

RE : Supreme Court (“SC”) *Administrative Circular No. 40-2020*
Courts in areas placed under General Community Quarantine from 16 to 31 May 2020

DATE ISSUED : 15 May 2020



WHAT DOES THIS MEAN ?

- The Supreme Court issued **SC Administrative Circular No. 40-2020** and **partially modified** the parameters for Court operations under General Community Quarantine (“GCQ”), as previously provided in **SC Administrative Circular No. 36-2020**.




Among the *modified parameters* are the following:

- All Court branches in the **GCQ** areas shall be **open** from 18 May to 29 May 2020 but shall function with a **skeleton staff** and on a **rotation basis**, to be determined by the presiding Judge.
- No **walk-in** requests shall be entertained. All inquiries and transactions shall **initially** be coursed and acted upon through the designated hotline numbers, e-mail addresses and/or Facebook pages.
- Courts shall operate from 9:00 am to 4:00pm, Monday to Friday.
- All ***Petitions*** and ***Pleadings*** in Courts under **GCQ** shall be received. All **filings** may be made directly or via electronic means.
- **Raffle of cases** shall commence on 18 May 2020.
- In-Court **hearings** conducted in the GCQ areas shall strictly follow health and hygiene protocols and other public medical standards.

- **Video conference hearings** may be conducted provided that:
 - the Justices or Judges presides from the courtrooms or chambers, unless in exceptional circumstances wherein the magistrates are allowed to preside from home;
 - the video conference hearing be conducted upon **Joint Motion** of the parties and upon **Order of the Court**.
- The **filing** of *Petitions and Appeals, Complaints, Motions, Pleadings and other Court submissions* that fall due up to 31 May 2020 shall be **extended** for thirty (30) calendar days, counted from 1 June 2020. Nevertheless, *Pleadings and other Court submissions* may still be filed on or before 31 May 2020.
- **Prescriptive periods** are also extended for thirty (30) calendar days, the same to be counted from 1 June 2020.
- Civil weddings may be solemnized, provided the parties, the witnesses and the guests shall not exceed **five (5) individuals**. Health and hygiene protocols as well as other public medical standards (e.g. wearing of face masks and face shields, subjecting everyone to thermal scanning and observance of social distancing) be strictly implemented during the ceremony.




HERE'S AN EXAMPLE :

-  If Juan dela Cruz' *Motion to Dismiss* falls due on 18 May 2020, he may do the following:
 - File the *Motion* **directly** to the branch where his case is pending;
 - File the *Motion* **electronically** via e-mail and other electronic means to the branch where his case is pending, if available; and
 - File the *Motion* on or before 1 July 2020 or **30 calendar days counted from 1 June 2020**.

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This article is for general information purposes only and should not be used as a substitute for specific advice.

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