusive of interest and costs. Any amount in excess of

A) *Pag-iwan ng Patawag sa tirahan ng hinahabla sa taong nakatira rito na labingwalong (18) taong gulang man lang at may sapat na panghuhusga;*

B) *Pag-iwan ng Patawag sa tanggapan ng regular na lugar ng negosyo ng hinahabla sa taong maaasahan at namamahala nito. Kasama sa taong maaasahan ang taong karaniwan na tumatanggap ng mga sulat para sa hinahabla, ngunit hindi ito limitado rito.*

C) *Pag-iwan ng Patawag, kung hindi pinayagan ang pagpasok sa subdivision, condominium o korporasyon matapos ipag-alam ang iyong awtoridad at layunin, sa alinman sa mga opisyal ng samahan ng mga may-ari ng bahay o korporasyon ng condominium, o ang hepe ng katiwasayan na namamahala ng komunidad o gusali kung saan matatagpuan ang hinahabla; o*

D) *Sa pamamagitan ng pagpapadala ng email sa email address ng hinahabla, kung ito ay pinayagan ng hukuman.*

3) *Kung ang hinahabla ay isang korporasyon, bakasan, o samahan na may juridical personality, maaaring ipadala ang Patawag sa president, managing partner, general manager, corporate secretary, treasurer, or in-house counsel ng nasabing korporasyon, kung saan man sila matatagpuan. Kung sila ay wala o hindi mahanap, maaaring ibigay ang Patawag sa kanilang sekretarya.*

4) *Kung ang hinahabla ay isang preso na nakakulong sa bilangguan, ang Patawag ay ibibigay sa kanya ng opisyal na namamahala sa bilangguang iyon. Ang nasabing opisyal ay ituturing na special sheriff para sa layuning ito. Ang jail warden ay magsusumite ng Pagbalik ng Patawag sa hukuman sa loob ng limang (5) araw sa kalendaryo mula sa pagtanggap ng hinahabla ng Patawag.*

b. Timing and proof of service. Sa alinmang paraan ng paghatid/paghain na nasabi sa itaas, dapat maihatid/maiin sa hinahabla ang Patawag sa tiyak na petsa. Kung hindi, ang kaso mo ay maaaring ibasura. Ang sheriff o ang kanyang kinatawan o ibang natatanging alagad ng hukuman ay dapat ihatid/iinain ang Patawag kasama ang Abiso sa Pagdinig sa loob ng sampung (10) araw sa kalendaryo mula sa paglabas nito. Kung ikaw ang gagawa ng paghatid/paghain, kailangan mong ipagbigay alam sa hukuman sa loob ng tatlong (30) araw sa kalendaryo mula sa abiso kung naihatid/naiinain mo na ang Patawag o hindi (Form 5-SCC, o Form 5-A-SCC pag substituted service).

Paano kung mayroon ding pagsingil ang hinahabla? Minsan ang taong hinahabla ay mayroon ding pagsingil laban sa nagsampa ng kaso (ang naghahabla). Ang pagsingil na ito ay tinatawag na **ganting-pagsingil** (counterclaim).

Kinakailangan na isama ang ganting-pagsingil sa parehong kaso; kung hindi, ito ay ituturing na kusang tinalikdan na at hindi na maihahabla pa. Ang



P1 Million pesos, excluding interests and costs, shall be deemed waived;

- 2) It does not require the joinder of third parties; and
- 3) It is not the subject of another pending action.

hinahabla ay maaring magsampa ng ganting-pagsingil sa kanyang napatunayang Sagot kung:

- 1) *Ang ganting-pagsingil ay hindi lampas ng ₱1 Milyong Piso, hindi kasama ang interes at gastos sa pagsampa ng kaso. Ano mang halaga labis sa ₱1 Milyong Piso ay itinuturing na tinalikdan na ng hinahabla;*
- 2) *Hindi kinakailangan ang pagsali ng ibang partido sa isinasampung kaso; at*
- 3) *Walang ibang kasong isinampa at nakabinbin sa parehong ganting-pagsingil.*

8. **Do I need a lawyer?** YOU CANNOT HAVE A LAWYER AT THE HEARING. You may consult a lawyer before or after the hearing but the lawyer cannot appear for or with you at the hearing.

Kailangan ko ba ng abogado? HINDI KA MAAARING MAGSAMA NG ABOGADO SA PAGDINIG. Maaari kang kumunsulta sa abogado bago o pagkatapos ng pagdinig pero ang abogado ay hindi pinahihintulatang dumalo para sa iyo o sumama sa iyo sa pagdinig.

9. **What if I do not speak English well?** The judge will speak in Filipino or the local dialect. A court interpreter shall also be available on the hearing day.

Paano kung hindi ako makapagsalitang mabuti ng Ingles? Ang hukom ay magsasalita sa Filipino o sa lokal na dayalekto. Isang panghukumang tagasalin ang tiyak na tutulong din sa araw ng pagdinig.

10. **What happens if I do not appear at the hearing?** The court will dismiss your Statement of Claim without prejudice. This means that you are allowed to re-file the claim. If the defendant appears at the hearing, he/she/it shall be entitled to judgment on the counterclaim.

Ano ang mangyayari kung hindi ako dumalo sa pagdinig? Ibabasura ng hukuman ang iyong Habla sa Pagsingil ng walang kapinsalaan/pagtatanggi. Nangangahulugan na ikaw ay pinapayagan na isampa muli ito. Kung dumalo ang hinahabla sa pagdinig, siya ay may karapatan na makakuha ng desisyon sa kanyang mapagpahintulot na ganting-pagsingil.

11. **What happens if the defendant does not file a verified Response and does not appear at the hearing?** The court shall proceed with the hearing and render judgment as may be warranted by the facts alleged in your Statement of Claim/s.

Ano ang mangyayari kung ang hinahabla ay hindi naghain ng napatunayang Sagot at hindi dumalo sa pagdinig? Ang hukuman ay magpapatuloy sa pagdinig at magbibigay ng desisyon ayon sa mga katotohanan na isinaad sa Habla ng Pagsingil.

12. **What happens if the defendant does not file a verified Response but appears during the hearing?** The court will consider any defense the defendant offers during the hearing as his/her/its Response. Hearing will proceed on the same day and the court will render judgment within twenty-four (24) hours from termination of the hearing. If the defendant relies on documentary evidence to support his defense, the court will order him to submit original copies of such documents within three (3) calendar days from the termination of the hearing. Upon receipt thereof or expiration of the period to file, the court will render judgment within twenty-four (24) hours.

Ano ang mangyayari kung ang hinahabla ay hindi naghain ng napatunayang Sagot ngunit dumalo siya sa pagdinig? Isasaalang-alang ng hukuman ang anumang pagtatanggol na iaalok ng hinahabla sa panahon ng pagdinig bilang Sagot niya. Magpapatuloy ang pagdinig sa mismong araw na iyon at magbibigay ng desisyon ang hukuman sa loob ng dalawampu't apat (24) na oras mula sa pagwawakas ng pagdinig. Kung ang hinahabla ay umaasa sa mga dokumento na ebidensya para suportahan ang kanyang depensa, ang hukuman ay mag-uutos na isumiti ng hinahabla ang mga orihinal na kopya ng mga naturang dokumento sa loob ng tatlong (3) araw sa kalendaryo mula sa pagwawakas ng pagdinig. Sa pagtanggap ng hukuman ng mga naturang dokumento o sa pagkaubos ng panahon na isumiti ito, ang hukuman ay magbibigay ng desisyon sa loob ng dalawampu't apat (24) na oras.

13. **What happens if both the defendant and I do not appear during the hearing?** The court shall dismiss with prejudice both the Statement of Claim and the counterclaim.

Ano ang mangyayari kung parehas kami ng hinahabla na hindi dumalo sa pagdinig? Ibabasura ng hukuman ang parehong Habla ng Pagsingil at ang ganting-pagsingil.

14. **What happens at the hearing?** Be sure you are on time for the hearing. You must bring with you the original affidavits of witnesses, receipts, and any evidence you need to prove your case, if these have not been previously submitted to the court. If you are representing a juridical entity, you must bring your original written authority to

Ano ang mangyayari sa pagdinig? Siguruhaing nasa takdang oras ka para sa pagdinig. Dapat mong dalhin ang mga orihinal na sinumpaang salaysay ng mga saksi o testigo, mga resibo, at anumang ebidensya na kakailanganin mo para mapatunayan ang iyong kaso, kung ang mga ito ay hindi mo pa nabibigay sa hukuman.

appear at the hearing and to enter into an amicable settlement, submit to alternative modes of dispute resolution, and enter into stipulations or admissions of facts and of documents.

If you or your representative and the defendant or his/her/its representative appear at the hearing, the judge will listen to both of you. The judge will conduct mediation and encourage you and the defendant to settle your case. If you do not settle, the judge will render judgment within twenty-four (24) hours from termination of the hearing. You cannot appeal the decision.

Kung ikaw ay kumakatawan sa isang organisasyon/samahan na kinikilala ng batas bilang isang juridical entity, dapat mong dalhin ang orihinal na nakasulat na kapangyarihan para ikaw ay dumalo sa pagdinig at pumasok sa mapayapang pagkakasunduan, sumailalim sa alternatibong paraan ng paglutas ng pagtatalo, at pumasok sa kasunduan at gumawa ng pag-amin ng pangyayari at ng mga dokumento.

Kung ikaw at ang hinabla ay dadalo sa pagdinig, ang hukom ay makikinig sa inyong dalawa. Ang hukom ay mamamagitan at hihikayatin kayo na mag-ayos at lutasin ang inyong kaso. Kung hindi kayo magkakasundo, magbibigay ng hatol ang hukuman sa loob ng dalawampu't apat (24) na oras mula sa pagwakas ng pagdinig. Hindi ka maaaring mag-apela sa desisyon ng hukuman.

15. What happens after a decision is rendered by the Court?

When a decision is rendered in your favor as the plaintiff, and there is proof on record that the defendant received the same, you can cause the execution of the decision by filing an *ex parte* motion (Form 12-SCC). However, if the decision is based on compromise agreement, the proof that the defendant received the decision is no longer necessary.

The decision of the court is final, executory and unappealable.

*Anong mangyayari pagkatapos ng paghatol? Kapag ang desisyon ay nasa iyong pabor, at may patunay na natanggap ito ng hinabla sa rekord/talaan ng kaso, maaari mong ipatupad ito sa pamamagitan ng pagsampa ng *ex parte* mosyon (Form 12-SCC). Hindi kailangan na abisuhan ang hinabla o ang kanyang partisipasyon. Gayun pa man, kung ang desisyon ay base sa Napagkasunduan o Kompromiso, ang patunay na natanggap ito ng hinahabla ay hindi na kailangan.*

Ang desisyon ng hukuman ay wakas na, ipatutupad na, at hindi na maaaring i-apela.



REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghahabla.)
 vs. Civil Case No. _____
 For: _____

 Defendant.
 (Hinahabla.)
 x -----x

**SUMMONS
 (PATAWAG)**

TO: _____

Sirs and Mesdames:
 Mga Ginoo at Binibini o Ginang:

You are hereby required, within ten (10) calendar days from receipt of this Summons, to file with this Court and to serve on the plaintiff, your verified Response to the attached Statement of Claim/s. The form of the verified Response [Form 3-SCC (Small Claims)] is attached hereto.

(Ikaw ay kinakailangan, sa loob ng sampung (10) araw ng kalendaryo mula sa pagtanggap ng Patawag na ito, na magsampa sa Hukumanang ito at maghatid sa Naghahabla, ng iyong beripikadong Sagot sa nakalakip na Habla ng Pagsingil. Ang form para sa kailangang Sagot [Form 3-SCC (Small Claims)] ay nakalakip dito.)

You are required to submit with your Response certified copies of documents as well as affidavits of any witness to stand as your evidence in this case. You must present the original document/s on the day of hearing.

(Kinakailangan mong isumite kasama sa iyong Sagot ang sertipikadong mga kopya ng mga dokumento pati na rin ang mga sinumpaang salaysay ng sinumang saksi na siyang tatayo bilang iyong ebidensya sa kasong ito. Dapat mong iharap at ipakita ang orihinal ng mga dokumento sa araw ng pagdinig.)

A motion to dismiss is prohibited and shall not be entertained. Any ground for dismissal should be included in your Response. Likewise, motions for bill of particulars and for extension to file pleadings, affidavits or any other paper are prohibited.

(Ang mosyon na ibasura o ipawalang-saysay ay ipinagbabawal at hindi isasaalang-alang o bibigyan ng pansin. Ang anumang batayan o dahilan para sa pagpapabasura o pagpapawalang-saysay ay dapat nang isama sa iyong Sagot. Gayon din, ipinagbabawal ang paghain ng mosyon para sa detalye at mosyon para dugtungan o pahabain ang panahon para sa pagsampa ng mga pagsusumamo, sinumpaang salaysay o anumang iba pang papeles.)

Your failure to respond within the 10-day calendar period AND TO APPEAR AT THE HEARING OF THIS CASE will authorize the Court to render judgment.

(Ang iyong hindi pagsagot sa loob ng sampung (10) araw ng kalendaryo AT HINDI PAGDALO at PAGPAPAKITA SA TINAKDANG PAGDINIG NG KASO ay magpapahintulot sa Hukuman na gawaran ng desisyon ang kaso.)

Witness my hand under the seal of this Court, this _____ day of _____, 20____, at _____, Philippines.

 BRANCH CLERK OF COURT

TANDAAN: PARA SA MGA KATANUNGAN, TUMAWAG SA # _____
 Email Address ng Hukuman: _____

FORM 3-SCC**VERIFIED RESPONSE**
Beripikadong Sagot**FOR OFFICIAL USE ONLY***Para sa Opisyal na Gamit lang**Clerk stamps date here when form is filed.*

Case Number:

Case Title:



Republic of the Philippines

Court:

Branch:

Street address:

Hotline:

Email address:

Notice to the Defendant

Notice to the person being sued:

1. You are the defendant – the person against whom the case is filed, if your name is listed in box no. 2 on page 2 of the Statement of Claim/s (Form 1-SCC). The person suing you is the plaintiff, listed in box no. 1 on page 1 of the Statement of Claim.
2. Read the Statement of Claim/s and all pages attached to understand the claim against you and to allow you to protect your rights.
3. You are required to file with this Court this verified Response (Form 3-SCC) within **ten (10) calendar days** from receipt of Summons. If you do not file a verified Response, the court will render judgment based on the Plaintiff's Statement.
4. You are required to submit along with your verified Response your evidence, such as certified copies of documents, receipts, and affidavits.
5. You or your representative (not a lawyer) and the plaintiff or his/her/its representative (not a lawyer) must go to court on the trial date indicated in Summons, Form 2-SCC. If not, judgment may be rendered.
6. If you lose, the court can order that your wages, money, or property be taken to pay this claim.

Paalala sa taong dinedemanda:

1. Ikaw ang hinahabla – ang taong sinampahan ng kaso, kung ang iyong pangalan ay nakalista sa kahon bilang 2 sa pahina 2 ng Habla ng Pagsingil (Form 1-SCC). Ang taong nagsampa ng kaso laban sa iyo ay ang naghahabla, nakalista sa kahon bilang 1 sa pahina 1 ng Statement of Claim.
2. Basahin ang Habla ng Pagsingil at lahat ng mga pahinang nakalakip upang maunawaan ang paghahabol laban sa iyo at protektahan ang iyong mga karapatan.
3. Dapat mong isampa sa Hukuman na ito ang iyong beripikadong Sagot (Form 3-SCC) sa loob ng **sampung (10) araw ng kalendaryo** pagkatanggap ng Patawag. Kung hindi ka maghain ng beripikadong Sagot, magbibigay ng desisyon ang hukuman ayon sa mga katotohanan na sinasabi sa Habla ng Pagsingil.
4. Kailangan mong magsumite kasama ng iyong beripikadong Sagot ang iyong ebidensya, tulad ng mga sertipikadong kopya ng mga dokumento, resibo, at mga sinumpaang salaysay.
5. Ikaw o ang iyong kinatawan (na hindi abogado) at ang naghahabla o ang kanyang kinatawan (na hindi abogado) ay dapat pumunta sa korte sa petsa ng pagdinig na nakalista sa Patawag, Form 2-SCC. Kung hindi, magbibigay ng desisyon ang hukuman ayon sa mga katotohanan na sinasabi sa Habla ng Pagsingil.
6. Kung matalo ka, maaaring mag-utos ang korte na kunin ang iyong sahod, pera, o pag-aari upang bayaran ang paghahabol na ito.

1 THE DEFENDANT Ang Hinahabla

Name Pangalan

Sex Kasarian

Age Edad

Civil Status Katayuang Sibil

Home Address Pahatirang Sulat sa Bahay ng Hinahabla

Unit/Floor/House/Building No. Palapag	Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad		Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.		Email Address	

Place of Work/Business Lugar ng Pinagtatrabahuhan/Negosyo

Unit/Floor/House/Building No. Palapag	Street Kalsada	Barangay	Zip Code
City Lungsod/Municipality Munisipalidad		Province Lalawigan	Region Rehiyon
Contact No. Telepono/Selpon Blg.		Email Address	

Verified Response
(Small Claims)

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Defendant's Representative, if applicable Kinatawan ng hinahabla, kung meronName *Pangalan***Home Address Pahatirang Sulat sa Bahay ng Kinatawan ng Hinahabla**

Unit/Floor/House/Building No. <i>Palapag</i>	Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>		Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>		Email Address	

Place of Work Lugar ng Pinagtatrabahuhan ng Kinatawan ng Hinahabla

Unit/Floor/House/Building No. <i>Palapag</i>	Street <i>Kalsada</i>	Barangay	Zip Code
City <i>Lungsod</i> /Municipality <i>Munisipalidad</i>		Province <i>Lalawigan</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Blg.</i>		Email Address	

2 DEFENDANT'S DENIAL OF THE STATEMENT OF CLAIM

A. The defendant denies the Statement of Claim/s for any of the following reasons (Check those that apply):
Tinatanggihan ng hinahabla ang Habla ng Pagsingil sa alinmang sumusunod na dahilan (Pumili sa mga sumusunod at lagyan ng tsek):

- ☐ The defendant does not owe the plaintiff money. *Ang hinahabla ay walang pagkakautang na salapi sa naghahabla.*
- ☐ The defendant owes the plaintiff only a portion of the amount claimed. *Ang utang ng hinahabla ay bahagi lamang ng halagang sinisingil ng naghahabla.*
- ☐ It is the plaintiff who owes the defendant money. *Ang naghahabla ang siyang may utang ng salapi sa hinahabla.*

B. If the defendant owes the plaintiff only a portion of the amount claimed, how much is this?
Kung ang utang ng hinahabla ay bahagi lamang ng halagang sinisingil ng naghahabla, magkano ito?

3 GROUNDS FOR DISMISSAL

A. Do you know of any other reason why the Statement of Claim/s should be dismissed? *Meron ka bang alam na ibang dahilan kung bakit dapat ibasura ang Habla ng Pagsingil?*

- ☐ Yes *Oo*
☐ No *Wala*

If yes, please specify *Kung Oo, anong dahilan ito:*

- ☐ Complete payment
Nabayaran ko na nang buo
- ☐ Claim has already been decided by the court
May hatol na ang korte/hukuman ukol dito
- ☐ Claim is pending in another court
Merong kasalukuyang kaso na nakahabla sa ibang korte/hukuman
- ☐ Others
Ibang dahilan: _____

B. Do you have any proof? *Meron ka bang anumang katibayan?*

- ☐ Yes *Oo*
☐ No *Wala*

If yes, please specify *Kung Oo, anong katibayan ito?:***4 DEFENDANT'S COUNTERCLAIM *Ganting Pag-singil***

A. If it is the plaintiff who owes defendant money, how much and when did this happen? *Kung ang naghahabla ang siyang may utang na salapi sa hinahabla, magkano at kailan ito nangyari?*

Amount <i>Halaga:</i>	If no specific date, estimate the time period <i>Kung walang tiyak na petsa, ibigay ang tantyang panahon</i>	
Date <i>Petsa:</i>	Start: <i>Simula</i>	Through: <i>Hanggang</i>

Verified Response
 (Small Claims)

Form 3-SCC, Page 2 of 6



B. How did you compute the money owed? (Do not include court costs or fees for service)
Paano mo kinuwenta ang salaping pagkakautang sa iyo? (Huwag isama ang filing fees for service)

C. Did you ask the plaintiff to pay you? *Kung ang naghahabla ay siyang may pagkakautang sa iyo, siningil mo ba siya?*

☐ Yes *Oo*
☐ No *Hindi*

If yes, how? *Kung oo, paano?*

☐ In person *Sa kanya mismo* ☐ By phone *Sa telepono*
☐ In writing *Sa sulat* ☐ Others (specify) *Iba pa (ano ito?):*

D. Do you have any proof? *Meron ka bang anumang katibayan?*

☐ Yes *Oo*
☐ No *Hindi*

If yes, what is this proof? *Kung Oo, anong katibayan ito?*

☐ signed deed/contract/agreement ☐ latest demand letter (with proof of delivery and service)
☐ promissory note ☐ affidavit of witnesses to support the claim
☐ bank deposit slip ☐ others (pls. specify):
☐ receipts
☐ checks

5 LIST OF DOCUMENTS *Listahan ng mga Dokumento*

YOU MUST ATTACH CERTIFIED COPIES OF DOCUMENTS, AS WELL AS AFFIDAVITS OF WITNESSES AND OTHER EVIDENCE, IN SUPPORT OF YOUR DEFENSE AND/OR COUNTERCLAIM.

(KINAKAILANGAN MONG ILAKIP ANG MGA SERTIPIKADONG KOPYA NG MGA DOKUMENTO, AT MGA SINUMPAANG SALAYSAY NG IYONG MGA TESTIGO AT IBA PANG MGA EBIDENSYA, BILANG PAGPAPATUNAY NG IYONG DEPENSA AT/O KONTRA-DEMANDA/GANTING-PAGSINGIL.)

List down below all documents attached to this form:

Ilista sa ibaba ang mga dokumento na iyong inilakip sa form na ito:

6 PRAYER *Pagsamo*

WHEREFORE, the defendant respectfully prays for a judgment ordering (Check those that apply):

DAHIL DITO, ang hinahabla ay magalang na igawad ang kapasiyahang (Pumili sa mga sumusunod at lagyan ng tsek):

- ☐ the dismissal of the Statement of Claim/s. *ibasura ang Habla ng Pagsingil.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____, with interest at the rate of ____% per annum/month from _____ until fully paid. *utusan ang naghahabla na magbayad sa hinahabla ng halagang ₱ _____, pati ang tubo ng ____% bawat taon/buwan simula _____ hanggang ganap o lubos na mabayaran ito.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____ as actual damages. *utusan ang naghahabla na magbayad sa hinahabla ng halagang ₱ _____, para sa aktwal na pinsalang idinulot ng pagsasampa ng kaso.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____ as costs of suit. *utusan ang naghahabla na magbayad sa hinahabla ng halagang ₱ _____, para sa kabayaran/gastos sa kasong isinampa.*

Verified Response
(Small Claims)

Form 3-SCC, Page 3 of 6



7 WAIVER OF EXCESS OF SMALL CLAIMS IN COUNTERCLAIM

By the filing of this counterclaim, defendant hereby waives any amount in excess of ₱1 Million Pesos, excluding interests and costs. *Sa pagsasampa ng ganting-pagsingil na ito, ang hinahabla ay isinusuko ang anumang halaga na higit sa ₱1 Millyong Piso, hindi kasama ang tubo at gastos sa pagsampa ng kasong ito.*

8 CONSENT TO ELECTRONIC SERVICE

- ☐ I give my consent to be served with official court notices, processes, orders, resolutions and decisions, as well as filings by the Plaintiff, through: *Nagbibigay ako ng pahintulot na maihatid sa akin ang mga opisyal na paunawa, proseso, utos, resolusyon, at desisyon ng hukuman, pati ang mga pagsasampa ng naghahabla, sa pamamagitan ng:*
(Check those that apply Pumili sa mga susunod at lagyan ng tsek)

- ☐ email address: _____
- ☐ fax number: _____
- ☐ cell phone number: _____
- ☐ phone call
 - ☐ text message (SMS)
 - ☐ instant message (ex. Viber, WhatsApp, Facebook Messenger) pls. specify: _____

City *Lungsod:*

Date *Petsa:*

Defendant's Signature *Lagda ng Hinahabla:*

Verified Response
(Small Claims)

Form 3-SCC, Page 4 of 6



9 VERIFICATION *Pagpapatotoo o Pagpapatunay*

I Ako, _____, of legal age *nasa hustong gulang*, _____,
(Name *Pangalan*) (Citizenship *Pagkamamamayan*)

_____, and a resident of _____
(Civil Status *Katayuang Sibil*)

(Residence *Tirahan*)

on oath, state *ay sumusumpa na*:

1. I am the defendant in this case, and I have caused the preparation of the foregoing Response;
Ako ang hinahabala sa kasong ito, na gumawa at nagpuno ng Sagot;
2. I have read and understood the allegations contained herein, and the same are true and correct based on my own personal knowledge and on authentic records; *Naiintindihan ko ang mga nilalaman nito at pinatotohanan ko ang mga nakasaad dito base sa aking personal na pagkakaalam, tunay na talaan, dokumento, at ebidensya;*
3. This Response is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; *Ang Habla ng Pagsingil/Sagot ay isinumite sa korte hindi upang magdulot ng pag-abala, pag-antala, o walang kabuluhang pagpapahirap sa proseso ng hukuman;*
4. The factual allegations herein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery. *Ang mga alegasyon dito ay makatotohanan at suportado ng ebidensya o di kaya ay magkakaroon ng ebidensya kung magkakaroon ng pagpapatuklas nito.*

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Defendant's Name and Signature
Pangalan at Lagda ng Hinahabla

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public/Administering Officer

Verified Response
(Small Claims)

Form 3-SCC, Page 5 of 6



10 VERIFICATION AND CERTIFICATION AGAINST FORUM SHOPPING, SPLITTING A CAUSE OF ACTION, AND MULTIPLICITY OF SUITS (if with counterclaim only) Pagpapatotoo o Pagpapatunay na Walang Ibang Kasong Nakasampa/Nakabinbin sa Ibang Hukuman (kung may Ganting-Pagsingil lamang)

I Ako, _____, of legal age *nasa hustong gulang*, _____,
(Name Pangalan) (Citizenship Pagkamamamayan)
_____, and a resident of _____
(Civil Status Katayuang Sibil)

(Residence Tirahan)

on oath, state *ay sumusumpa na*:

1. That I am the defendant in the above-entitled case and have caused this Response to be prepared; that I read and understood its contents which are true and correct of my own personal knowledge and/or based on true records. *Ako ang hinahabala sa kasong ito, na gumawa at nagpuno ng Sagot. Naiintindihan ko ang mga nilalaman nito at pinatotohanan ko ang mga nakasaad dito base sa aking personal na pagkakaalam at tunay na talaan, dokumento, at ebidensya;*
2. The Response with counterclaim is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation. *Ang Habla ng Pagsingil na may kasamang Ganting-Pagsingil ay isinumite sa hukuman hindi upang magdulot ng pag-abala, pag-antala, o walang kabuluhang pagpapahirap sa proseso ng hukuman;*
3. I have not commenced any action or proceeding involving the same issue or subject matter in the Supreme Court, Court of Appeals, or any other tribunal or agency, and that the check/s covered in this case has/have not been the subject of a criminal charge filed before the Office of the Provincial/City Prosecutor; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, Court of Appeals, or any other tribunal or agency; and that, if I should learn thereafter that a similar action or proceeding has been filed or is pending before this court, tribunal, or agency, I undertake to report that fact to this court within five (5) days therefrom. *Ako ay walang ibang kasong isinampa o nakabinbin sa ibang hukuman o sa ibang ahensya ng pamahalaan patungkol sa transaksyon na ito, at kung may cheke/mga cheke na naisama rito, walang hiwalay na kasong kriminal na isinampa rito. Kung ako man ay may madiskubreng kaso na nakasampa o nakabinbin sa hukuman o ibang ahensya ng pamahalaan patungkol sa transaksyong o cheke/mga chekeng ito, nangangako akong isiwalat ito sa hukuman sa loob ng limang (5) araw mula sa aking pagdiskubre;*
4. That the filing of this case is not in violation of the rule against splitting a single cause of action or multiplicity of suits. *Ang pagsampa ng kasong ito ay hindi labag sa patakaran ng Korte Supreme na ipinagbabawal ang pagsampa ng iba't ibang kaso na nagmumula lamang sa isang transaksyon.*

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Defendant's Name and Signature
Pangalan at Lagda ng Hinahabla

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public/Administering Officer

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Naghahabla.)

vs.

Civil Case No. _____
For: _____

Defendant.
(Hinahabla.)

X- - - - - X

**NOTICE OF HEARING
(ABISO SA PAGDINIG)**

YOUR CASE IS SET for hearing before the Presiding Judge of this Court on _____ at _____.
(Ang inyong kaso ay diringgin ng Pinunong Hukom ng Hukumang ito sa _____, sa ganap na _____.)

YOU MUST ATTEND THE HEARING. IF YOU CANNOT ATTEND BECAUSE IT IS PHYSICALLY IMPOSSIBLE FOR YOU TO DO SO, YOU MAY AUTHORIZE A REPRESENTATIVE WHO IS NOT A LAWYER TO APPEAR FOR YOU. FOR THIS PURPOSE, YOU SHOULD FILL UP FORM 7-SCC (SPECIAL POWER OF ATTORNEY).

(KINAKAILANGAN NINYONG DUMALO SA PAGDINIG. KUNG HINDI KAYA NG KATAWAN NINYONG ANG PAGDALO NANG PERSONAL SA PAGDINIG NG IYONG KASO, MAAARI KANG MAGPADALA NG IYONG KINATAWAN NA HINDI ABOGADO SA PAGDINIG. SA GANITONG LAYUNIN, PUNUAN NINYONG ANG FORM 7-SCC [NATATANGING GAWAD-KAPANGYARIHAN - SPECIAL POWER OF ATTORNEY]).

INCLUDED IN THIS FORM IS FORM 3-SCC (VERIFIED RESPONSE) TO WHICH YOU MUST ATTACH CERTIFIED COPIES OF DOCUMENTS, AS WELL AS AFFIDAVITS OF WITNESSES AND OTHER EVIDENCE, IN SUPPORT OF YOUR DEFENSE AND/OR COUNTERCLAIM. THESE DOCUMENTS MUST BE LISTED DOWN IN BOX 5 (LIST OF DOCUMENTS) OF FORM 3-SCC (KASAMA NG PAPEL NA ITO AY ANG FORM 3-SCC [BERIPIKADONG SAGOT] KUNG SAAN MO ILALAKIP ANG MGA SERTIPIKADONG KOPYA NG MGA DOKUMENTO, AT MGA SINUMPAANG SALAYSAY NG IYONG MGA TESTIGO AT IBA PANG MGA EBIDENSYA, BILANG PAGPAPATUNAY NG IYONG DEPENSA AT/O KONTRA-DEMANDA/GANTING-PAGSINGIL. ANG MGA DOKUMENTONG ITO AY KAILANGAN MONG ILISTA SA KAHON 5 [LISTAHAN NG MGA DOKUMENTO]).

THE HEARING SHALL BE CONDUCTED THROUGH (ANG PAGDINIG AY GAGAWIN SA PAMAMAGITAN NG):

___ IN-COURT PROCEEDINGS (FACE-TO-FACE HEARING)
(HARAP-HARAPANG PAMAMARAAN)

___ VIDEOCONFERENCING THROUGH THE USE OF THE PHILIPPINE JUDICIARY 365 PLATFORM
(VIDEOCONFERENCING NA GAMIT ANG PHILIPPINE JUDICIARY 365 PLATFORM)

**WARNING FOR VIDEOCONFERENCING HEARINGS
Babala para sa mga Pagdinig na Videoconferencing**

The photographing, recording, and rebroadcasting of the court proceedings are **strictly prohibited**. Violations of these prohibitions may result in sanctions, including contempt of court.
Mahigpit na ipinagbabawal ang pagkuha ng litrato, pagrekord, at muling pag-broadcast ng pagdinig sa korte. Ang paglabag sa mga pagbabawal na ito ay maaaring magresulta sa mga parusa, kabilang ang contempt of court.

WITNESS the HON _____, Presiding Judge of this Court, this _____ day of _____, 20_____, at _____, Philippines.

Branch Clerk of Court

Tala: Para sa katanungan, tumawag sa Korte sa Tel. Blg. _____.
Email Address ng Hukuman: _____



REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Naghabla.)

vs.

Defendant.
(Hinabla.)

X- - - - - X

Civil Case No. _____
For: _____

RETURN OF SUMMONS/MANIFESTATION
(PAGBALIK NG PATAWAG/PAGHAHAYAG)
[Personal Service]

This is to certify that the undersigned personally served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, as shown by her/his signature appearing at the lower portion of the summons:

(Ito ay aking pagpapatunay na personal na natanggap ng Hinabla ang Patawag, Habla ng Pagsingil kasama ang mga Annex nito, at Abiso ng Pagdinig, na pinatutunayan ng kanyang/kanilang lagda sa ibabang bahagi ng Patawag:)

Date of Service (Petsa ng Pagtanggap)	Name of Defendants who were Personally Served (Pangalan ng mga Hinabla na Personal na Nakatanggap)

However, the undersigned failed to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the following defendant/s on the ground/s that:

(Subalit, hindi ko naihatid/naihain ang Patawag, Habla ng Pagsingil kasama ang mga Annex nito, at Abiso ng Pagdinig sa mga sumusunod na Hinabla sa kadahilanang:)

Name of Defendant (Pangalan ng Hinabla)	Date of Attempted Service (Petsa kung Kailan Tinangkang Ihatid/Ihain)	Reason for Failure of Service (Dahilan Bakit Hindi Naihatid/Naihain) [select from options listed below] [(pumili mula sa mga opsyong nakalista sa ibaba)]

Possible Reasons for Failure of Service Mga Posibleng Dahilan Bakit Hindi Naihatid/Naihain
<ul style="list-style-type: none"> Address cannot be located (hindi mahanap ang pahatirang sulat) Insufficient address (hindi kumpleto ang pahatirang sulat) Defendant moved out (lumipat na ang hinabla) Refused to receive (ayaw tanggapin) On leave (naka-leave sa trabaho) No longer connected with the office/establishment/agency (hindi na nagtatrabaho sa opisina/establisimyento/ahensya) Death of defendant (pagkamatay ng hinabla) Others, please indicate (iba pa, mangyaring ibigay ang dahilan)

Return of Summons/Manifestation (Personal Service)
(Small Claims)

Form 5-SCC, Page 1 of 2



FORM 5-SCC

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court,
DULY SERVED PERSONALLY.

*(DAHIL DITO, ang orihinal na kopya ng Patawag ay ibinabalik sa Kagalang-galang na Hukumang
ito, NA PERSONAL NA NAIHATID/NAIHAIN NANG NARARAPAT.)*

_____, Philippines, _____ (date) (petsa).

SHERIFF/PLAINTIFF
(Sheriff/Naghahabla)

FOR THE PLAINTIFF/PARA SA NAGHAHABLA:

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.
NANUMPA SA HARAPAN KO NITONG IKA-_____ ng _____, taong _____.

Notary Public/Notaryo Publiko



REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghahabla,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Hinahabla.)

X- ----- X

RETURN OF SUMMONS/MANIFESTATION

(PAGBALIK NG PATAWAG/PAGHAHAYAG)

[Substituted Service]

This is to certify that the undersigned served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, through his/her representative, as follows:

(Ito ay aking pagpapatunay na naihatid/naihain ko ang Patawag, Habla ng Pagsingil kasama ang mga Annex nito, at Abiso ng Pagdinig sa Hinahabla, sa pamamagitan ng kanyang/kanilang kinatawan, tulad ng sumusunod:)

Date of Service (Petsa ng Pagtanggap)	Name of Person who Received (Pangalan ng Tumanggap)	Relationship to the Defendant / Designation (Relasyon sa Hinahabla / Pagtatalaga)	Address (Pahatirang Sulat)

Said persons were either: (a) at least eighteen (18) years of age and of sufficient discretion residing with defendant; (b) in charge of defendant's office or regular place of business; or (c) an officer of the homeowners' association or condominium corporation, or its chief security officer in charge of the community or the building where the defendant may be found. Their signatures may be found at the lower portion of the summons.

(Ang mga tumanggap ay maaaring: (a) hindi bababa sa labingwalong (18) taong gulang at may sapat na diskresyon na naninirahan kasama ang hinahabla; (b) namamahala sa opisina o lugar na pinagtatrabahuan ng hinahabla; o (c) isang opisyal ng homeowners' association o condominium corporation, o ang chief security officer na namamahala sa komunidad o gusali kung saan matatagpuan ang hinahabla. Ang kanilang mga lagda ay matatagpuan sa ibabang bahagi ng Patawag.)

With the court's permission, I also served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, by sending an electronic mail to his/her/their electronic mail address, as follows:

(Nang may pahintulot ng Hukuman, pinadala ko rin ang Patawag, Habla ng Pagsingil kasama ang mga Annex nito, at Abiso ng Pagdinig sa hinahabla, sa pamamagitan ng electronic mail sa kaniya/kanilang electronic mail address, tulad ng sumusunod:)

Name of Defendant (Pangalan ng Hinahabla)	Electronic Mail Address

Substituted service was made after the undersigned made at least three (3) attempts on two (2) different dates to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, but failed and unavailing on the following ground/s:

Return of Summons/Manifestation (Substituted Service)
 (Small Claims)

Form 5-A-SCC, Page 1 of 3



FORM 5-A-SCC

(Ako ay napilitang gumamit ng substituted service¹ matapos mabigo ang aking pagsusumikap na ihatid/ihain ang Patawag, Habla ng Pagsingil kasama ang mga Annex nito, at Abiso ng Pagdinig, na hindi bababa sa tatlong (3) pagtatangka sa dalawang (2) magkaibang araw, sa kadahilanang:)

Date and Time of Attempted Service (Petsa at Oras kung Kailan Tinangkang Ihatid/Ihain)	Reason for Failure of Service (Dahilan Bakit Hindi Naihatid/Naihain)
	<input type="checkbox"/> Address cannot be located (<i>hindi mahanap ang pahatirang sulat</i>) <input type="checkbox"/> Insufficient address (<i>hindi kumpleto ang pahatirang sulat</i>) <input type="checkbox"/> Defendant moved out (<i>lumipat na ang hinahabla</i>) <input type="checkbox"/> Refused to receive (<i>ayaw tanggapin</i>) <input type="checkbox"/> On leave (<i>naka-leave sa trabaho</i>) <input type="checkbox"/> No longer connected with the office/establishment/agency (<i>hindi na nagtatrabaho sa opisina/establisimyento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>pagkamatay ng hinahabla</i>) <input type="checkbox"/> Others, please indicate (<i>Iba pa, mangyaring ibigay ang dahilan</i>):
Address of Defendant (Pahatirang Sulat ng Hinahabla)	
Please state in detail the facts and circumstances on the attempts made at personal service to defendant (Maaaring magbigay ng detalyadong ulat ng mga pangyayari ukol sa pagtatangkang maihatid/maiain ng personal ang mga dokumento sa hinahabla)	
<p>*** use additional page/s, if needed. (gumamit ng karagdagang pahina, kung kinakailangan)</p>	

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court, DULY SERVED.

(DAHIL DITO, ang orihinal na kopya ng Patawag ay isinasauli sa Kagalang-galang na Hukumang ito, NA NAIHATID/NAIHAIN NANG NARARAPAT.)

_____, Philippines, _____ (date) (petsa).

SHERIFF/PLAINTIFF
(SHERIFF/NAGHAHABLA)

FOR THE PLAINTIFF/PARA SA NAGHAHABLA:

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20 ____.

Notary Public/Administering Officer

[ADDITIONAL SHEET (KARAGDAGANG PAHINA)]

¹ Ang "substituted service" na tinutukoy dito ay ang pagpapadala/paghahain ng opisyal na dokumento ng Hukuman sa taong bukod sa hinahabla, na pinahihintulatang tumanggap nito ayon sa Section 6, Rule 14 ng 2019 Revised Rules of Civil Procedure.



FORM 5-A-SCC

Date and Time of Attempted Service (Petsa at Oras kung Kailan Tinangkang Ihatid/Ihain)	Reason for Failure of Service (Dahilan Bakit Hindi Naihatid/Naihain)
	<input type="checkbox"/> Address cannot be located (<i>hindi mahanap ang pahatirang sulat</i>) <input type="checkbox"/> Insufficient address (<i>hindi kumpleto ang pahatirang sulat</i>) <input type="checkbox"/> Defendant moved out (<i>lumipat na ang hinahabla</i>) <input type="checkbox"/> Refused to receive (<i>ayaw tanggapin</i>) <input type="checkbox"/> On leave (<i>naka-leave sa trabaho</i>) <input type="checkbox"/> No longer connected with the office/establishment/agency (<i>hindi na nagtatrabaho sa opisina/establisimyento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>pagkamatay ng hinahabla</i>) <input type="checkbox"/> Others, please indicate (<i>Iba pa, mangyaring ibigay ang dahilan</i>):
Address of Defendant (Pahatirang Sulat ng Hinahabla)	
Please state in detail the facts and circumstances on the attempts made at personal service to defendant (Maaaring magbigay ng detalyadong ulat ng mga pangyayari ukol sa pagtatangkang maihatid/maiain ng personal ang mga dokumento)	

Date and Time of Attempted Service (Petsa at Oras kung Kailan Tinangkang Ihatid/Ihain)	Reason for Failure of Service (Dahilan Bakit Hindi Naihatid/Naihain)
	<input type="checkbox"/> Address cannot be located (<i>hindi mahanap ang pahatirang sulat</i>) <input type="checkbox"/> Insufficient address (<i>hindi kumpleto ang pahatirang sulat</i>) <input type="checkbox"/> Defendant moved out (<i>lumipat na ang hinahabla</i>) <input type="checkbox"/> Refused to receive (<i>ayaw tanggapin</i>) <input type="checkbox"/> On leave (<i>naka-leave sa trabaho</i>) <input type="checkbox"/> No longer connected with the office/establishment/agency (<i>hindi na nagtatrabaho sa opisina/establisimyento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>pagkamatay ng hinahabla</i>) <input type="checkbox"/> Others, please indicate (<i>Iba pa, mangyaring ibigay ang dahilan</i>):
Address of Defendant (Pahatirang Sulat ng Hinahabla)	
Please state in detail the facts and circumstances on the attempts made at personal service to defendant (Maaaring magbigay ng detalyadong ulat ng mga pangyayari ukol sa pagtatangkang maihatid/maiain ng personal ang mga dokumento)	

Return of Summons/Manifestation (Substituted Service)
(Small Claims)

Form 5-A-SCC, Page 3 of 3

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghabla.)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Hinahabla.)

X- ----- X

MOTION TO SUE AS INDIGENT
 (Mosyon na Maghabla Bilang "Indigent"¹)

_____, unto this Honorable Court, respectfully alleges that:
 _____, sa Kagalang-galang na Hukumang ito, isinasaad na:

1. I am a resident of _____;
 (Ako ay nakatira sa _____;)

2. My gross income and that of my immediate family does **not exceed**:
 (Ako at ang aking mag-anak ay kumikita ng halagang **hindi humihigit** sa:)

<input type="checkbox"/> ₱4,000.00	<input type="checkbox"/> ₱7,000.00	<input type="checkbox"/> ₱10,000.00	<input type="checkbox"/> ₱13,000.00
<input type="checkbox"/> ₱5,000.00	<input type="checkbox"/> ₱8,000.00	<input type="checkbox"/> ₱11,000.00	<input type="checkbox"/> ₱14,000.00
<input type="checkbox"/> ₱6,000.00	<input type="checkbox"/> ₱9,000.00	<input type="checkbox"/> ₱12,000.00	<input type="checkbox"/> Others (iba pa): _____

3. I do not own real property with a fair market value of more than (amount as provided in the Revised Rules of Court, as amended) as stated in the current tax declaration from the Office of the City/Municipal Assessor;

(Wala akong pagmamay-aring lupa na may fair market value na higit sa (halagang nakatakda sa Revised Rules of Court, as amended) ayon sa pinakabagong tax declaration mula sa Tanggapan ng Tagapagtasang Lungsod/Munisipalidad;)

4. Due to financial constraint, I cannot afford to pay for the expenses of a court litigation as I do not have enough funds for food, shelter and other basic necessities;

(Dahil sa pampinansyal na kagipitan, hindi ko makakayanang bayaran ang gastos ng paglilitis sa hukuman lalo na at hindi sapat ang aking kinikita para sa mga gastusin sa pagkain, tirahan at iba pang pangunahing pangangailangan;)

5. Should the court render judgment in my favor, the amount of the docket and other legal fees which I was exempted from paying shall be a lien on the judgment, unless the court orders otherwise.

(Kung ang desisyon ng hukuman ay pabor sa akin, ang ibinukod sa aking halaga ng bayad sa daket at iba pang bayarin ay ibabawas sa iginawad na halaga sa desisyon, maliban kung iba ang utos ng hukuman.)

¹ Ayon sa Section 21, Rule 3 ng Revised Rules of Court, as amended, ang "indigent" ay isang tao na walang sapat na pera at pag-aari para sa mga gastusin sa pagkain, tirahan at iba pang pangunahing pangangailangan.



WHEREFORE, premises considered, it is respectfully prayed that I be exempted from the payment of docket and other legal fees as indigent pursuant to Section 21, Rule 3, in relation to Section 18, Rule 141 of the Revised Rules of Court.

(DAHIL DITO, isinasaalang-alang ang lahat, ako ay magalang na sumasamo na maibukod ako sa pagbayad sa daket at iba pang bayarin bilang isang indigent alinsunod sa Section 21, Rule 3, kaugnay sa Section 18, Rule 141 ng Revised Rules of Court.)

Other reliefs just and equitable under the premises are likewise prayed for.

(Anumang kaluwagan ang makatarungan at patas sa kalagayang ito ay isinsumamo ko rin.)

PLAINTIFF
(Naghahabla)



SPECIAL POWER OF ATTORNEY
(NATATANGING GAWAD-KAPANGYARIHAN)

KNOW ALL MEN BY THESE PRESENTS:
(ALAMIN NG LAHAT NA:)

I, _____, of legal age, single/married, with residence at _____ do hereby appoint, name and constitute _____, who is not a lawyer, as my true and legal representative to act for and in my name and stead, and to represent me during the hearing of Civil Case No. _____, to enter into amicable settlement, to submit to alternative modes of dispute resolution, and to make admissions or stipulations of facts and documents without further consultation from me.

(AKO, _____, may sapat na gulang, walang asawa/may asawa, naninirahan at may pahatirang-sulat sa _____, dito ay isinasaad na aking itinalaga, pinipili at hinihirang si _____, sapat din ang gulang, walang asawa/may asawa, naninirahan at may pahatirang-sulat sa _____, na hindi isang abogado, bilang aking tunay at totoong kinatawan sa batas, upang magsagawa at kumilos sa aking kapakanan at pangalan, at magsilbing kinatawan ko sa pagdinig ng Civil Case No. _____, makipag-areglo ng kasunduan, sumailalim sa alternative modes of dispute resolution,¹ at magbigay ng mga admisyon o magtakda ng mga katotohanan at mga dokumento nang hindi kinaikailangang kumunsulta pa sa akin.)

I hereby grant my representative full power and authority to execute and perform every act necessary to render effective the power to compromise as though I myself have so performed it and hereby approving all that he may do by virtue of these presents.

(Dito ay aking iginagawad sa naturang kinatawan ang lahat ng karapatang kumilos at magsagawa upang isakatuparan ang kapangyarihang mag-areglo ng kasunduan sa bisa ng karapatang ito ay iginagawad sa kanya nang kahalintulad ng kung ako, sa ganang aking sarili mismo, ang nagsagawa, at dito ay aking pinagtitiyag ang lahat ng kanyang gawin.)

In witness whereof, I hereunto set my hand this ____ day of _____, 20____, at _____.
(Sa katunayan ng lahat, ako ay lumagda sa ibaba nito, ngayong ika-____ ng _____, 20____, dito sa _____.)

Principal
(Puno)

Agent
(Kinatawan)

Witnesses:
(Mga Saksi):

¹ Ang "Alternative Dispute Resolution System" ay anumang proseso nang paglutas o pagpapasya ng alitan o hindi pagkakaunawaan, bukod sa paglilitis sa hukuman o iba pang ahensya ng gobyerno, kung saan may neutral third party na tutulong upang solusyunan ang mga isyu. Saklaw nito ang arbitration, mediation, conciliation, early neutral evaluation, mini-trial, o anumang kombinasyon ng mga ito.



(ACKNOWLEDGMENT)
(PAGPAPATUNAY)

BEFORE ME, a Notary Public for and in _____, on this ____ day of _____ 20____, the following affiants personally appeared with their respective valid IDs as follows:

(SA HARAP KO, na isang Notaryo Publiko sa _____, ngayong ika-__ ng _____, 20____, ay dumulog ang mga sumusunod na nakakaako na may katibayan ng pagkakakilanlan:)

Name (Pangalan)	ID Number (Katibayan ng Pagkakakilanlan)
(Principal) (Puno)	
(Agent) (Kinatawan)	
(Witness) (Saksi)	
(Witness) (Saksi)	

known to me to be the same persons who executed the above document, and who acknowledged to me that the same is their own free act and deed.

(na kilala kong silang nagsagawa ng nauunang kasulatan na pinatunayan sa harap kong malaya at sarili nilang pagpapasiya, at lubos nilang naiintindihan ang legal na kahihinatnan ng kanilang sariling pasya.)

WITNESS MY HAND AND SEAL.
(LAGDA AT SELYONG PANATAK.)

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20 _____.



REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghahabla,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Hinahabla.)

x - - - - - x

JOINT MOTION
(FOR DISMISSAL)

(Pinagsamang Mosyon na Ibasura at Ipawalang-saysay)

Plaintiff and defendant, unto this Honorable Court, respectfully allege that:
 (Ang naghahabla at hinahabla, sa Kagalang-galang na Hukumang ito, ay nagsasaad:)

1. Plaintiff and defendant have mutually and voluntarily settled their claim and counterclaim to the entire satisfaction of each other; and
 (Ang naghahabla at hinahabla ay nagkaisa at kusang loob na nagkasundo na wala na silang paghahabol sa isa't isa; at)

2. The parties no longer have a cause of action against each other.
 (Ang mga sangkot ay wala nang cause of action¹ laban sa isa't isa.)

WHEREFORE, premises considered, plaintiff and defendant respectfully pray that the plaintiff's statement of claim and defendant's counterclaim incorporated in his response be dismissed.
 (Dahil dito, ang naghahabla at hinahabla ay buong galang na sumasangguni na ang habol ng naghahabla at ganting-habol ng hinahabla ay parehong ibasura.)

Other reliefs just and equitable under the premises are likewise prayed for.
 (Anumang kaluwagan na makatarungan at patas sa kalagayang ito ay isinusumamo rin.)

Place (Lugar)_____
Date (Petsa)

 Plaintiff
 (Naghahabla)

 Defendant
 (Hinahabla)

To the Branch Clerk of Court:

Please submit the foregoing motion for the consideration of the Court without hearing and further argument from the parties.

 Plaintiff
 (Naghahabla)

 Defendant
 (Hinahabla)

¹ Ang "cause of action" ay ang kilos o pagkukulang kung saan ang isang tao ay lumalabag sa karapatan ng iba.



REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghahabla,)

vs.

Civil Case No. _____
 For: _____

 Defendant.
 (Hinahabla.)

X-----X

MOTION FOR APPROVAL OF COMPROMISE AGREEMENT

(Mosyon para sa Pagpapa-apruba ng Kasunduan o Kompromiso)

The parties respectfully allege that:

(Ang mga sangkot ay buong galang na nagsasaad na:)

1. Plaintiff filed this claim against defendant for:

(Isinampa ng naghahabla ang habol na ito laban sa hinahabla para sa:)

_____ collection of sum of money (pagsingil/pangongolekta ng salapi)
 _____ enforcement of barangay agreement (pagpapatupad ng
 napagkasunduan sa barangay)

2. The parties have come to an amicable settlement and have executed a
 Compromise Agreement attached to this Form.

(Ang mga partido ay nagkasundo at sumulat ng Kasunduan o Kompromiso na nakalakip sa Form na ito.)

*(Attach the Compromise Agreement to this Form)

(Ilakip sa Form na ito ang Kasunduan o Kompromiso)

3. The parties agree that the approval of this agreement by the Court shall put an end
 to this litigation, except for purposes of execution in case of default.

(Ang mga partido ay nagkasundo na ang pag-apruba ng Hukuman sa Kasunduan o Kompromiso na ito ay magwawakas sa kasong ito, maliban sa hangarin na isakatuparan ang nasabing aprubadong Kasunduan o Kompromiso kung hindi nakatupad ang partido.)

WHEREFORE, premises considered the parties respectfully pray that the court
 approve this agreement and render judgment on the basis thereof.

(DAHIL DITO, ang mga partido ay buong galang na sumasangguni na aprubahan ng Hukuman ang Kasunduan o Kompromiso na ito, at maglabas ng desisyon na nakabatay dito.)

Place (Lugar)_____
Date (Petsa)

 Plaintiff
 (Naghahabla)

 Defendant
 (Hinahabla)



REPUBLIC OF THE PHILIPPINES

 Plaintiff,

vs.

Civil Case No. _____

For: _____

 Defendant.

x ----- x

DECISION
(BASED ON COMPROMISE AGREEMENT)

Plaintiff filed this case against defendant for _____ in the amount of _____.

Defendant denied plaintiff's claim on the ground of _____, and set up a counterclaim for _____.

The parties, however, reached an amicable settlement and submitted to the court a compromise agreement, the terms and conditions of which are attached to this Decision.

**(Attach the Compromise Agreement to this Decision)*

It appearing that the agreement is not contrary to law, morals, good customs, public moral and public policy, and pursuant to Articles 2028 and 2037 of the Civil Code of the Philippines, the same is hereby APPROVED and ADOPTED as the Decision of this court.

The parties are hereby ordered to faithfully comply with the terms and conditions of the agreement.

WHEREFORE, judgment is hereby rendered approving the Compromise Agreement and the parties are ordered to comply with the terms and conditions, as follows:

(The judge should define the rights and obligations of the parties under the judgment approving the Compromise Agreement to be enforced by a Writ of Execution.)

SO ORDERED.

 Place

 Date

 Judge



REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____

For: _____

Defendant.

X - - - - - X

DECISION ON SMALL CLAIMS

1. The small claims action filed in this case is for money owed under:

- ☐ Contract of Lease ☐ Contract of Loan/other credit accommodations
☐ Contract of Services ☐ Contract of Sale of Personal Property
☐ Enforcement of a Barangay Amicable Settlement

2. In the Statement of Claims, Plaintiff/s claim/s the Defendant/s owe/s him/her/it the principal amount of ₱ _____ with interest rate of _____ computed, as follows:

3. In the Response submitted, Defendant/s interposed the following defense:

- ☐ Defendant/s do/es not owe Plaintiff/s any money.
☐ Defendant/s owe/s Plaintiff/s only a portion of the amount claimed.
☐ Defendant/s already paid the principal amount claimed and the interests charged to the loan is excessive.
☐ It is the Plaintiff/s who owe/s the Defendant/s money.
☐ Defendant/s admit/s owing money to the Plaintiff/s but has/have no financial capacity to pay at the moment.
☐ Defendant/s deny/denies the loan obtained and raises the defense of forgery.
☐ Defendant/s is/are a mere co-maker/s of the loan and has the benefit of excussion.
☐ Others

4. On _____ (date), both parties:

- ☐ personally appeared during the hearing
☐ appeared through a specially authorized representative.

Attempts for alternative dispute resolution failed. The court thus proceeded with the hearing of the case which was terminated on _____.

Decision on Small Claims
(Small Claims)

Form 11-SCC, Page 1 of 3



5. In establishing the small claim, Plaintiff/s presented the following documentary evidence:

- ☐ Signed deed or agreement captioned as _____
and marked as Exhibit/s _____
- ☐ Promissory Note marked as Exhibit/s _____
- ☐ Receipt/s marked as Exhibit/s _____
- ☐ Bank deposit slip/s marked as Exhibit/s _____
- ☐ Check/s marked as Exhibit/s _____
- ☐ Latest Demand Letter marked as Exhibit _____
- ☐ Barangay Amicable Settlement marked as Exhibit _____
- ☐ Others: _____ marked as Exhibit/s _____

6. Plaintiff/s likewise submitted the affidavits of the following witnesses who alleged, in summary, as follows:

Name of Witness	Gist of Testimony

7. In defense, Defendant/s submitted the following documentary evidence:

- ☐ Signed deed or agreement captioned as _____
and marked as Exhibit/s _____
- ☐ Promissory Note marked as Exhibit/s _____
- ☐ Receipt/s marked as Exhibit/s _____
- ☐ Bank deposit slip/s marked as Exhibit/s _____
- ☐ Check/s marked as Exhibit/s _____
- ☐ Barangay Amicable Settlement marked as Exhibit _____
- ☐ Others: _____ marked as Exhibit/s _____

8. Defendant/s likewise submitted the affidavits of the following witnesses who alleged, in summary, as follows:

Name of Witness	Gist of Testimony

9. In the same action, Defendant/s raised the following compulsory counterclaim:

- ☐ They are mutual creditors and debtors.
- ☐ Defendant/s has/have commission/s due from the Plaintiff.
- ☐ It is the Plaintiff/s who owe/s him/her/it money.
- ☐ Others.

10. With the same having been submitted for judgment, this court finds:

- ☐ The claim of the Plaintiff/s is meritorious.
- ☐ The compulsory counterclaim of the Defendant is meritorious.

Wherefore, the small claim/ counterclaim is granted.

(State reason).



This court orders _____ to pay to _____ the amount of ₱ _____ (state the monetary award or damages) with interest of _____ until fully paid.

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

- ☐ The claim of the Plaintiff/s is devoid of merit.
☐ The compulsory counterclaim of the Defendant is devoid of merit.

Wherefore, the small claim/ counterclaim is denied.

(State the reason).

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

- ☐ The action is dismissed is with prejudice.
☐ The action is dismissed without prejudice.

Wherefore, the small claim/ counterclaim is dismissed with / without prejudice.
(State the reason).

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

SO ORDERED.

Place Date

Judge

Copy furnished:
All parties
Office of the Clerk of Court of _____

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Naghahabla.)

vs.

Civil Case No. _____

For: _____

Defendant.
(Hinahabla.)

X- - - - -X

MOTION FOR EXECUTION

(Mosyon sa Pagpapatupad ng Desisyon)

Plaintiff/Defendant, unto this Honorable Court, respectfully alleges that:
(Ang Naghahabla/Hinahabla ay nagsasaad:)

1. On _____, a judgment was rendered by the Court, the dispositive portion of which reads:
(Noong _____, ang Hukuman ay naglabas ng Desisyon na nagsasabi:)

2. The judgment is final, executory and unappealable.
(Ang Desisyon ay wakas na, ipatutupad na, at hindi na maaaring i-apela).
3. The defendant has not complied with the judgment.
(Ang hinahabla ay hindi sumunod sa Desisyon).

WHEREFORE, premises considered, it is respectfully prayed that a WRIT OF EXECUTION be issued to implement the judgment of the Court dated _____.
(DAHIL DITO, buong galang na hinihiling na maglabas ng isang PAGPAPATUPAD ng Desisyon ng Hukuman na may petsa _____.)

Place (Lugar)

Date (Petsa)

Plaintiff/Defendant
(Naghahabla/Hinahabla)



REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Naghabla,)

vs.

Civil Case No. _____

For: _____

Defendant.
(Hinabla.)

X- - - - -X

WRIT OF EXECUTION

(Money Judgment)

(Kautusan para sa Pagpapatupad ng Pansalaping Hatol)

TO: THE SHERIFF/DEPUTY SHERIFF

WHEREAS, on (date of the Decision), this Court rendered a Decision in the above-entitled case, the pertinent portion of which reads as follows:

(SAPAGKAT, noong _____, ang Hukuman ay naglabas ng Desisyon sa kasong ito, ang kaugnay na bahagi ay mababasa nang ganito:)

This court orders (name of defendant/judgment obligor)
(Ang Hukumang ito ay nag-uutos kay)
to pay (name of plaintiff/judgment obligee) the amount of
(na bayaran si) _____ (ng halagang)
(monetary award or damages) _____, with interest of _____ per annum
(na may tubo na) _____ (bawat taon)
reckoned from (date of the Decision) until fully paid.
(simula sa) _____ (hanggang mabayaran ng buo.)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.
(SAPAGKAT, ang naturang Desisyon ay wakas na, ipatutupad na, at hindi na maaaring i-apela)

NOW THEREFORE, you are commanded to cause the execution of the Decision, and demand from (name of defendant/judgment obligor) the payment of the judgment obligation, together with your lawful fees for the service of this writ, and to tender the same to the plaintiff/judgment obligee.

(NGAYON, DAHIL DITO, ikaw ay inuutusan na ipatupad ang Desisyon, at mag-demand/singilin kay _____ ang kabayaran sa hinatol na obligasyon, kasama ang iyong naaayon sa batas na bayarin para sa paghain/pagsisilbi nitong kautusang pagpapatupad, at ibigay ito sa naghabla o nahatulang nanalo sa kaso.)

You are guided as follows:

(Ikaw ay inuutusan na sundin ang mga sumusunod:)

1. If the judgment obligor cannot pay all or part of the obligation in cash, certified bank check or other mode of payment acceptable to the judgment obligee, you shall levy upon the properties of the judgment obligor of every kind and nature whatsoever which may be disposed of for value and not otherwise exempt from execution giving the judgment obligor the option to



immediately choose which property or part thereof may be levied upon, sufficient to satisfy the judgment. *(Kung ang hinatulang obligado na magbayad ay hindi mabayaran ang lahat o bahagi ng obligasyon sa pamamagitan ng salapi, sertipikadong tseke ng bangko, o anumang paraan ng pagbabayad na katanggap-tanggap sa hinatulang nanalo, ikaw ay inuutusan na magpataw ng kabayaran sa mga ari-arian ng hinatulang obligado na maaaring maibenta sa halaga, at hindi kasama sa mga ari-arian na pinagbabawal na isali sa pagpapatupad ng hatol. Binibigyan ang hinatulang obligado ng opsyon na mamili kung aling ari-arian o bahagi nito ang maaaring patawan, sapat para matugunan ang kabayaran sa hatol.)*

2. If the judgment obligor does not exercise the option, you shall first levy on the personal properties, if any, and then on the real properties if the personal properties are insufficient to answer for the judgment. You shall sell only a sufficient portion of the personal or real property of the judgment obligor which has been levied upon. *(Kung ang hinatulang obligado na magbayad ay hindi pumili sa nasabing opsyon, ikaw ay inuutusan na unang patawan ang mga personal na ari-arian (halimbawa: sasakyan, muwebles, alahas, at iba pa), kung meron man, saka isusunod ang mga tunay na ari-arian (halimbawa: lupa, bahay at iba pa) kung ang mga personal na ari-arian ay hindi sapat upang matugunan ang hatol. Ikaw ay maaring magbenta lamang ng sapat na bahagi ng pinatawang personal o tunay na ari-arian ng hinatulang obligado.)*

3. You shall not levy upon so much of the salaries, wages, or earnings of the judgment obligor for his/her personal services within the four (4) months preceding the levy as are necessary for the support of his family. They are exempt from execution. *(Hindi ka maaaring magpataw ng napakaraming bahagi ng sweldo, sahod, o kita ng hinatulang obligado para sa kanyang mga personal na gastusing kailangan para suportahan ang kanyang pamilya sa loob ng apat (4) na buwan bago ang pagpataw. Ito ay hindi saklaw ng pagpapatupad ng hatol.)*

4. You shall make a report to the court every thirty (30) days from receipt of the writ on the proceedings taken thereon until the judgment is satisfied in full, or until the effectivity of the writ expires, in accordance with Section 14, Rule 39 of the 2019 Amendments to the 1997 Rules of Civil Procedure. *(Ikaw ay dapat gumawa ng ulat sa hukuman kada-tatlumpung (30) araw mula sa pagkatanggap nitong kautusan para sa iyong mga isinagawang pagpapatupad ng paghatol hanggang sa ganap na mabayaran ito, o hanggang ang kautusan ay mawalan ng bisa, alinsunod sa Section 14, Rule 39 ng 2019 Amendments to the 1997 Rules of Civil Procedure.)*

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20____.

(IBINIGAY sa ilalim ng AKING LAGDA at SELYO ng KORTE, ngayong ____ araw ng _____ 20____.)

Clerk of Court



REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Naghabla.)

vs.

Civil Case No. _____
For: _____

Defendant.
(Hinabla.)

x-----x

WRIT OF EXECUTION

(Decision Based on Compromise Agreement)

(Kautusan para sa Pagpapatupad ng Desisyon Base sa Kasunduan sa Kompromiso)

TO: THE SHERIFF/DEPUTY SHERIFF

WHEREAS, on (date of the Decision) , this Court rendered a Decision in the above-entitled case, the pertinent portion of which is quoted hereunder:

(SAPAGKAT, noong _____, ang Hukuman ay naglabas ng Desisyon sa kasong ito, ang kaugnay na bahagi ay sinipi sa ilalim nito:)

WHEREFORE, judgment is hereby rendered approving the Compromise Agreement and the parties are ordered to comply with the terms and conditions, as follows:

(DAHIL DITO, itinatakda ang hatol na ito na pinagtibay ang Kasunduan sa Kompromiso at ang mga partido ay inuutusan na sundin ang mga sumusunod na mga tuntunin at kundisyon:)

(To the Clerk of Court: quote the entire judgment on compromise for reference of the Sheriff)

(continued from page 1 – judgment on compromise)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.
(SAPAGKAT, ang naturang Desisyon ay wakas na, ipatutupad na, at hindi na maaaring i-apela.)

NOW THEREFORE, you are commanded to cause the execution of the Decision, and demand from _____ (name of defendant) the payment of the amount agreed upon, subject to deduction of payments made by the defendant after the execution of the Compromise Agreement, if any, together with your lawful fees for the service of this writ, and to tender the same to the plaintiff.

(NGAYON, DAHIL DITO, ikaw ay inuutusan na ipatupad ang Desisyon, at mag-demand/singilin kay _____ ang kabayaran ng halagang napagkasunduan, na isasailalim sa pagbawas ng ano mang halaga na naibayad na matapos ang pagsasagawa ng Kasunduan sa Kompromiso, kung meron man, kasama ang iyong naaayon sa batas na bayarin para sa paghain/pagsisilbi nitong kautusang pagpapatupad, at ibigay ito sa naghahabla o nahatulang nanalo sa kaso.)

You are guided as follows:
(Ikaw ay inuutusan na sundin ang mga sumusunod:)

1) If the defendant cannot pay all or part of the obligation in cash, certified bank check or other mode of payment acceptable to the plaintiff, you shall levy upon the properties of the defendant of every kind and nature whatsoever which may be disposed of for value and not otherwise exempt from execution, giving the defendant the option to immediately choose which property or part thereof may be levied upon, sufficient to satisfy the judgment. (Kung ang hinahabla ay hindi mabayaran ang lahat o bahagi ng obligasyon sa pamamagitan ng salapi, sertipikadong tseke ng bangko, o anumang paraan ng pagbabayad na katanggap-tanggap sa naghahabla, ikaw ay inuutusan na magpataw ng kabayaran sa mga ari-arian ng hinahabla na maaaring maibenta sa halaga, at hindi kasama sa mga ari-arian na pinagbabawal na isali sa pagpapatupad ng hatol. Binibigyan ang hinahabla ng opsyon na mamili kung aling ari-arian o bahagi nito ang maaaring patawan, sapat para matugunan ang kabayaran sa hatol.)



2) If the defendant does not exercise the option, you shall first levy on the personal properties, if any, and then on the real properties if the personal properties are insufficient to answer for the judgment. You shall sell only a sufficient portion of the personal or real property of the defendant which has been levied upon. (*Kung ang hinahabla ay hindi pumili sa nasabing opsyon, ikaw ay inuutusan na unang patawan ang mga personal na ari-arian (halimbawa: sasakyan, muwebles, alahas, at iba pa), kung meron man, saka isusunod ang mga tunay na ari-arian (halimbawa: lupa, bahay at iba pa) kung ang mga personal na ari-arian ay hindi sapat upang matugunan ang hatol. Ikaw ay maaaring magbenta lamang ng sapat na bahagi ng pinatawang personal o tunay na ari-arian ng hinahabla.*)

3) You shall not buy upon so much of the salaries, wages, or earnings of the defendant for his/her personal services within the four (4) months preceding the levy as are necessary for the support of his family are exempt from execution. (*Hindi ka maaaring magpataw ng napakaraming bahagi ng sweldo, sahod, o kita ng hinahabla para sa kanyang mga personal na gastusing kailangan para suportahan ang kanyang pamilya sa loob ng apat (4) na buwan bago ang pagpataw. Ito ay hindi saklaw ng pagpapatupad ng hatol.*)

4) You shall make a report to the court every thirty (30) days on the proceedings taken thereon until the judgment is satisfied in full, or until the effectivity of the writ expires, in accordance with Section 14, Rule 39 of the 2019 Amendments to the 1997 Rules of Civil Procedure. (*Ikaw ay dapat gumawa ng ulat sa hukuman kada-tatlumpung (30) araw mula sa pagkatanggap nitong kautusan para sa iyong mga isinagawang pagpapatupad ng hatol hanggang sa ganap na mabayaran ito, o hanggang ang kautusang ito ay mawalan ng bisa, alinsunod sa Section 14, Rule 39 ng 2019 Amendments to the 1997 Rules of Civil Procedure.*)

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20 ____.
(IBINIGAY sa ilalim ng AKING LAGDA at SELYO ng KORTE, ngayong ____ araw ng ____
20 ____.

Clerk of Court

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Naghabla,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Hinabla.)

x- - - - -x

WRIT OF EXECUTION
(Specific Judgment)

(Kautusan para sa Pagpapatupad ng Partikular na Hatol)

TO: THE SHERIFF/DEPUTY SHERIFF

WHEREAS, on (date of the Decision) , this Court rendered a Decision in the above-entitled case, disposing thus:

(SAPAGKAT, noong _____, ang Hukuman ay naglabas ng Desisyon sa kasong ito, na ganito ang sinasaad:)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.

(SAPAGKAT, ang naturang Desisyon ay wakas na, ipatutupad na, at hindi na maaaring i-apela)

NOW THEREFORE, you are commanded to cause the execution of the Decision, including payment in full of your lawful fees for the service of this writ.

(NGAYON, DAHIL DITO ikaw ay inuutusan na ipatupad ang Desisyon, kabilang ang buong kabayaran ng iyong naayon sa batas na bayarin para sa paghain/pagsilbi nitong kautusang pagpapatupad.)

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20____.

(IBINIGAY sa ilalim ng AKING LAGDA at SELYO ng KORTE, ngayong ____ araw ng _____

20____.

 Clerk of Court

Writ of Execution (Specific Judgment)
 (Small Claims)

Form 13-B-SCC, Page 1 of 1





**COMPARATIVE TABLE OF THE 1991 REVISED
RULE ON SUMMARY PROCEDURE AND 2016
REVISED RULES ON SMALL CLAIMS CASES
AND THE RULES ON EXPEDITED PROCEDURES
IN THE FIRST LEVEL COURTS**

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
RESOLUTION	
<p>RESOLUTION OF THE COURT EN BANC DATED 15 OCTOBER 1991 PROVIDING FOR THE REVISED RULE ON SUMMARY PROCEDURE FOR METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS</p> <p>Pursuant to Section 36 of the Judiciary Reorganization Act of 1980 (B.P. Blg. 129) and to achieve an expeditious and inexpensive determination of the cases referred to herein, the Court resolved to promulgate the following Revised Rules on Summary Procedure.</p>	
I APPLICABILITY (To What Cases Applicable)	RULE I APPLICABILITY
<p>Section 1. Scope.¹ – This rule shall govern the summary procedure in the Metropolitan Trial Courts, the Municipal Trial Courts in Cities, the Municipal Trial Courts, and the Municipal Circuit Trial Courts in the following cases falling within their jurisdiction:</p> <p>A. Civil Cases:</p> <p>(1) All cases of forcible entry and unlawful detainer, irrespective of the amount of damages or unpaid rentals sought to be recovered. Where attorney’s fees are awarded, the same shall not exceed [T]wenty [T]housand [P]esos (P20,000.00).</p>	<p>Section 1. Coverage. – <u>These Rules</u> shall govern the <u>expedited procedures</u> in the Metropolitan Trial Courts (MeTCs), the Municipal Trial Courts in Cities (MTCCs), the Municipal Trial Courts (MTCs), and the Municipal Circuit Trial Courts (MCTCs), for the following cases falling within their jurisdiction:</p> <p>A. CIVIL CASES</p> <p><u>(1) Summary Procedure Cases, as follows:</u></p> <p><u>(a)</u> Forcible entry and unlawful detainer cases, regardless of the amount of damages or unpaid rentals sought to be recovered. Where attorney’s fees are awarded, the same shall not exceed <u>One Hundred Thousand Pesos (₱100,000.00).</u></p>

¹ 12 November 2002 Resolution in A.M. No. 02-11-09-SC (*Re: Amendment of the Revised Rule on Summary Procedure*).



1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>(2) All other cases, except probate proceedings, where the total amount of the plaintiff's claim does not exceed [O]ne [H]undred [T]housand [P]esos (P100,000.00) or, [T]wo [H]undred [T]housand [P]esos (P200,000.00) in Metropolitan Manila, exclusive of interests and costs.</p>	<p>(b) All civil actions, except probate proceedings, <u>admiralty and maritime actions, and small claims cases falling under Rule IV hereof</u>, where the total amount of the plaintiff's claim <u>does not exceed Two Million Pesos (P2,000,000.00)</u>, exclusive of interest, damages of whatever kind, attorney's fees, litigation expenses and costs.</p> <p>(c) <u>Complaints for damages where the claim does not exceed Two Million Pesos (P2,000,000.00), exclusive of interest and costs.</u></p> <p>(d) <u>Cases for enforcement of barangay amicable settlement agreements and arbitration awards where the money claim exceeds One Million Pesos (P1,000,000.00), provided that no execution has been enforced by the barangay within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, pursuant to Section 417, Chapter VII of Republic Act No. 7160, otherwise known as The Local Government Code of 1991.</u></p> <p>(e) <u>Cases solely for the revival of judgment of any Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court, and Municipal Circuit Trial Court, pursuant to Rule 39, Section 6 of the Rules of Court.</u></p> <p>(f) <u>The civil aspect of a violation of <i>Batas Pambansa Blg. 22</i> (the Bouncing Checks Law), if no criminal action has been instituted therefor. Should a criminal action be later instituted for the same violation, the civil aspect shall be consolidated with the criminal action and shall be tried and decided jointly under the Rule on Summary Procedure.</u></p> <p><u>All other cases not included herein shall be governed by the regular rules of procedure.</u></p>



**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**

Sec. 2. Scope.² – These Rules shall govern the procedure in actions before the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs) for payment of money where the value of the claim does not exceed the jurisdictional amount of these courts under Republic Act No. (R.A.) 7691 (Four Hundred Thousand Pesos [P400,000.00] for the MeTCs and Three Hundred Thousand Pesos [P300,000.00] for the MTCCs, MTCs, and MCTCs), exclusive of interest and costs.

Sec. 5. Applicability.³ – The Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts shall apply this Rule in all actions that are purely civil in nature where the claim or relief prayed for by the plaintiff is solely for payment or reimbursement of sum of money.

The claim or demand may be:

- (a) For money owned under any of the following:
 1. Contract of Lease;
 2. Contract of Loan;
 3. Contract of Services;
 4. Contract of Sale; or
 5. Contract of Mortgage;
- (b) For liquidated damage arising from contracts;
- (c) The enforcement of a barangay amicable settlement or an arbitration award involving a money claim covered by this Rule pursuant to Sec. 417 of Republic Act 7160, otherwise known as *The Local Government Code of 1991*.

**Rules on Expedited Procedures
in the First Level Courts**

(2) Small Claims Cases, as defined hereunder, where the claim does not exceed One Million Pesos (₱1,000,000.00), exclusive of interest and costs.

A “small claim” is an action that is purely civil in nature where the claim or relief raised by the plaintiff is solely for the payment or reimbursement of a sum of money. It excludes actions seeking other claims or reliefs aside from payment or reimbursement of a sum of money and those coupled with provisional remedies.

The claim or demand may be:

- (a) For money owed under any of the following:
 1. Contract of Lease
 2. Contract of Loan **and other credit accommodations;**
 3. Contract of Services; or
 4. Contract of **Sale of personal property, excluding the recovery of the personal property, unless it is made the subject of a compromise agreement between the parties.**
- (b) **The enforcement of barangay amicable settlement agreements and arbitration awards, where the money claim does not exceed One Million Pesos (₱1,000,000.00), provided that no execution has been enforced by the barangay within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, pursuant to Section 417, Chapter VII of Republic Act No. 7160, otherwise known as The Local Government Code of 1991.**

² 26 February 2019 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

³ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).



1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>B. Criminal Cases:⁴</p> <ol style="list-style-type: none"> (1) Violations of traffic laws, rules and regulations; (2) Violations of the rental law; (3) Violations of municipal or city ordinances; (4) All other criminal cases where the penalty prescribed by law for the offense charged is imprisonment not exceeding six (6) months, or a fine not exceeding [O]ne [T]housand [P]esos (P1,000.00), or both, irrespective of other imposable penalties, accessory or otherwise, or of the civil liability arising therefrom: <i>Provided, however</i>, that in offenses involving damage to property through criminal negligence, this Rule shall govern where the imposable fine does not exceed [T]en [T]housand [P]esos (P10,000.00). <p>This Rule shall not apply to a civil case where the plaintiff's cause of action is pleaded in the same complaint with another cause of action subject to the ordinary procedure; nor to a criminal case where the offense charged is necessarily related to another criminal case subject to the ordinary procedure.</p>	<p>B. CRIMINAL CASES</p> <p><u>The following criminal cases shall be governed by the Rule on Summary Procedure:</u></p> <ol style="list-style-type: none"> (1) Violations of traffic laws, rules and regulations; (2) Violations of the rental law; (3) Violations of municipal or city ordinances; (4) <u>Violations of <i>Batas Pambansa Blg. 22</i> (the Bouncing Checks Law);</u> and (5) All other criminal cases where the penalty prescribed by law for the offense charged is imprisonment not <u>exceeding one (1) year, or a fine not exceeding Fifty Thousand Pesos (P50,000.00)</u>, or both, <u>regardless</u> of other imposable penalties, accessory or otherwise, or of the civil liability arising therefrom. In offenses involving damage to property through criminal negligence under Article 365 of the Revised Penal Code, this Rule shall govern where the imposable fine <u>does not exceed One Hundred Fifty Thousand Pesos (P150,000.00)</u>. <p><u>If the prescribed penalty consists of imprisonment and/or a fine, the prescribed imprisonment shall be the basis for determining the applicable procedure.</u></p> <p><u>All other cases not included herein shall be governed by the regular rules of procedure.</u></p>

⁴ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 2. Determination of applicability.⁵ – Upon the filing of a civil or criminal action, the court shall issue an order declaring whether or not the case shall be governed by this Rule.</p> <p>A patently erroneous determination to avoid the application of the Rule on Summary Procedure is a ground for disciplinary action.⁶</p>	<p>Sec. 2. Non-applicability. – These Rules shall not apply to <u>civil cases</u> where the plaintiff’s cause of action is pleaded in the same complaint with another cause of action subject to the <u>regular</u> procedure; nor to <u>criminal cases</u> where the offense charged is necessarily related to another criminal case subject to the <u>regular</u> procedure.</p>
	<p>RULE II GENERAL COMMON PROVISIONS</p>
<p>Sec. 22. Applicability of the regular rules.⁷ – The regular procedure prescribed in the Rules of Court shall apply to the special cases herein provided for in a suppletory capacity insofar as they are not inconsistent herewith.</p> <p>Sec. 27. Applicability of the Rules of Civil Procedure.⁸ – The Rules of Civil Procedure shall apply suppletorily insofar as they are not inconsistent with this Rule.</p>	<p>Section 1. Applicability of the regular rules. – The regular procedure prescribed in the Rules of Court <u>shall</u> apply to the cases covered by these Rules <u>where no specific provision is found herein. It shall also apply in a suppletory manner even if there is a specific provision found in these Rules, but only in so far as not inconsistent. In case of inconsistency, these Rules shall prevail.</u></p>
<p>Sec. 19. Prohibited pleadings and motions. – The following pleadings, motions, or petitions shall not be allowed in the cases covered by this Rule:</p> <p>(a) Motion to dismiss the complaint or to quash the complaint or information except on the ground of lack of jurisdiction over the subject matter, or failure to comply with the preceding section;</p> <p>(b) Motion for a bill of particulars;</p>	<p>Sec. 2. Prohibited pleadings and motions. – The following pleadings, motions, or petitions shall not be allowed in cases governed by these Rules:</p> <p>(a) <u>In civil cases</u>, a motion to dismiss the complaint <u>or the statement of claim, and in criminal cases</u>, a motion to quash the complaint or information, except on the ground of lack of jurisdiction over the subject matter or failure to comply with <u>the requirement of barangay conciliation, pursuant to Chapter VII, Title I, Book III of Republic Act No. 7160;</u></p> <p>(b) <u>Motion to hear and/or resolve affirmative defenses;</u></p>

⁵ *Id.*

⁶ Last sentence transposed to Sec. 4 (Summons), Rule II (A).

⁷ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

⁸ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).



1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<ul style="list-style-type: none"> (c) Motion for new trial, or for reconsideration of a judgment, or for reopening of trial; (d) Petition for relief from judgment; (e) Motion for extension of time to file pleadings, affidavits or any other paper; (f) Memoranda; (g) Petition for <i>certiorari</i>, <i>mandamus</i>, or prohibition against any interlocutory order issued by the court; (h) Motion to declare the defendant in default; (i) Dilatory motions for postponement; (j) Reply; (k) Third-party complaints; (l) Interventions. <p>Sec. 16. Prohibited Pleadings and Motions.⁹— The following pleadings, motions, or petitions shall not be allowed in the cases covered by this Rule:</p> <ul style="list-style-type: none"> (a) Motion to dismiss the Statement of Claim/s; (b) Motion for a bill of particulars; (c) Motion for new trial, or for reconsideration of a judgment, or for reopening of trial; (d) Petition for relief from judgment; (e) Motion for extension of time to file pleadings, affidavits, or any other paper; (f) Memoranda; (g) Petition for <i>certiorari</i>, <i>mandamus</i>, or prohibition against any interlocutory order issued by the court; (h) Motion to declare the defendant in default; (i) Dilatory motions for postponement; (j) Reply and rejoinder; (k) Third-party complaints; and (l) Interventions. 	<ul style="list-style-type: none"> (c) Motion for a bill of particulars; (d) Motion for new trial, or for reconsideration of a judgment on the merits, or for reopening of proceedings; (e) Petition for relief from judgment; (f) Motion for extension of time to file pleadings, affidavits or any other paper; (g) Memoranda; (h) Petition for <i>certiorari</i>, <i>mandamus</i>, or prohibition against any interlocutory order issued by the court; (i) Motion to declare the defendant in default; (j) Dilatory motions for postponement. <u>Any motion for postponement shall be presumed dilatory unless grounded on acts of God, force majeure, or physical inability of a counsel or witness to personally appear in court, as supported by the requisite affidavit and medical proof;</u> (k) <u>Rejoinder;</u> (l) Third-party complaints; (m) <u>Motion for and Complaint in Intervention;</u> (n) <u>Motion to admit late judicial affidavit/s, position papers, or other evidence, except on the ground of force majeure or acts of God;</u> (o) <u>Motion for judicial determination of probable cause in criminal cases.</u>

⁹ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
No counterpart provision	<u>Sec. 3. Videoconference. – As far as practicable, and if the court finds that the conduct of a videoconference hearing will be beneficial to the fair, speedy and efficient administration of justice, the court, on its own initiative or upon motion, may set the case for a videoconference hearing at any stage of the proceedings.</u>
No counterpart provision	<u>Sec. 4. Service pursuant to international convention. – Service made pursuant to the <i>Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters</i> shall be valid, and the period to answer shall commence from receipt of the document served.</u>
	<u>RULE III</u> <u>THE RULE ON SUMMARY PROCEDURE</u>
II CIVIL CASES	A. CIVIL CASES
Sec. 3. Pleadings. – A. Pleadings allowed. – The only pleadings allowed to be filed are the complaints, compulsory counterclaims and cross-claims pleaded in the answer, and the answers thereto. B. Verification. – All pleadings shall be verified.	Section 1. <u>Pleadings and verification.</u> – The only pleadings allowed to be filed are the complaint, compulsory counterclaim, cross-claim pleaded in the answer, <u>and reply, as provided in Section 8 of this Rule.</u> All pleadings shall be verified.

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>No counterpart provision</p> <p>Sec. 18. Referral to Lupon.¹⁰ – Cases requiring referral to the Lupon for conciliation under the provisions of Presidential Decree No. 1508 where there is no showing of compliance with such requirement, shall be dismissed without prejudice, and may be revived only after such requirement shall have been complied with. This provision shall not apply to criminal cases where the accused was arrested without a warrant.</p>	<p>Sec. 2. <u>Form and contents of pleadings.</u> – <u>All pleadings submitted under this Rule shall comply with Rule 7 of the 2019 Amendments to the 1997 Rules of Civil Procedure.</u></p> <p><u>All cases requiring prior referral to barangay conciliation must contain a statement of compliance, pursuant to Chapter VII, Title I, Book III of Republic Act No. 7160. Where there is no showing of compliance with such requirement, the complaint shall be dismissed without prejudice, on the court’s own initiative or upon motion by the defendant, and may be re-filed only after the requirement has been complied with.</u></p>
<p>No counterpart provision</p>	<p>Sec. 3. <u>Complaint.</u> – <u>The complaint shall state the following:</u></p> <p>(a) <u>The names of the affiants whose judicial affidavits will be presented to prove the plaintiff’s claim. The judicial affidavits shall be attached to the complaint and form an integral part thereof. Judicial affidavits not attached to the complaint shall not be considered;</u></p> <p>(b) <u>The summary of the statements in the judicial affidavits;</u></p> <p>(c) <u>The documentary and other object evidence in support of the allegations in the complaint; and</u></p> <p>(d) <u>Whether the plaintiff consents to service by electronic means or facsimile and, if so, the plaintiff’s e-mail addresses or facsimile numbers for such purpose.</u></p>

¹⁰ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 4. Duty of court.¹¹ – After the court determines that the case falls under summary procedure, it may, from an examination of the allegations therein and such evidence as may be attached thereto, dismiss the case outright on any of the grounds apparent therefrom for the dismissal of a civil action.</p> <p>If no ground for dismissal is found, it shall forthwith issue summons which shall state that the summary procedure under this Rule shall apply.</p>	<p>Sec. 4. <u>Summons.</u> – <u>Within five (5) calendar days from receipt of a new civil case, if the court determines that the case falls under this Rule, the court shall direct the Branch Clerk to issue summons to the defendant, stating clearly that the case shall be governed by the Rule on Summary Procedure.</u></p> <p><u>However, if from an examination of the allegations in the initiatory pleading and such evidence as may be attached thereto, a ground for the outright dismissal of the case is apparent, the court may dismiss the case on its own initiative. These grounds include lack of subject matter jurisdiction, improper venue, lack of legal capacity to sue, <i>litis pendencia</i>, <i>res judicata</i>, prescription, failure to state a cause of action, non-submission of a certification against forum shopping, and lack of compliance with a condition precedent such as absence of barangay conciliation, among others.</u></p> <p><u>A patently erroneous determination to avoid the application of the Rule on Summary Procedure is a ground for disciplinary action.</u></p>
No counterpart provision	<p>Sec. 5. <u>Filing and service.</u> – <u>The rules on filing and service of pleadings under Rule 13 and service of summons under Rule 14 of the 2019 Amendments to the 1997 Rules of Civil Procedure shall be applicable to cases under this Rule, unless inconsistent.</u></p>

¹¹ *Id.*



1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 5. Answer.¹² – Within ten (10) days from service of summons, the defendant shall file his answer to the complaint and serve a copy thereof on the plaintiff. Affirmative and negative defenses not pleaded therein shall be deemed waived, except for lack of jurisdiction over the subject matter. Cross-claims and compulsory counterclaims not asserted in the answer shall be considered barred. The answer to counterclaims or cross-claims shall be filed and served within ten (10) days from service of the answer in which they are pleaded.</p>	<p>Sec. 6. Answer. – Within <u>thirty (30) calendar days</u> from service of summons, the defendant shall file an answer to the complaint and serve a copy thereof on the plaintiff.</p> <p><u>The answer shall state the following:</u></p> <ul style="list-style-type: none"> <u>(a) The names of the affiants whose judicial affidavits will be presented to prove the defendant’s allegations. The judicial affidavits shall be attached to the answer and form an integral part thereof. Judicial affidavits not attached to the answer shall not be considered;</u> <u>(b) The summary of the statements in the judicial affidavits;</u> <u>(c) The documentary and other object evidence in support of the allegations in the answer; and</u> <u>(d) Whether the defendant consents to service by electronic means or facsimile and, if so, the defendant’s e-mail addresses or facsimile numbers for such purpose.</u> <p>Affirmative defenses not pleaded in the answer shall be deemed waived, except for lack of jurisdiction over the subject matter, <u>litis pendentia, res judicata, and prescription</u>.</p> <p>Cross-claims and compulsory counterclaims not asserted in the answer shall be considered barred.</p>

¹² 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
	<p><u>Sec. 7. Counterclaims within the coverage of this Rule. – If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff's claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the answer; otherwise, the defendant shall be barred from suing on such counterclaim.</u></p> <p><u>The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.</u></p> <p><u>Any amount pleaded in a counterclaim in excess of Two Million Pesos (₱2,000,000.00), excluding interests and costs, shall be deemed waived.</u></p>
No counterpart provision	<p><u>Sec. 8. Reply. – All new matters alleged in the answer shall be deemed controverted.</u></p> <p><u>The plaintiff may file a reply to a counterclaim only when an actionable document is attached to the answer. The reply shall be filed within ten (10) calendar days from receipt of the answer.</u></p>



1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 6. Effect of failure to answer.¹³ – Should the defendant fail to answer the complaint within the period above provided, the court, <i>motu proprio</i>, or on motion of the plaintiff, shall render judgment as may be warranted by the facts alleged in the complaint and limited to what is prayed for therein: <i>Provided, however</i>, That the court may in its discretion reduce the amount of damages and attorney’s fees claimed for being excessive or otherwise unconscionable. This is without prejudice to the applicability of Section 4, Rule 18 of the Rules of Court, if there are two or more defendants.</p>	<p>Sec. 2. Effect of failure to answer. – Should the defendant fail to answer the complaint within the period provided, the court, <u>on its own initiative, or upon manifestation by the plaintiff that the period for filing an answer has already lapsed</u>, shall render judgment as may be warranted by the facts alleged in the complaint <u>and its attachments</u>, limited to what is prayed for therein.</p> <p>The court may reduce the amount of damages and attorney’s fees claimed for being excessive or otherwise unconscionable.</p>
<p>Sec. 7. Preliminary conference; appearance of parties.¹⁴ – Not later than thirty (30) days after the last answer is filed, a preliminary conference shall be held. The rules on pre-trial in ordinary cases shall be applicable to the preliminary conference unless inconsistent with the provisions of this Rule. x x x</p>	<p>Sec. 10. Preliminary Conference; notice. – <u>Within five (5) calendar days after the last responsive pleading is filed, the Branch Clerk of Court shall issue a Notice of Preliminary Conference, which shall be held within thirty (30) calendar days from the date of filing of such last responsive pleading.</u> The rules on pre-trial <u>under Rule 18 of the 2019 Amendments to the 1997 Rules of Civil Procedure</u> shall be applicable to the Preliminary Conference, unless inconsistent.</p> <p><u>The Notice of Preliminary Conference shall include the dates respectively set for:</u></p> <p>(a) <u>Preliminary Conference (within thirty [30] calendar days from the filing of the last responsive pleading);</u></p>

¹³ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

¹⁴ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
	<p>(b) <u>Court-Annexed Mediation (within an inextendible period of thirty [30] calendar days from date of referral for mediation); and</u></p> <p>(c) <u>Judicial Dispute Resolution, in the court's discretion (within an inextendible period of fifteen [15] calendar days from notice of failure of the Court-Annexed Mediation).</u></p> <p><u>Non-appearance at any of the foregoing settings shall be deemed as non-appearance at the Preliminary Conference and shall merit the same sanctions under Section 12 of this Rule.</u></p>
No counterpart provision	<p><u>Sec. 11. Preliminary Conference Brief. – The parties shall file with the court and serve on the adverse party in such a way as to ensure receipt, at least three (3) calendar days before the scheduled Preliminary Conference, their respective Preliminary Conference Briefs, which shall contain, among others:</u></p> <p>(a) <u>A summary of admitted facts;</u></p> <p>(b) <u>A summary of disputed facts and proposals for stipulations on the same;</u></p> <p>(c) <u>A statement of factual and legal issues; and</u></p> <p>(d) <u>A list of testimonial, object, and other documentary evidence offered in support of the party's claims or defenses, and their markings, if any.</u></p> <p><u>Failure to submit a Preliminary Conference Brief within the period given shall merit the same sanction as non-appearance at the Preliminary Conference.</u></p>



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Sec. 7. Preliminary conference; appearance of parties.¹⁵ – x x x

The failure of the plaintiff to appear in the preliminary conference shall be a cause for the dismissal of his complaint. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on his counterclaim in accordance with Section 6 hereof. All cross-claims shall be dismissed.

If a sole defendant shall fail to appear, the plaintiff shall be entitled to judgment in accordance with Section 6 hereof. This Rule shall not apply where one of two or more defendants sued under a common cause of action who had pleaded a common defense shall appear at the preliminary conference.

**Rules on Expedited Procedures
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Sec. 12. Appearance at Preliminary Conference.
– **It shall be the duty of the parties and their counsel to appear at the Preliminary Conference, Court-Annexed Mediation, and Judicial Dispute Resolution, if the latter is ordered by the court. The non-appearance of a party and/or counsel may be excused only for acts of God, force majeure, or duly substantiated physical inability.**

A representative may appear on behalf of a party, but must be fully authorized through a Special Power of Attorney or a board resolution, as the case may be, to: (1) enter into an amicable settlement, (2) to submit to alternative modes of dispute resolution, and (3) to enter into stipulations or admissions of facts and documents. An authority which fails to include all these acts shall be ineffective and the party represented shall be deemed absent.

The failure **despite notice** of the plaintiff **and/or his or her counsel** to appear at the Preliminary Conference shall be a cause for the dismissal of **the** complaint. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on the counterclaim, in accordance with Section **9 of this Rule**. All cross-claims shall be dismissed.

If a sole defendant **and/or his or her counsel** fail to appear **at the Preliminary Conference**, the plaintiff shall be entitled to judgment in accordance with Section **9 of this Rule**. This Rule shall not apply, **however**, where one of two or more defendants sued under a common cause of action **and** who had pleaded a common defense, shall appear at the Preliminary Conference.

¹⁵ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

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Sec. 8. Record of preliminary conference.¹⁶ – Within five (5) days after the termination of the preliminary conference, the court shall issue an order stating the matters taken up therein, including but not limited to:

- (a) Whether the parties have arrived at an amicable settlement, and if so, the terms thereof;
- (b) The stipulations or admissions entered into by the parties;
- (c) Whether, on the basis of the pleadings and the stipulations and admissions made by the parties, judgment may be rendered without the need of further proceedings, in which event the judgment shall be rendered within thirty (30) days from issuance of the order;
- (d) A clear specification of material facts which remain controverted; [and]
- (e) Such other matters intended to expedite the disposition of the case.

Sec. 9. Submission of affidavits and position papers.¹⁷ – Within ten (10) days from receipt of the order mentioned in the next preceding section, the parties shall submit the affidavits of their witnesses and other evidence on the factual issues defined in the order, together with their position papers setting forth the law and the facts relied upon by them.

**Rules on Expedited Procedures
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Sec. 13. Preliminary Conference Order. – Immediately after the preliminary conference and the issues having been joined, the court shall issue a Preliminary Conference Order referring the parties to the mandatory Court-Annexed Mediation, and Judicial Dispute Resolution, which shall be conducted in accordance with the provisions of A.M. No. 19-10-20-SC or the 2020 Guidelines for the Conduct of the Court-Annexed Mediation (CAM) and Judicial Dispute Resolution (JDR) in Civil Cases.

The court may, in the same Preliminary Conference Order, declare the case submitted for judgment if, on the basis of the pleadings and their attachments, as well as the stipulations and admissions made by the parties, judgment may be rendered without the need of submission of position papers. In this event, the court shall render judgment within thirty (30) calendar days from issuance of the order. The court's order shall not be the subject of a motion for reconsideration or a petition for certiorari, prohibition, or mandamus, but may be among the matters raised on appeal after a judgment on the merits.

If the court, however, deems the submission of position papers still necessary, it shall require the parties, in the Preliminary Conference Order, to submit their respective position papers within ten (10) calendar days from receipt of such order. No other judicial affidavits or evidence will be admitted even if filed with the position papers.

¹⁶ *Id.*

¹⁷ *Id.*



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<p>Sec. 10. Rendition of judgment.¹⁸ – Within thirty (30) days after receipt of the last affidavits and position papers, or the expiration of the period for filing the same, the court shall render judgment.</p> <p>However, should the court find it necessary to clarify certain material facts, it may, during the said period, issue an order specifying the matters to be clarified, and require the parties to submit affidavits or other evidence on the said matters within ten (10) days from receipt of said order. Judgment shall be rendered within fifteen (15) days after the receipt of the last clarificatory affidavits, or the expiration of the period for filing the same.</p> <p>The court shall not resort to the clarificatory procedure to gain time for the rendition of the judgment.</p>	<p>Sec. 14. Rendition of judgment. – Within thirty (30) <u>calendar</u> days <u>from receipt by the court of the Mediator’s Report or the JDR Report on the parties’ failure to reach an amicable settlement</u>, the court shall render judgment.</p> <p>However, should the court find it necessary to clarify certain material facts, it may, during the said period, issue an order specifying the matters to be clarified, and require the parties to submit <u>additional judicial</u> affidavits or other evidence on the said matters, within ten (10) <u>calendar</u> days from receipt of said order. Judgment shall be rendered within fifteen (15) <u>calendar</u> days after the receipt of the last clarificatory <u>judicial</u> affidavits, or the expiration of the period for filing the same.</p> <p>The court shall not resort to the clarificatory procedure to gain time for the rendition of the judgment.</p>
III CRIMINAL CASES	B. CRIMINAL CASES
<p>Sec. 11. How commenced.¹⁹ – The filing of criminal cases falling within the scope of this Rule shall be either by complaint or by information: Provided, however, that in Metropolitan Manila and in Chartered Cities, such cases shall be commenced only by information, except when the offense cannot be prosecuted <i>de officio</i>.</p> <p>The complaint or information shall be accompanied by the affidavits of the complainant and of his witnesses in such number of copies as there are accused plus two (2) copies for the court’s files. If this requirement is not complied with within five (5) days from date of filing, the case may be dismissed.</p>	<p>Section 1. How commenced; filing and service. – The filing of criminal cases <u>governed by the Rule on Summary Procedure</u> shall either be by complaint or by information.</p> <p>The complaint or information shall be accompanied by the judicial affidavits of the complainant and of his or her witnesses, in such number of copies as there are accused, plus <u>one (1) copy for the court</u>.</p> <p><u>The complaint or information and other submissions of the parties may be filed with the court and served on the adverse party/ies, and judgments, resolutions, orders, and other court processes may be served to the parties, electronically with their consent, in accordance with the prevailing Rules and other Court issuances.</u></p>

¹⁸ *Id.*

¹⁹ *Id.*

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Sec. 12. Duty of court. –

(a) If commenced by complaint. – On the basis of the complaint and the affidavits and other evidence accompanying the same, the court may dismiss the case outright for being patently without basis or merit and order the release of the accused if in custody.

(b) If commenced by information. – When the case is commenced by information, or is not dismissed pursuant to the next preceding paragraph, the court shall issue an order which, together with copies of the affidavits and other evidence submitted by the prosecution, shall require the accused to submit his counter-affidavit and the affidavits of his witnesses as well as any evidence in his behalf, serving copies thereof on the complainant or prosecutor not later than ten (10) days from receipt of said order. The prosecution may file reply affidavits within ten (10) days after receipt of the counter-affidavits of the defense.

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in the First Level Courts**
Sec. 2. Duty of court; judicial affidavits. –

(a) If commenced by complaint. – On the basis of the complaint and the judicial affidavits and other evidence accompanying the same, the court may dismiss the case outright for lack of probable cause, and order the release of the accused if in custody.

(b) If commenced by information. – When the case is commenced by information, or is not dismissed pursuant to paragraph (a), the court shall issue an order which, together with copies of the resolution of the investigating officer and the judicial affidavits and other evidence submitted by the prosecution, shall require the accused to submit a judicial counter-affidavit and the judicial affidavits of his or her witnesses, as well as any other evidence in his or her behalf, within fifteen (15) calendar days from receipt of the order. The accused shall serve copies thereof on the private complainant and the public prosecutor within the same period.

Except on rebuttal, no witness shall be allowed to testify unless his or her judicial affidavit was submitted in accordance with this provision. The judicial affidavit shall take the place of the direct testimony of a witness.

However, instead of judicial affidavits, the prosecution may submit the written sworn statements of the complainant and/or the witnesses prepared by the law enforcement agents assigned to the case, or the affidavits submitted to the public prosecutor during preliminary investigation. If the prosecution chooses this option, the prosecutor shall not be allowed to ask additional direct examination questions of the complainant and/or the witnesses, except for meritorious reasons. The sworn statements and affidavits shall stand as the direct testimony of the affiants, supplemented by additional direct examination if allowed by the court.



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<p>No counterpart provision</p>	<p><u>Sec 3. Determination of probable cause.</u> – Upon receipt of the accused’s judicial counter-affidavit and/or the judicial affidavits of his or her witnesses, or the lapse of the period given for the submission thereof, the court shall determine if probable cause exists to hold the accused for trial.</p> <p><u>If the court finds that no probable cause exists, it shall order the dismissal of the case and the immediate release of the accused, if in custody.</u></p> <p><u>If the court finds that probable cause exists, the court shall set the case for arraignment and pre-trial.</u></p> <p><u>For detained accused, if the period for submission of judicial affidavits and other evidence by the accused has not yet lapsed and no submission has been made on the date set for the arraignment and pre-trial, the court may proceed with the arraignment if the accused waives the court’s consideration of his or her judicial counter-affidavit and/or the judicial affidavits of his or her witnesses in the determination of probable cause, without waiver of the admission of such judicial counter-affidavit and/or the judicial affidavits of his or her witnesses within a fresh period of ten (10) calendar days from the date of the arraignment and the pre-trial.</u></p>
<p>Sec. 16. Arrest of accused. – The court shall not order the arrest of the accused unless for failure to appear whenever required. Release of the person arrested shall either be on bail or on recognizance by a responsible citizen acceptable to the court.</p>	<p><u>Sec. 4. Arrest.</u> – The court shall <u>not issue a warrant for</u> the arrest of the accused <u>in criminal cases governed by the Rule on Summary Procedure,</u> except for failure to appear <u>despite notice,</u> whenever required by the court. Release of the person arrested shall either be on bail, or <u>on his or her own recognizance, or that of</u> a responsible citizen acceptable to the court.</p> <p><u>If the warrant of arrest could not be served on the accused because he or she could not be located, the court shall issue an order archiving the case once the law enforcement agency entrusted with the service of the warrant of arrest files a return to that effect, or after six (6) months from the issuance of the warrant of arrest, there being no return filed by the law enforcement agency.</u></p>

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Sec. 13. Arraignment and trial.²⁰ – Should the court, upon a consideration of the complaint or information and the affidavits submitted by both parties, find no cause or ground to hold the accused for trial, it shall order the dismissal of the case; otherwise, the court shall set the case for arraignment and trial.

If the accused is in custody for the crime charged, he shall be immediately arraigned and if he enters a plea of guilty, he shall forthwith be sentenced.

Sec. 14. Preliminary conference.²¹ – Before conducting the trial, the court shall call the parties to a preliminary conference during which a stipulation of facts may be entered into, or the propriety of allowing the accused to enter a plea of guilty to a lesser offense may be considered, or such other matters may be taken up to clarify the issues and to ensure a speedy disposition of the case. However, no admission by the accused shall be used against him unless reduced to writing and signed by the accused and his counsel. A refusal or failure to stipulate shall not prejudice the accused.

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Sec. 5. Arraignment and pre-trial. –

a. Upon receipt of the case, the court shall set the arraignment and pre-trial within ten (10) calendar days for detained accused and thirty (30) calendar days for non-detained accused.

The notice of arraignment and pre-trial shall require the attendance of the accused and his or her counsel and all defense witnesses, the private complainant and his or her witnesses, the public prosecutor and private prosecutor, where allowed, as well as the law enforcement agents assigned to the case.

Before arraigning the accused, the court shall inquire into the possibility of a plea bargain between the parties. If there is no plea bargain, the court shall arraign the accused on the original charge and enter his or her plea in the record.

If the accused pleads guilty to the original charge, the court shall forthwith sentence him or her.

If the accused offers to plead guilty to a lesser offense, the consent of the public prosecutor and the private complainant, or the law enforcement agent assigned to the case in victimless crimes, shall be secured, unless the latter are absent despite notice, in which case the consent of the public prosecutor shall suffice.²²

b. After arraignment, the court shall conduct the Pre-Trial Conference in accordance with the Revised Guidelines for Continuous Trial of Criminal Cases.

No admission by the accused shall be used against him or her unless reduced into writing and signed by the accused and the defense counsel. The signatures of the accused and the defense counsel either on the Pre-Trial Order or the Minutes of the Pre-Trial Conference, which embodies such admissions, shall suffice.

²⁰ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

²¹ *Id.*

²² To be reconciled with the *En Banc* decision on plea bargaining in drug cases.

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Sec. 15. Procedure of trial.²³ – At the trial, the affidavits submitted by the parties shall constitute the direct testimonies of the witnesses who executed the same. Witnesses who testified may be subjected to cross-examination, redirect or re-cross examination. Should the affiant fail to testify, his affidavit shall not be considered as competent evidence for the party presenting the affidavit, but the adverse party may utilize the same for any admissible purpose.

Except in rebuttal or surrebuttal, no witness shall be allowed to testify unless his affidavit was previously submitted to the court in accordance with Section 12 hereof.

However, should a party desire to present additional affidavits or counter-affidavits as part of his direct evidence, he shall so manifest during the preliminary conference, stating the purpose thereof. If allowed by the court, the additional affidavits of the prosecution or the counter-affidavits of the defense shall be submitted to the court and served on the adverse party not later than three (3) days after the termination of the preliminary conference. If the additional affidavits are presented by the prosecution, the accused may file his counter-affidavits and serve the same on the prosecution within three (3) days from such service.

**Rules on Expedited Procedures
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Sec. 6. Trial and offer. – At the trial, the testimonies of witnesses shall consist of the duly subscribed written statements given to law enforcement agents, or the affidavits or counter-affidavits submitted before the investigating officer, or their judicial affidavits, subject to cross, re-direct, and re-cross examination questions.

Should any affiant fail to testify, his or her affidavit shall not be considered as competent evidence for the party presenting the affidavit, but the adverse party may utilize the same for any admissible purpose.

Except on rebuttal, no witness shall be allowed to testify unless his or her affidavit was previously submitted to the court in accordance with Section 2 hereof.

The prosecution shall have sixty (60) calendar days to complete its evidence presentation. On the last day of its presentation of evidence, the public prosecutor shall orally offer the prosecution evidence. The defense counsel shall then make his or her oral comments on the offer, and thereafter, the court shall orally resolve the offer of evidence of the prosecution. The ruling shall be embodied in the written order the court will issue thereafter.

The defense shall also have sixty (60) calendar days to complete its evidence presentation. On the last day of its presentation of evidence, the defense counsel shall orally offer the defense evidence. The public prosecutor shall then make his or her oral comments on the offer, and thereafter, the court shall orally resolve the offer of evidence of the defense. The ruling shall be embodied in the written order the court will issue thereafter.

²³ *Id.*

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	<p><u>If the prosecution decides to present rebuttal evidence, it shall have fifteen (15) calendar days from the court action on the offer of defense evidence to complete the same.</u></p> <p><u>A motion for postponement of any trial date shall be presumed dilatory and denied outright, unless grounded on acts of God, force majeure, or duly substantiated physical inability of the counsel or witness. Any postponement granted by the court for the authorized causes shall not extend the period for presentation of a party's evidence. The party who sought the postponement shall only have the remaining trial dates assigned to him or her to complete.</u></p>
<p>Sec. 17. Judgment.²⁴ – Where a trial has been conducted, the court shall promulgate the judgment not later than thirty (30) days after the termination of trial.</p>	<p>Sec. 7. Judgment. – The court <u>shall render and promulgate the judgment not later than thirty (30) calendar days from the court's action on the last presenting party's offer of evidence.</u></p>
	<p>C. APPEALS IN SUMMARY PROCEDURE</p>
<p>Sec. 21. Appeal.²⁵ – The judgment or final order shall be appealable to the appropriate [R]egional [T]rial [C]ourt which shall decide the same in accordance with Section 22 of <i>Batas Pambansa Blg. 129</i>. The decision of the [R]egional [T]rial [C]ourt in civil cases governed by this Rule, including forcible entry and unlawful detainer, shall be immediately executory, without prejudice to a further appeal that may be taken therefrom. Section 10 of Rule 70 shall be deemed repealed.</p>	<p>Section 1. Ordinary appeal. – <u>Any judgment, final order, or final resolution in a Summary Procedure case may be appealed to the appropriate Regional Trial Court exercising jurisdiction over the territory under Rule 40 for civil cases and Rule 122 for criminal cases, of the Rule of Court. The appeal shall be taken by filing a notice of appeal, together with proof of payment of the appeal fees, with the court that rendered the judgment, order or resolution appealed from, within fifteen (15) calendar days from receipt of the same.</u></p>

²⁴ *Id.*

²⁵ *Id.*

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No counterpart provision	<u>Sec. 2. Remedy from judgment on appeal. – The judgment of the Regional Trial Court on the appeal shall be final, executory, and unappealable.</u>
	RULE IV THE RULE ON SMALL CLAIMS
Sec. 2. Scope. ²⁶ – These Rules shall govern the procedure in actions before the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs) for payment of money where the value of the claim does not exceed the jurisdictional amount of these courts under Republic Act No. (R.A.) 7691 (Four Hundred Thousand Pesos [P400,000.00] for the MeTCs and Three Hundred Thousand Pesos [P300,000.00] for the MTCCs, MTCs, and MCTCs), exclusive of interest and costs.	Section 1. Scope. – <u>This Rule</u> shall govern the procedure in actions before the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs) for payment <u>or reimbursement</u> of <u>a sum of</u> money where the value of the claim does not exceed <u>One Million Pesos (P1,000,000.00).</u>
Sec. 3. Objectives. ²⁷ (a) To protect and advance the constitutional right of persons to a speedy disposition of their cases; (b) To provide a simplified and inexpensive procedure for the disposition of small claims cases; and, (c) To introduce innovations and best practices for the benefit of the underprivileged.	Sec. 2. Objectives. – (a) To protect and advance the constitutional right of persons to a speedy disposition of their cases; (b) To provide a simplified and inexpensive procedure for the disposition of small claims cases; and (c) To introduce innovations and best practices for the benefit of the underprivileged.

²⁶ 26 February 2019 Resolution in A.M. No. 08-8-7-SC (*The Revised Rules of Procedure for Small Claims Cases*).

²⁷ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 4. Definition of Terms.²⁸ – For purposes of this Rule:</p> <ul style="list-style-type: none"> (a) <i>Plaintiff</i> refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against plaintiff; (b) <i>Defendant</i> is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim; (c) <i>Person</i> is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law; (d) <i>Individual</i> is a natural person; (e) <i>Motion</i> means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter; (f) <i>Good cause</i> means circumstances sufficient to justify the requested order or other action, as determined by the judge; and (g) <i>Affidavit</i> means a written statement or declaration of facts that are sworn to or affirmed to be true. 	<p>Sec. 3. Definition of terms. – For purposes of this Rule:</p> <ul style="list-style-type: none"> (a) <i>Plaintiff</i> refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against a plaintiff; (b) <i>Defendant</i> is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim; (c) <i>Person</i> is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law; (d) <i>Individual</i> is a natural person; (e) <i>Motion</i> means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter; (f) <i>Good cause</i> means circumstances sufficient to justify the requested order or other action, as determined by the judge; (g) <i>Affidavit</i> means a written statement or declaration of facts that are sworn to or affirmed to be true; (h) <u>Business of lending refers to any lending activity pursued with regularity;</u> (i) <u>Business of banking refers to the business of lending funds obtained in the form of deposits.</u>

²⁸ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 6. Commencement of Small Claims Action.²⁹ – A small claims action is commenced by filing with the court an accomplished and verified Statement of Claim (<i>Form 1-SCC</i>) in duplicate, accompanied by a Certification Against Forum Shopping, Splitting a Single Cause of Action, and Multiplicity of Suits (<i>Form 1-A-SCC</i>), and two (2) duly certified photocopies of the actionable document/s subject of the claim, as well as the affidavits of witnesses and other evidence to support the claim. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Statement of Claim, unless good cause is shown for the admission of additional evidence.</p> <p>The plaintiff must state in the Statement of Claim if he/she/it is engaged in the business of lending, banking and similar activities, and the number of small claims cases filed with the calendar year regardless of judicial station.</p> <p>No formal pleading, other than the Statement of Claim/s described in this Rule, is necessary to initiate a small claims action.</p>	<p>Sec. 4. Commencement of small claims action. – A small claims action is commenced by filing with the court an accomplished <u>Statement of Claim/s with Verification and Certification Against Forum Shopping, Splitting a Single Cause of Action, and Multiplicity of Suits</u> (Form 1-SCC) and duly certified photocopies of the actionable document/s subject of the claim, affidavits of witnesses, and other evidence to support the claim, <u>with as many copies thereof as there are defendants</u>. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Statement of Claim/s, unless good cause is shown for the admission of additional evidence.</p> <p>The plaintiff must state in the Statement of Claim/s if he/she/it is engaged in the business of lending, banking and similar activities, and the number of small claims cases filed within the calendar year regardless of judicial station.</p> <p><u>For juridical entities, a board resolution or secretary’s certificate authorizing the person to file the claim must be attached to the Statement of Claim/s.</u>³⁰</p> <p>No formal pleading, other than the Statement of Claim/s described in this Rule, is necessary to initiate a small claims action.</p>

²⁹ *Id.*

³⁰ Per Resolution dated 15 March 2022, A.M. No. 08-8-7-SC (Rules on Expedited Procedures in the First Level Courts).

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 7. Venue.³¹ – The regular rules on venue shall apply.</p> <p>However, if the plaintiff is engaged in the business of lending, banking and similar activities, and has a branch within the municipality or city where the defendant resides, the Statement of Claim/s shall be filed where that branch is located.</p>	<p>Sec. 5. Venue for small claims cases. – The regular rules on venue shall apply.</p> <p>However, if the plaintiff is engaged in the business of lending, banking and similar activities, and has a branch within the municipality or city where the defendant resides <u>or is holding business</u>, the Statement of Claim/s shall be filed <u>in the court of the city or municipality where the defendant resides or is holding business. If there are two (2) or more defendants, it shall be filed in the court of the city or municipality where any of them resides or is holding business, at the option of the plaintiff.</u></p>
<p>Sec. 8. Joinder of Claims.³² – Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed the jurisdictional amount of the concerned court under R.A. 7691 (Four Hundred Thousand Pesos [P400,000.00] for the MeTCs and Three Hundred Thousand Pesos [P300,000.00] for the MTCCs, MTCs, and MCTCs).</p>	<p>Sec. 6. Joinder of claims. – Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed <u>One Million Pesos (P1,000,000.00).</u></p>
<p>Sec. 9. Affidavits.³³ – The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants or based on authentic records, which are admissible in evidence.</p> <p>A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.</p> <p>The non-submission of the required affidavits will cause the immediate dismissal of the claim or counterclaim.</p>	<p>Sec. 7. Affidavits. – The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants or based on authentic records, which are admissible in evidence.</p> <p>A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.</p> <p>The non-submission of the required affidavits will cause the immediate dismissal of the claim or counterclaim.</p>

³¹ *Id.*

³² 26 February 2019 Resolution in A.M. No. 08-8-7-SC (*The Revised Rules of Procedure for Small Claims Cases*).

³³ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**

Sec. 10. Payment of Filing Fees.³⁴ – The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent. Exemption from the payment of filing fees shall be granted only by the Supreme Court.

However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of 500.00 shall be paid for every claim filed after the fifth (5th) claim, and an additional 100.00 or a total of 600.00 for every claim filed after the tenth (10th) claim, and another 100.00 or a total of 700.00 for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.

If the plaintiff is engaged in the business of banking, lending and similar activities, the amount of filing and other legal fees shall be the same as those applicable to cases filed under the regular rules.

A claim filed with a motion to sue as indigent (Form 6-SCC) shall be referred to the Executive Judge for immediate action in case of multi-sala courts. If the motion is granted by the Executive Judge, the case shall be raffled off or assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the P1,000.00 fee for service of summons and processes.

**Rules on Expedited Procedures
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Sec. 8. Payment of filing fees. – The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent. Exemption from the payment of filing fees shall be granted only by the Supreme Court.

However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of **Five Hundred Pesos (P500.00)** shall be paid for every claim filed after the fifth (5th) claim, and an additional **One Hundred Pesos (P100.00)** or a total of **Six Hundred Pesos (P600.00)** for every claim filed after the tenth (10th) claim, and another **One Hundred Pesos (P100.00)** or a total of **Seven Hundred Pesos (P700.00)** for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.

If a case is dismissed without prejudice under Section 12(f) of this Rule, and is re-filed within one (1) year from notice of dismissal, the plaintiff shall pay a fixed amount of Two Thousand Pesos (P2,000.00) as filing fee, inclusive of the One Thousand Pesos (P1,000.00) fee for service of summons and processes.

If the plaintiff is engaged in the business of lending, banking, and similar activities, the amount of filing and other legal fees shall be the same as those applicable to cases filed under the regular rules of procedure.

A claim filed with a motion to sue as indigent (Form 6-SCC) shall be referred to the Executive Judge for immediate action in case of multi-sala courts. If the motion is granted by the Executive Judge, the case shall be raffled off or assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) calendar days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the **One Thousand Pesos (P1,000.00)** fee for service of summons and processes.

³⁴ *Id.*

**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**

Sec. 11. Dismissal of the Claim.³⁵ – After the court determines that the case falls under these Rules, it may, from an examination of the allegations of the Statement of Claim/s and such evidence attached thereto, by itself, dismiss the case outright on any of the grounds for the dismissal of the case. The order of dismissal shall state if it is with or without prejudice.

If, during the hearing, the court is able to determine that there exists a ground for dismissal of the Statement of Claim/s, the court may, by itself, dismiss the case even if such ground is not pleaded in the defendant's Response.

If plaintiff misrepresents that he/she/it is not engaged in the business of banking, lending or similar activities when in fact he/she/it is so engaged, the Statement of Claim/s shall be dismissed with prejudice and plaintiff shall be meted the appropriate sanctions, such as direct contempt.

However, if the case does not fall under this Rule, but falls under summary or regular procedure, the case shall not be dismissed. Instead, the case shall be re-docketed under the appropriate procedure, and returned to the court where it was assigned, subject to payment of any deficiency in the applicable regular rate of filing fees. If a case is filed under the regular or summary procedure, but actually falls under this Rule, the case shall be referred to the Executive Judge for appropriate assignment.

**Rules on Expedited Procedures
in the First Level Courts**

Sec. 2. Dismissal of the claim. – After the court determines that the case falls under this Rule, it may, from an examination of the allegations of the Statement of Claim/s and such evidence attached thereto, on its own initiative, **dismiss the case outright on any of the following grounds:**

- (a) The court has no jurisdiction over the subject matter;**
- (b) There is another action pending between the same parties for the same cause;**
- (c) The action is barred by prior judgment;**
- (d) The claim is barred by the Statute of limitations;**
- (e) The court has no jurisdiction over the person of the defendant;**
- (f) Venue is improperly laid;**
- (g) Plaintiff has no legal capacity to sue;**
- (h) The Statement of Claim/s states no cause of action;**
- (i) That a condition precedent for filing the claim has not been complied with; and**
- (j) Plaintiff failed to submit the required affidavits, as provided in Section 7 of this Rule.**

The order of dismissal shall state if it is with or without prejudice.

If, during the hearing, the court is able to determine that there exists a ground for dismissal of the Statement of Claim/s, the court may, **on its own initiative**, dismiss the case even if such ground is not pleaded in the defendant's Response (**Form 3-SCC**).

If plaintiff misrepresents that he/she/ it is not engaged in the business of lending, banking, or similar activities when in fact he/she/it is so engaged, the Statement of Claim/s shall be dismissed with prejudice and plaintiff shall be meted the appropriate sanctions, **including citation for direct contempt**.

However, if the case does not fall under this Rule, but falls under summary or regular procedure, **or if the case is filed under summary or regular procedure but falls under this Rule**, the case shall not be dismissed. Instead, the case shall be re-docketed under the appropriate procedure, and returned to the court where it was assigned, subject to payment of any deficiency in the applicable regular rate of filing fees.

³⁵ *Id.*

**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**

Sec. 12. Summons and Notice of Hearing.³⁶

– If no ground for dismissal is found, the court shall forthwith issue Summons (*Form 2-SCC*) on the day of receipt of the Statement of Claim/s, directing the defendant to submit a verified Response.

The court shall also issue a Notice of Hearing (*Form 4-SCC*) to both parties, directing the to appear before it on a specific date and time for hearing, with a warning that no unjustified postponement shall be allowed, as provided in Section 21 of this Rule.

The Summons to be served on the defendant shall be accompanied by a copy of the Statement of Claim/s and documents submitted by plaintiff, and a blank Response Form (*Form 3-SCC*) to be accomplished by the defendant.

A Notice of Hearing shall accompany the Summons and shall contain: (a) the date of the hearing, which shall not be more than thirty (30) days from the filing of the Statement of Claim/s; and (b) the express prohibition against the filing of a motion to dismiss or any other motion under Section 16 of this Rule.

If Summons is returned without being served on any or all of the defendants, the court shall order the plaintiff to cause the service of summons and shall inform the court within thirty (30) days from notice if said summons was served or not; otherwise, the Statement of Claim/s shall be dismissed without prejudice as to those who were not served with summons.

**Rules on Expedited Procedures
in the First Level Courts**

Sec. 10. Summons and Notice of Hearing. – If no ground for dismissal is found, the court shall forthwith issue Summons (*Form 2-SCC*) within twenty-four (24) hours from receipt of the Statement of Claim/s, directing the defendant to submit a verified Response.

The Summons to be served on the defendant shall be accompanied by a copy of the Statement of Claim/s and documents submitted by plaintiff, and a blank Response Form (*Form 3-SCC*) to be accomplished by the defendant.

The court shall also issue a Notice of Hearing (*Form 4-SCC*) to both parties, directing them to appear before it on a specific date and time for hearing, with a warning that no unjustified postponement shall be allowed, as provided in Section 20 of this Rule. A blank Special Power of Attorney (*Form 7-SCC*) shall be attached to the Notice of Hearing.

The Notice of Hearing shall accompany the Summons and shall contain: (a) the date of the hearing, which shall not be more than thirty (30) calendar days from the filing of the Statement of Claim/s, or not more than sixty (60) calendar days if one of the defendants resides or holds business outside the judicial region; and (b) the express prohibition against the filing of a motion to dismiss or other prohibited motions under **Section 2, Rule II.**

³⁶ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
No counterpart provision	<p><u>Sec. 11. <i>Electronic filing and service.</i> – The service of court issuances and filings by the plaintiff/s and defendant/s may be made through e-mail, facsimile, and other electronic means. Notices may also be served through mobile phone calls, short messaging service (SMS), or instant messaging (IM) software applications. The consent to, and chosen mode of, electronic service and notice shall be indicated in the Statement of Claim/s or Response, as the case may be.</u></p>
No counterpart provision	<p><u>Sec. 12. <i>Service of Summons.</i> –</u></p> <p><u>(a) The Summons and Notice of Hearing must be issued within twenty-four (24) hours from receipt of the Statement of Claim/s.</u></p> <p><u>The Summons, together with the Notice of Hearing, shall be served by the sheriff, his or her deputy, or other proper court officer within ten (10) calendar days from issuance. Within five (5) calendar days from such service, the Officer’s Return shall be filed with the court with a copy furnished to the plaintiff at the given address/es of record.</u></p> <p><u>(b) If Summons is returned without being served on any or all of the defendants, the court shall order the plaintiff or his or her representative to serve or cause the service of Summons.</u></p> <p><u>(c) In cases where Summons is to be served outside the judicial region of the court where the case is pending, the court may order the plaintiff or his or her representative to serve or cause the service of Summons.</u></p> <p><u>(d) If the plaintiff is a juridical entity, it shall notify the court, in writing, and name its authorized representative therein, attaching a board resolution or secretary’s certificate thereto, as the case may be, stating that such representative is duly authorized to serve the Summons on behalf of the plaintiff.</u></p>

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>No counterpart provision</p>	<p>(e) <u>If the plaintiff misrepresents that the defendant was served with Summons, and it is later proved that no Summons was served, the case shall be dismissed with prejudice, the proceedings shall be nullified, and the plaintiff shall be declared in indirect contempt under Rule 71 of the Rules of Court, and/or be meted a fine in the amount of Five Thousand Pesos (P5,000.00).</u></p> <p>(f) <u>In both instances under paragraphs (b) and (c), the plaintiff shall inform the court within thirty (30) calendar days from notice if said Summons was served; otherwise, the Statement of Claim/s shall be dismissed without prejudice as to those who were not served with Summons. This is not a ground to archive the case. The case, however, may be re-filed within one (1) year from notice of dismissal, subject to payment of reduced filing fees under Section 8 hereof.</u></p>
<p>Sec. 13. Response.³⁷ – The defendant shall file with the court and serve on the plaintiff a duly accomplished and verified Response within a non-extendible period of ten (10) days from receipt of summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.</p>	<p>Sec. 13. Response. – The defendant shall file with the court and serve on the plaintiff a duly accomplished and verified Response (Form 3-SCC) within a non-extendible period of ten (10) calendar days from receipt of Summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.</p>

³⁷ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**
Sec. 14. Effect of Failure to File Response.³⁸

– Should the defendant fail to file his/her/its Response within the required period, and likewise fail to appear on the date set for hearing, the court shall render judgement on the same day, as may be warranted by the facts alleged in the Statement of Claim/s.

Should the defendant fail to file his/her/its Response within the required period but appears on the date set for hearing, the court shall ascertain what defense he/she/it has to offer which shall constitute his/her/its Response, and proceed to hear or adjudicate the case on the same day as if a Response has been filed.

**Rules on Expedited Procedures
in the First Level Courts**

Sec. 14. *Effect of failure to file response.* – Should the defendant fail to file his/her/its Response within the required period, and likewise fail to appear on the date set for hearing, the court shall render judgment **within twenty-four (24) hours from the termination of the hearing,** as may be warranted by the facts alleged in the Statement of Claim/s **and its attachments.**

Should the defendant fail to file his/her/its Response within the required period but appear on the date set for the hearing, the court shall ascertain what defense he/she/it has to offer, which shall constitute his/ her/its Response, **proceed to hear the case on the same day as if a Response has been filed and, thereafter, render judgment within twenty-four (24) hours from the termination of the hearing. If the defendant relies on documentary evidence to support his/her/its defense, the court shall order him/her/it to submit original copies of such documents within three (3) calendar days from the termination of the hearing and, upon receipt thereof or expiration of the period to file, the court shall render judgment within twenty-four (24) hours.**

³⁸ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 15. Counterclaims Within the Coverage of this Rule.³⁹ – If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff’s claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from suing on the counterclaim.</p> <p>The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.</p>	<p>Sec. 15. <i>Counterclaims within the coverage of this Rule.</i> – If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff’s claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from suing on such counterclaim.</p> <p>The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.</p> <p><u>Any amount pleaded in a counterclaim in excess of One Million Pesos (₱1,000,000.00), excluding interests and costs, shall be deemed waived.</u></p>

³⁹ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 17. Availability of Forms; Assistance by Court Personnel.⁴⁰ – The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements as well as procedure for small claims cases.</p>	<p>Sec. 16. <i>Availability of forms; assistance by court personnel.</i> – The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements, as well as procedure, for small claims cases.</p> <p><u>Plaintiff shall be given copies of Forms 1-SCC (Statement of Claim/s), 1-A-SCC (Other Plaintiffs or Defendants) for additional plaintiffs or defendants, if any, and 1-B-SCC (Plaintiff’s Information Sheet).</u></p> <p><u>The Branch Clerk of Court must ensure that there should be, at least, one (1) hearing day every week devoted to Small Claims, with a minimum of five (5) cases scheduled per hearing day. Cases with the same party-plaintiff may all be set on the same date for facility in the preparation of notices and judgments. The court should post a notice of its Small Claims hearing day conspicuously at the Branch and at the Office of the Clerk of Court.</u></p>

⁴⁰ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 18. Appearance.⁴¹ – The parties shall personally appear on the designated date of hearing.</p> <p>Appearance through a representative must be for a valid cause. The representative of an individual-party must not be a lawyer, and must be related to or next-of-kin of the individual-party. Juridical entities shall not be represented by a lawyer in any capacity.</p> <p>The representative must be authorized under a Special Power of Attorney (<i>Form 7-SCC</i>) to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.</p>	<p>Sec. 17. Appearance. – The parties shall personally appear on the designated date of hearing.</p> <p>Appearance through a representative must be for a valid cause. The representative of an individual-party <u>must not be a lawyer</u>. Juridical entities shall not be represented by a lawyer in any capacity.</p> <p>The representative must be authorized under a Special Power of Attorney (Form 7-SCC), board resolution or secretary’s certificate, as the case may be, to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.</p>
<p>Sec. 19. Appearance of Attorneys Not Allowed.⁴² – No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.</p> <p>If the court determines that a party cannot properly present his/her claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter’s consent.</p>	<p>Sec. 18. Appearance of attorneys not allowed. – No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.</p> <p>If the court determines that a party cannot properly present his/her/its claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter’s consent.</p>

⁴¹ *Id.*

⁴² *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 20. Non-appearance of Parties.⁴³ – Failure of the plaintiff to appear shall be cause for the dismissal of the Statement of Claim/s without prejudice. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on a permissive counterclaim.</p> <p>Failure of the defendant to appear shall have the same effect as failure to file a Response under Section 14 of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.</p> <p>Failure of both parties to appear shall cause the dismissal with prejudice of both the Statement of Claim/s and the counterclaim.</p>	<p>Sec. 19. <i>Non-appearance of parties.</i> – Failure of the plaintiff to appear shall be cause for the dismissal of the Statement of Claim/s without prejudice. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on the counterclaim.</p> <p>Failure of the defendant to appear shall have the same effect as failure to file a Response under Section 14 of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.</p> <p>Failure of both parties to appear shall cause the dismissal with prejudice of both the Statement of Claim/s and the counterclaim.</p>
<p>Sec. 21. Postponement When Allowed.⁴⁴ – A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.</p>	<p>Sec. 20. <i>Postponement when allowed.</i> – A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.</p>
<p>Sec. 22. Duty of the Court.⁴⁵ – At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.</p>	<p>Sec. 21. <i>Duty of the court.</i> – At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.</p>

⁴³ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

⁴⁴ *Id.*

⁴⁵ *Id.*

**1991 Revised Rule on Summary Procedure/
2016 Revised Rules on Small Claims Cases**

Sec. 23. Hearing.⁴⁶ – At the hearing, the judge shall first exert efforts to bring the parties to an amicable settlement of their dispute. If efforts at settlement fail, the hearing shall immediately proceed in an informal and expeditious manner and be terminated within the same day.

Any settlement (*Form 8-SCC*) or resolution of the dispute shall be reduced into writing, signed by the parties and submitted to the court for approval (*Form 9-SCC and Form 10-SCC*).

**Rules on Expedited Procedures
in the First Level Courts**

Sec. 22. Hearing. – At the hearing, the judge shall first exert efforts to bring the parties to an amicable settlement of their dispute. Settlement discussions must be conducted in strict confidentiality.

Any settlement or resolution of the dispute shall be reduced into writing, signed by the parties, and immediately submitted to the court for approval at the hearing (Form 9-SCC). The court shall render judgment based on the compromise agreement within twenty-four (24) hours, and furnish copies thereof to the parties (Form 10-SCC).

If at any time before or at the hearing, a compromise agreement is submitted, signed by both parties, but only one (1) or neither party appears to confirm it, the court shall issue an order directing the non-appearing party/ies to confirm the compromise agreement within three (3) calendar days from notice hereof; otherwise, it shall be deemed confirmed.

If efforts at settlement fail, the court shall immediately proceed to hear the case in an informal and expeditious manner and, thereafter, render judgment within twenty-four (24) hours from termination of the hearing.

⁴⁶ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>No counterpart provision.</p>	<p><u>Sec. 23. Resort to alternative videoconferencing platform. – Should the hearing be done through videoconferencing, the court shall require the parties to participate through the use of the Court-prescribed videoconferencing platform. However, if any of the participants communicates his or her difficulty in accessing or using the said videoconferencing platform, the court may allow the use of alternative videoconferencing platforms or instant messaging (IM) applications with video call features, <i>provided</i> that the following conditions are met:</u></p> <p><u>(a) The court shall use either its official e-mail address or cell phone number to access the alternative videoconferencing platform or instant messaging (IM) application;</u></p> <p><u>(b) The parties shall use the e-mail address or cell phone number they indicated in their Statement of Claim/s or Response, as the case may be, to access the alternative videoconferencing platform or instant messaging (IM) application; and</u></p> <p><u>(c) The court shall maintain a record and transcription of the proceedings.</u></p>

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 24. Decision.⁴⁷ – After the hearing, the court shall render its decision based on the facts established by the evidence (<i>Form 11-SCC</i>), within twenty-four (24) hours from termination of the hearing. The decision shall immediately be entered by the Clerk of Court in the court docket for civil cases and a copy thereof forthwith served on the parties.</p> <p>The decision shall be final, executory and unappealable.</p>	<p>Sec. 24. Decision. – After the hearing, the court shall render its decision based on the facts established by the evidence, within twenty-four (24) hours from termination of the hearing (<u>Form 11-SCC</u>). <u>The refund of the remaining balance from the Sheriff’s Trust Fund (STF), subject to accounting and auditing procedures, shall be included in the decision.</u></p> <p>The decision shall immediately be entered by the Clerk of Court in the court docket for civil cases and a copy thereof forthwith served on the parties.</p> <p>The decision shall be final, executory and unappealable.</p>
<p>Sec. 25. Execution.⁴⁸ – When the decision is rendered, execution shall issue upon motion (<i>Form 12-SCC</i>) of the winning party.</p>	<p>Sec. 25. Execution. – When the decision is rendered <u>and proof of receipt thereof is on record</u>, execution shall issue (<u>Forms 13-SCC, 13-A-SCC, or 13-B-SCC</u>) upon <i>ex parte</i> motion of the winning party (<u>Form 12-SCC</u>). <u>However, a decision based on compromise shall not be covered by the requirement of proof of receipt.</u></p>
<p>Sec. 26. Certification of documents.⁴⁹ – All documents attached to the Statement of Claim/s or Response that are required to be certified, except public or official documents, shall be certified by the signature of the plaintiff or defendant concerned.</p>	<p>Sec. 26. Certification of documents. – All documents attached to the Statement of Claim/s or Response that are required to be certified, except public or official documents, shall be certified by the signature of the plaintiff or defendant concerned.</p>

⁴⁷ 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).

⁴⁸ *Id.*

⁴⁹ *Id.*

1991 Revised Rule on Summary Procedure/ 2016 Revised Rules on Small Claims Cases	Rules on Expedited Procedures in the First Level Courts
<p>Sec. 28. Non-applicability.⁵⁰ – The rules on mediation/judicial dispute resolution shall not apply, inasmuch as the parties may enter into compromise at any stage of the proceedings.</p>	<p>Sec. 27. Non-applicability. – The rules on mediation <u>and</u> judicial dispute resolution shall not apply, as the parties may enter into compromise at any stage of the proceedings.</p>
	<p>RULE V EFFECTIVITY</p>
<p>Sec. 23. Effectivity.⁵¹ – This revised Rule on Summary Procedure shall be effective on November 15, 1991.</p> <p>Sec. 29. Effectivity.⁵² – These Revised Rules shall take effect on February 1, 2016 following their publication in two newspapers of general circulation. They shall govern all cases filed after their effectivity, and also all pending proceedings, except to the extent that in the opinion of the court, their application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.</p>	<p><u>The Rules on Expedited Procedures in the First Level Courts shall take effect on 11 April 2022 and shall prospectively apply only to cases filed from the said date of effectivity. Those pending cases covered by these Rules, which are currently before the second and first level courts, shall remain with and be decided by those same courts based on the rules applicable at the time those cases were filed.</u></p>

⁵⁰ *Id.*

⁵¹ 15 October 1991 Resolution in A.M. No. 02-11-09-SC (*The 1991 Revised Rule on Summary Procedure*).

⁵² 8 December 2015 Resolution in A.M. No. 08-8-7-SC (*The 2016 Revised Rules of Procedure for Small Claims Cases*).



FLOWCHARTS OF THE RULE ON SUMMARY PROCEDURE

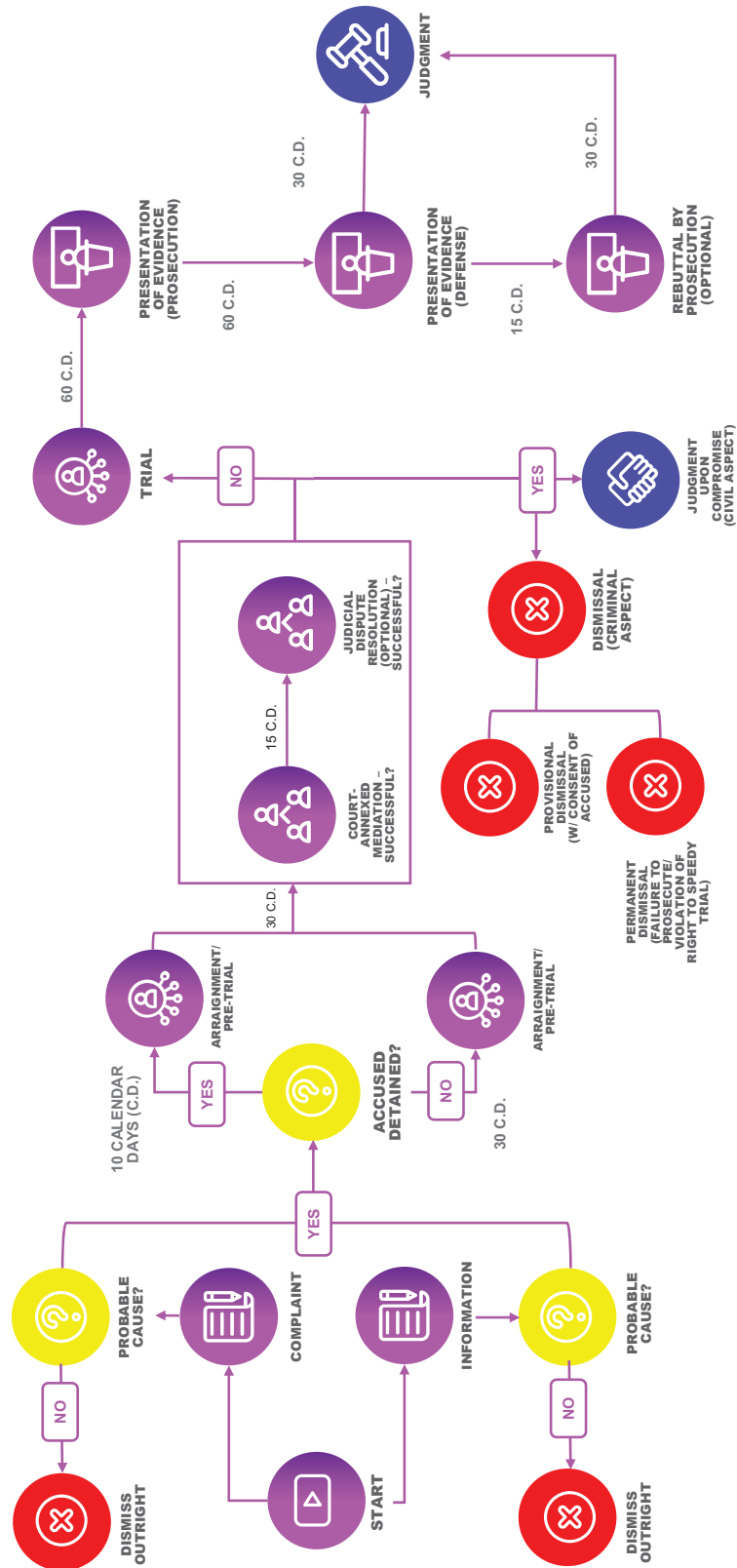
TOTAL MINIMUM TIMEFRAME:
 $5 + 30 + 5 + 30 + 30 + 30 = 130$

TOTAL MAXIMUM TIMEFRAME:
 $5 + 30 + 15 + 10 + 5 + 30 + 30 + 15 + 30 = 170$



RULE ON SUMMARY PROCEDURE: A TIMELINE FOR CRIMINAL CASES

TOTAL MINIMUM TIMEFRAME: 30 + 60 + 60 + 30 = 180
TOTAL MAXIMUM TIMEFRAME: 30 + 15 + 60 + 60 + 15 + 30 = 210
 [NOTE: Add 10 days for detained accused;
 30 days for undetained accused.]





FLOWCHART OF THE RULE ON SMALL CLAIMS

SMALL CLAIMS TIMELINE



SMALL CLAIMS CASES FORMS 1 TO 13 (ENGLISH/VISAYAN)

FORM 1-SCC**PLAINTIFF'S STATEMENT OF CLAIM/S
Asunto sa Pagsingil****FOR OFFICIAL USE ONLY**

Para ra sa Opisyal nga Gamit

Clerk stamps date here when form is filed.

Instructions for the Person Suing

- YOU ARE THE PLAINTIFF.** The person you are suing is the defendant. Before you fill out this form, read Form 1-B-SCC, Information for the Plaintiff, to know your rights. Get Form 1-B-SCC at the Office of the Clerk of Court of any court nearest you or go to <https://oca.judiciary.gov.ph/small-claims/>.
- Fill out pages 1-6 of this form. Then make copies of all pages of this form and the attached documents (make one copy for each defendant named in this case and an extra copy for yourself.) Take the original and these copies to the Office of the Clerk of Court and pay the filing fees. Have the forms and all your supporting documents notarized or administered by either a notary public, the Clerk of Court of the Office of the Clerk of Court (OCC) where the case will be filed, a Branch Clerk of Court, or a Barangay Chairperson.
- Go to court on your trial date and time indicated in the Notice of Hearing.

Mga Pahinumdon sa Tawo nga Gareklamo:

- IKAW ANG NAGAREKLAMO.** Ang tawo nga imo gikasuhan mao ang ginareklamo.
- Bag-o nimo sulatan/tubagon kini nga papel, basaha usa ang Form 1-B-SCC (Pahibalo (Form 1-B) para sa Nagareklamo) para imo mahibaw-an ang imong mga katungod. Kuha-a ang kopya sa Form 1-B-SCC sa Office of the Clerk of Court sa korte nga pinaka duol sa imo o bisitaha ang website na <https://oca.judiciary.gov.ph/small-claims/>.
- Pun-i o tubaga ang mga panid 1-6 ani nga papel/porma. Himo-i og kopya ang tanan nga panid ani nga papel ug ang mga gilakip nga mga dokumento. (Pag-himo og tagsa ka kopya ang kada usa sa imong ginareklamo, og usa ka kopya para sa imo kaugalingon.) Ihatag sa hukuman/korte (Office of the Clerk of Court) ang mga orihinal ug mga kopya og bayari ang filing fees o mga bayrunon sa pagpasaka ani nga kaso. Ipasertipika ang tanan nga papel/porma og mga dokumento sa Clerk of Court of the Office of the Clerk of Court (OCC) kon aha nimo gipasaka ang kaso o sa Branch Clerk of Court o notaryo publiko o Punong Barangay.
- Pagtambong sa pagdungog sa kaso sa petsa ug oras nga nakabutang sa Abiso sa Pagdungog.

Fill in court name, street address, and email:

**Republic of the Philippines
Court:****Branch:****Street address:****Hotline:****Email address:**

Court fills in case number when form is filed.

Case Number:**Case Title:**

Branch Clerk of Court fills out this checklist.

1. Cause of action

- ☐
- Check
-
- ☐
- Promissory Note

- ☐
- Contract
-
- ☐
- Oral
-
- ☐
- Written

- ☐
- Barangay Agreement
-
- ☐
- Others (Pls. specify) _____

2. Barangay conciliation

- ☐
- Required
-
- ☐
- Certificate to File Action attached
-
- ☐
- Compromise Agreement attached
-
- ☐
- Not Required (Pls. state reason): _____

1 THE PLAINTIFF (the person, business, or public entity that is suing) is: Ang Nagareklamo

Name Ngalan sa Nagareklamo

Sex Kasarian

Age Idad

Civil Status Sibil nga kahimtang

Check those that apply: Pagpili sa ubos og butangi og tsek:

Type of Plaintiff Klase sa Nagareklamo

- ☐
- Individual Tawo/Indibidwal
-
- ☐
- Corporation Korporasyon
-
- ☐
- Partnership Panag-uban sa negosyo
-
- ☐
- Cooperative Kooperatiba
-
- ☐
- Sole Proprietorship Solo na Pagpanag-iya

Type of Business Klase sa Negosyo

- ☐
- Banking Bangko
-
- ☐
- Lending Pagpahulam/Pagpa-utang
-
- ☐
- Others (pls. indicate): og uban pa nga Negosyo: _____

Home Address Adres/Lugar sa Paghatod sa Sulat sa Balay sa Nagareklamo

Unit/Floor/House/Building No. Numero sa Andana

Street Dalan

Barangay

Zip Code

City/Siyudad/Municipality Munisipyo

Province Probinsiya

Region Rehiyon

Contact No. Telepono/Selpon Numero

Email Address

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 1 of 10



Plaintiff (list name)

Case Number:

Place of Work/Business *Lugar kon asa ka Nagatrabaho/Naganegosyo*

Unit / Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad / Municipality Munisipyo		Province Probinsiya	Region Rehiyon
Contact No. Telepono/Selpon Numero		Email Address	

If more than one plaintiff, list next plaintiff here:

Name Ngalan sa Nagareklamo	Sex Kasarian	Age Idad	Civil Status Sibil nga Kahintang
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Check those that apply: *Pagpili sa ubos og butangi og tsek:*

Type of Plaintiff Klase sa Nagareklamo	Type of Business Klase sa Negosyo
<input type="checkbox"/> Individual Tawo/Indibidwal	<input type="checkbox"/> Banking Bangko
<input type="checkbox"/> Corporation Korporasyon	<input type="checkbox"/> Lending Pagpahulam/Pagpautang
<input type="checkbox"/> Partnership Panag-uban sa negosyo	<input type="checkbox"/> Others (pls. indicate): uban pa nga mga negosyo
<input type="checkbox"/> Cooperative Kooperatiba	
<input type="checkbox"/> Sole Proprietorship Solo nga Panag-iya	

Home Address *Adres/Lugar sa Paghatod sa Sulat sa Balay Nagareklamo*

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo		Province Probinsiya	Region Rehiyon
Contact No. Telepono/Selpon Numero.		Email Address	

Place of Work/Business *Lugar ng Pinagtatrabahuan/Negosyo ng Naghahabla*

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo		Province Probinsiya	Region Rehiyon
Contact No. Telepono/Selpon Numero		Email Address	

- ☐ Check here if more than two plaintiffs and attach Form 1-A-SCC (Other Plaintiffs or Defendants).
Butangi og tsek kon molapas sa duha (2) ang mga Nagareklamo, ug ilakip/i-apil ang Form 1-A-SCC (Mga Uban Pa Nga Nagareklamo o Ginareklamo).

Plaintiff's Representative, if applicable *Representante sa Nagareklamo, kon magamit*

Name Ngalan sa Representante sa Nagareklamo

Home Address *Adres/Lugar sa Paghatod sa Sulat sa Balay sa Nagareklamo*

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo		Province Probinsiya	Region Rehiyon
Contact No. Telepono/Selpon Numero		Email Address	

Place of Work *Lugar kung asa Nagatrabaho ang Representante sa Nagareklamo*

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo		Province Probinsiya	Region Rehiyon
Contact No. Telepono/Selpon Numero		Email Address	

Plaintiff as a juridical entity, if applicable *Juridical entity ang nagareklamo, kon magamit*

- ☐ Check here if there is a board resolution or secretary's certificate attached to the Statement of Claim/s authorizing the person to file the claim for the juridical entity.
Butangi og tsek kung naay board resolution o secretary's certificate nga gilakip sa Asunto sa Pagsingil na gipagtugot ang tawo/representante na magpasaka og pagsingil para sa organisasyon o korporasyon.

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 2 of 10

Plaintiff (list name)

Case Number:

2 THE DEFENDANT (the person, business, or public entity being sued) is: Ang Ginareklamo

Name *Ngalan sa Ginareklamo* Sex *Kasarian* Age *Idad* Civil Status *Sibil nga kahimtang*

Check those that apply: Pili sa ubos, butangi og tsek:

- Type of Defendant *Klase sa Ginareklamo*
- ☐ Cooperative *Kooperatiba*
- ☐ Sole Proprietorship *Solo na Pagpanag-iya*
- ☐ Individual *Tawo/Indibidwal*
- ☐ Corporation *Korporasyon*
- ☐ Partnership *Panag-uban sa negosyo*

Home Address *Adres/Lugar sa Paghatod sa Sulat sa Balay sa Ginareklamo*

Unit/Floor/House/Building No. *Numero sa Andana Street Dalan* Barangay Zip Code

City *Siyudad/Municipality Munisipyo* Province *Probinsiya* Region *Rehiyon*

Contact No. *Telepono/Selpon Numero* Email Address

Place of Work/Business *Lugar kung asa Nagatrabaho/Naganegosyo ang Ginareklamo*

Unit/Floor/House/Building No. *Numero sa Andana Street Dalan* Barangay Zip Code

City *Siyudad/Municipality Munisipyo* Province *Probinsiya* Region *Rehiyon*

Contact No. *Telepono/Selpon Numero* Email Address

- ☐ Check here if there is more than one defendant and attach Form 1-A-SCC (Other Plaintiffs or Defendants).
Butangi og tsek kon molapas sa usa ka tawo ang ginareklamo, ug ilakip/i-apil ang Form 1-A-SCC (Mga uban pa nga mga Nagareklamo o Ginareklamo).
- ☐ Check here if any defendant is detained or serving sentence in a prison facility. Write his/her name and the name and address of the detention or prison facility: (Butangi og tsek kung ang ginareklamo kay napriso o naa sa prisuhan. Isulat iya ngalan ug ang ngalan ug lugar sa prisuhan):

Defendant's Representative, if applicable *Representante sa Ginareklamo, kon magamit*

Name *Ngalan sa Representante sa Ginareklamo*

Home Address *Adres/Lugar sa Paghatod nga Sulat sa Balay sa Ginareklamo*

Unit/Floor/House/Building No. *Numero sa Andana Street Dalan* Barangay Zip Code

City *Siyudad/Municipality Munisipyo* Province *Probinsiya* Region *Rehiyon*

Contact No. *Telepono/Selpon Numero* Email Address

Place of Work *Lugar kon asa Nagatrabaho ang Representante sa Ginareklamo*

Unit/Floor/House/Building No. *Numero sa Andana Street Dalan* Barangay Zip Code

City *Siyudad/Municipality Munisipyo* Province *Probinsiya* Region *Rehiyon*

Contact No. *Telepono/Selpon Numero* Email Address

3 PLAINTIFF'S CLAIM

- A. Plaintiff claims that the defendant owes him/her/it money in the amount of:
Ang ginareklamo naay utang sa nagareklamo sa kantidad nga:

₱

- B. Why does the defendant owe the plaintiff money? *Ngano nagkautang og kwarta ang ginareklamo sa nagareklamo?*

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 3 of 10

Plaintiff (list name)

Case Number:

C. When did this happen? *Kanus-a kini nahitabo?* Date *Petsa* : _____
If no specific date, give the time period: *Kon wala sakto nga petsa, ihatag ang imo bana-bana nga panahon:*

Date started *Petsa na nagsugod:*

Through *Taman:* _____

D. How did you compute the money owed to you? (Do not include court costs or fees.) *Giunsa nimo pag-compute/pag-kwenta/pagkalkula ang kwarta nga gi-utang sa imo? (Ayaw i-apil ang mga gasto o bayrunon sa korte.)*

☐ Check here if you need more space. You may write at the back of this form or attach additional sheets of paper and write "Form 1-SCC, Item 3" at the top. Butangi og tsek kon kinahanglan nimo og dugang nga mga panid o luna. Pwede nimo sulatan ang likod ani nga Form og maglakip o magdugang og mga papel ug isulat ang "Form 1-SCC, Item 3" sa babaw.

4 DEMAND FOR PAYMENT

A. Did you ask the defendant to pay you before filing this case? *Gisingil ba nimo ang ginareklamo bag-o nimo gipasaka kini nga kaso?*

☐ Yes *Oo*

☐ No *Wala*. If no, please explain. *Kung wala, ipasabot dinhi.* _____

B. How did you ask the defendant? *Giunsa nimo pagsingil ang ginareklamo?*

☐ In person *Sa iyaha mismo*

☐ By phone *Sa telepono*

☐ In writing *Sa sulat*

☐ Others (pls. specify): *Uban pa (isulat kung giunsa):*

C. When did you do this? *Kanusa nimo gisingil?*

5 PROOF OF CLAIM

A. What is your proof that defendant owes you money? *Unsa imo pruwera nga naa utang nga kwarta sa imo ang ginareklamo?*

☐ signed

☐ checks

☐ deed/contract/agreement

☐ latest demand letter (with proof of delivery and receipt)

☐ promissory note

☐ affidavit of witnesses to support the claim

☐ bank deposit slip

☐ others (pls. specify): *Uban pa (isulat kung unsa):*

☐ receipts

B. Did you attach your proof to this form? *Imo ba gilakip/gi-apil ang imo pruwera ani nga form/papel?*

☐ Yes *Oo*

☐ No *Wala*

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 4 of 10

Plaintiff (list name)

Case Number:

6 BARANGAY CONCILIATION *Katarungang Pambarangay*

Was this claim referred to the barangay? *Ni-agi na ba sa barangay kini nga pagsingil?*

☐ Yes *Oo*

If yes, do you have any of the following from the barangay? *Kung oo, naa ba ka aning mga dokumento sa ubos nga gihimo sa barangay?*

- ☐ Certificate to File Action *Pruweba sa Pagpasaka sa Kaso*
☐ Compromise Agreement *Panagsabot*

☐ No *Wala*
☐ Not covered *Dili sakop*

If no, state reason. *Kon wala, isulat ang hinungdan.*

7 NUMBER OF SMALL CLAIMS CASES FILED

How many small claims cases have you filed within this calendar year prior to this present case in this court station and in the entire country? _____

Pila na ka mga kasong imo napasaka sa sulod sa karon/presente nga tuig sa kalendaryo diri sa korte ug sa tibuok nasud?

8 CONSENT TO ELECTRONIC SERVICE

☐ I give my consent to be served with official court notices, processes, orders, resolutions and decisions, as well as filings by the Defendant, through: *Ako ginahatag ang akong pagtugot nga ihatud sa ako ang mga opisyal nga abiso, proseso, sugo, resolusyon, ug desisyon sa korte/hukuman, apil ang mga pagpasaka/pagsumiti sa Ginareklamo, pinaagi sa: (Check those that apply Pili sa ubos og butangi og tsek)*

- ☐ email address: _____
☐ fax number: _____
☐ cell phone number: _____
 o phone call
 o text message (SMS)
 o instant message (ex. Viber, WhatsApp, Facebook Messenger) pls. specify: _____

9 PRAYER *Pakiluoy/Paghangyo*

WHEREFORE, plaintiff respectfully prays for judgment ordering defendant/s to pay the amount of (in words) _____
(in figures) ₱ _____, with interest at the rate of _____% per annum/month, from _____ until fully paid.

TUNGOD ANI, ang nagareklamo kay matinahuron nga naghangyo nga ihatag ang paghatol nga sugu-on ang ginareklamo nga magbayad sa kantidad (in words) _____ (in figures) ₱ _____, apil ang tubo/interes nga _____% kada-tuig/bulan, gikan _____ hangtud sa mabayran kini og tibuok.

City *Siyudad:*

Date *Petsa:*

Plaintiff's Signature *Pirma sa Nagareklamo:*

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 5 of 10

Plaintiff (list name)

Case Number:

10 VERIFICATION AND CERTIFICATION AGAINST FORUM SHOPPING, SPLITTING A CAUSE OF ACTION, AND MULTIPLICITY OF SUITS *Pagpapatotoo o Pagpapatunay na Wala'y Uban na Kasong Nakasampa/Nakabinbin sa Uban na Korte/Hukuman*

I Ako, _____, of legal age *naa sa sakto nga idad*, _____,
(Name *Ngalan*) (Citizenship *Pagkalungsoranon*)
_____, and a resident of _____
(Civil Status *Sibil nga Kahimtang*)

(Residence *Pinuy-anan*)

under oath, state *kay nanumpa nga*:

1. I am the plaintiff in the above-entitled case who prepared and filled out the Statement of Claim/s. I read and understood its contents which are true and correct of my own personal knowledge and/or based on true records. *Ako ang nagareklamo ani nga nga kaso, og ako ang nagahimo ug nagbutang ani nga Asunto sa Pagsingil. Nabasa ug nasabtan naku ang mga sulod ani nga Asunto sa Pagsingil, og ako gipamatud-an base sa akong personal na kahibalo, ug/o base sa tinood nga mga record;*
2. The Statement of Claim/s is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation. *Ang Asunto sa Pagsingil kay ako gisumiti/gipasaka sa korte dili para maka-haras o makapadugay sa kaso, o makahimo og walay hinungdan nga gastos sa proseso sa korte;*
3. I have not commenced any action or proceeding involving the same issue or subject matter in the Supreme Court, Court of Appeals, or any other tribunal or agency, and that the check/s covered in this case has/have not been the subject of a criminal charge filed before the Office of the Provincial/City Prosecutor; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, Court of Appeals, or any other tribunal or agency; and that, if I should learn thereafter that a similar action or proceeding has been filed or is pending before this court, tribunal, or agency, I undertake to report that fact to this court within five (5) days therefrom. *Wala ko nagpasaka og lain nga kaso og walay lain kaso nga samtang ginadungog sa lain nga korte o uban pa nga ahensya sa gobyerno kabahin ani nga transaksyon, ug kon naa man cheke/mga cheke nga naapil ani, walay bulag nga kaso na kriminal ang ipasaka diri. Kon madiskubri naku nga naa lain kaso nga napasaka o samtang nga ginadungog sa lain nga korte o ahensya sa gobyerno kabahin ani nga transaksyon o cheke/mga cheke, nagasaad ko nga ako ipahibalo dayun ani nga korte sa sulod sa lima (5) ka adlaw gikan sa akong pagdiskubre;*
4. The filing of this case is not in violation of the rule against splitting a single cause of action or multiplicity of suits. *Ang pagpasaka ani nga kaso kay dili sukwahi sa palisiya sa Korte Suprema na ginadili ang pagpasaka og lain-lain nga kaso nga nagagikan sa usa ra ka transaksyon.*

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Plaintiff's Name and Signature
Ngalan ug Pirma sa Nagareklamo

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public / Administering Officer

FORM 1-SCC**INFORMATION FOR THE SMALL CLAIMS DEFENDANT*****Pahibalo para sa Ginareklamo***

This information sheet is written for the person sued in the small claims court. It explains some of the rules of, and some general information about, the small claims procedure. It may also be helpful for the person who sued.

Kini nga papel nga naglangkob og pahibalo kay gisulat para sa tawo nga ginareklamo para sa pagsingil og gamay nga kantidad. Ginapasabot sa kini nga pahibalo ang mga lagda/palisiya og uban pa nga kinatibuk-an nga pahibalo mahitungod sa korte para sa asunto/demanda nga pagsingil og gamay nga kantidad. Pwede pud kini mapahimuslan sa tao nga nagareklamo.

“Small Claims Rule” is a simple and informal procedure where money claims for ₱1 Million Pesos or less are heard by the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs).

“Lagda/Palisiya kabahin sa Pagsingil og Gamay nga Kantidad” mao ang simple ug dili pormal na pamaagi/proseso sa pagdungog sa pagsingil nga ang kantidad kay ₱1 Milyon Pesos o mas ubos/gamay pa. Kini nga mga pagsingil kay ipasaka sa Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) at Municipal Circuit Trial Courts (MCTCs).

The claim or demand may be for the following:

Ang asunto/pagsingil kay pwede para sa mga nakalista sa ubos:

- a. Money owed under any of the following:
 - 1) Contract of lease
 - 2) Contract of loan and other credit accommodations
 - 3) Contract of service
 - 4) Contract of sale of personal property (this excludes the recovery of personal property unless it is the subject of a compromise agreement).

- a. *Ang asunto/demanda kay para sa pagsingil og kwarta nga gi-utang pinaagi sa mga nakalista sa ubos:*
 - 1) *Kontrata sa pag-abang*
 - 2) *Kontrata sa utang ug uban pa nga mga credit accommodations*
 - 3) *Kontrata sa serbisyo*
 - 4) *Kontrata sa pagbaligya ug mga personal nga butang o kabtangan (dili apil ang pagbawi sa personal na butang gawas kon gipailalam kini sa usa ka kasabutan o kompromiso).*

- b. The enforcement of a barangay amicable settlement or an arbitration award involving a money claim if within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, no execution has been enforced by the Barangay, pursuant to Section 417 of Republic Act No. 7160 (The Local Government Code of 1991).

- b. *Ang pagpatuman sa usa ka mahigalaan nga pag-areglo o arbitration award sa barangay nga naglambigit sa pagsingil og kwarta, kon sa sulod sa unom (6) ka bulan gikan sa petsa sa areglo o sa petsa sa pagdawat sa arbitration award o gikan sa petsa kon kanus-a ang obligasyon nga gitakda o gihukman nga award nahimong angay og gikinhanglan, wala pay gipatuman/gipatupad ang Barangay, subay sa Section 417 sa Republic Act No. 7160 (The Local Government Code of 1991).*

1. **What must I do upon receipt of the Summons and Statement of Claim?** You must file in court and serve on the plaintiff a verified Response, attaching all documents and evidence to support your defense. You must also attend the hearing on the date and time indicated in the Notice of Hearing.

Unsa ako buhaton, isip usa ka ginareklamo, sa pagdawat naku sa Pagpatawag og Asunto sa Pagsingil? Kinahanglan nimo nga ipasaka o isumiti sa korte ug ihatud sa Nagareklamo ang imohang Gipamatud-an nga Tubag apil o nakalakip ang tanan nga mga dokumento/papeles ug mga ebidensya nga magsuporta sa imong depensa, ug kinahanglan ka motambong/motunga sa pagdungog sa petsa og oras nga nakasulat sa Abiso sa Pagdungog.

2. **How do I file my verified Response?**

You must do the ff:

- a. Fill out Form 3-SCC (Verified Response)
- b. Attach all documents and evidence supporting your response, if any.
- c. Make copies of all pages and your supporting documents (file the original in court and make copies for the plaintiff and yourself).
- d. If the original documents consist of records that could not be separated, you can photocopy the pertinent document and have it certified by the Clerk of Court of the Office of the Clerk of Court (OCC) as a faithful reproduction of the original.
- e. Have Form 3-SCC and all supporting documents, especially part 8 on Verification (or part 9 on Verification Certification Against Forum Shopping,

Unsaon naku pagsumiti o pagpasaka sa akong Gipamatud-an nga Tubag? Kinihanglan nimo buhaton ang mga naa sa ubos:

- a. *Sulati/Tubaga ang Form 3-SCC (Gipamatud-an nga Tubag)*
- b. *Ilakip/i-apil ang tanan nga dokumento/papeles ug ebidensiya nga mosuporta sa imong tubag, kon naa.*
- c. *Himo-i og kopya ang tanan nga panid ug ang imong mga makatabang/makasuporta nga mga dokumento/papeles (isumiti sa korte ang mga orihinal na kopya ug paghimo og kopya para nagareklamo ug sa imo nga ginareklamo).*
- d. *Kon ang orihinal nga dokumento/papeles kay naglangkob og mga rekord nga dili pwede*

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 7 of 10

Plaintiff (list name)

Case Number:

Splitting a Cause of Action, and Multiplicity of Suits, if you have a counterclaim), subscribed and sworn to before either a notary public, the Clerk of Court of the Office of the Clerk of Court (OCC) where the case will be filed, a Branch Clerk of Court, or a Barangay Chairperson.

- f. If you have a counterclaim, pay the filing fee, if any.
- g. Within ten (10) calendar days from receipt of the Summons, you must serve on the plaintiff a copy of your verified Response, together with the supporting documents, and file the original with the court that issued the Summons.

If you have questions regarding Form 3-SCC, you may inquire with the court that issued the Summons. You may also contact the court at the number or email address written in the Summons and Statement of Claims.

bulagon, pwede nimo ipakopya ang mga importante ra nga dokumento og ipasertipika sa Clerk of Court ng Office of the Clerk of Court (OCC) nga kini ang matinud-anon nga kopya sa orihinal.

- e. Ang Form 3-SCC og ang tanan nga nakalakip/nakaapil nga mga makatabang/makasuporta nga dokumento/papeles, labi na ang parti sa bahin/parte 8 sa Pagpamatu-od (o bahin/parte 9 sa Pagpamatu-od nga Walay Lain Nga Kaso ang Nakabinbin o Samtang Gidungog sa Uban nga Korte, kon naa kay Balos nga Pagsingil), gikinahanglan nga pirmahan og gisumpan sa atubangan sa notary publiko o Clerk of Court ng OCC kon asa gipasaka ang kaso o sa Branch Clerk of Court o Punong Barangay.
- f. Bayari ang bayronon sa pagpasaka sa kaso, kon naa kay balos nga pagsingil.
- g. Sa sulod sa napulo (10) ka adlaw sa kalendaryo gikan sa pagdawat sa Pagpatawag, kinahanglan nimo ihatud/itunol sa nagareklamo ang kopya sa imohang Gipamatud-an nga Tubag, apil ang imong mga dokumento/papeles, og kinahanglan pud nimo isumiti ang mga orihinal na kopya didto sa korte nga ga-isyu sa Pagpatawag.

Kon naa kay mga pangutana kabahin sa Form 3-SCC, pwedi ka mangutana sa korte nga nag-isyu sa Pagpatawag. Pwedi pud nimo kontakon o tawagan ang Korte sa numero o email address nga nakasulat sa Pagpatawag og Asunto sa Pagsingil.

3. **What is a counterclaim?** It is a claim that you, the defendant, may have against the plaintiff.

You can set up a counterclaim in your Verified Response (Form 3-SCC) if:

- 1) It is not more than ₱1 Million Pesos, exclusive of interest and costs. Any amount in excess of ₱1 Million pesos, excluding interests and costs, shall be deemed waived;
- 2) It does not require the joinder of third parties; and
- 3) It is not the subject of another pending action.

- Unsa ang Balos nga Pagsingil?** Kini ang pagsingil nimo nga ginareklamo batok sa nagareklamo.

Ang ginareklamo pwedi magpasaka og balos nga pagsingil base sa mapamatud-an sa iya nga Gipamatud-an nga Tubag (Form 3-SCC) kon:

- 1) Ang balos nga pagsingil dili molapas sa ₱1 Milyon Pesos, walay labot o dili apil ang interes ug gastos sa pagpasaka sa kaso. Ang kantidad nga molapas ₱1 Milyon Pesos kay ikonsiderar nga gisalikway na;
- 2) Dili kinahanglan ang pag-apil sa uban nga Partido sa gipasaka nga kaso; ug
- 3) Wala lain nga kaso ang gipasaka og nakabinbin sa lain korte nga pareho sa balos nga pagsingil.

4. **What happens if I do not file the verified Response and do not appear at the hearing?** The court shall proceed with the hearing. If you or your representative did not attend, the court will render judgment as may be warranted by the facts alleged in the Statement of Claim/s.

Unsa ang mahitabo kon ako nga ginareklamo kay wala gasumiti o gahatag sa korte og Gipamatud-an nga Tubag ug wala pud ko nitambong/nitunga sa pagdungog? Magpadayun giyapon ang korte sa pagdungog og maghatag kini og desisyon base/sumala sa mapamatud-an sa Asunto sa Pagsingil.

5. **What happens if I do not file a verified Response within the required period but I appear at the hearing?** The court will consider any defense you offer during the hearing as your Response. Hearing will proceed on the same day and the court will render judgment within twenty-four (24) hours from termination of the hearing. If you rely on documentary evidence to support your defense, the court will order you to submit original copies of such documents within three (3) calendar days from the termination of the

Unsa ang mahitabo kon ako na ginareklamo kay wala nagsumiti/naghatag sa korte og Gipamatud-an nga Tubag pero nitambong/nitunga ko sa pagdungog? Huna-hunaon o tagdon sa korte ang unsa man nga imo depensa nga itanyag/ipresentar sa adlaw sa pagdungog og mao kini ang mahimo nimo nga tubag. Magpadayun ang pagdungog sa kanang adlaw mismo ug maghatag ang korte og desisyon/hatol sa sulod sa baynte-kuwatro (24) ka oras gikan sa pagkahuman sa pagdungog. Kon ikaw nga

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 8 of 10

Plaintiff (list name)

Case Number:

hearing. Upon receipt thereof or expiration of the period to file, the court will render judgment within twenty-four (24) hours.

ginareklamo nagsalig sa mga dokumento/papeles na ebidensya para suportahan ang imong depensa, ang korte/hukuman magsugo sa imo nga isumiti ang mga orihinal nga kopya ani nga mga dokumento/papeles sa sulod ka tulo (3) ka adlaw sa kalendaryo gikan sa pagkahuman sa pagdungog. Gikan sa pagdawat sa korte sa mga dokumento/papel o pagkahuman sa panahon sa pagsumiti ani, maghatag na ang korte/hukuman og paghukom/desisyon sa sulod sa baynte-kuwatro (24) ka oras.

6. **Do I need a lawyer?** YOU CANNOT HAVE A LAWYER AT THE HEARING. You may consult a lawyer before or after the hearing but the lawyer cannot appear for or with you at the hearing.

Kinahanglan ba ko og abogado? DILI KA PWEDE MAGPAKUYOG OG ABOGADO SA PAGDUNGOG. Pwede ka mokonsulta og abogado bag-o magsugod ang pagdungog og pagkahuman sa pagdungog, pero ang abogado dili pwede motambong para sa imoha o mokuyog sa pagdungog.

7. **What if I do not speak English well?** The judge will speak in Filipino or the local dialect. A court interpreter shall also be available on the hearing day.

Unsaon kon dili ka kaantigo/kabalo mosulti og Ingles? Magstorya/mosulti ang korte/hukom og tagalog o lokal nga diyalekto/panulti. Usa ka tagasalin/interpreter sa korte ang motabang sa pagpasabot sa imo sa adlaw sa pagdungog.

8. **What happens at the hearing?** Be sure you are on time for the hearing. You must bring with you the original affidavits of witnesses, receipts, and any evidence you need to prove your statements in your verified Response, if these have not been previously submitted to the court. If you are representing a juridical entity, you must bring your original written authority to appear at the hearing and to enter into an amicable settlement, submit to alternative modes of dispute resolution, and enter into stipulations or admissions of facts and of documents.

Unsa ang mahitabo sa pagdungog? Siguradua nga naa ka sa saktong oras sa pagdungog. Kinahanglan nimo dad-on ang mga orihinal nga gipamatud-an nga mga pagsaysay o affidavits sa imong mga testigo, mga resibo, ug uban pa nga mga ebidensya na imong kinahanglan para mapamatud-an ang imohang Gipamatud-an nga Tubag kon kini wala pa nimo nahatag sa korte/hukuman. Kon ikaw naga-representa sa usa ka organisyon/panag-uban nga giila sa balaod nga usa ka juridical entity, kinahanglan nimo dad-on ang orihinal nga nakasuwat nga gahum/awtoridad para makatambong ka sa pagdungog ug mosulod sa mahigalaon/malinawon nga panagsabot, mosumiti/modangop sa alternatibo nga pamaagi sa resolusyon/paghusay sa panaglalis, ug mohimo og pag-angkon o mosulod sa usa ka kasabutan sa mga panghitabo ug mga dokumento/papeles.

If you or your representative and the plaintiff or his/her/its representative appear at the hearing, the judge will listen to both of you. The judge will conduct mediation and encourage you and the plaintiff to settle your case. If you do not settle, the judge will render judgment within twenty-four (24) hours from termination of the hearing. You cannot appeal the decision.

Kon ikaw o ang imohang representante ug ang nagareklamo kay motambong sa pagdungog, ang korte/hukom maminaw sa inyong duha. Ang korte/hukom ang magpataliwala ug mohikayat sa inyong duha nga magkasinatog og sulbaron ang inyong kaso. Kon dili kamo magkasinatog, maghatag og hatol/desisyon ang korte/hukom sa sulod sa baynte-kuwatro (24) ka oras gikan sa pagkahuman sa pagdungog. Dili na ka pwede mo-apela sa desisyon sa korte/hukom.

9. **Do I have options? Yes, you can do any of the following:**

- **Settle the case before the hearing.** If you and the plaintiff agree on how to settle the case, both of you must notify the court. You may ask the Office of the Clerk of Court (OCC) or Branch Clerk of Court for help.
- **File your verified Response and/or appear at the hearing.** Bring the original affidavits of witnesses, receipts, and any evidence you need to prove your case, if these have not been previously submitted to the court.
- **Agree with the plaintiff's claim and pay the same.** If you cannot pay the amount claimed now, go to the hearing and manifest before the court that you want to make payments by installment.
- **Let the case proceed without you.** If you did not settle, did not file a verified response, and did not attend the hearing, the judge may give the plaintiff what he/she/it is praying for, including court costs. If this happens, the court may order that your money or property be taken

Naa ba koy kapili-an? Oo, pwedi nimo buhaton ang mga naa sa ubos:

- **Husayon na nimo ang kaso o ang dili pagkasinatog bag-o pa ang pagdungog.** Kon ikaw ug ang Nagareklamo parehas nga mouyon sa pamaagi sa pagkasinatog sa kaso, kinahanglan ninyong duha nga ipahibalo kini sa korte. Pwedi mo mangayo og tabang sa Office of the Clerk of Court (OCC) o sa Branch Clerk of Court.
- **Magsumiti ka og Gipamatud-an nga Tubag ug/o motunga/moapil ka sa pagdungog.** Dad-a ang mga orihinal nga affidavits/pagpamatud sa mga testigo, resibo, ug uban pa nga mga ebidensya nga mosuporta sa imohang kaso, kon wala pa kini kaniadto nasumiti sa korte.
- **Mouyon sa kantidad nga gisingil sa Nagareklamo ug bayari kini.** Kon dili nimo mobayran dayon ang kantidad nga gisingil, kinahanglan ka moadto/motambong sa pagdungog ug ipadayag sa korte/

Plaintiff's Statement of Claim/s
(Small Claims)

Form 1-SCC, Page 9 of 10

Plaintiff (list name)

Case Number:

to pay the monetary award together with interests as stated in the Decision.

hukuman nga gusto ka magbayad og hulugan o pautay-utay nga pagbayad.

- ***Pasagdan nga magpadayun ang kaso bisan wala ka.***
Kon wala ka nakipaghusay, wala ka nagsumiti og Gipamatud-an nga Tubag, ug wala pud ka nitambong/nitunga sa pagdungog, pwedi maghatag ang korte sa unsa man nga gipangayo sa Asunto sa Pagsingil nga gipasaka sa Nagareklamo. Kon kini ang mahitabo, pwedi isugo sa korte nga kuhaon ang imohang kwarta o kabtangan para bayaran ang kantidad nga gibutang sa Desisyon, apil ang mga interes.

- 10. What happens if the plaintiff does not appear at the hearing?** The court will dismiss plaintiff's Statement of Claim without prejudice. This means that the plaintiff is allowed to re-file the claim. If you, the defendant, appears at the hearing, you may be entitled to a judgment on your counterclaim, if any.

Unsa ang mahitabo kon dili makatambong/makaapil sa pagdungog ang nagareklamo?

Ibasura/ilabay sa korte ang imohang Asunto sa Pagsingil nga walay kadaot/pagpihig. Gapasabot kini nga pwede gihapon magpasaka og usab ang nagareklamo sa kini nga pagsingil. Kon ikaw nga ginareklamo nitambong/nitunga sa pagdungog, naa ka (ginareklamo) katungod nga makakuha og desisyon/hatol sa imohang balos nga pagsingil.

- 11. What happens if both you and the plaintiff fail to appear at the hearing?** If both you and the plaintiff fail to appear at the hearing, the court shall dismiss with prejudice both the Statement of Claim and your counterclaim, if any.

Unsa ang mahitabo kon ikaw nga ginareklamo ug ang nagareklamo pareha nga dili makatambong/makaapil sa pagdungog? Parehas nga ibasura/ilabay sa korte/hukom ang inyong Asunto sa Pagsingil ug ang balos nga pagsingil. Ang kini nga pagbasura/paglabay naay kadaot/pagpihig. Buot pasabot ani, dili na ninyo parehas mapasaka og usab ang maong Asunto sa Pagsingil ug balos nga pagsingil.

- 12. What happens after a decision is rendered by the Court?** When a decision is rendered in favor of the plaintiff, and there is proof on record that you received the same, plaintiff can cause the execution of the decision by filing an *ex parte* motion (Form 12-SCC). However, if the decision is based on a compromise agreement, the proof that you received the decision is no longer necessary.

Unsa ang mahitabo pagkahuman sa paghukom? Kon ang desisyon kay pabor sa nagareklamo, ug naay pruwera base/sumala sa record nga nadawat na nimo nga ginareklamo ang maong desisyon, pwedi na kini ipatuman sa nagareklamo pinaagi sa pagsampa og *ex parte* nga mosyon (Form 12-SCC). Dili na kini kinahanglan ipahibalo sa imo nga ginareklamo. Bisan pa niana, kon ang desisyon nakabase sa Kasabutan o Kompromiso, ang pruwera na nadawat kini nimo na ginareklamo kay dili na kinahanglan.

The decision of the court is final, executory and unappealable.

And desisyon sa korte/hukuman kay mao na ang paghuman/ katapusan, ipatuman na ug dili na pwede i-apela.

FORM 1-A-SCC**OTHER PLAINTIFFS OR DEFENDANTS****Mga Uban pa nga Nagareklamo o
Ginareklamo**

Case Number:

- ☐ This form is attached to Form 1-SCC (Statement of Claim/s), item 1 or 2.
Kini nga papel kay gilakip sa Form 1-SCC (Asunto sa Pagsingil), item 1 o 2.

1 OTHER PLAINTIFF

Name <i>Ngalan sa Nagareklamo</i>	Sex <i>Kasarian</i>	Age <i>Idad</i>	Civil Status <i>Sibil nga Kahimtang</i>
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Check those that apply: *Pagpili sa ubos og butangi og tsek:*Type of Plaintiff *Klase sa Nagareklamo*☐ Individual *Tawo/Indibidwal*☐ Corporation *Korporasyon*☐ Partnership *Panag-uban sa negosyo*☐ Cooperative *Kooperatiba*☐ Sole Proprietorship *Solo na Pagpanag-iya*Type of Business *Klase nga Negosyo*☐ Banking *Bangko*☐ Lending *Pagpahulam*☐ Others (pls. indicate): *og uban pa nga Negosyo:***Home Address** *Adres/Lugar sa Paghatod nga Sulat sa Balay sa Nagareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality</i> <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Place of Work/Business *Lugar kung asa ka Nagatrabaho/Naganegosyo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality</i> <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Plaintiff's Representative, if applicable *Representate sa Nagareklamo, kon magamit*Name *Ngalan sa Representante sa Nagareklamo***Home Address** *Adres/Lugar sa Paghatod nga Sulat sa Balay sa Representante sa Nagareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality</i> <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Place of Work *Lugar kung asa Nagatrabaho ang Representante sa Nagareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality</i> <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

- ☐ Check here if more than three (3) plaintiffs and fill out as many Form 1-A-SCC as may be necessary.
Butangi og tsek kung molapas sa tulo (3) ang mga nagareklamo, ug pagsulat og dugang sa Form 1-A-SCC, kung kinahanglan.

Other Plaintiffs or Defendants
(Small Claims)

Form 1-A-SCC, Page 1 of 2

Case Number:

2 OTHER DEFENDANT

Name <i>Ngalan sa Ginareklamo</i>	Sex <i>Kasarian</i>	Age <i>Idad</i>	Civil Status <i>Sibil nga Kahimtang</i>
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Check those that apply: *Pagpili sa ubos og butangi og tsek:*

Type of Defendant *Uri ng Hinahabla*

☐ Individual *Tawo/Indibidwal*

☐ Corporation *Korporasyon*

☐ Partnership *Panag-uban sa negosyo*

☐ Cooperative *Kooperatiba*

☐ Sole Proprietorship *Solo nga Panag-iya*

Home Address *Adres/Lugar sa Paghatod nga Sulat sa Balay Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana Street Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Place of Work/Business *Lugar kung asa ka Nagatrabaho/Naganegosyo ang Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana Street Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Defendant's Representative, if applicable *Representate sa Ginareklamo, kon magamit*

Name <i>Ngalan sa Ginareklamo</i>

Home Address *Adres/Lugar sa Paghatod nga Sulat Sa Balay sa Representante sa Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana Street Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Place of Work *Lugar kung asa Nagatrabaho ang Representante sa Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana Street Dalan</i>	Barangay	Zip Code
City <i>Siyudad/Municipality Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

- ☐ Check here if more than two (2) defendants and fill out as many Form 1-A-SCC as may be necessary. Butangi og tsek kon molapas sa duha (2) ang mga ginareklamo, og pagsulat og dugang sa Form 1-A-SCC, kon kinahanglan.

Other Plaintiffs or Defendants
(Small Claims)

Form 1-A-SCC, Page 2 of 2

INFORMATION FOR THE SMALL CLAIMS PLAINTIFF

PAHIBALO PARA SA NAGAREKLAMO

This information sheet is written for the person who sues in the small claims court. It explains some of the rules of, and some general information about, the small claims court. It may also be helpful for the person who is sued.

Kini nga papel nga naglangkob og pahibalo kay gisulat para sa tawo nga nagareklamo o nagapasaka og kaso sa korte para sa pagsingil og gamay nga kantidad. Ginapasabot sa kini nga pahibalo ang mga lagda/palisiya og uban pa nga kinatibuk-an nga pahibalo mahitungod sa korte para sa asunto/demanda nga pagsingil og gamay nga kantidad. Pwede pud kini mapahimusan sa tao nga ginareklamo.

"Small Claims Rule" is a simple and informal procedure where money claims for ₱1 Million Pesos or less are heard by the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs).

"Lagda/Palisiya kabahin sa Pagsingil og Gamay nga Kantidad" mao ang simple ug dili pormal na pamaagi/proseso sa pagdungog sa pagsingil nga ang kantidad kay ₱1 Milyon Pesos o mas ubos/gamay pakini nga mga pagsingil kay ipasaka sa Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) ug Municipal Circuit Trial Courts (MCTCs).

The claim or demand may be for the following:

Ang asunto/pagsingil kay pwede para sa mga nakalista sa ubos:

- a. Money owed under any of the following:
 - 1) Contract of lease
 - 2) Contract of loan and other credit accommodations
 - 3) Contract of service
 - 4) Contract of sale of personal property (this excludes the recovery of personal property unless it is the subject of a compromise agreement).

- a. *Ang asunto/demanda kay para sa pagsingil og kwarta nga gi-utang pinaagi sa mga nakalista sa ubos:*
 - 1) *Kontrata sa pag-abang*
 - 2) *Kontrata sa utang ug uban pa nga mga credit accommodations*
 - 3) *Kontrata sa serbisyo*
 - 4) *Kontrata sa pagbaligya og mga personal nga butang o kabtangan (dili apil ang pagbawi sa personal na butang gawas kon gipailalom kini sa usa ka kasabutan o kompromiso).*

- b. The enforcement of a barangay amicable settlement or an arbitration award involving a money claim if within six (6) months from the date of the settlement or date of receipt of the award or from the date the obligation stipulated or adjudged in the arbitration award becomes due and demandable, no execution has been enforced by the Barangay, pursuant to Section 417 of Republic Act No. 7160 (The Local Government Code of 1991).

- b. *Ang pagpatuman sa usa ka mahigalaan nga pag-areglo o arbitration award sa barangay nga naglambigit sa pagsingil og kwarta, kung sa sulod sa unom (6) ka bulan gikan sa petsa sa areglo o sa petsa sa pagdawat sa arbitration award o gikan sa petsa kung kanus-a ang obligasyon nga gitakda o gihukman nga award nahimong angay og gikinhanglan na, wala pay gipatuman/gipatupad ang Barangay, subay sa Section 417 sa Republic Act No. 7160 (The Local Government Code of 1991).*

1. Who can file a claim?

- a. You must be at least eighteen (18) years old to file a claim. If you are not yet eighteen (18), a parent or legal guardian may file the claim for you.
- b. If a juridical entity files a claim, it shall notify the court and name its authorized representative in writing, attaching a board resolution or secretary's certificate stating that such representative is duly authorized to file the claim in its behalf.

Kinsa ang pwede magpasaka og pagsingil?

- a. *Kinahanglan nga ikaw kay naa sa edad nga dise otso (18) para makapasaka og pagsingil. Kung wala pa ka sa sakto nga edad, ang imong mga ginikanan o ang imong legal nga tigbantay ang magpasaka og pagsingil para sa imo.*
- b. *Kung ang gapasaka og pagsingil usa ka organisasyon o korporasyon nga giila sa balaod, kinahanglan nga ipahibalo sa korte/hukuman ang pangalan sa representante nga gitagaan og gahom nga magpasaka og kaso, ug kinahanglan ilakip ang board resolution o secretary's certificate nga gaingon nga ang maong representante kay gitugutan nga magpasaka sa kaso nga pagsingil sa ngalan sa maong organisasyon o korporasyon.*

2. What must you prepare before filing a claim?

- a. Documents and evidence supporting your claims, such as signed deeds and contracts, promissory notes, checks, receipts, affidavits of witnesses, and other important documents.

Unsa ang imong dapat i-andam bag-o ka magpasaka og pagsingil?

- a. *Mga dokumento ug ebidensya nga mosuporta sa imong pagsingil sama sa pirmado nga kasulatan ug kontrata, ebidensya sa utang, mga tseke, mga resibo,*

- b. Latest demand letter, if any, its proof of service and receipt.
- c. Certificate to File Action from the Barangay, if necessary, and only when you and the defendant reside within the same municipality or city.
- d. If you cannot attend the hearing, a Special Power of Attorney (SPA), board resolution or secretary's certificate, as the case may be, authorizing your representative to represent you during the hearing, enter into an amicable settlement, submit to alternative modes of dispute resolution, and make admission or stipulations of facts and documents without further consultation from you.
- e. If you are filing the claim in behalf of a legal entity, a secretary's certificate or board resolution authorizing you to file the case.

- 3. Where can you file your claim?** You must sue in the right court and location. This rule is called **venue**. If you file your claim in the wrong court, the court can dismiss the claim. The regular rules on venue shall apply, i.e., where you or the defendant resides, or in the case of a non-resident defendant wherever he or she may be found, at your option.

However, if you are engaged in the business of lending, banking and similar activities, and have a branch within the municipality or city where the defendant resides or is holding business, the case shall be filed in the court of the city or municipality where the defendant resides or is holding business. If there are two (2) or more defendants, the case shall be filed in the court of the city or municipality where any of them resides or is holding business, at your option.

- 4. How do I file my claim?**
- a. Fill out Form 1-SCC (Statement of Claim).
 - b. Attach all documents and evidence supporting your claim.
 - c. Make as many copies of all pages of Form 1-SCC and your supporting documents as there are defendants.
 - d. If the original documents consist of records that could not be separated, you can photocopy the pertinent document and have it certified by the Clerk of Court of the Office of the Clerk of Court (OCC) as a faithful reproduction of the original.
 - e. Have Form 1-SCC and all supporting documents and copies thereof notarized or administered by either the notary public, Clerk of Court of the Office of the Clerk of Court (OCC) where the case is filed, any Branch Clerk of Court, or a Barangay Chairperson.
 - f. Pay the filing fee (except if your motion to plead as an indigent has been granted by the Executive Judge).
 - g. Get the date and time of your hearing from the court to which your case was raffled or assigned.

- mga affidavits/pagpamatuod sa mga testigo, ug uban pa nga mga importante na dokumento/papeles.*
- b. *Pinakaulahi nga sulat nga pagsingil, kung naa, ug ang ebidensya sa pagpadala ug pagdawat niini.*
- c. *Sertipiko/Katibayan para Magpasaka o Kaso gikan sa Barangay kung ikaw ug ang ginareklamo nagpuyo sa parehas nga munisipyo o siyudad.*
- d. *Kung dili ka makatambang/makaapil sa pagdungog sa kaso, kinahanglan naa kay Espesyal nga Gahum sa Abogado (SPA), board resolution o secretary's certificate, kung aha man kini pwede, nga gatugot sa imong representante nga magrepresentar sa imo sa pagdungog, mosugot sa usa ka mahigalaan/malinawon nga paghusay/pagkasinabot, mosumiter/modangop sa alternatibo nga pamaagi sa resolusyon/paghusay sa panaglalis, ug mohimo og pag-angkon o mosulod sa usa ka kasabutan sa mga panghitabo ug mga dokumento/papeles nga dili na kinahanglan og dungag nga konsultasyon gikan sa imo.*
- e. *Kung ang pagpasaka sa pagsingil kay sa ngalan sa usa ka juridical entity (organisasyon o korporasyon), kinahanglan ang Secretary's Certificate o Board Resolution nga gatugot sa imo nga ipasaka ang kaso.*

Asa ka pwedi magpasaka og pagsingil? Kinahanglan ka magpasaka og kaso sa sakto nga korte ug lokasyon. Kini nga lagda/palisiya gitawag nga **venue**. Kung imo ipasaka ang kaso sa sayop nga korte, pwede ibasura sa korte ang imong kaso. Ang regular nga mga lagda/palisiya sa venue ang mao magdumala, pananglitan, kung asa ka o ang ginareklamo nagpuyo, o kung ang ginareklamo dili residente, kung asa siya makit-an, sumala/base sa imong pagpili.

Bisan pa niana, kung ikaw naa sa negosyo sa pagpahulam, bangko ug uban pa nga parehas na aktibidad/negosyo, ug naa kay sanga nga opisina sa sulod sa munisipyo o syudad kung asa nagpuyo o lugar na naganegosyo ang ginareklamo, ang kaso kay ipasaka sa korte/hukuman sa siyudad o munisipyo kung asa ang ginareklamo nagpuyo o naganegosyo. Kung adunay duha (2) o labaw pa nga mga ginareklamo, ang kaso sa pagsingil dapat ipasaka sa syudad o munisipyo kung asa ang bisan kinsa sa ilaha nagpuyo o naay negosyo, sumala/base sa imong pagpili.

Unsaon naku pagpasaka sa pagsingil?

- a. *Sulati/Tubaga ang Form 1-SCC (Asunto sa Pagsingil).*
- b. *Ilakip/i-apil ang tanan nga dokumento/papeles ug ebidensya nga mosuporta sa imong pagsingil.*
- c. *Himo-i og kopya ang tanan nga panid sa Form 1-SCC ug ang imong mga makatabang/makasuporta nga mga dokumento/papeles. Ang kadaghanan sa kopya mao pud ang kadaghanan sa ginareklamo.*
- d. *Kung ang orihinal nga dokumento/papeles kay naglangkob og mga rekord nga dili pwede bulagon, pwede nimo ipakopya ang mga importante ra nga dokumento ug ipasertipika sa Clerk of Court ng Office of the Clerk of Court (OCC) nga kini ang matinud-anon nga kopya sa orihinal.*
- e. *Kinahanglan ang Form 1-SCC ug ang tanan nga nakalakip/nakaapil nga mga makatabang/makasuporta nga dokumento/papeles, ug ang mga kopya ani, kay pirmahan og pagpatud-an sa*

FORM 1-B-SCC

atubangan sa notaryo publiko o Clerk of Court ng Office of the Clerk of Court (OCC) kung asa ipasaka ang kaso o Branch Clerk of Court o Punong Barangay.

- f. Bayari ang bayronon sa pagpasaka sa kaso (gawas kung ikaw gitugutan sa Executive Judge nga magpasaka og kaso ingon sa usa ka indigent o tawo nga walay saktong panginabuhian).
- g. Dapat imo mahibal-an ang adlaw og oras sa pagdungog gikan sa korte kung asa ang imong kaso na nabutang/na-ibutang.

5. **What if I cannot afford to pay the filing fee?** If you are unable to pay the filing fee because you have no adequate financial means, you may file the case as an indigent by filling out Form 6-SCC and attaching the following documents:
- Affidavit of Indigency
 - Barangay Certificate of Indigency
 - City or Municipal Assessor's Certificate
 - City or Municipal Treasurer's Office Certificate
 - Affidavit of two (2) disinterested persons

Unsaon man kung dili naku makaya ang pagbayad sa bayronon sa pagpasaka og kaso? Kung dili nimo makaya nga bayaran ang bayronon sa pagpasaka og kaso kay wala kay saktong pinansyal na pamaagi, pwede ka magpasaka og kaso ingon sa usa ka indigent (tawo nga walay saktong panginabuhian) pinaagi sa pagsulat o pagtubag sa Form 6-SCC nga nagaapil/nagalakip sa mga dokumento sa ubos:

- Pagpamatuod/Affidavit nga Wala kay Sakto nga Panginabuhian
- Sertipiko/Katibayan gikan sa Barangay nga Wala kay Sakto nga Panginabuhian
- Sertipiko/Katibayan gikan sa Assessor's Office sa Syudad o Munisipyo
- Sertipiko/Katibayan gikan sa Treasurer's Office sa Syudad o Munisipyo
- Pagpamatuod/Affidavit sa duha (2) ka Tawo nga Walay Interes sa Kaso

6. **How does the defendant find out about the claim?** You must make sure the defendant finds out about your lawsuit. This has to be done according to the rules. Otherwise, your case may be delayed or dismissed. The correct way of telling the defendant about the lawsuit is called **service of process**. This means serving Summons along with the Notice of Hearing, a copy of the Statement of Claim/s and all its attachments, and a blank copy of Form 3-SCC (Response), to the defendant.

Unsaon pagkahibalo sa ginareklamo ang kaso sa pagsingil sa iya? Kinahanglan imong siguraduhon nga mahibal-an sa ginareklamo ang imong kaso sa iya. Kinahanglan mahimo kini sumala sa mga lagda/palisiya. Kung dili, ang imong kaso pwedi madugay o mabasura. Ang sakto nga pamaagi sa paghatag og pahibalo mahitungod sa imong kaso kay gitawag og **serbisyo sa proseso**. Ang buhat ipasabot ani mao ang paghatod/pagtunol sa Pagpatawag og paghatag sa kopya sa pagsingil.

a. Ways to serve the defendant with Summons:

- 1) **Personal Service.** This entails handing the Summons to the defendant in person and informing him/her that he/she is being served. If he/she refuses to receive and sign for it, the Summons may be left within the defendant's view and presence. This shall be done by:

- The sheriff, his/her deputy, or other proper court officer; or
- You or your representative, when the court so orders under the following instances:
 - When Summons is returned by the sheriff, his/her deputy, or other proper court officer without being served on any or all of the defendants; and
 - Where Summons is to be served outside the judicial region of the court where the case was filed.

a. Mga pamaagi sa paghatod/pagtunol sa Pagpatawag og kopya sa pagsingil sa ginareklamo:

- 1) **Personal nga Serbisyo.** Kinahanglan nga ihatag og personal sa ginareklamo ang Pagpatawag ug ipahibalo sa iya nga siya gihatdan/gitunulan ani. Kung mabalibad siya nga dawaton ug mabalibad mopirma ani, ang Pagpatawag pwede nimo ibilin sa atubangan sa ginareklamo nga maabot sa iya nga pagtan-aw. Kini kinahanglan himoon sa:

- Sheriff/Serip, iyang representate, o uban pa nga husto nga opisyal/alagad sa korte; o
- Ikaw, o ang imong representante, kung kini gisugo sa korte base sa mga kahigayonan sa ubos:
 - Kung ang Pagpatawag kay gibalik sa sheriff/serip, iyang representante, o uban pa nga husto nga opisyal/alagad sa korte, og wala kini nahatud/natunol sa usa sa mga ginareklamo o sa tanan nga ginareklamo; ug
 - Kung ang Pagpatawag kay ihatod/itunol sa gawas sa panghudikaturang rehiyon sa korte kung asa gipasaka ang kaso.

Information for Plaintiff
(Small Claims)

Form 1-B-SCC, Page 3 of 6

- 2) **Substituted Service.** If, for justifiable causes, the defendant cannot be served personally after at least three (3) attempts on two (2) different dates, service may be effected by:
- A) Leaving the Summons at the defendant's residence with a person residing thereat who is at least eighteen (18) years old and with sufficient discretion;
 - B) Leaving the Summons at the defendant's office or regular place of business with some competent person in charge thereof. A competent person includes, but is not limited to, one who customarily receives correspondences for the defendant;
 - C) Leaving the summons, if refused entry upon making your authority or purpose known, with any of the officers of the homeowners' association or condominium corporation, or its chief security officer in charge of the community or the building where the defendant may be found; or
 - D) By sending an email to the defendant's email address, if allowed by the court.
- 3) When the defendant is a domestic corporation, partnership, or association with a juridical personality, service may be made on the president, managing partner, general manager, corporate secretary, treasurer, or in-house counsel of the corporation, wherever they may be found. If they are absent or unavailable, service may be made on their secretaries.
- 4) When the defendant is a prisoner confined in a jail or institution, service shall be effected upon him or her by the officer having management of such jail or institution who is deemed as a special sheriff for this purpose. The jail warden shall file a return within five (5) calendar days from service of Summons to the defendant.
- b. **Timing and proof of service.** No matter which method of service, the defendant must be served by a certain date or your case may be dismissed. The sheriff, his/her deputy, or other proper court officer must serve the Summons, together with the Notice of Hearing, within ten (10) calendar days from issuance. If the service is to be done by you, you must inform the court within thirty (30) calendar days from notice if Summons was served or not (Form 5-SCC, or Form 5-A-SCC in case of substituted service).
- 2) **Gipulihan nga Serbisyo.** Kung ang personal na serbisyo sa ginareklamo kay dili mahimo pinaagi sa makatarunganon nga hinungdan pagkahuman sa tulo (3) ka pagsulay sa duha (2) ka lain-lain nga petsa, ang serbisyo kay pwedi himoon pinaagi sa:
- A) Pagbilin sa Pagpatawag sa balay sa ginareklamo sa tawo nga gapuyo diri nga ang edad kay napulog-wala (18) nga naay saktong pagkabuotan.
 - B) Pagbilin sa Pagpatawag sa opisina o regular nga lugar sa negosyo sa ginareklamo sa tawo nga gikasaligan nga nagdumala sa negosyo. Apil sa tawo nga gikasaligan ang tawo nga kasagaran nagadawat og mga sulat para sa ginareklamo, pero dili kini limitado dinhi.
 - C) Pagbilin sa Pagpatawag, kung gibalibaran ang pagsulod sa subdivision, korporasyon sa condominium paghuman ipahibalo ang imong awtoridad og katuyuan/tumong, sa bisan kinsa sa mga opisyal sa mga samahan/organisasyon sa mga tag-iya sa balay o korporasyon sa condominium, o sa hepe/puno nga guardia o opisyal sa kalinaw nga nagdumala sa komunidad o sa biding/gusali kung asa makit-an ang ginareklamo; o
 - D) Pinaagi sa pagpadala og email sa email address sa ginareklamo, kung itugot kini sa korte.
- 3) Kung ang ginareklamo kay usa ka korporasyon, panag-uban sa negosyo, o asosasyon/panag-uban nga naay juridical personality, pwedi ipadala ang Pagpatawag sa president, managing partner, general manager, corporate secretary, treasurer, or in-house counsel sa mao nga korporasyon, kung asa man sila makit-an. Kung wala sila o dili makit-an, pwedi ihatag ang Pagpatawag sa ilang sekretarya.
- 4) Kung ang ginareklamo usa ka pinirisa/binilanggo nga nakaprisa/nakakulong sa prisuhan, ang opisyal nga nagdumala sa prisuhan ang maghatag sa iya sa Pagpatawag. Kini nga opisyal mao ang isipon/ikonsiderar nga espesyal nga sheriff para ani nga katuyoan. Ang jail warden kinahanglan magsumiti sa korte og Pagbalik sa Pagpatawag sa sulod sa lima (5) ka adlaw sa kalendaryo gikan sa pagdawat sa ginareklamo sa Pagpatawag.
- b. **Timing and proof of service.** Sa unsa man nga pamaagi sa paghatud/pag-abot nga gihisgotan sa taas, kinahanglan maghatud/maabot sa ginareklamo ang Pagpatawag sa sigurado nga petsa. Kung dili kini mahimo, pwede ibasura/ilabay sa korte ang imohang kaso. Ang sheriff o iyang mga representante o uban pa nga husto nga opisyal sa korte ang kinahanglan maghatud/magtunol sa Pagpatawag uban ang abiso sa pagdungog sa sulod sa napulo (10) ka adlaw sa kalendaryo gikan sa paggawas niini. Kung ikaw ang mahimo sa paghatud/pag-abot, kinahanglan nimo ipahibalo sa korte sa sulod sa katloan (30) ka adlaw sa kalendaryo gikan sa abiso kung imo na ba nahatud/natunol o wala pa ang Pagpatawag (Form 5-SCC, o Form 5-A-SCC pag substituted service).

7. **What if the defendant also has a claim?** Sometimes the defendant may also have a claim against you. This is called a **counterclaim**.

The defendant must raise it as a defense in the same case; otherwise, it will be deemed waived. The defendant can set up a counterclaim in his/her/its verified Response if:

- 1) It is not more than ₱1 Million Pesos, exclusive of interest and costs. Any amount in excess of ₱1 Million pesos, excluding interests and costs, shall be deemed waived;
- 2) It does not require the joinder of third parties; and
- 3) It is not the subject of another pending action.

Unsaon kung naa pud pagsingil ang ginareklamo? Usahay ang ginareklamo kay naa pud pagsingil batok sa nagareklamo. Kini nga pagsingil gitawag og **balos nga pagsingil** (counterclaim).

Kinahanglan iapil ang balos nga pagsingil sa pareho nga kaso; kung dili ni mahimo, huna-hunaa kini nga kusa nga pagsalikway sa pagsingil og dili na kini mapasaka pa nga kaso. Ang ginareklamo pwede magpasaka og balos nga pagsingil sa iya Gipamatud-an napamatud-an nga Tubag kung:

- 1) Ang balos nga pagsingil dili molapas sa ₱1 Milyon Pesos, walay labot o dili apil ang tubo/interes og gastos sa pagpasaka sa kaso. Ang kantidad nga molapas ₱1 Milyon Pesos kay ikonsiderar nga gisalikway na sa ginareklamo;
- 2) Dili kinahanglan ang pag-apil sa uban nga Partido sa gipasaka nga kaso; ug
- 3) Wala la-in nga kaso ang gipasaka og nakabinbin sa lain korte nga pareho sa balos nga pagsingil.

8. **Do I need a lawyer?** YOU CANNOT HAVE A LAWYER AT THE HEARING. You may consult a lawyer before or after the hearing but the lawyer cannot appear for or with you at the hearing.

Kinahanglan ba ko og abogado? DILI KA PWEDE MAGPAKUYOG OG ABOGADO SA PAGDUNGOG. Pwede ka mokunsulta og abogado bag-o magsugod ang pagdungog og pagkahuman sa pagdungog, pero ang abogado dili pwede motambong para sa imoha o mokuyog sa pagdungog.

9. **What if I do not speak English well?** The judge will speak in Filipino or the local dialect. A court interpreter shall also be available on the hearing day.

Unsaon kung dili ko kaantigo/kabalo mosulti og Ingles? Magstorya/mosulti ang korte/hukom og tagalog o lokal nga diyalekto/panulti. Usa ka tagasalin/interpreter sa korte ang motabang sa pagpasabot sa imo sa adlaw sa pagdungog.

10. **What happens if I do not appear at the hearing?** The court will dismiss your Statement of Claim without prejudice. This means that you are allowed to re-file the claim. If the defendant appears at the hearing, he/she/it shall be entitled to judgment on the.

Unsa ang mahitabo kung dili ko makatambong/makatunga sa pagdungog? Ibasura/ilabay sa korte ang imohang Asunto sa Pagsingil nga walay kadaot/pagpihig. Gapasabot kini nga gitugutan gihapon ka nga ipasaka usab kini nga kaso. Kung nitambong/nitunga sa pagdungog ang ginareklamo, naa siya katungod nga makakuha og desisyon/hatol sa iya balos nga pagsingil.

11. **What happens if the defendant does not file a verified Response and does not appear at the hearing?** The court shall proceed with the hearing and render judgment as may be warranted by the facts alleged in your Statement of Claim/s.

Unsa ang mahitabo kung ang ginareklamo kay wala gasumiti o gahatag sa korte og Gipamatud-an nga Tubag ug wala pud siya nitambong/nitunga sa pagdungog? Magpadayun gihapon ang korte sa pagdungog og maghatag kini og desisyon base/sumala sa mapamatud-an sa Asunto sa Pagsingil.

12. **What happens if the defendant does not file a verified Response but appears during the hearing?** The court will consider any defense the defendant offers during the hearing as his/her/its Response. Hearing will proceed on the same day and the court will render judgment within twenty-four (24) hours from termination of the hearing. If the defendant relies on documentary evidence to support his defense, the court will order him to submit original copies of such documents within three (3) calendar days from the termination of the hearing. Upon receipt thereof or expiration of the period to file, the court will render judgment within twenty-four (24) hours.

Unsa ang mahitabo kung ang ginareklamo kay wala nagsumiti/naghatag sa korte og Gipamatud-an nga Tubag pero nitambong/nitunga sa pagdungog? Ikonsiderar o tagdon sa korte ang unsa man nga depensa nga itanyag/ipresentar sa ginareklamo sa adlaw sa pagdungog og mao kini ang mahimong tubag niya. Magpadayun ang pagdungog sa kanang adlaw mismo ug maghatag ang korte og desisyon/hatol sa sulod sa baynte-kuwatro (24) ka oras gikan sa pagkahuman sa pagdungog. Kung ang ginareklamo nagsalig sa mga dokumento/papeles na ebidensya para suportahan ang iyang depensa, ang korte/hukom magsugo sa iya nga isumiti ang mga orihinal nga kopya ani nga dokumento/papeles sa sulod ka tulo (3) ka adlaw sa kalendaryo gikan sa pagkahuman sa pagdungog. Gikan sa

pagdawit sa korte sa mga dokumento/papeles o pagkahuman sa panahon sa pagsumiter ani, maghatag na ang korte/hukuman og paghukom/desisyon sa sulod sa baynte-kuwatro (24) ka oras.

- 13. What happens if both the defendant and I do not appear during the hearing?** The court shall dismiss with prejudice both the Statement of Claim and the counterclaim.

***Unsa ang mahitabo kung pareha kamo sa ginareklamo nga dili makatambong/makaapil sa pagdungog?** Parehas nga ibasura/ilabay sa korte/hukom ang inyong Asunto sa Pagsingil ug ang Balos nga Pagsingil. Ang kini nga pagbasura/paglabay naay kadaot/pagpihig. Buot pasabot ani, dili na ninyo parehas mapasaka og usab ang maong Asunto sa Pagsingil ug Balos nga Pagsingil.*

- 14. What happens at the hearing?** Be sure you are on time for the hearing. You must bring with you the original affidavits of witnesses, receipts, and any evidence you need to prove your case, if these have not been previously submitted to the court. If you are representing a juridical entity, you must bring your original written authority to appear at the hearing and to enter into an amicable settlement, submit to alternative modes of dispute resolution, and enter into stipulations or admissions of facts and of documents.

***Unsa ang mahitabo sa pagdungog?** Siguraduha nga naa ka sa saktong oras sa pagdungog. Kinahanglan nimo dad-on ang mga orihinal nga gipamatud-an nga mga pagsaysay o affidavits sa imong mga testigo, mga resibo, ug uban pa nga mga ebidensya na imong kinahanglan para mapamatud-an ang imohang kaso, kung kini wala pa nimo nahatag sa korte/hukuman. Kung ikaw naga-representa sa usa ka organisasyon/panag-uban nga giila sa balaod nga usa ka juridical entity, kinahanglan nimo dad-on ang orihinal nga nakasulat nga gahum/awtoridad para makatambong ka sa pagdungog ug mosulod sa mahigalaan/malinawon nga panagsabot, mosumiti/modangop sa alternatibo nga pamaagi sa resolusyon/paghusay sa panaglalis, ug mohimo og pag-angkon o mosulod sa usa ka kasabutan sa mga panghitabo ug mga dokumento/papeles.*

If you or your representative and the defendant or his/her/its representative appear at the hearing, the judge will listen to both of you. The judge will conduct mediation and encourage you and the defendant to settle your case. If you do not settle, the judge will render judgment within twenty-four (24) hours from termination of the hearing. You cannot appeal the decision.

Kung ikaw o imohang representante ug ang ginareklamo kay motambong sa pagdungog, ang korte/hukom maminaw sa inyong duha. Ang korte/hukom ang magpataliwala ug mohikayat sa inyong duha nga magkasinatog og sulbaron ang inyong kaso. Kung dili kamo magkasinatog, maghatag og hatol/desisyon ang korte/hukom sa sulod sa baynte-kuwatro (24) ka oras gikan sa pagkahuman sa pagdungog. Dili na ka pwede mo-apela sa desisyon sa korte/hukom.

- 15. What happens after a decision is rendered by the Court?** When a decision is rendered in your favor as the plaintiff, and there is proof on record that the defendant received the same, you can cause the execution of the decision by filing an *ex parte* motion (Form 12-SCC). However, if the decision is based on compromise agreement, the proof that the defendant received the decision is no longer necessary.

***Unsa ang mahitabo pagkahuman sa paghukom?** Kung ang desisyon kay pabor sa imoha nga nagareklamo, ug naay pruwaba base/sumala sa record nga nadawat na sa ginareklamo ang maong desisyon, pwedi na kini ipatuman pinaagi sa pagsampa og *ex parte* nga mosyon (Form 12-SCC). Dili na kini kinahanglan ipahibalo sa ginareklamo o iyang partisipasyon. Bisan pa niana, kung ang desisyon nakabase sa Kasabutan o Kompromiso, ang pruwaba na nadawat kini sa ginareklamo kay dili na kinahanglan.*

The decision of the court is final, executory and unappealable.

Ang desisyon sa korte/hukuman kay mao na ang paghuman/katapusan, ipatuman na ug dili na pwede i-apela.

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____

For: _____

Defendant.
(Ginareklamo.)

X-----X

SUMMONS
(PAGPATAWAG)

TO: _____

Sirs and Mesdames:

Mga Ginoo ug Binibini o Ginang:

You are hereby required, within ten (10) calendar days from receipt of this Summons, to file with this Court and to serve on the plaintiff, your verified Response to the attached Statement of Claim/s. The form of the verified Response [Form 3-SCC (Small Claims)] is attached hereto.

(Gikinahanglan ka na, sa sulod sa napulo (10) ka adlaw sa kalendaryo gikan sa pagdawat sa kini nga Pagtawag, nga mag-sumiti sa Korte ug maghatod sa Nagareklamo, sa imong Gipamatud-an na Tubag sa gilakip nga Asunto nga Pagsingil. Gilakip ani ang Form [Form 3-SCC (Small Claims)] para sa imong Tubag.

You are required to submit with your Response certified copies of documents as well as affidavits of any witness to stand as your evidence in this case. You must present the original document/s on the day of hearing.

(Kinahanglan nimo i-sumiti uban sa imong Tubag and mga sertipikado nga kopya sa mga dokumento og ang mga gipanumpaang pagsaysay sa imong mga saksi, nga mao ang mahimong imong ebidensiya sa kaso. Kinahanglan nimo nga i-prisinta og ipakita ang orihinal nga mga dokumento sa adlaw sa pagdungog sa kaso.)

A motion to dismiss is prohibited and shall not be entertained. Any ground for dismissal should be included in your Response. Likewise, motions for bill of particulars and for extension to file pleadings, affidavits or any other paper are prohibited.

(Ginadili ug dili tagdon ang mosyon sa paglabay og pagwala og pulos. Kung unsa man ang basehan para paglabay o pagwala og pulos, kinahanglan i-uban na kini sa imohang Tubag. Ginadili pud ang pag-sumiti ug mosyon para sa detalye ug mosyon nga luyawan ang panahon para mag-sumiti og mga hangyo, gipanumpaang pahayag ug unsa pa man nga mga papel.)

Your failure to respond within the 10-day calendar period AND TO APPEAR AT THE HEARING OF THIS CASE will authorize the Court to render judgment.

(Ang imohang dili pagtubag sa sulod sa napulo (10) ka adlaw sa kalendaryo OG DILI PAGTUNGA OG PAGPAKITA SA GITAKDA NGA ADLAW SA PAGDUNGOG SA KASO kay magtugot sa Korte nga magbuhat og paghatol o desisyon.)

Witness my hand under the seal of this Court, this _____ day of _____, 20____, at _____, Philippines.

BRANCH CLERK OF COURT

NOTE: For questions, call the phone number/s: _____
(Nota: Para sa mga pangutana, tawag lamang sa Korte sa numero: # _____)
Email Address of the Court: _____
Email Address sa Korte: _____

FORM 3-SCC**VERIFIED RESPONSE****Gipamatud-an nga Tubag****FOR OFFICIAL USE ONLY**

Para ra sa Opisyal nga Gamit

Clerk stamps date here when form is filed.

Case Number:

Case Title:



Republic of the Philippines

Court:

Branch:

Street address:

Hotline:

Email address:

Notice to the Defendant**Pahinumdok sa Tawo nga Ginareklamo**

Notice to the person being sued:

1. You are the defendant – the person against whom the case is filed, if your name is listed in box no. 2 on page 2 of the Statement of Claim/s (Form 1-SCC). The person suing you is the plaintiff, listed in box no. 1 on page 1 of the Statement of Claim.
2. Read the Statement of Claim/s and all pages attached to understand the claim against you and to allow you to protect your rights.
3. You are required to file with this Court this verified Response (Form 3-SCC) within **ten (10) calendar days** from receipt of Summons. If you do not file a verified Response, the court will render judgment based on the Plaintiff's Statement.
4. You are required to submit along with your verified Response your evidence, such as certified copies of documents, receipts, and affidavits.
5. You or your representative (not a lawyer) and the plaintiff or his/her/its representative (not a lawyer) must go to court on the trial date indicated in Summons, Form 2-SCC. If not, judgment may be rendered.
6. If you lose, the court can order that your wages, money, or property be taken to pay this claim.

Pahinumdok sa Tawo nga Ginareklamo:

1. Ikaw ang Ginareklamo – ang tawo nga gipasakaan og kaso, kung ang imong pangalan kay nakalista sa kahon numero 2 sa ikaduhang panid sa Asunto nga Pagsingil (Form 1-SCC). Ang tawo nga gapasaka og kaso sa imo kay ang Nagareklamo, nakalista sa kahon numero 1 sa una nga panid sa Asunto sa Pagsingil.
2. Basaha ang Asunto sa Pagsingil ug ang tanan nga mga gilakip na panid para imo nga masabtan ang pag-angkon batok sa imo ug para maprotektahan ang imong mga katungod.
3. Gikinahanglan nga imong isumiti sa dinhi na Korte ang imong Gipamatud-an nga Tubag (Form 3-SCC) sa sulad sa **napulo (10) ka adlaw sa kalendaryo** sa pagdawat sa Pagpatawag. Kung dili ka magsumiti sa Gipamatud-an nga Tubag, magbuhat ang Korte og paghatol or desisyon base sa mga napamatud-an nga mga gipang-ingon sa Asunto sa Pagsingil.
4. Kinahanglan ka magsumiti uban sa imong Gipamatud-an nga Tubag og imohang ebidensiya, sama sa mga sertipikado nga kopya nga mga dokumento, resibo, ug mga gipanumpaang pagsaysay.
5. Ikaw o ang imong representante (nga dili abogado) og ang nagareklamo o ang iyang representante (nga dili abogado) kay kinahanglan moadto sa Korte sa petsa sa paghusay nga nakalista sa Pagpatawag, Form 2-SCC. Kung dili nimo mabuhay, magbuhat og desisyon ang Korte base sa mga napamatud-an nga mga gipang-ingon sa Asunto sa Pagsingil.
6. Kung mapildi man, ang korte pwede magsugo na imo mga sweldo, kwarta, o kabtangan/butang pwede makuha para mabayad ang pagsingil sa nagareklamo.

1 THE DEFENDANT Ang Ginareklamo

Name Ngalan sa Ginareklamo	Sex Kasarian	Age Idad	Civil Status Sibil nga Kahimtang
----------------------------	--------------	----------	----------------------------------

Home Address Adres/Lugar sa Paghatod nga Sulat sa Balay sa Ginareklamo

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo	Province Probinsiya	Region Rehiyon	
Contact No. Telepono/Selpon Numero	Email Address		

Place of Work/Business Lugar kung asa ka Nagatrabaho/Naganegosyo

Unit/Floor/House/Building No. Numero sa Andana	Street Dalan	Barangay	Zip Code
City/Siyudad/Municipality Munisipyo	Province Probinsiya	Region Rehiyon	
Contact No. Telepono/Selpon Numero	Email Address		

Verified Response
(Small Claims)

Form 3-SCC, Page 1 of 6

Defendant's Representative, if applicable *Representante sa ginareklamo, kon magamit*Name *Ngalan***Home Address** *Adres/Lugar sa Paghatod nga Sulat sa Balay sa Representante sa Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad</i> /Municipality <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

Place of Work *Lugar kung asa Nagatrabaho ang Representante sa Ginareklamo*

Unit/Floor/House/Building No. <i>Numero sa Andana</i> Street <i>Dalan</i>	Barangay	Zip Code
City <i>Siyudad</i> /Municipality <i>Munisipyo</i>	Province <i>Probinsiya</i>	Region <i>Rehiyon</i>
Contact No. <i>Telepono/Selpon Numero</i>	Email Address	

2 DEFENDANT'S DENIAL OF THE STATEMENT OF CLAIM**Pagsalikway/paglimod sa Ginareklamo sa asunto sa pagsingil**

A. The defendant denies the Statement of Claim/s for any of the following reasons (Check those that apply):

Ginalimod sa ginareklamo ang Asunto sa Pagsingil base sa mga ubos nga rason (Pagpili sa ubos og butangi og tsek):

- ☐ The defendant does not owe the plaintiff money. *Ang ginareklamo kay walay utang nga kwarta sa nagareklamo.*
- ☐ The defendant owes the plaintiff only a portion of the amount claimed. *Ang utang sa ginareklamo kay parte ra o kabahin ra sa gisingil nga kantidad sa nagareklamo.*
- ☐ It is the plaintiff who owes the defendant money. *Ang nagareklamo ang naay utang nga kwarta sa ginareklamo.*

B. If the defendant owes the plaintiff only a portion of the amount claimed, how much is this?

*Kung ang utang sa ginareklamo kay parte ra o kabahin ra sa gisingil nga kantidad, pila kini?***3 GROUNDS FOR DISMISSAL**A. Do you know of any other reason why the Statement of Claim/s should be dismissed? *Naa ba ka nahibal-an nga rason para ilabay o ibasura ang Asunto sa Pagsingil?*

- ☐ Yes *Oo*
- ☐ No *Wala*

If yes, please specify *Kung oo, unsa ang mga rason:*

- ☐ Complete payment
Nabayaran na naku og tibu-ok ang ginasingil
- ☐ Claim has already been decided by the court
Naa na hatol ang korte kabahin ani nga pagsingil
- ☐ Claim is pending in another court
Naa presente na gipasaka o ginadungog sa uban o la-in na korte kabahin sa kini na pagsingil
- ☐ Others
Uban pa nga mga rason: _____

B. Do you have any proof? *Naa ba kay pruweba?*

- ☐ Yes *Oo*
- ☐ No *Wala*

If yes, please specify *Kung oo, unsa ni nga mga pruweba:***4 DEFENDANT'S COUNTERCLAIM** *Balos nga Pagsingil*A. If it is the plaintiff who owes defendant money, how much and when did this happen? *Kung ang nagareklamo ang mao nga naay utang nga kwarta sa ginareklamo, pila man og kanus-a ni nahitabo?*Verified Response
(Small Claims)

Form 3-SCC, Page 2 of 6

Amount <i>Kantidad:</i>	If no specific date, estimate the time period <i>Kung walay sigurado o espesipiko nga petsa, ibutang ang bana-bana na panahon:</i>				
Date <i>Petsa:</i>	Start: <i>Sugod</i>	Through: <i>Taman</i>			
<p>B. How did you compute the money owed? (Do not include court costs or fees for service) <i>Gi-unsang nimo pagkwenta ang kalidad sa kwarta nga giutang? (Ayaw i-apil ang mga bayad nga filing fees sa korte o for service).</i></p>					
<p>C. Did you ask the plaintiff to pay you? <i>Kung ang nagareklamo ang nay utang sa imaha, imo ba siya gisingil?</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%; vertical-align: top;"> <input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i> </td> <td style="width: 40%; vertical-align: top;"> <p>If yes, how? <i>Kung oo, giunsa?</i></p> <input type="checkbox"/> In person <i>Sa iya mismo</i> <input type="checkbox"/> By phone <i>Sa telepono</i> <input type="checkbox"/> In writing <i>Sa sulat</i> <input type="checkbox"/> Others (specify) <i>Uban pa (unsa ni):</i> </td> <td style="width: 30%;"></td> </tr> </table>			<input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i>	<p>If yes, how? <i>Kung oo, giunsa?</i></p> <input type="checkbox"/> In person <i>Sa iya mismo</i> <input type="checkbox"/> By phone <i>Sa telepono</i> <input type="checkbox"/> In writing <i>Sa sulat</i> <input type="checkbox"/> Others (specify) <i>Uban pa (unsa ni):</i>	
<input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i>	<p>If yes, how? <i>Kung oo, giunsa?</i></p> <input type="checkbox"/> In person <i>Sa iya mismo</i> <input type="checkbox"/> By phone <i>Sa telepono</i> <input type="checkbox"/> In writing <i>Sa sulat</i> <input type="checkbox"/> Others (specify) <i>Uban pa (unsa ni):</i>				
<p>D. Do you have any proof? <i>Naa ba kay pruwera?</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%; vertical-align: top;"> <input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i> </td> <td style="width: 70%; vertical-align: top;"> <p>If yes, what is this proof? <i>Kung oo, unsa ni nga pruwera?</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> signed deed/contract/agreement <input type="checkbox"/> promissory note <input type="checkbox"/> bank deposit slip <input type="checkbox"/> receipts <input type="checkbox"/> checks </div> <div style="width: 48%;"> <input type="checkbox"/> latest demand letter (with proof of delivery and service) <input type="checkbox"/> affidavit of witnesses to support the claim <input type="checkbox"/> others (pls. specify): <i>uban pa (isulat dinhi):</i> _____ </div> </div> </td> </tr> </table>			<input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i>	<p>If yes, what is this proof? <i>Kung oo, unsa ni nga pruwera?</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> signed deed/contract/agreement <input type="checkbox"/> promissory note <input type="checkbox"/> bank deposit slip <input type="checkbox"/> receipts <input type="checkbox"/> checks </div> <div style="width: 48%;"> <input type="checkbox"/> latest demand letter (with proof of delivery and service) <input type="checkbox"/> affidavit of witnesses to support the claim <input type="checkbox"/> others (pls. specify): <i>uban pa (isulat dinhi):</i> _____ </div> </div>	
<input type="checkbox"/> Yes <i>Oo</i> <input type="checkbox"/> No <i>Wala</i>	<p>If yes, what is this proof? <i>Kung oo, unsa ni nga pruwera?</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> signed deed/contract/agreement <input type="checkbox"/> promissory note <input type="checkbox"/> bank deposit slip <input type="checkbox"/> receipts <input type="checkbox"/> checks </div> <div style="width: 48%;"> <input type="checkbox"/> latest demand letter (with proof of delivery and service) <input type="checkbox"/> affidavit of witnesses to support the claim <input type="checkbox"/> others (pls. specify): <i>uban pa (isulat dinhi):</i> _____ </div> </div>				

5 LIST OF DOCUMENTS *Listahan ng mga dokumento*

YOU MUST ATTACH CERTIFIED COPIES OF DOCUMENTS, AS WELL AS AFFIDAVITS OF WITNESSES AND OTHER EVIDENCE, IN SUPPORT OF YOUR DEFENSE AND/OR COUNTERCLAIM.
(KINAHANGLAN NIMO IKABIT O I-APIL PAGSUMITI ANI NGA PORMA/PAPEL ANG MGA SERTIPIKADONG KOPYA NA MGA DOKUMENTO/PAPEL, OG ANG MGA PAGPAMATUOD SA IMONG MGA TESTIGO UG UBAN PA NGA MGA EBIDENSIYA, PARA SUPORTAHAN ANG IMONG DEPENSA O KONTRA NGA PAGSINGIL/ASUNTO/DEMANDA.)

List down below all documents attached to this form:
Ilista sa ubos ang mga dokumento nga imong gikabit ani nga porma/papel:

6. PRAYER *Pagpakiluoy/Paghangyo*

WHEREFORE, the defendant respectfully prays for a judgment ordering (Check those that apply):
TUNGOD ANI, ang ginareklamo kay nagpakiluoy nga ihatag ang desisyon o hatol nga magsugo (Pili-a sa ubos og butangi og tsek):

- ☐ the dismissal of the Statement of Claim/s. *ilabay/ibasura ang Asunto nga Pagsingil.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____, with interest at the rate of ____% per annum/month from _____ until fully paid. *Suguon ang nagareklamo nga magbayad sa ginareklamo og kantidad nga ₱ _____, og ang tubo o interes nga ____% kada-tuig/bulan sugod sa _____ hangtud gyud nga mabayran kini tanan.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____ as actual damages. *Suguon ang nagareklamo nga bayaran ang Ginareklamo og kantidad nga ₱ _____, para sa aktuwal nga kadaat tungod sa pagpasaka ani nga kaso.*
- ☐ the plaintiff to pay the defendant the amount of ₱ _____ as costs of suit. *Suguon ang nagareklamo nga magbayad sa ginareklamo og kantidad nga ₱ _____, para sa bayad/gastos sa kasong nga gipasaka.*

7 WAIVER OF EXCESS OF SMALL CLAIMS IN COUNTERCLAIM

By the filing of this counterclaim, defendant hereby waives any amount in excess of ₱1 Million Pesos, excluding interests and costs. *Tungod sa pagpasaka ani nga Balos nga Pagsingil, dili na naku gukuron/apilon (waiver) sa ginareklamo ang kantidad nga molapas sa ₱1 Milyon Pesos, walay labot ang tubo/interes og mga gastos sa pagpasaka ani nga kaso.*

8 CONSENT TO ELECTRONIC SERVICE

☐ I give my consent to be served with official court notices, processes, orders, resolutions and decisions, as well as filings by the Plaintiff, through: *Nagahatag ko og pagtugot nga ihatud sa ako ang mga opisyal nga pahinumdon, proseso, sugo, resolusyon, og desisyon sa Korte, apil ang mga gipang sumiti sa nagareklamo nga mga pagpasaka, pinaagi sa:* *(Check those that apply Pagpili sa ubos og butangi og tsek.)*

- ☐ email address: _____
- ☐ fax number: _____
- ☐ cell phone number: _____
- ☐ phone call
 - ☐ text message (SMS)
 - ☐ instant message (ex. Viber, WhatsApp, Facebook Messenger) pls. specify: _____

City Siyudad:**Date Petsa:****Defendant's Signature** *Pirma sa Ginareklamo:*

9 VERIFICATION Pagpamatuod

I Ako, _____, of legal age *nasa hustong gulang*, _____,
(Name *Ngalan*) (Citizenship *PagkalungSORANON*)
_____, and a resident of _____
(Civil Status *Sibil nga Kahimtang*)

(Residence *Pinuy-anan*)

on oath, state *nanumpa na*:

1. I am the defendant in this case, and I have caused the preparation of the foregoing Response; *Ako ang ginareklamo ani nga kaso, og ako ang nagahimo og nagbutang ani nga Tubag;*
2. I have read and understood the allegations contained herein, and the same are true and correct based on my own personal knowledge and on authentic records; *Nabasa og nasabtan naku ang mga pasangil nga sulod ani, og ako gipamatud-an nga kini sakto base sa akong personal na kahibalo, tinood nga mga record, og ebidensiya;*
3. This Response is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; *Kini nga Balos nga Pagsingil/Tubag kay ako gisumiti sa korte dili para maka-haras o makapadugay sa kaso, o makahimo og walay hinungdan nga gastos sa proseso sa korte;*
4. The factual allegations herein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery. *Kini nga mga pasangil kay tinuod og suportado og mga ebidensiya, og makabaton og timbang pagkahuman og makatarunganon nga pagkadiskubri ani.*

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Defendant's Name and Signature
Ngalan ug Pirma sa Ginareklamo

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public/Administering Officer

10 VERIFICATION AND CERTIFICATION AGAINST FORUM SHOPPING, SPLITTING A CAUSE OF ACTION, AND MULTIPLICITY OF SUITS (if with counterclaim only) Pagpamatuod og Sertipikasyon na Walay Lain nga Kaso nga Gipasaka/Gidungog sa Uban nga Korte Hukuman (kung naa Balos Asunto sa Pagsingil, wala nay lain)

I Ako, _____, of legal age naa sa sakto nga idad, _____,
(Name Ngalan) (Citizenship Pagkalungsuranon)
_____, and a resident of _____
(Civil Status Katayuang Sibil)

(Residence Pinuy-anan)

on oath, state kay nanumpa na:

1. That I am the defendant in the above-entitled case and have caused this Response to be prepared; that I read and understood its contents which are true and correct of my own personal knowledge and/or based on true records. *Ako ang ginareklamo ani nga nga kaso, og ako ang nagahimo og nagbutang ani nga Tubag. Nabasa og nasabtan nku ang mga sulod ani nga Tubag, og ako gipamatud-an base sa ako personal na kahibalo, og base sa tinood nga mga record.*
2. The Response with counterclaim is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation. *Tubag nga naa Balos nga Pagsingil kay ako gisumiti sa korte dili para makaharas o makapadugay sa kaso, o makahimo og walay hinungdan nga gastos sa proseso sa korte.*
3. I have not commenced any action or proceeding involving the same issue or subject matter in the Supreme Court, Court of Appeals, or any other tribunal or agency, and that the check/s covered in this case has/have not been the subject of a criminal charge filed before the Office of the Provincial/City Prosecutor; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, Court of Appeals, or any other tribunal or agency; and that, if I should learn thereafter that a similar action or proceeding has been filed or is pending before this court, tribunal, or agency, I undertake to report that fact to this court within five (5) days therefrom. *Wala ko nagpasaka og lain nga kaso og walay lain kaso nga samtang ginadungog sa lain nga korte o uban pa nga ahensya sa gobyerno kabahin ani nga transaksyon, ug kung naa man cheke/mga cheke nga naapil ani, walay bulag nga kaso na kriminal ang ipasaka diri. Kung madiskubri naku nga naa lain kaso nga napasaka o samtang nga ginadungog sa lain nga korte o ahensiya sa gobyerno kabahin ani nga transaksyon o cheke/mga cheke, nagasaad ko nga ako ipahibalo dayun ani nga korte sa sulod sa lima (5) ka adlaw gikan sa akong pagdiskubre.*
4. That the filing of this case is not in violation of the rule against splitting a single cause of action or multiplicity of suits. *Ang pagpasaka ani nga kaso kay dili sukwahi sa palisiya sa Korte Suprema na ginadili ang pagpasaka og lain-lain nga kaso nga nagagikan sa usa ra ka transaksyon.*

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Defendant's Name and Signature
Ngalan ug Pirma sa Ginareklamo

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.

Notary Public/Administering Officer

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____

For: _____

Defendant
(Ginareklamo.)

x-----x

**NOTICE OF HEARING
(ABISO SA PAGDUNGOG)**

YOUR CASE IS SET for hearing before the Presiding Judge of this Court on _____
at _____.
(Dunggon ang imong kaso sa Nagdumala nga Maghuhukom niini nga Korte sa _____, sa diri sa _____.)

YOU MUST ATTEND THE HEARING. IF YOU CANNOT ATTEND BECAUSE IT IS PHYSICALLY IMPOSSIBLE FOR YOU TO DO SO, YOU MAY AUTHORIZE A REPRESENTATIVE WHO IS NOT A LAWYER TO APPEAR FOR YOU. FOR THIS PURPOSE, YOU SHOULD FILL UP FORM 7-SCC (SPECIAL POWER OF ATTORNEY).

(GIKINAHANGLAN ANG INYONG PAGTAMBONG SA PAGDUNGOG. KUNG DILI KAYA SA INYONG PANGLAWS ANG PERSONAL NA PAGTAMBONG SA PAGDUNGOG SA INYONG KASO, MAHIMO NGA MAGPADALA SA PAGDUNGOG UG INYONG TINUGYANAN/REPRESENTATIBO NGA DILI ABOGADO. ALANG NIINI NGA KATUYUAN, PUN-A NINYO ANG FORM 7-SCC [ESPESYAL NGA GAHUM SA ABOGADO - SPECIAL POWER OF ATTORNEY].)

INCLUDED IN THIS FORM IS FORM 3-SCC (VERIFIED RESPONSE) TO WHICH YOU MUST ATTACH CERTIFIED COPIES OF DOCUMENTS, AS WELL AS AFFIDAVITS OF WITNESSES AND OTHER EVIDENCE, IN SUPPORT OF YOUR DEFENSE AND/OR COUNTERCLAIM. THESE DOCUMENTS MUST BE LISTED DOWN IN BOX 5 (LIST OF DOCUMENTS) OF FORM 3-SCC (UBAN ANI NGA PAPEL ANG FORM 3-SCC (GIPAMATUD-AN NGA TUBAG) KON DIIN IMO ILAKIP/IAPIL ANG MGA SERTIPIKADO NGA KOPYA SA MGA DOKUMENTO, AFFIDAVITS O GIPAMATUD-AN NGA SALAYSAY SA IMOHANG MGA TESTIGO UG UBAN PA NGA MGA EBIDENSYA, PARA SUPTAHAN ANG IMONG DEPENSA UG/O BALOS NGA PAGSINGIL. KINI NGA MGA DOKUMENTO KINAHANGLAN NIMO ILISTA SA KAHON 5 [LISTAHAN SA MGA DOKUMENTO] SA FORM 3-SCC.)

THE HEARING SHALL BE CONDUCTED THROUGH: (ANG MAONG PAGDUNGOG IPAHIGAYON SA:)

___ IN-COURT PROCEEDINGS (FACE-TO-FACE HEARING)
(ATUBANGAY NGA PAMAAGI)

___ VIDEOCONFERENCING THROUGH THE USE OF THE PHILIPPINE JUDICIARY 365 PLATFORM
(PAMAAGI NGA VIDEOCONFERENCING GAMIT ANG PHILIPPINE JUDICIARY 365 PLATFORM)

**WARNING FOR VIDEOCONFERENCING HEARINGS
Babala para sa mga Pagdinig sa Videoconferencing**

The photographing, recording, and rebroadcasting of the court proceedings are **strictly prohibited**. Violations of these prohibitions may result in sanctions, including contempt of court.
Estrikto nga ginadili ang pagkuha og litrato, pagrekord, og pag-broadcast ug utro sa pagdungog sa korte. Ang paglapas sa niining pagdili posible moresulta sa silot, lakip ang contempt of court.

WITNESS the HON. _____, Presiding Judge of this Court, this _____ day of _____, 20_____, at _____, Philippines.

Branch Clerk of Court

Note: For questions, contact the court at Tel. No. _____
or via email at _____.
(Nota: Para sa mga pangutana, tawag lamang sa korte sa Tel. No. _____
o mag-email sa _____.)

Notice of Hearing
(Small Claims)

Form 4-SCC, Page 1 of 1

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Nagareklamo,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Ginareklamo.)

x- - - - -x

RETURN OF SUMMONS/MANIFESTATION
 (PAGBALIK SA PAGPATAWAG/PAGPADAYAG)
 [Personal Service]

This is to certify that the undersigned personally served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, as shown by her/his signature appearing at the lower portion of the summons:

(Kini mao ang pagsertipika nga personal nga nadawat sa Ginareklamo ang Pagpatawag, Asunto sa Pagsingil, lakip ang mga Annex niini, ug Abiso sa Pagdungog, nga gipamatud-an sa iyang/ilang pirma sa ubos nga bahin sa Pagpatawag:)

Date of Service (Petsa sa Pagdawat)	Name of Defendants who were Personally Served (Pangalan sa mga Ginareklamo na Personal na Nakadawat)

However, the undersigned failed to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the following defendant/s on the ground/s that:

(Bisan pa niana, wala nako mahatod/matunol ang Patawag, Asunto sa Pagsingil, lakip ang mga Annex niini, ug Abiso sa Pagdungog, sa mga sumusunod nga Ginareklamo tungod sa:)

Name of Defendant (Pangalan sa Ginareklamo)	Date of Attempted Service (Petsa kung Kanus-a Gisulayan ug Hatod/Tunol)	Reason for Failure of Service (Rason Ngano Wala Mahatod/Matunol) [select from options listed below] [(Pagpili sa mga kapilian nga makita sa ubos)]

Possible Reasons for Failure of Service Mga Posibleng Rason Ngano Wala Mahatod/Matunol
<ul style="list-style-type: none"> Address cannot be located (Dili makita ang puloy-anan) Insufficient address (Dili kumpleto ang puloy-anan) Defendant moved out (Nibalhin na ang ginareklamo) Refused to receive (Dili dawaton) On leave (Naka-leave sa trabaho) No longer connected with the office/establishment/agency (Wala na nagatrabaho sa opisina/establisamento/ahensya) Death of defendant (Patay na ang ginareklamo) Others, please indicate (Uban pa, mahimo nga isulat ang rason)

FORM 5-SCC

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court,
DULY SERVED PERSONALLY.

(TUNGOD NIINI, ginabalik sa Halangdon nga Korte ang orihinal nga kopya sa Pagpatawag, NGA
HUSTONG NAHATOD/NATUNOL.)

_____, Philippines, _____ (date) (petsa).

SHERIFF/PLAINTIFF
(Sheriff/Nagareklamo)

FOR THE PLAINTIFF/PARA SA NAGAREKLAMO:

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20____.
NANUMPA SA AKONG ATUBANGAN KARONG IKA-_____ sa _____, 20____.

Notary Public (Notaryo Publiko)

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____
For: _____

Defendant.
(Ginareklamo.)

x-----x

RETURN OF SUMMONS/MANIFESTATION
(PAGBALIK SA PAGPATAWAG/PAGPADAYAG)
[Substituted Service]

This is to certify that the undersigned served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, through his/her representative, as follows:

(Kini mao ang pagsertipika nga akong gihatod/gitunol ang Pagpatawag, Asunto sa Pagsingil, lakip ang mga Annex niini, ug Abiso sa Pagdungog, sa Ginareklamo, pinaagi sa iyang/ilang tinugyanan, sama sa mga sumusunod:)

Date of Service (Petsa sa Pagdawat)	Name of Person who Received (Pangalan sa Nagdawat)	Relationship to the Defendant / Designation (Relasyon sa Ginareklamo/ Pangtudlo)	Address (Puloy-anan)

Said persons were either: (a) at least eighteen (18) years of age and of sufficient discretion residing with defendant; (b) in charge of defendant's office or regular place of business; or (c) an officer of the homeowners' association or condominium corporation, or its chief security officer in charge of the community or the building where the defendant may be found. Their signatures may be found at the lower portion of the summons.

(Ang nagdawat: (a) wala muubos sa napulog-walo/dise otso (18) ang edad, aduna'y igo nga kaugdag, ug nagapuyo kauban sa Ginareklamo; o (b) nagdumala sa opisina o lugar sa ginatrabahuan sa Ginareklamo; o (c) usa ka opisyal sa homeowners' association o condominium corporation, o ang chief security officer nga nagdumala sa komunidad o bilding kung diin makita ang ginareklamo. Ang ilang mga pirma makit-an sa ubos nga bahin sa Pagpatawag.)

With the court's permission, I also served the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, by sending an electronic mail to his/her/their electronic mail address, as follows:

(Dala ang permiso sa korte, ako usab gipadala ang Pagpatawag, Asunto sa Pagsingil, lakip ang mga Annex niini ug Abiso sa Pagdungog, sa ginareklamo, pinaagi sa pagpadala og electronic mail sa iyang/ilang electronic mail address, sama sa mga sumusunod:)

Name of Defendant (Pangalan sa Ginareklamo)	Electronic Mail Address

Substituted service was made after the undersigned made at least three (3) attempts on two (2) different dates to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s, but failed and unavailing on the following ground/s:

(Napugos ako nga mugamit og substituted service¹ human mapakyas sa akong pagsulay, nga dili munaog sa tulo (3) ka beses sa duha (2) ka bulag nga adlaw, ug hatod/tunol sa Pagpatawag, Asunto sa Pagsingil, lakip ang mga Annex niini, ug Abiso sa Pagdungog, sa Ginareklamo, tungod sa:)

Date and Time of Attempted Service (Petsa ug Oras kung Kanus-a Gisulayan ug Hatod/Tunol)	Reason for Failure of Service (Rason Ngano Wala Mahatod/Matunol)
	<input type="checkbox"/> Address cannot be located (<i>Dili makita ang puloy-anan</i>) <input type="checkbox"/> Insufficient address (<i>Dili kumpleto ang puloy-anan</i>) <input type="checkbox"/> Defendant moved out (<i>Nibalhin na ang ginareklamo</i>) <input type="checkbox"/> Refused to receive (<i>Wala gidawat</i>) <input type="checkbox"/> On leave (<i>Naka-leave sa trabaho</i>) <input type="checkbox"/> No longer connected with the office/establishment/agency (<i>Wala na nagatrabaho sa opisina/establisamento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>Patay na ang ginareklamo</i>) <input type="checkbox"/> Others, please indicate: (<i>Uban pa, mahimo nga isulat ang rason:</i>)
Address of Defendant (Puloy-anan sa Ginareklamo)	
Please state in detail the facts and circumstances on the attempts made at personal service to defendant. (Mahimo nga maghatag ug detalyado nga pagsaysay sa mga panghitabo mahitungod sa mga pagsulay nga mahatod/matunol ug personal ang mga dokumento sa ginareklamo.)	
<div style="border: 1px solid black; height: 150px; width: 100%;"></div>	
[** use additional page/s, if needed.] (<i>[Paggamit og dugang nga panid, kung gikinahanglan]</i>)	

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court, DULY SERVED.

(TUNGOD NIINI, ginabalik sa Halangdon nga Korte ang orihinal nga kopya sa Pagpatawag, NGA HUSTONG NAHATOD/NATUNOL.)

_____, Philippines, _____ (date) (petsa).

SHERIFF/PLAINTIFF
(SHERIFF/NAGAREKLAMO)

FOR THE PLAINTIFF/PARA SA NAGAREKLAMO:

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20__.

Notary Public/Administering Officer

¹ Ang "substituted service" nga gipasabot diri mao ang pagpadala/pagtunol sa opisyal na dokumento sa korte sa tao gawas sa ginareklamo, nga gitugtan nga mudawat niini sumala sa Section 6, Rule 14 sa 2019 Revised Rules of Civil Procedure.

[ADDITIONAL SHEET (DUGANG NGA PANID)]

Date and Time of Attempted Service (Petsa ug Oras kung Kanus-a Gisulay ug Hatod/Tunol)	Reason for Failure of Service (Rason Ngano Wala Mahatod/Matunol)
	<input type="checkbox"/> Address cannot be located (<i>Dili makita ang puloy-anan</i>) <input type="checkbox"/> Insufficient address (<i>Dili kumpleto ang puloy-anan</i>) <input type="checkbox"/> Defendant moved out (<i>Nibalhin na ang ginareklamo</i>)
Address of Defendant (Puloy-anan sa Ginareklamo)	<input type="checkbox"/> Refused to receive (<i>Wala gidawat</i>) <input type="checkbox"/> On leave (<i>Naka-leave sa trabaho</i>)
	<input type="checkbox"/> No longer connected with the office/establishment/agency (<i>Wala na nagatrabaho sa opisina/establisamento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>Patay na ang ginareklamo</i>) <input type="checkbox"/> Others, please indicate: (<i>Uban pa, mahimo nga isulat ang rason:</i>)
Please state in detail the facts and circumstances on the attempts made at personal service to defendant. (<i>Mahimo nga maghatag ug detalyado nga pagsaysay sa mga panghitabo mahitungod sa mga pagsulay nga mahatod/matunol ug personal ang mga dokumento sa Ginareklamo.</i>)	

Date and Time of Attempted Service (Petsa ug Oras kung Kanus-a Gisulay ug Hatod/Tunol)	Reason for Failure of Service (Rason Ngano Wala Mahatod/Matunol)
	<input type="checkbox"/> Address cannot be located (<i>Dili makita ang puloy-anan</i>) <input type="checkbox"/> Insufficient address (<i>Dili kumpleto ang puloy-anan</i>) <input type="checkbox"/> Defendant moved out (<i>Nibalhin na ang ginareklamo</i>)
Address of Defendant (Puloy-anan sa Ginareklamo)	<input type="checkbox"/> Refused to receive (<i>Wala gidawat</i>) <input type="checkbox"/> On leave (<i>Naka-leave sa trabaho</i>)
	<input type="checkbox"/> No longer connected with the office/establishment/agency (<i>Wala na nagatrabaho sa opisina/establisamento/ahensya</i>) <input type="checkbox"/> Death of defendant (<i>Patay na ang ginareklamo</i>) <input type="checkbox"/> Others, please indicate: (<i>Uban pa, mahimo nga isulat ang rason:</i>)
Please state in detail the facts and circumstances on the attempts made at personal service to defendant. (<i>Mahimo nga maghatag ug detalyado nga pagsaysay sa mga panghitabo mahitungod sa mga pagsulay nga mahatod/matunol ug personal ang mga dokumento sa Ginareklamo.</i>)	

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Nagareklamo,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Ginareklamo.)

X- - - - -X

MOTION TO SUE AS INDIGENT
 (Mosyon na Magreklamo Isip "Indigent"¹)

_____, unto this Honorable Court, respectfully alleges that:
 _____, sa niining Halangdon nga Korte, gipahayag nga:

- I am a resident of _____;
 (Nagpuyo ako sa _____;)
- My gross income and that of my immediate family does **not exceed**:
 (Ang kinatibuk-ang kantidad sa akong kita ug kita sa tanan membro sa akong pamilya **dili mulapas** og:)

<input type="checkbox"/> ₱4,000.00	<input type="checkbox"/> ₱7,000.00	<input type="checkbox"/> ₱10,000.00	<input type="checkbox"/> ₱13,000.00
<input type="checkbox"/> ₱5,000.00	<input type="checkbox"/> ₱8,000.00	<input type="checkbox"/> ₱11,000.00	<input type="checkbox"/> ₱14,000.00
<input type="checkbox"/> ₱6,000.00	<input type="checkbox"/> ₱9,000.00	<input type="checkbox"/> ₱12,000.00	<input type="checkbox"/> Others (uban pa, pila): _____

3. I do not own real property with a fair market value of more than (amount as provided in the Revised Rules of Court, as amended) as stated in the current tax declaration from the Office of the City/Municipal Assessor;

(Wala ko nanag-iyu ug yuta nga aduna'y fair market value na mulapas sa (kantidad nga gipahayag sa Revised Rules of Court, as amended) sumala sa pinakabag-ong tax declaration gikan sa Office of the City/Municipal Assessor;)

4. Due to financial constraint, I cannot afford to pay for the expenses of a court litigation as I do not have enough funds for food, shelter and other basic necessities;

(Tungod sa kakulangong na pinansyal, dili nako makaya ang bayrunon sa gasto sa litigasyon labi na nga dili igo ang akong kita para sa gasto sa pagkaon, puloy-anan ug uban pa nga mga pangunang panginahanglan;)

5. Should the court render judgment in my favor, the amount of the docket and other legal fees which I was exempted from paying shall be a lien on the judgment, unless the court orders otherwise.

(Kung mahitabo man nga mudesisyon ang korte pabor sa ako, maminusan ang kantidad nga gihatag sa desisyon sa kantidad sa bayad sa daket na wala gipabayad sa ako, gawas kung lahi ang isugo sa korte.)

¹ Sumala sa Section 21, Rule 3 sa Revised Rules of Court, as amended, ang "indigent" mao ang usa ka tao nga wala'y igo nga kwarta ug panag-iyu para sa mga gasto sa pagkaon, puloy-anan og uban pa nga mga pangunang panginahanglan.

FORM 6-SCC

WHEREFORE, premises considered, it is respectfully prayed that I be exempted from the payment of docket and other legal fees as indigent pursuant to Section 21, Rule 3, in relation to Section 18, Rule 141 of the Revised Rules of Court.

(TUNGOD NIINI, human gikonsiderar/gihuna-huna ang kahimtangan, matinahuron ako nga nangamuyo nga dili ako pabayron sa daket ug uban pang gasto isip usa ka indigent sumala sa Section 21, Rule 3, nga konektado sa Section 18, Rule 141 sa Revised Rules of Court.)

Other reliefs just and equitable under the premises are likewise prayed for.

(Ginapangamuyo ko usab ang uban pa nga angay og patas nga kahupayan sa niining kahimtang.)

PLAINTIFF

(Ngalan ug Pirma sa Nagareklamo)



SPECIAL POWER OF ATTORNEY
(ESPESYAL NGA GAHUM SA ABOGADO)

KNOW ALL MEN BY THESE PRESENTS:
(GIPAHIBALO SA TANAN TAWO NGA:)

I, _____, of legal age, single/married, with residence at _____ do hereby appoint, name and constitute _____, who is not a lawyer, as my true and legal representative to act for and in my name and stead, and to represent me during the hearing of Civil Case No. _____, to enter into amicable settlement, to submit to alternative modes of dispute resolution, and to make admissions or stipulations of facts and documents without further consultation from me.

(AKO, _____, naa sa saktong edad, wala'y asawa/aduna'y asawa, nagpuyo ug aduna'y puloy-anan sa _____, gipahayag diri nga akong gitudlo, gipili ug gihimo si _____, na dili abogado, isip akong tinuod ug legal nga tinugyanan, aron maghimo ug maglihok, sa akong puli ug ngalan, ug magsilbi nga akong tinugyanan sa pagdungog sa Civil Case No. _____, makipag-areglo sa kasabutan, muagi sa alternative modes of dispute resolution,¹ ug magpahayag ug mga pag-angkon o magtakda ug mga kamatuoran ug mga dokumento nga dili na kinihanglanon ang pagkonsulta sa ako.)

I hereby grant my representative full power and authority to execute and perform every act necessary to render effective the power to compromise as though I myself have so performed it and hereby approving all that he may do by virtue of these presents.

(Diri akong ginahatag sa akong tinugyanan ang tibuok gahum ug awtoridad para mulihok ug muhimo sa mga butang nga gikinahanglan para ipatuman ang gahum sa pakipagkompromiso nga daw ako mismo ang nilihok niini, ug diri akong ginatugtan ang tanan nga iyang buhaton.)

In witness whereof, I hereunto set my hand this ____ day of _____, 20____, at _____.
(Sa pagsaksi niini, nagpirma ko sa diri sa ubos, karong ika-____ sa _____, 20____, diri sa _____.)

Principal
(Nagtugyan)

Agent
(Tinugyanan)

Witnesses:
(Mga Saksi):

¹ Ang "Alternative Dispute Resolution System" mao ang proseso sa paglutas o pagdesisyon sa panaglalis o dili pagsinabtanay, gawas sa litigasyon sa korte o uban pang ahensya sa gobyerno, kung diin aduna'y neutral third party na mutabang aron solusyunan ang mga isyu. Lakip niini ang arbitration, mediation, conciliation, early neutral evaluation, mini-trial, o bisan unsa nga kombinasyon sa mga gihisgutan.

(ACKNOWLEDGMENT)
(PAGPAMATUOD)

BEFORE ME, a Notary Public for and in _____, on this ____ day of _____ 20____, the following affiants personally appeared with their respective valid IDs as follows:

(SA AKONG ATUBANGAN, nga usa ka Notaryo Publiko sa _____, karong ika-____ sa _____, 20____, nitunga ang mga sumusunod nga manunumpa nga aduna'y dokumento sa ilhanan sa pagkatawo:)

Name (Ngalan)	ID Number (Numero sa Dokumento sa Ilhanan sa Pagkatawo)
(Principal) (Nagtugyan)	
(Agent) (Ginatugyan)	
(Witness) (Saksi)	
(Witness) (Saksi)	

known to me to be the same persons who executed the above document, and who acknowledged to me that the same is their own free act and deed.

(nga nailhan nako nga mao ang naghimo sa dokumento sa ibabaw, ug nag-ila nga kaugalingong kabubut-on nila ang paghimo sa maong dokumento, ug nasayod sila sa mga legal na sangputanan niini.)

WITNESS MY HAND AND SEAL.
(SAKSI SA AKONG PIRMA UG SELYO.)

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20_____.

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____

For: _____

Defendant.
(Ginareklamo.)

X-----X

JOINT MOTION
(FOR DISMISSAL)

(Hiniusang Mosyon na Ibasura ug Isalikway)

Plaintiff and defendant, unto this Honorable Court, respectfully allege that:

(Ang nagareklamo ug Ginareklamo, diri sa Halangdon nga Korte, matinahuron nga nagpahayag nga:)

1. Plaintiff and defendant have mutually and voluntarily settled their claim and counterclaim to the entire satisfaction of each other; and

(Ang nagareklamo ug ginareklamo nagkahiusa ug boluntaryo nga miuyon nga wala na sila naggukod sa usa'g usa; ug)

2. The parties no longer have a cause of action against each other.

(Wala na usab sila'y cause of action batok sa usa'g usa.)

WHEREFORE, premises considered, plaintiff and defendant respectfully pray that the plaintiff's statement of claim and defendant's counterclaim incorporated in his response be dismissed.

(TUNGOD NIINI, matinahurong ginahangyo sa nagareklamo ug ginareklamo ang pagbasura sa reklamo sa nagareklamo ug sa kontra-reklamo sa ginareklamo.)

Other reliefs just and equitable under the premises are likewise prayed for.

(Ginapangamuyo man usab ang uban pa nga angay ug patas nga kahupayan sa niining kahimtang.)

Place (Lugar)_____
Date (Petsa)

Plaintiff
(Nagareklamo/Naghahabla)

Defendant
(Ginareklamo/Hinahabla)

To the Branch Clerk of Court:

Please submit the foregoing motion for the consideration of the Court without hearing and further argument from the parties.

Plaintiff
(Nagareklamo)

Defendant
(Ginareklamo)

Joint Motion (For Dismissal)
(Small Claims)

Form 8-SCC, Page 1 of 1

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Nagareklamo,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Ginareklamo.)

X- - - - -X

MOTION FOR APPROVAL OF COMPROMISE AGREEMENT

(Mosyon para sa Pagpapa-apruba sa Kasabutan sa Kompromiso)

The parties respectfully allege that:

(Ang nagareklamo ug ginareklamo matinahuron nga nagpahayag nga:)

1. Plaintiff filed this claim against defendant for:

(Ang nagareklamo gipasaka ang kini nga reklamo batok sa ginareklamo para sa:)

_____ collection of sum of money (pagsingil/pangongolekta ug kwarta)

_____ enforcement of barangay agreement

(pagpatuman sa nasabutan sa barangay)

2. The parties have come to an amicable settlement and have executed a Compromise Agreement attached to this Form.

(Ang Nagareklamo ug Ginareklamo nagkasundo ug nagsulat og Kasabutan sa Kompromiso na nakalakip niini nga Form.)

*(Attach the Compromise Agreement to this Form)

(Ilakip diri sa Form ang Kasabutan sa Kompromiso)

3. The parties agree that the approval of this agreement by the Court shall put an end to this litigation, except for purposes of execution in case of default.

(Ang Nagareklamo ug Ginareklamo nagkasundo nga ang pag-apruba sa Halangdon nga Korte niining Kasabutan o Kompromiso mao ang magtapos niining kaso, gawas sa katuyuan nga ipatuman ang maong Kasabutan sa Kompromiso kung wala musunod sa sabot ang Nagareklamo o ang Ginareklamo o ang parehong partido.)

WHEREFORE, premises considered, the parties respectfully pray that the court approve this agreement and render judgment on the basis thereof.

(TUNGOD NIINI, human gikonsiderar ang kahimtangan, matinahurong ginahangyo nga i-apruba sa korte ang maong Kasabutan sa Kompromiso ug magpagwas og desisyon base niini.)

 Place (Lugar)

 Date (Petsa)

 Plaintiff
 (Nagareklamo)

 Defendant
 (Ginareklamo)

REPUBLIC OF THE PHILIPPINES

 Plaintiff,

vs.

Civil Case No. _____

For: _____

 Defendant.

X- - - - - X

DECISION
(BASED ON COMPROMISE AGREEMENT)

Plaintiff filed this case against defendant for _____ in the amount of _____.

Defendant denied plaintiff's claim on the ground of _____, and set up a counterclaim for _____.

The parties, however, reached an amicable settlement and submitted to the court a compromise agreement, the terms and conditions of which are attached to this Decision.

**(Attach the Compromise Agreement to this Decision)*

It appearing that the agreement is not contrary to law, morals, good customs, public moral and public policy, and pursuant to Articles 2028 and 2037 of the Civil Code of the Philippines, the same is hereby APPROVED and ADOPTED as the Decision of this court.

The parties are hereby ordered to faithfully comply with the terms and conditions of the agreement.

WHEREFORE, judgment is hereby rendered approving the Compromise Agreement and the parties are ordered to comply with the terms and conditions, as follows:

(The judge should define the rights and obligations of the parties under the judgment approving the Compromise Agreement to be enforced by a Writ of Execution.)

SO ORDERED

 Place

 Date

 Presiding Judge

REPUBLIC OF THE PHILIPPINES

 Plaintiff,

vs.

Civil Case No. _____

For: _____

 Defendant.

X-----X

DECISION ON SMALL CLAIMS

1. The small claims action filed in this case is for money owed under:

- ☐ Contract of Lease ☐ Contract of Loan/other credit accommodations
☐ Contract of Services ☐ Contract of Sale of Personal Property
☐ Enforcement of a Barangay Amicable Settlement

2. In the Statement of Claims, Plaintiff/s claim/s the Defendant/s owe/s him/her/it the principal amount of ₱ _____ with interest rate of _____ computed, as follows:

3. In the Response submitted, Defendant/s interposed the following defense:

- ☐ Defendant/s do/es not owe Plaintiff/s any money.
☐ Defendant/s owe/s Plaintiff/s only a portion of the amount claimed.
☐ Defendant/s already paid the principal amount claimed and the interests charged to the loan is excessive.
☐ It is the Plaintiff/s who owes the Defendant/s money.
☐ Defendant/s admit/s owing money to the Plaintiff/s but has/have no financial capacity to pay at the moment.
☐ Defendant/s deny/denies the loan obtained and raises the defense of forgery.
☐ Defendant/s is/are a mere co-maker of the loan and has the benefit of excussion.
☐ Others

4. On _____ (date), both parties:

- ☐ personally appeared during the hearing
☐ appeared through a specially authorized representative.

Attempts for alternative dispute resolution failed. The court thus proceeded with the hearing of the case which was terminated on _____.

5. In establishing the small claim, Plaintiff/s presented the following documentary evidence:

- ☐ Signed deed or agreement captioned as _____ and marked as Exhibit/s _____
- ☐ Promissory Note marked as Exhibit/s _____
- ☐ Receipt/s marked as Exhibit/s _____
- ☐ Bank deposit slip/s marked as Exhibit/s _____
- ☐ Check/s marked as Exhibit/s _____
- ☐ Latest Demand Letter marked as Exhibit _____
- ☐ Barangay Amicable Settlement marked as Exhibit _____
- ☐ Others: _____ marked as Exhibit/s _____

6. Plaintiff/s likewise submitted the affidavits of the following witnesses who alleged, in summary, as follows:

Name of Witness	Gist of Testimony

7. In defense, Defendant/s submitted the following documentary evidence:

- ☐ Signed deed or agreement captioned as _____ and marked as Exhibit/s _____
- ☐ Promissory Note marked as Exhibit/s _____
- ☐ Receipt/s marked as Exhibit/s _____
- ☐ Bank deposit slip/s marked as Exhibit/s _____
- ☐ Check/s marked as Exhibit/s _____
- ☐ Barangay Amicable Settlement marked as Exhibit _____
- ☐ Others: _____ marked as Exhibit/s _____

8. Defendant/s likewise submitted the affidavits of the following witnesses who alleged, in summary, as follows:

Name of Witness	Gist of Testimony

9. In the same action, Defendant/s raised the following compulsory counterclaim:

- ☐ They are mutual creditors and debtors.
- ☐ Defendant/s has/have commission/s due from the Plaintiff.
- ☐ It is the Plaintiff/s who owe/s him/her/it money.
- ☐ Others.

10. With the same having been submitted for judgment, this court finds:

- ☐ The claim of the Plaintiff/s is meritorious.
- ☐ The compulsory counterclaim of the Defendant is meritorious.

Wherefore, the small claim/ counterclaim is granted.

(State reason).

This court orders _____ to pay to _____ the amount of ₱ _____ (state the monetary award or damages) with interest of _____ until fully paid.

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

- ☐ The claim of the Plaintiff/s is devoid of merit.
☐ The compulsory counterclaim of the Defendant is devoid of merit.

Wherefore, the small claim/ counterclaim is denied.

(State the reason).

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

- ☐ The action is dismissed is with prejudice.
☐ The action is dismissed without prejudice.

Wherefore, the small claim/ counterclaim is dismissed with / without prejudice.
(State the reason).

Plaintiff's prayer for the withdrawal of the remaining balance in the Sheriff's Trust Fund in the amount of ₱ _____, is granted, subject to accounting and auditing procedures. The Clerk of Court is directed to release such amount to the Plaintiff or his/her/its authorized representative.

SO ORDERED.

Place Date

Presiding Judge

Copy furnished:
All parties
Office of the Clerk of Court of _____

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Nagareklamo,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Ginareklamo.)

X- - - - -X

MOTION FOR EXECUTION

(Mosyon sa Pagpatuman sa Desisyon)

Plaintiff/Defendant, unto this Honorable Court, respectfully alleges that:
 (Ang Nagareklamo/Ginareklamo, sa niining Korte, nagpahayag nga:)

1. On _____, a judgment was rendered by the Court, the dispositive portion of which reads:
 (Niadtong _____, nagpagawas ang Korte ug Desisyon nga muingon:)

2. The judgment is final, executory and unappealable.
 (Ang Desisyon mao na ang katapusan, ipatuman na ug dili na mahimo nga i-apela).
3. The plaintiff/defendant has not complied with the judgment.
 (Ang Nagareklamo/Ginareklamo wala musunod sa Desisyon).

WHEREFORE, premises considered, it is respectfully prayed that a WRIT OF EXECUTION be issued to implement the judgment of the Court dated _____.
 (TUNGOD NIINI, matinahurong ginahangyo na magpagawas ug usa ka PAGPATUMAN sa Desisyon sa Korte na may petsa _____.)

 Place (Lugar)

 Date (Petsa)

 Plaintiff/Defendant
 (Nagareklamo/Ginareklamo)

REPUBLIC OF THE PHILIPPINES

Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____

For: _____

Defendant.
(Ginareklamo.)

X-----X

WRIT OF EXECUTION

(Money Judgment)

(Mando para sa Pagpatuman sa Desisyon na Naglambigit sa Kwarta)

TO: THE SHERIFF/DEPUTY SHERIFF
(Para sa Serip/Deputy Serip)

WHEREAS, on (date of the Decision) , this Court rendered a Decision in the above-entitled case, the pertinent portion of which reads as follows: (SAMTANG, kaniadtong (petsa sa Desisyon) , nagpagawas ang Korte og Desisyon niining kaso, may kalabutan nga bahin niini mabasa sa mga musunod:)

This court orders (name of defendant/judgment obligor)
(Gisugo sa niining korte si)
to pay (name of plaintiff/judgment obligee) the amount of
(nga bayaran si) (sa kantidad nga)
 (monetary award or damages) , with interest of per annum
(na may tubo/interes nga) (kada tuig)
reckoned from (date of the Decision) until fully paid.
(gikan) (hangtud makumpleto ang bayad.)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.
(SAMTANG, ang maong Desisyon nahuman na, ipatuman na, ug dili na mahimong i-apela.)

NOW THEREFORE, you are commanded to cause the execution of the Decision, and demand from (name of defendant/judgment obligor) the payment of the judgment obligation, together with your lawful fees for the service of this writ, and to tender the same to the plaintiff/judgment obligee.

(BUSA KARON, gisugo ka nga ipatuman and Desisyon, og mag-demanda/maningil kay para sa kantidad nga gipahamtang, lakip ang mga bayrunong legal para sa pagtunol niining mando sa pagpatuman, ug ihatag kini sa nagareklamo o gideklarar nga nakadaog sa kaso.)

Writ of Execution (Money Judgment)
(Small Claims)

Form 13-SCC, Page 1 of 2

You are guided as follows:

(Ikaw gigiyahan sumala sa mga musunod:)

1. If the judgment obligor cannot pay all or part of the obligation in cash, certified bank check or other mode of payment acceptable to the judgment obligee, you shall levy upon the properties of the judgment obligor of every kind and nature whatsoever which may be disposed of for value and not otherwise exempt from execution giving the judgment obligor the option to immediately choose which property or part thereof may be levied upon, sufficient to satisfy the judgment. *(Kung ang ginareklamo dili mabayran ang tibuok o tipik sa kantidad sa obligasyon pinaagi sa kwarta, sertipikado nga tseke sa bangko, o kung unsang pamaagi man nga madawat sa nagareklamo, gisugo ka nga ibuhis ang bayad sa mga kabtangan sa ginareklamo nga pwede ibaligya, basta dili kini lakip sa mga kabtangan na gidili ilakip sa pagpatuman sa desisyon. Ang ginareklamo ang naa'y opsiyon mamili kung hain ang pilion sa iyang kabtangan o bahin niini ang mahimong ibuhis, igo lang nga makatagbaw sa bayrunon nga gipahamtang sa desisyon.)*

2. If the judgment obligor does not exercise the option, you shall first levy on the personal properties, if any, and then on the real properties if the personal properties are insufficient to answer for the judgment. You shall sell only a sufficient portion of the personal or real property of the judgment obligor which has been levied upon. *(Kung ang ginareklamo wala mupili sa mga opsiyon nga gihisgutan, gisugo ka nga ibuhis og una ang mga personal na kabtangan (pananglitan: sakyanan, muwebles, alahas, og uban pa), kung aduna man, ayha isunod ang mga tinuod nga kabtangan (pananglitan: yuta, balay, og uban pa) kung kulang ang mga personal na kabtangan para mabayran ang gipahamtang sa desisyon. Gitugtan ka nga mamaligya lamang ug tipik sa personal o tinuod nga kabtangan sa ginareklamo nga igo lang makabayad sa kantidad nga gipahamtang.)*

3. You shall not levy upon so much of the salaries, wages, or earnings of the judgment obligor for his/her personal services within the four (4) months preceding the levy as are necessary for the support of his family. They are exempt from execution. *(Ang mga sweldo, suhol, o kita sa ginareklamo gikan sa iyang mga personal na serbisyo sulod sa upat (4) ka bulan bag-o ang pagpahamtang, nga gikinahanglan niya para isuporta sa iyang pamilya, dili labot sa pagpatuman sa desisyon.)*

4. You shall make a report to the court every thirty (30) days from receipt of the writ on the proceedings taken thereon until the judgment is satisfied in full, or until the effectivity of the writ expires, in accordance with Section 14, Rule 39 of the 2019 Amendments to the 1997 Rules of Civil Procedure. *(Gikinahanglan ka nga maghimo ug report sa korte matag katloan (30) ka adlaw gikan sa pagdawat niining mando para sa imong mga gihimo nga pagtuman sa paghukom hangtud sa mabayaran na nimo ang katibuk-an nga bayrunon, o hangtud mawala na ang pagkaepektibo sa mando, subay sa Section 14, Rule 39 sa 2019 Amendments to the 1997 Rules of Civil Procedure.)*

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20____.

(GIHATAG ubos sa AKONG KAMOT UG SELYO sa KORTE, karong ika ____ nga adlaw sa _____, 20 ____.)

Clerk of Court

Writ of Execution (Money Judgment)
(Small Claims)

Form 13-SCC, Page 2 of 2

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,
(Nagareklamo,)

vs.

Civil Case No. _____
For: _____

_____,
Defendant.
(Ginareklamo.)

x- - - - - x

WRIT OF EXECUTION

(Decision Based on Compromise Agreement)

(Mando para sa Pagpatuman sa Desisyon Base sa Kasabutan sa Kompromiso)

TO: THE SHERIFF/DEPUTY SHERIFF
(Para kay Serip/Deputy Serip)

WHEREAS, on (date of the Decision) , this Court rendered a Decision in the above-entitled case, the pertinent portion of which is quoted hereunder: *(SAMTANG, kaniadtong [petsa sa Desisyon], nagpagawas ang Korte og Desisyon niining kaso, may kalabutan nga bahin niini gikutlo ngari sa ubos:)*

WHEREFORE, judgment is hereby rendered approving the Compromise Agreement and the parties are ordered to comply with the terms and conditions, as follows: *(TUNGOD NIINI, gihatag diri ang paghukom nga mao na kini ang gi-aprubahan nga Kasabutan sa Kompromiso ug gisugo ang mga partido nga musunod sa mga termino ug kondisyon:)*
(To the Clerk of Court: quote the entire judgment on compromise for reference of the Sheriff)

(continued from page 1 – judgment on compromise)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.
(SAMTANG, ang maong Desisyon nagtapos na, ipatuman na, ug dili na mahimong i-apela)

NOW THEREFORE, you are commanded to cause the execution of the Decision, and demand from _____ (name of defendant) the payment of the amount agreed upon, subject to deduction of payments made by the defendant after the execution of the Compromise Agreement, if any, together with your lawful fees for the service of this writ, and to tender the same to the plaintiff.

(BUSA KARON, gisugo ka nga ipatuman ang Desisyon, ug maningil kay _____ (ngalan sa ginareklamo) ug bayad sa kantidad nga gikasabutan, na ibawas diri ang kantidad na nabayaran na human ipatuman ang Kasabutan sa Kompromiso, kung aduna man, lakip ang imong mga bayrunong legal para sa paghatod/pagtunol niining mando sa pagpatuman, ug ihatag kini sa Nagareklamo o gihukman nga mananaog sa kaso.)

You are guided as follows:
(Ikaw gigiyahan sumala sa mga musunod:)

1) If the defendant cannot pay all or part of the obligation in cash, certified bank check or other mode of payment acceptable to the plaintiff, you shall levy upon the properties of the defendant of every kind and nature whatsoever which may be disposed of for value and not otherwise exempt from execution, giving the defendant the option to immediately choose which property or part thereof may be levied upon, sufficient to satisfy the judgment. (Kung ang Ginareklamo dili mabayran ang tibuok o tipik sa kantidad sa obligasyon pinaagi sa kwarta, sertipikado nga tseke sa bangko, o kung unsang pamaagi man nga madawat sa nagareklamo, gisugo ka nga ibuhis ang bayad sa mga kabtangan sa Ginareklamo nga pwede ibaligya, basta dili kini lakip sa mga kabtangan na gidili ilakip sa pagpatuman sa desisyon. Ang Ginareklamo ang naa opsyon mamili kung hain ang pilion sa iyang kabtangan o bahin niini ang mahimong ibuhis, igo nga makatagbaw sa bayrunon nga gipahamtang sa desisyon.)



2) If the defendant does not exercise the option, you shall first levy on the personal properties, if any, and then on the real properties if the personal properties are insufficient to answer for the judgment. You shall sell only a sufficient portion of the personal or real property of the defendant which has been levied upon. *(Kung ang Ginareklamo wala mupili sa mga opsyon nga gihisgutan, gisugo ka nga ibuhis ug una ang mga personal na kabtangan (pananglitan: sakyanan, muwebles, alahas, og uban pa), kung aduna man, ayha isunod ang mga tinuod nga kabtangan (pananglitan: yuta, balay, og uban pa) kung kulang ang mga personal na kabtangan para mabayran ang gipahamtang sa desisyon. Gitugtan ka nga pwede mamaligya lamang og tipik sa personal o tinuod nga kabtangan sa Ginareklamo nga igo lang makabayad sa kantidad nga gipahamtang.)*

3) So much of the salaries, wages, or earnings of the defendant for his personal services within the four months preceding the levy as are necessary for the support of his family are exempt from execution. *(Ang mga sweldo, suhol, o kita sa Ginareklamo gikan sa iyang mga personal na serbisyo sulod sa upat ka bulan bag-o ang pagpahamtang, nga gikinahanglan niya para isuporta sa iyang pamilya, dili labot sa pagpatuman sa desisyon.)*

4) You shall make a report to the court every thirty (30) days on the proceedings taken thereon until the judgment is satisfied in full, or until the effectivity of the writ expires, in accordance with Section 14, Rule 39 of the 2019 Amendments to the 1997 Rules of Civil Procedure. *(Gikinahanglan ka nga maghimo og report sa korte matag katloan (30) ka adlaw gikan sa pagdawat niining mando para sa imong mga gihimo nga pagtuman sa paghukom hangtud sa mabayaran na nimo ang katibuk-an nga bayrunon, o hangtud mawala na ang pagkapektibo sa mando, subay sa Section 14, Rule 39 sa 2019 Amendments to the 1997 Rules of Civil Procedure.)*

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20____.
(GIHATAG ubos sa AKONG KAMOT UG SELYO sa KORTE, karong ika ____ nga adlaw sa _____, 20 ____.)

 Clerk of Court

REPUBLIC OF THE PHILIPPINES

 Plaintiff,
 (Nagareklamo,)

vs.

Civil Case No. _____

For: _____

 Defendant.
 (Ginareklamo.)

X-----X

WRIT OF EXECUTION
(Specific Judgment)

(Mando para sa Pagpatuman sa Partikular na Desisyon)

TO: THE SHERIFF/DEPUTY SHERIFF

WHEREAS, on (date of the Decision) , this Court rendered a Decision in the above-entitled case, disposing thus:

(SAMTANG, kaniadtong (petsa sa Desisyon) , ang Korte nagpagawas og Desisyon niining kaso:)

WHEREAS, the aforesaid Decision is final, executory, and unappealable.

(SAMTANG, ang maong Desisyon nahuman na, ipatuman na, ug dili na mahimong i-apela.)

NOW THEREFORE, you are commanded to cause the execution of the Decision, including payment in full of your lawful fees for the service of this writ. (BUSA KARON, gisugo ka nga ipatuman ang Desisyon, ingon man ang bug-os nga pagbayad sa bayrunong legal para sa pagtunol niining mando sa pagpatuman.)

GIVEN under MY HAND and SEAL of the COURT, this ____ day of _____, 20____.

(GIHATAG ubos sa AKONG KAMOT UG SELYO sa KORTE, karong ika ____ nga adlaw sa _____, 20 ____.)

 Clerk of Court

