



Ref. No. 12CRD00-5827

MEMORANDUM CIRCULAR 2012-05

TO : Regional Directors/Provincial Statistics Officers/OICs
City/Municipal Civil Registrars/OICs

SUBJECT : Processing of Annotated Civil Registry Documents in the Absence of the Actual Court Decision and Cases Where the Court Decision and Certificate of Finality Does not Bear the Signature of the Presiding Judge

A Judgment is the decision or sentence of a court in a legal proceeding. This is also the reasoning of the judge which lead him/her to the decision.

Currently, Rule 50 of Administrative Order No. 1, Series of 1993 provides the Rules in the registration of a court decisions. Under this Rule:

- (1) In case of a court decree/order concerning the status of a person, it shall be the duty of the clerk of court to advise the successful petitioner to have the decree/order registered in the civil registrar's office where the court is functioning , within ten (10) days after the decree/order becomes final;
- (2) If its is another person who shall register the decree other than the clerk of court, the civil registrar shall verify **if the copy of the decision is authentic** Otherwise, he shall refuse the registration thereof. It is likewise the duty of the clerk of court which issued the decree to ascertain whether the same has been registered, and if not, to have the said decree recorded;
- (3) The civil registry office where the event of the decree/order was registered shall forward a certified true copy of the decision to the Office of the Civil Registrar where an event affected was originally registered. The latter shall make proper annotations in the document and in the applicable registry book. He shall likewise send a certified true copy of the annotated document and the registered court decree to the Office of the Civil Registrar General with ten (10) days from receipt thereof."

However, there are some cases wherein only dockets are being submitted to this Office as substitute document for the actual court decisions.



Under Section 1 of Rule 36 of the Rules of Court:

"A judgment or final order determining the merits of the case shall be in writing personally and directly prepared by the judge, stating clearly and distinctly the facts and the law on which it is based, signed by him, and filed with the clerk of the court."

Adhering to the abovementioned rule, the Office of the Civil Registrar General hereby requires the submission of the certified copy of the actual decision of the court bearing the signature of the judge. Certified copies of the court docket or any similar certifications shall not be allowed as requirement for the processing of annotated/amended birth, marriage, and death certificates.

Consequent thereto, under Section 2 of Rule 36 of the Rules of Court provides that:

"If no appeal or motion for new trial or reconsideration is filed within the time provided in these Rules, the judgment or final order shall forthwith be entered by the clerk in the book of entries of judgments. The date of finality of the judgment or final order shall be deemed to be the date of its entry. The record shall contain the dispositive part of the judgment or final order and shall be signed by the clerk, with a certificate that such judgment or final order has become final and executory".

Thus, it shall be required that the Entry of Judgment or the Certificate of Finality submitted to this Office as requirement for the processing of annotated/amended birth, marriage, and death certificates bear the signature of the clerk of court or the judge.

Please be guided accordingly.


CARMELITA N. ERICTA *gh*
Administrator and Civil Registrar General

October 1, 2012

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