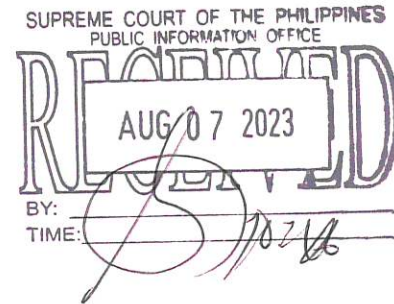




Republic of the Philippines
Supreme Court
Baguio City

EN BANC
NOTICE



Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated APRIL 11, 2023, which reads as follows:

A.M. No. 10-3-7-SC
A.M. No. 11-9-4-SC

**RE: GUIDELINES ON SUBMISSION OF ELECTRONIC COPIES
OF PLEADINGS AND OTHER COURT SUBMISSIONS BEING
FILED BEFORE THE LOWER COURTS PURSUANT TO THE
EFFICIENT USE OF PAPER RULE**

WHEREAS, the Supreme Court, under Article VIII, Section 5(5) of the 1987 Constitution, is vested with the power to “promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, the admission to the practice of law, the Integrated Bar, and legal assistance to the underprivileged. Such rules shall provide a simplified and inexpensive procedure for the speedy disposition of cases, shall be uniform for all courts of the same grade, and shall not diminish, increase, or modify substantive rights;”

WHEREAS, pursuant to this power, the Supreme Court *En Banc*, in A.M. No. 22-04-26 SC, crafted the Strategic Plan for Judicial Innovations for 2022–2027, which lays down the reform initiatives necessary toward achieving a technology-driven Judiciary;

WHEREAS, in line with the goal of the Supreme Court to digitally transform our courts, there is a need to promote the submission of electronic copies of court-bound pleadings and other court submissions;

WHEREAS, in a Resolution dated February 22, 2022, the Supreme Court *En Banc* resolved to approve the Revised Guidelines on Submission of

Electronic Copies of Supreme Court-Bound Papers Pursuant to the Efficient Use of Paper Rule;

WHEREAS, the submission of electronic copies of court-bound pleadings, papers, and documents will aid all stakeholders in transitioning to electronic court processes, help reduce the use of paper, and facilitate the timely and fair delivery of justice;

NOW THEREFORE, the Supreme Court *En Banc* promulgates the Guidelines on Submission of Electronic Copies of Pleadings and Other Court Submissions Being Filed Before the Lower Courts Pursuant to the Efficient Use of Paper Rule (Guidelines):

1. **Coverage.** — The Guidelines shall govern the electronic transmittal of copies in Portable Document Format (PDF) of pleadings and other court submissions and their additional accompanying documents, such as annexes and exhibits, if any, for filing in all cases governed by the 2019 Amendments to the 1997 Rules of Civil Procedure before all lower courts (*i.e.*, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and first- and second-level courts) and shall cover cases filed after the effectivity of the Guidelines.
2. **Manner of transmittal.** — The PDF copies must be transmitted by litigants and court users to the official e-mail address of the court where the case is pending. A directory of the official e-mail addresses of the lower courts maintained by the Supreme Court of the Philippines is available at <https://sc.judiciary.gov.ph/court-locator/>.

In instances when the primary manner of filing is through personal filing, by registered mail, or by accredited courier, in accordance with Rule 13, Section 3(a), 3(b), or 3(c) of the 2019 Amendments to the 1997 Rules of Civil Procedure, the PDF copies must be transmitted within 24 hours from the filing of the paper copy.

3. **Date and time of filing.** — It shall be understood that:
 - (a) when the primary manner of filing is by personal filing, registered mail, or accredited courier, the pleading or court submission shall be deemed to have been filed on the date and time of filing of the paper copy, and not the date and time of the transmittal of the electronic copy; and

- (b) when the primary manner of filing is through electronic transmittal pursuant to Rule 13, Section 3(d) of the 2019 Amendments to the 1997 Rules of Civil Procedure, the subsequent submission of a paper copy shall be dispensed with. The time and date of the electronic transmittal shall be considered as the time and date of filing. However, express permission must be granted by the court for the primary filing through electronic transmittal of the following:
- (i) initiatory pleadings and initial responsive pleadings, such as an answer to a complaint or a comment to a petition;
 - (ii) annexes, appendices, exhibits, or other accompanying documents to pleadings or other court submissions not readily amenable to digitization to PDF; and
 - (iii) sealed and confidential documents or records.

In the absence of express permission from the court to file the foregoing pleadings and court submissions by electronic means, paper copies shall be required and the date of filing shall be the date when the paper copy was filed in person, sent by registered mail, or sent by accredited courier.

4. ***Proof of filing.*** — The following shall be considered as proof of filing:

- (a) For pleadings or other court submissions filed personally, the electronic copy shall reflect the written or stamped acknowledgment of the clerk of court in Rule 13, Section 16(a) of the 2019 Amendments to the 1997 Rules of Civil Procedure, clearly showing the date and time of filing and the signature of the receiving court personnel.
- (b) For pleadings or other court submissions filed by registered mail or by accredited courier, the PDF copy shall include the following:



- (i) a PDF copy of the proof of mailing stated in Rule 13, Section 16 of the 2019 Amendments to the 1997 Rules of Civil Procedure, clearly showing the date and time of mailing or delivery to the post office or accredited courier; and
 - (ii) A PDF copy of the proof of payment of fees, when applicable.
- (c) For pleadings or other court submissions electronically transmitted pursuant to Rule 13, Section 3(d) of the 2019 Amendments to the 1997 Rules of Civil Procedure, the electronic transmittal shall include a PDF copy of the affidavit of electronic filing of electronic copies before the lower courts and its additional accompanying documents, with an undertaking that, for other court submissions for which permission for electronic transmittal was not secured from the court, the filer will submit their paper copies to the court personally, by registered mail, or by accredited courier, within 24 hours from the date of the electronic transmittal.

The filing of the paper copies of other court submissions for which permission for electronic transmittal was not secured from the court must include a paper copy of the transmittal e-mail header as evidence of the filing and receipt of the electronically-transmitted portions of the same filing.

5. ***Electronic file format.*** — The PDF copy of the primary pleading or court submission must be separated from the electronic copies in PDF of any accompanying additional documents, each of which must be contained in their own PDF files.

The PDF copy may be electronically generated from a word-processing or PDF creation program, or be scanned images of the document compiled in a PDF file, or a combination of both methods, but in all cases, the contents must be completely legible. The size of each PDF file must be reasonable. The filer is also responsible for ensuring that the receiving court's official e-mail address service will not reject or block a transmittal e-mail due to the file size of an attachment.

If the primary manner of filing is through electronic transmission, the form and substance of the contents of the PDF copy, as first filed, shall be controlling. If the pleading, court submission, or any accompanying document has already been filed personally, by registered mail, or by accredited courier, the PDF copy to be transmitted should be the exact copy of the filed paper copy. If the court determines, on motion or *motu proprio* and after notice and hearing, that there are material discrepancies between the paper copy and the electronic copy, it may impose an appropriate sanction or refer such finding to the proper office for disciplinary action on the lawyer, law firm, or party responsible for the filing.

The PDF file of the primary pleading or court submission shall have the same filename as its designation, in accordance with Rule 7, Section 2 of the 2019 Amendments to the 1997 Rules of Civil Procedure. At the option of the filer, the designation of the pleading or court submission may be shortened for the filename, but must still contain sufficient information to ascertain the nature of the relief sought.

The PDF file of each accompanying additional document, if any, shall have the same filename as the document's title, and must further be appended with the designation of the primary pleading or court submission to which they are attached or annexed. All filenames must finally be appended with the docket number/s of the case/s for which they are being filed. All information shall be separated with a hyphen (-). Any special characters that cannot be used in a filename by reason of technical limitations may be omitted entirely, or substituted with an underscore (), at the option of the filer.

Example:

The PDF file for the Complaint for Unlawful Detainer for Civil Case No. 123456 should have the filename "Complaint for Unlawful Detainer-Civil Case No. 123456.pdf"

The PDF file of Annex A of the Complaint for Unlawful Detainer for Civil Case No. 123456 should have a filename "Annex A-Complaint for Unlawful Detainer-Civil Case No. 123456.pdf"

Electronic copies of pleadings and other court submissions transmitted to the court not in PDF; or as PDF files with password protection or other encryption, or with embedded executable code or scripts; or as corrupted files, shall be deemed as not filed. Electronic copies of additional accompanying documents transmitted to the court not in PDF; or as PDF files with password protection or other

encryption, or with embedded executable code or scripts; or as corrupted files, shall be excluded from the records or *rollo* of the case/s for which they have been submitted, even if the electronic copy in PDF of the primary pleading or court submission has been correctly filed. The filing of PDF copies not in accordance with the format and manner stated in this Guidelines shall subject the filing lawyer, law firm, or party to disciplinary action or any appropriate sanction to be imposed by the court.

6. ***E-mail address of record.*** — In addition to other information required to be included in the signature and address of the party or counsel signing the pleading or other court submission under existing issuances of the Supreme Court, the signing counsel or party must indicate their valid e-mail address, which shall serve as their e-mail address of record. An email address is deemed valid when it is the [local-part]@[domain] syntax and is capable of receiving emails from other senders, especially those outside the address' own domain. The counsels on record are required to use their professional e-mail accounts as their e-mail addresses of record. To preserve the confidentiality, privacy, and security of communications, the use by lawyers of personal, nonprofessional e-mail accounts as their e-mail addresses of record is highly discouraged.

All filings by electronic transmittal must be made with any of the e-mail addresses of record of the counsels of record or the e-mail address of record of the filing party. If an electronic transmittal is made with an e-mail address not of record, the entire transmittal shall be deemed as not filed.

Counsel and parties have the obligation to monitor the inboxes of their e-mail address of record with the courts regularly and diligently. No court shall accept as an excuse for any purpose that counsel or parties have not checked the inboxes of their e-mail addresses of record. Any lawyer who neglects to check the inbox of their e-mail address of record regularly and diligently or fails to comply with Rule 13, Section 11 of the 2019 Amendments to the 1997 Rules of Civil Procedure should there be changes to their e-mail address of record, to the detriment of the cause of their client, shall be subjected to disciplinary action.

7. ***Receipt of electronic copies.*** — The receipt of an electronic copy shall be proved by its existence in the case record or *rollo*, without prejudice to the presentation of the proofs of filing in Section 4 of this Guidelines, when necessary. The clerk of court or branch clerk of court, with the assistance of designated court personnel, shall have the primary responsibility of ensuring that all pleadings and other court

submissions electronically transmitted to their court are properly accounted for and included in the case record or *rollo*.

8. *Transmittal e-mail format.* —

- (a) *Subject.* The transmittal e-mail shall have as a subject the docket number/s, case title/s and the designation of the primary pleading or court submission being transmitted, which shall indicate its nature.

Subject: [Docket Number/s and Case Title] -
[Designation of the Pleading or Court Submission]

Example:

Subject: Civil Case No. 123456, *Maria dela Cruz v. Juan dela Cruz* - Complaint for Unlawful Detainer

- (b) *Body.* The body of the e-mail shall follow the prescribed format and must contain sufficient information to enable the court to ascertain (1) the party or parties filing the pleading or other court submission; (2) the nature of the pleading or court submission; (3) the party or parties against whom relief, if any, is sought; and (4) the nature of the relief sought:

- (i) Primary manner of filing (*i.e.*, personal filing, registered mail, accredited courier, or electronic transmittal)
- (ii) Filing date (based on the primary manner of filing)
- (iii) Case data, namely: (1) docket number/s, (2) case title/s, (3) name of the filing party, (4) contact number/s of the filer, (5) other e-mail address of the filer, if any, and (6) a list of the document titles of the attachments to the transmittal e-mail.

Example:

Primary manner of filing: Electronic transmittal

Filing date: 01/01/2023

Docket number: Civil Case No. 123456

Case Title: Maria dela Cruz v. Juan dela Cruz

Name of Filing Party: Maria dela Cruz

Contact Numbers: (02) 888-9900 (landline),
0900-1122334 (mobile)

Other e-mail address/es, if any: [filer's other
e-mail address/es]

Title/s of Attachment/s:

1. Complaint for Unlawful Detainer
2. Demand Letter

- (c) *Attachments.* A transmittal e-mail shall contain only PDF copies pertaining to one case. For the purposes of filing, consolidated cases with more than one docket number shall be considered as one case. All files must be enclosed as individual attachments to the transmittal e-mail.

In case the total file size of the documents exceeds the maximum size allowed for attachments by the e-mail service provider being used by the filer, the filer shall transmit the electronic documents in several batches, but each e-mail must be clearly marked by indicating in the subject the batch number of the e-mail and the total batches of e-mails sent, following the prescribed format in the Guidelines. It is the responsibility of the filer to ensure that the receiving court's official e-mail address service will not reject or block a transmittal e-mail due to its size.

Example:

Subject: Civil Case No. 123456, *Maria dela Cruz v. Juan dela Cruz* - Complaint for Unlawful Detainer (batch 1 of 3)

Subject: Civil Case No. 123456, *Maria dela Cruz v. Juan dela Cruz* - Complaint for Unlawful Detainer (batch 2 of 3)

Subject: Civil Case No. 123456, *Maria dela Cruz v. Juan dela Cruz* - Complaint for Unlawful Detainer (batch 3 of 3)

- 9. **Verified declaration.** — In instances when the primary manner of filing is through personal filing, by registered mail, or by accredited courier, and the electronic transmittal is pursuant to Section 2, paragraph two of this Guidelines, the filer shall execute a verified declaration that the pleading or court submission and its accompanying documents, if any, submitted electronically are complete and true copies of the paper copies filed before the court. The declaration shall use the following format:

I, _____, hereby declare that the document/s (and annexes thereof) hereto submitted electronically in accordance with the Guidelines on Submission of Electronic Copies of Pleadings and other Court Submissions Being Filed Before the Lower Courts is/are complete and true copy/ies of the document/s (and accompanying documents) filed (*specify the manner of filing: personal, by registered mail, or by accredited courier*) with the _____ (name of court).

(Signature)
 (Printed Name)
 (Position)
 (Date)

SUBSCRIBED AND SWORN TO before me on this ___ day of ___ 20__, affiant exhibiting his/her competent evidence of identity: _____.

 Person Administering Oath

Doc. No.:
 Page No.:
 Book No.:
 Series of 20__.

The paper copy of the verified declaration must be filed in the same manner and in the same filing as the pleading or other court submission, while a PDF copy of the verified declaration must be attached to the transmittal e-mail of the subsequent electronic submission.

- 10. **Date of Effectivity.** — The Guidelines shall take effect two weeks after publication in two newspapers of general circulation in the Philippines.

11. *Date of Mandatory Applicability.* — By April 5, 2024, the primary manner of filing of all pleadings, motions, and other court submissions in cases covered by the Guidelines, before any court, shall be through electronic transmittal, in accordance with the Guidelines.

All prior Supreme Court issuances inconsistent with the Guidelines are hereby repealed or modified accordingly.

11 April 2023.

(Original signed)
ALEXANDER G. GESMUNDO
Chief 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)
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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

(Original signed)
MARIA FILOMENA D. SINGH
Associate Justice

(43)

By authority of the Court:


MARIFE M. LOMIBAO-CUEVAS
Clerk of Court *jm*

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[For uploading pursuant to A.M. No. 12-7-1-SC]

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