

REPUBLIC OF THE PHILIPPINES
COURT OF AGRARIAN RELATIONS
Manila

RULES OF THE COURT OF AGRARIAN RELATIONS*

Pursuant to the provisions of Section 10 of Republic Act No. 1267, as amended by Section 6 of Republic Act No. 1409, the Court of Agrarian Relations hereby adopts and promulgates the following rules of procedure for the conduct of the business of the Court:

RULE 1

TITLE AND CONSTRUCTION

Section 1.—These rules shall be known and cited as the Rules of the Court of Agrarian Relations.

Section 2.—These rules shall be liberally construed in order to effect the settlement and disposition of disputes arising from the relationship of landholder and tenant with promptitude and dispatch and to enable the parties to obtain just, speedy and inexpensive determination of every action and proceeding.

RULE 2

S E A L

Section 1.—The seal of the Court shall be circular in form and shall be of the usual size. It shall bear a design of the Coat of Arms of the Republic of the Philippines in its center, and running from left to right on the upper outside edge, the words "COURT OF AGRARIAN RELATIONS," and on the lower outside edge, the words "REPUBLIC OF THE PHILIPPINES."

RULE 3

THE OFFICE OF THE CLERKS OF COURT AND THEIR DUTIES

Section 1.—The Clerk of Court and the Deputy Clerk of Court for the sala of the Executive Judge shall hold office at Manila. The Clerks of Court and Deputy Clerks of Court for the salas of the Associate Judges shall hold office in the capital of the province or in the city where the seat of the regional branches of the Court shall be established. (See Administrative Order No. 1, dated November 21, 1955, Court of Agrarian Relations, Appendix A of these Rules.)

Section 2.—All pleadings authorized or required to be filed with the Court shall be filed with the office of the corresponding Clerk of Court; Provided, however, that in cases where the matter, question, or controversy before the Court is being heard at a place other than the City of Manila or in the seats of the regional branches, all other pleadings may be filed with the Commissioner hearing the case or with the Clerk or Deputy Clerk of Court assisting the Judge,

* Sections 1 and 2 of Rule 10 and Section 4 of Rule 14 appear herein as amended on February 15, 1966.—*Editor's Note.*

if the case is being heard by the Judge himself, at the municipality or place where such hearing is being conducted.

Section 3.—The Clerks of Court shall keep the docket book and other books necessary for the recording of all proceedings of the Court and its final judgments.

Section 4.—The Clerks of Court, the Deputy Clerks of Court and the Commissioners shall have the power to administer oath in all matters and proceedings pending in the Court and in all other cases where it may be necessary in the exercise of the powers of the Court, except in those cases where the law requires the oath to be administered by a Judge.

Section 5.—The Clerk of Court shall have in his care the seal of the Court and shall take charge of the issuance of notices, subpoenas and processes of the Court: Provided, however, that if a Commissioner is hearing a case in a place other than the seat of the regional branch to which he is assigned, the Clerk of Court may, by special written deputation approved by the Judge, authorize the stenographer assigned to assist the Commissioner in the hearing of the case to act as his special deputy and in such capacity to perform such functions as may be specified in the authority granted.

Section 6.—All pleadings filed in the office of the Clerks of Court shall bear the date and hour of filing.

Section 7.—All records of the Court shall be kept under the charge and custody of the Clerk or Deputy Clerk of Court and no record, evidence or other paper shall be drawn without the written authority of the Court.

Section 8.—As soon as a decision, judgment, or order is filed by the Judge with the Clerk of Court, said Clerk shall serve copies thereof on the attorneys of both parties, or on the parties themselves if not represented by counsel. It shall be the duty of the Clerk of Court to certify the date and hour when the decision, judgment or order is filed as well as the manner in which the parties have been notified.

RULE 4

UNIFORMITY OF PLEADINGS

Section 1.—All pleadings filed with the Court shall be in legal size paper either typewritten or printed, and shall be in the official or national language.

Section 2.—The original and two (2) signed copies of every pleading shall be filed with the office of the Clerk of Court and all such pleadings shall have a caption, signature and address. A copy of every pleading shall be forwarded by the Clerk of Court of the regional branch to the Clerk of Court of the Executive Judge.

RULE 5

VENUE AND COMMENCEMENT OF ACTION

Section 1.—All complaints or petitions and/or proceedings involving the enforcement of all laws and regulations governing the relations of capital and labor on all agricultural lands falling within the jurisdiction of this Court, shall be filed with the Clerk of Court of the regional branch where the landholding involved is situated.

Section 2.—In all cases brought before the Court, the aggrieved party shall be called the "Plaintiff" or "Petitioner" and the opposing party the "Defendant" or "Respondent"; and the pleading entitled "Complaint" or "Petition". The Plaintiff or petitioner shall file as many copies as there are defendants or respondents, in addition to those required in Section 2 of Rule 4. The full names of all the parties shall be stated in the caption of complaint or petitions, answers and decisions.

Section 3.—Upon the filing of the complaint or petition, the same shall be docketed and assigned the corresponding number which shall be placed by the parties on all pleadings thereafter filed in the proceedings. The Clerk of Court shall issue immediately the necessary summons to the defendant or respondent.

RULE 6

A N S W E R

Section 1.—Within five (5) days after service of summons, the defendant or respondent shall file his answer and other defenses, if any, and shall serve a copy thereof upon the adverse party.

RULE 7

HEARING OF CASES

Section 1.—After the respondent has filed his answer to the petition or after the expiration of the time limit for the filing of an answer, the Clerk of Court shall set the case for hearing on the first available date immediately following the seventh day after the filing thereof.

Section 2.—If the Court finds that a case should be heard at an earlier date in view of the urgency of the same, the case shall be set for hearing by the Clerk of Court on the first available date immediately after the filing of the respondent's answer.

RULE 8

AMICABLE SETTLEMENTS

Section 1.—Before hearing the case on its merits, the Court, upon request of both parties, may endeavor to effect an amicable settlement of their differences.

Section 2.—Any agreement arrived at by the parties in settlement as to the whole or any part of their dispute must be entered into by them with the intervention of the Judge or the Commissioner assigned to hear their case. The agreement shall be reduced in writing, signed and acknowledged by the parties thereto before the Judge or Commissioner concerned and shall form part of the record of the case. The written agreement of the parties, duly approved, shall then be the basis for the decision or judgment of the Court.

RULE 9

PROCEEDINGS BEFORE THE COMMISSIONERS

Section 1.—The hearings of cases before the Commissioners, duly designated by the Judge under whom they are assigned, shall be considered in all respects as though the same had been had before the Court.

Section 2.—The Commissioner, within six (6) days after the termination of the hearing of a case before him shall submit to the Court his report in writing, together with the record of the case.

RULE 10

INTERLOCUTORY ORDERS

Section 1.—Interlocutory orders are those which do not affect disposition on the merits of the case and shall be issued by the Court or the Commissioners pending final determination of the case when they are deemed necessary for the best interests of the parties.

Section 2.—All interlocutory orders issued by the Court shall be immediately executory. The execution of such orders shall not be stayed unless the Court, in its discretion, so orders, upon petition by the party adversely affected thereby and after a good cause therefor is shown, in which event the Court may require said party to file a cash bond to answer for whatever damages the other party may suffer by reason of the stay.

Section 3.—The Commissioners while conducting hearings in a place beyond fifteen (15) kilometers radius from the seat of the regional branch to which they are assigned may, upon motion of the interested party and after due hearing, issue interlocutory orders in ejectment cases directing the landholder to desist from ejecting the tenant from the landholding pending the final determination of the case on its merits. In the same manner, the Commissioners may, in liquidation cases, issue interlocutory orders providing for the temporary liquidation of the crop in question, directing the outright delivery of the undisputed portion thereof to the parties and the deposit of the disputed portion in the names of both parties, in the NARIC or ACCFA or in any bonded warehouse situated in the locality or, in its absence, in any such warehouse nearest the locality; Provided, that if either of the parties affected thereby moves to have the controverted portion deposited with him the latter shall file a cash bond in an amount double the value thereof at the price then prevailing in the locality, or the NARIC price, whichever is higher.

Such interlocutory orders issued by the Commissioners shall be immediately executory, unless the same are revoked or modified by the Court or their execution stayed in the manner provided in the preceding section for the stay of execution of interlocutory orders issued by the Court.

RULE 11

APPEARANCE OF PARTIES THROUGH COUNSEL

Section 1.—Any attorney may enter his appearance by signing the initial petition or the answer. Any attorney may subsequently enter his appearance only by filing a notice of appearance signed by him and showing his mailing address. Any party or attorney of record who changes his address of record shall notify the Court and the adverse party of such change of address. Any attorney representing a party in a case who wishes to withdraw as counsel shall file a written withdrawal with the Clerk of Court, together with the written consent of his client, furnishing a copy thereof to the adverse party or his counsel.

Section 2.—Whenever a tenant cannot afford to engage the services of counsel, the Court may direct the Public Defender of the Province where the

landholding is located to represent him or appoint counsel *de officio* for the tenant concerned pursuant to Section 54 of Republic Act No. 1199.

RULE 12

POSTPONEMENT

Section 1.—Any motion for postponement must be filed with the Court at least three (3) days before the date of the hearing, otherwise the same shall not be considered; Provided, however, that not more than two (2) postponements, not exceeding a week each, shall be allowed for any party; and, Provided, further, that subsequent postponements shall be granted only upon any of the reasons provided for in Section 10 of Republic Act 1267, as amended.

RULE 13

STENOGRAPHIC NOTES

Section 1.—It shall be the duty of the stenographer who has attended a session of the Court either in the morning or afternoon to deliver to the Clerk of Court of the regional branch to which he is assigned, immediately after the close of such session, all the notes he has taken, and it shall be the duty of the Clerk of Court to demand that the stenographer comply with said duty. The Clerk of Court shall stamp the date when such notes are received by him. When the stenographer has transcribed such notes, he shall deliver the original of the transcript to the Clerk of Court, duly initialed by him on each page thereof and certified by him, to be attached to the record of the case.

Section 2.—Transcript of the stenographic notes may be furnished to a tenant pauper litigant without cost upon approval by the Court.

RULE 14

MOTIONS FOR RECONSIDERATION

Section 1.—Within fifteen (15) days from receipt of notice of the order or decision of the Court, the aggrieved party may file a motion for reconsideration of such order or decision, together with a proof of service of one (1) copy thereof upon the adverse party.

Section 2.—Within ten (10) days from receipt of a copy of the motion for reconsideration, the adverse party may file his opposition thereto and serve a copy thereof upon the movant.

Section 3.—The motion for reconsideration, as well as the opposition thereto, shall be filed with all the arguments in support thereof. After the opposition to the motion for reconsideration is filed, or at the expiration of the period for filing the same without any such opposition having been filed, the motion for reconsideration shall be deemed submitted for resolution by the Court, unless the Court shall consider it necessary to hear the oral arguments of the parties, in which case the Court shall issue the corresponding order or notice to that effect.

Section 4.—The filing of the motion for reconsideration shall stay the execution of the order or decision sought to be reconsidered and shall suspend the running of the period within which the appeal to the Supreme Court must be perfected.

RULE 15

WRIT OF EXECUTION

Section 1.—In cases where the dispossession of the tenant is authorized by final judgment, no writ of execution shall issue unless upon certification of the corresponding Judge that the tenant has been fully indemnified of his claim under Section 22 of Republic Act 1199.

RULE 16

REMISSION OF RECORDS TO THE SUPREME COURT

Section 1.—Whenever an appeal from an order or decision of the Court is taken to the Supreme Court in accordance with the provisions of Section 18 of Republic Act No. 1267, as amended, and upon requirement by the Supreme Court, the Clerk of Court shall forward immediately to the Supreme Court the order or decision appealed from, together with the corresponding complaints or petitions, answers, motions, evidence and other papers pertinent to the order or decision to be reviewed.

RULE 17

APPLICABILITY OF THE RULES OF COURT

Section 1.—The provisions of the Rules of Court applicable to proceedings before the Courts of First Instance, which are not inconsistent with the preceding rules, shall be applicable to cases pending before the Court, unless, in any given case, the Court, in the exercise of its discretion, fixes a shorter period for the filing of pleadings and other papers.

RULE 18

EFFECTIVITY

Section 1.—These Rules shall take effect on the first day of January, 1956. The cases pending in the Court of Industrial Relations upon approval of Republic Act No. 1267 which were transferred to the Court of Agrarian Relations pursuant to Section 7 of Republic Act No. 1267, as amended, shall likewise be governed by these rules, except when in the opinion of the Court their application would not be feasible or would work injustice to the parties.

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Approved and adopted in the City of Manila, Philippines, this 12th day of December, 1955.

(Sgd.) GUILLERMO S. SANTOS
Executive Judge

(Sgd.) JOSE R. CABATUANDO
Associate Judge

(Sgd.) TOMAS P. PANGANIBAN
Associate Judge

(Sgd.) LEON P. DACAYO
Associate Judge

(Sgd.) DOMINGO M. CABANGON
Associate Judge