



Republic of the Philippines
NATIONAL STATISTICS OFFICE

Ref. No. 12CRD00-2074

MEMORANDUM CIRCULAR 2012-02

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

SUBJECT : Guidelines in the Submission of Documents for Court Decision/Order

Due to the increasing number of fake court decisions received by this Office, all civil registrars are required, prior to the registration of court decisions and pursuant to Rule 50 of Administrative Order No. 1, Series of 1993, to verify the authenticity of the court decision/order submitted to their Offices.

Fake court decisions/orders as stated in the case of MWSS vs. Sison (124 SCRA 394) are considered void and spurious which should not be entitled to the respect accorded to a valid order. A void judgment is in legal effect no judgment, by which no rights are divested, from which no rights can be obtained, which neither binds nor bonds anyone, and all acts performed pursuant to it and all claims emanating from it have no legal effect (Tambunting Jr. vs. Sumabat, 470 SCRA 92, 97; Hilario vs. Chavez, 438 SCRA 623, 649; Nazareno vs. Court of Appeals, 378 SCRA 28).

To prevent submission of fake court decisions/orders, the following guidelines shall be followed:

I. Submission and Registration of Court Decisions/Orders

All civil registrars of the place where the court is located shall issue a Certificate of Authenticity of Court Decision/Order in addition to the documents submitted for the processing of annotated civil registry documents and amended birth certificate as proof that they have examined and verified the authenticity of the court decision/order.

The civil registrar where the civil registry documents are registered shall process the annotated civil registry documents/amended birth certificates upon presentation of the following documents:



Vibal Bldg. EDSA corner Times St., West Triangle, Quezon City
1016 P.O. Box 779, Manila, Philippines
Telephone: (632) 926-7333 • Fax: (632) 926-7329
www.census.gov.ph • email add: L.Hufana@census.gov.ph

1. Original/ CTC of Court Decision/Order;
2. Original/ CTC of Certificate of Registration of the Court Decision/Order;
3. Original/ CTC of Certificate of Finality;
4. Original/CTC of the Certificate of Authenticity of Court Decision/Order issued by the civil registrar where the decision/order is registered

The National Statistics Office shall process the annotated civil registry documents and amended birth certificate in case of adoption upon the submission of the following documents:

1. Original/ CTC of Court Decision/Order;
2. Original/ CTC of Certificate of Registration of the Court Decision/Order;
3. Original/ CTC of Certificate of Finality;
4. Original/CTC of the Certificate of Authenticity of Court Decision/Order issued by the civil registrar where the decision/order is registered
5. Original/ CTC of the annotated civil registry document/amended birth certificate;
6. Original/ CTC of the civil registry document without annotation/birth certificate prior to adoption;

II. Fake court decision/order already registered and annotated in the civil registry document/s

In cases where the Office of the Civil Registrar General (CRG) receives information that a court decision/order is fake, it shall cause:

1. The immediate investigation of the concerned civil registry office where the subject court decision/order was registered to determine whether the court decision/order registered in their Office is fake and does not exist. If after investigation it is found that the court decision/order is fake, the concerned civil registrar shall:
 - 1.1. Submit to OCRG a written report on the result of investigation conducted;
 - 1.2. Enter in the remarks portion of the Register of Court Decisions/Orders that the specific court decision/order is fake but shall not motu proprio cancel the same;
 - 1.3. Advise the client to file a petition for cancellation of the registered court decision/order in court;
 - 1.4. Inform the civil registry office where the affected civil registry document has been annotated, in writing, that the decision of the court which is the basis of the annotation was fake, attaching thereto a copy of the result of the investigation conducted; and
 - 1.5. Update OCRG on the results of actions taken in view of the above.
2. The civil registrar where the civil registry document is annotated, upon receipt of the letter from the civil registrar where the court

decision/order is registered, shall not cancel the annotation made on the questioned civil registry documents unless the registered fake court decision/order shall first be cancelled in court.

3. The CRG upon receipt of the investigation from the civil registrar where the court decision/order is registered, shall automatically cancel/void the annotated/amended civil registry document in its file without awaiting any action on the cancellation of the registered court decision/order. The civil registry documents affected by the fake court decisions/orders shall not be issued anymore therefore retaining the original civil registry documents in its database/archives.

The rules/guidelines stated in this Memorandum Circular applies only to cases decided by the Regional Trial Courts. For those decided by the defunct Juvenile and Domestic Relations Court (JDRC) and the Court of First Instance or prior to the enactment of Batas Pambansa Bilang 129 (An Act Reorganizing the Judiciary, Appropriating Funds therefore, and for Other Purposes), the old rules on the submission of court decisions/order provided in Rule 50 of Administrative Order No. 1, Series of 1993 shall be followed.


CARMELITA N. ERICATA
Administrator and Civil Registrar General

August 28, 2012


CNE/LJH/AAA

Certificate of Authenticity

This is to certify that attached Court Decision/Order issued by Honorable Judge _____ of Branch _____ of the Regional Trial Court of _____ is authentic per examination and verification of the undersigned. As such, the Court Decision/Order is registered in the Register of Court Decision/Order pursuant to Memorandum Circular 2012- _____.

This certification is issued for purpose of processing of the amended/annotated _____ of _____.

Issued this _____ of _____, 20____.

(Name of MCR)
(City/Municipality)