



Republic of the Philippines
Supreme Court
Manila

A.M. No. 08-8-7-SC

**THE 2016 REVISED RULES
OF PROCEDURE FOR
SMALL CLAIMS CASES**

EFFECTIVE FEBRUARY 1, 2016

MANILA, PHILIPPINES
JANUARY 2016

TABLE OF CONTENTS

	<i>Page</i>
Resolution	3-6
The 2016 Revised Rules of Procedure for Small Claims Cases	7-15
Form 1-SCC – Statement of Claim	16-23
Form 1-A-SCC – Verification and Certification Against Non-Forum Shopping, Splitting a Single Cause of Action and Multiplicity of Suits	24-25
Form 2-SCC – Summons	26-27
Form 3-SCC – Response	28-31
Form 4-SCC – Notice of Hearing	32-33
Form 5-SCC – Plaintiff’s Return/Manifestation	34
Form 5-A-SCC – Plaintiff’s Return/Manifestation (Substituted Service)	35
Form 6-SCC – Motion to Plead as Indigent	36-37
Form 7-SCC – Special Power of Attorney	38
Form 8-SCC – Joint Motion (for Dismissal)	39-40
Form 9-SCC – Motion for Approval of Compromise Agreement	41
Form 10-SCC – Decision (Based on Compromise Agreement)	42-43
Form 11-SCC – Decision	44-45

	<i>Page</i>
Form 12-SCC – Motion for Execution	46-47
Comparative Study Between the 2008 Rules and the 2016 Revised Rules	48-64



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**THE RULES OF PROCEDURE
FOR SMALL CLAIMS CASES**

RESOLUTION

WHEREAS, after a two-year pilot test, on March 18, 2010, the Rules of Procedure for Small Claims Cases was promulgated and made effective to all first level courts nationwide;

WHEREAS, from the time the Rules of Procedure for Small Claims Cases was implemented, it has been found to be an effective tool in providing a simplified and inexpensive recourse for litigants to assert their claims;

WHEREAS, due to its success, there is a need to introduce amendments to the existing Rules to be more effective in reducing the dockets of the first level courts, a wider coverage, and better access to the courts by the underprivileged, among others;

WHEREAS, on August 11, 2015, the Special Committee on Small Claims Cases (Committee) was created under Memorandum Order No. 32-2015 to “review the existing Rules of Procedure for Small Claims Cases to fulfill the Judiciary’s objective of expediting trial and resolving cases effectively and efficiently.”

WHEREAS, the Committee is composed of the following:

- Chairperson: **Hon. Diosdado M. Peralta**
Associate Justice, Supreme Court
- Vice-Chairperson: **Hon. Lucas P. Bersamin**
Associate Justice, Supreme Court
- Members: **Hon. Martin S. Villarama, Jr.**
Associate Justice, Supreme Court
- Hon. Jose C. Mendoza**
Associate Justice, Supreme Court
- Hon. Estela M. Perlas-Bernabe**
Associate Justice, Supreme Court
- Hon. Jose Midas P. Marquez**
Court Administrator, Supreme Court
- Hon. Fernanda Lampas Peralta**
Associate Justice, Court of Appeals
- Hon. Jackie B. Crisologo-Saguisag**
Metropolitan Trial Court, Makati City, Branch 67
- Atty. Ma. Lourdes E.B. Oliveros**
Office of the Chief Justice
- Secretary: **Atty. Jason J. Zapanta**
Office of Associate Justice Diosdado M. Peralta
- Assistant Secretary: **Atty. Jilliane Joyce R. De Dumo**
Office of the Chief Justice

WHEREAS, to aid the Committee in reviewing pending issues on the Rules of Procedure for Small Claims Cases, a Technical Working Group (TWG) was created as follows:

- Chairperson: **Hon. Fernanda Lampas Peralta**
Associate Justice, Court of Appeals
- Members: **Hon. Jackie B. Crisologo-Saguisag**
Metropolitan Trial Court, Makati City, Branch 67
- Hon. Juris D. Dilinila-Callanta**
Metropolitan Trial Court, Quezon City, Branch 42

Hon. Maria Zoraida S. Zabat-Tuazon
Metropolitan Trial Court, Manila City, Branch 23

Atty. Joachim Florencio Q. Corsiga
Office of the Court Administrator


WHEREAS, the Committee and the TWG conducted several consultative meetings, tackling issues such as the threshold amount, causes of action, and venue, among others;

WHEREAS, on November 10, 2015, the Committee and the TWG submitted its proposed “**The Revised Rules of Procedure for Small Claims Cases,**” to protect and advance the constitutional rights of persons to a speedy disposition of their cases, provide a simplified and inexpensive procedure for the disposition of small claims cases, and, introduce innovations and best practices for the benefit of the underprivileged;

WHEREAS, acting on the recommendation of the Chairperson, the Committee, and the TWG, submitting for the consideration and approval of the Court the proposed “**The Revised Rules of Procedure for Small Claims Cases,**” the Court resolved to **APPROVE** the same.

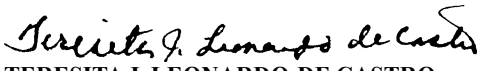
The Revised Rules shall take effect on February 1, 2016 following its publication in two (2) newspapers of general circulation.

December 8, 2015.

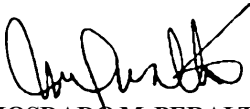

MARIA LOURDES P.A. SERENO
Chief Justice


ANTONIO T. CARPIO
Associate Justice

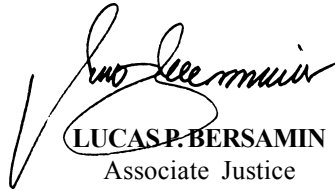

PRESBITERO J. VELASCO, JR.
Associate Justice


TERESITA J. LEONARDO-DE CASTRO
Associate Justice

On official leave
ARTURO D. BRION
Associate Justice



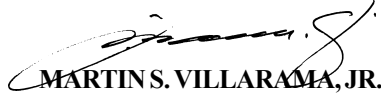
DIOSDADO M. PERALTA
Associate Justice



LUCAS P. BERSAMIN
Associate Justice



MARIANO C. DEL CASTILLO
Associate Justice



MARTIN S. VILLARAMA, JR.
Associate Justice



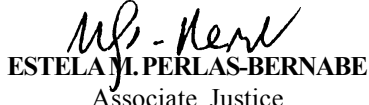
JOSE PORTUGAL PEREZ
Associate Justice



JOSE CATRAL MENDOZA
Associate Justice



BIENVENIDO L. REYES
Associate Justice



ESTELA M. PERLAS-BERNABE
Associate Justice



MARVIC M.V.F. LEONEN
Associate Justice



FRANCIS H. JARDELEZA
Associate Justice

THE 2016 REVISED RULES OF PROCEDURE FOR SMALL CLAIMS CASES

SECTION 1. *Title.*– These Rules shall be known as “The Revised Rules of Procedure for Small Claims Cases.”

SEC. 2. *Scope.*– These Rules shall govern the procedure in actions before the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs) and Municipal Circuit Trial Courts (MCTCs) for payment of money where the value of the claim does not exceed Two Hundred Thousand Pesos (₱200,000.00) exclusive of interest and costs.

SEC. 3. *Objectives*

- (a) To protect and advance the constitutional right of persons to a speedy disposition of their cases;
- (b) To provide a simplified and inexpensive procedure for the disposition of small claims cases; and,
- (c) To introduce innovations and best practices for the benefit of the underprivileged.

SEC. 4. *Definition of Terms.*– For purposes of this Rule:

- (a) *Plaintiff* refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against plaintiff;
- (b) *Defendant* is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim;
- (c) *Person* is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law;
- (d) *Individual* is a natural person;

- (e) *Motion* means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter;
- (f) *Good cause* means circumstances sufficient to justify the requested order or other action, as determined by the judge; and,
- (g) *Affidavit* means a written statement or declaration of facts that are sworn to or affirmed to be true.

SEC. 5. *Applicability.*— The Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts shall apply this Rule in all actions that are purely civil in nature where the claim or relief prayed for by the plaintiff is solely for payment or reimbursement of sum of money.

The claim or demand may be:

- (a) For money owed under any of the following:
 - 1. Contract of Lease;
 - 2. Contract of Loan;
 - 3. Contract of Services;
 - 4. Contract of Sale; or
 - 5. Contract of Mortgage;
- (b) For liquidated damages arising from contracts;
- (c) The enforcement of a *barangay* amicable settlement or an arbitration award involving a money claim covered by this Rule pursuant to Sec. 417 of Republic Act 7160, otherwise known as *The Local Government Code of 1991*.

SEC. 6. *Commencement of Small Claims Action.*— A small claims action is commenced by filing with the court an accomplished and verified Statement of Claim (*Form I-SCC*) in duplicate, accompanied by a Certification Against Forum Shopping, Splitting a Single Cause of Action, and Multiplicity of Suits (*Form I-A-SCC*), and two (2) duly certified photocopies of the actionable document/s subject of the claim, as well as the affidavits of witnesses and other evidence to support the claim. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Statement of Claim, unless good cause is shown for the admission of additional evidence.

The plaintiff must state in the Statement of Claim if he/she/it is engaged in the business of lending, banking and similar activities, and the number of small claims cases filed within the calendar year regardless of judicial station.

No formal pleading, other than the Statement of Claim/s described in this Rule, is necessary to initiate a small claims action.

SEC. 7. *Venue.*– The regular rules on venue shall apply.

However, if the plaintiff is engaged in the business of lending, banking and similar activities, and has a branch within the municipality or city where the defendant resides, the Statement of Claim/s shall be filed where that branch is located.

SEC. 8. *Joinder of Claims.*– Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed Two Hundred Thousand Pesos (P200,000.00).

SEC. 9. *Affidavits.*– The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants or based on authentic records, which are admissible in evidence.

A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.

The non-submission of the required affidavits will cause the immediate dismissal of the claim or counterclaim.

SEC. 10. *Payment of Filing Fees.*– The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent. Exemption from the payment of filing fees shall be granted only by the Supreme Court.

However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of 500.00 shall be paid for every claim filed after the fifth (5th) claim, and an additional 100.00 or a total of 600.00 for every claim filed after the tenth (10th) claim, and another 100.00 or a total of 700 for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.

If the plaintiff is engaged in the business of banking, lending and similar activities, the amount of filing and other legal fees shall be the same as those applicable to cases filed under the regular rules.

A claim filed with a motion to sue as indigent (*Form 6-SCC*) shall be referred to the Executive Judge for immediate action in case of multi-sala courts. If the motion is granted by the Executive Judge, the case shall be raffled off or assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the ₱1,000.00 fee for service of summons and processes.

SEC. 11. *Dismissal of the Claim.*— After the court determines that the case falls under these Rules, it may, from an examination of the allegations of the Statement of Claim/s and such evidence attached thereto, by itself, dismiss the case outright on any of the grounds for the dismissal of the case. The order of dismissal shall state if it is with or without prejudice.

If, during the hearing, the court is able to determine that there exists a ground for dismissal of the Statement of Claim/s, the court may, by itself, dismiss the case even if such ground is not pleaded in the defendant's Response.

If plaintiff misrepresents that he/she/ it is not engaged in the business of banking, lending or similar activities when in fact he/she/it is so engaged, the Statement of Claim/s shall be dismissed with prejudice and plaintiff shall be meted the appropriate sanctions, such as direct contempt.

However, if the case does not fall under this Rule, but falls under summary or regular procedure, the case shall not be dismissed. Instead, the case shall be re-docketed under the appropriate procedure, and returned to the court where it was assigned, subject to payment of any deficiency in the applicable regular rate of filing fees. If a case is filed under the regular or summary procedure, but actually falls under this Rule, the case shall be referred to the Executive Judge for appropriate assignment.

SEC. 12. *Summons and Notice of Hearing.*— If no ground for dismissal is found, the court shall forthwith issue Summons (*Form 2-*

SCC) on the day of receipt of the Statement of Claim/s, directing the defendant to submit a verified Response.

The court shall also issue a Notice of Hearing (*Form 4-SCC*) to both parties, directing them to appear before it on a specific date and time for hearing, with a warning that no unjustified postponement shall be allowed, as provided in Section 21 of this Rule.

The Summons to be served on the defendant shall be accompanied by a copy of the Statement of Claim/s and documents submitted by plaintiff, and a blank Response Form (*Form 3-SCC*) to be accomplished by the defendant.

A Notice of Hearing shall accompany the Summons and shall contain: (a) the date of the hearing, which shall not be more than thirty (30) days from the filing of the Statement of Claim/s; and (b) the express prohibition against the filing of a motion to dismiss or any other motion under Section 16 of this Rule.

If Summons is returned without being served on any or all of the defendants, the court shall order the plaintiff to cause the service of summons and shall inform the court within thirty (30) days from notice if said summons was served or not; otherwise, the Statement of Claim/s shall be dismissed without prejudice as to those who were not served with summons.

SEC. 13. Response.— The defendant shall file with the court and serve on the plaintiff a duly accomplished and verified Response within a non-extendible period of ten (10) days from receipt of summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.

SEC. 14. Effect of Failure to File Response.— Should the defendant fail to file his/her/its Response within the required period, and likewise fail to appear on the date set for hearing, the court shall render judgment on the same day, as may be warranted by the facts alleged in the Statement of Claim/s.

Should the defendant fail to file his/her/its Response within the required period but appears on the date set for hearing, the court shall ascertain what defense he/she/it has to offer which shall constitute his/her/its Response, and proceed to hear or adjudicate the case on the same day as if a Response has been filed.

SEC. 15. *Counterclaims Within the Coverage of this Rule.*– If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff’s claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from suing on the counterclaim.

The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.

SEC. 16. *Prohibited Pleadings and Motions.*– The following pleadings, motions, or petitions shall not be allowed in the cases covered by this Rule:

- (a) Motion to dismiss the Statement of Claim/s;
- (b) Motion for a bill of particulars;
- (c) Motion for new trial, or for reconsideration of a judgment, or for reopening of trial;
- (d) Petition for relief from judgment;
- (e) Motion for extension of time to file pleadings, affidavits, or any other paper;
- (f) Memoranda;
- (g) Petition for *certiorari*, *mandamus*, or prohibition against any interlocutory order issued by the court;
- (h) Motion to declare the defendant in default;
- (i) Dilatory motions for postponement;

- (j) Reply and rejoinder;
- (k) Third-party complaints; and
- (l) Interventions.

SEC. 17. *Availability of Forms; Assistance by Court Personnel.*— The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements as well as procedure for small claims cases.

SEC. 18. *Appearance.*— The parties shall personally appear on the designated date of hearing.

Appearance through a representative must be for a valid cause. The representative of an individual-party must not be a lawyer, and must be related to or next-of-kin of the individual-party. Juridical entities shall not be represented by a lawyer in any capacity.

The representative must be authorized under a Special Power of Attorney (*Form 7-SCC*) to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.

SEC. 19. *Appearance of Attorneys Not Allowed.*— No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.

If the court determines that a party cannot properly present his/her claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter's consent.

SEC. 20. *Non-appearance of Parties.*— Failure of the plaintiff to appear shall be cause for the dismissal of the Statement of Claim/s without prejudice. The defendant who appears in the absence of the plaintiff shall be entitled to judgment on a permissive counterclaim.

Failure of the defendant to appear shall have the same effect as failure to file a Response under Section 14 of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.

Failure of both parties to appear shall cause the dismissal with prejudice of both the Statement of Claim/s and the counterclaim.

SEC. 21. *Postponement When Allowed.*— A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.

SEC. 22. *Duty of the Court.*— At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.

SEC. 23. *Hearing.*— At the hearing, the judge shall first exert efforts to bring the parties to an amicable settlement of their dispute. If efforts at settlement fail, the hearing shall immediately proceed in an informal and expeditious manner and be terminated within the same day.

Any settlement (*Form 8-SCC*) or resolution of the dispute shall be reduced into writing, signed by the parties and submitted to the court for approval (*Form 9-SCC and Form 10-SCC*).

SEC. 24. *Decision.*— After the hearing, the court shall render its decision based on the facts established by the evidence (*Form 11-SCC*), within twenty-four (24) hours from termination of the hearing. The decision shall immediately be entered by the Clerk of Court in the court docket for civil cases and a copy thereof forthwith served on the parties.

The decision shall be final, executory and unappealable.

SEC. 25. *Execution.*— When the decision is rendered, execution shall issue upon motion (*Form 12-SCC*) of the winning party.

SEC. 26. *Certification of documents.*— All documents attached to the Statement of Claim/s or Response that are required to be certified, except public or official documents, shall be certified by the signature of the plaintiff or defendant concerned.

SEC. 27. *Applicability of the Rules of Civil Procedure.*— The Rules of Civil Procedure shall apply suppletorily insofar as they are not inconsistent with this Rule.

SEC. 28. *Non-applicability.*— The rules on mediation/judicial dispute resolution shall not apply, inasmuch as the parties may enter into compromise at any stage of the proceedings.

SEC. 29. *Effectivity.*— These Revised Rules shall take effect on February 1, 2016 following their publication in two newspapers of general circulation. They shall govern all cases filed after their effectivity, and also all pending proceedings, except to the extent that in the opinion of the court, their application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.

SMALL CLAIMS STANDARD FORMS

The following forms shall be used. Substantial compliance therewith shall be sufficient.

(See attached forms)

FORM 1-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____

For: _____

Defendant.

x-----x

STATEMENT OF CLAIM
(HABLANG PAGSINGIL)

1. The personal circumstances of the parties are as follows:
(*Ang bawat panig ay ang mga sumusunod*)

NAME OF PLAINTIFF/S	SEX	AGE	CIVIL STATUS
<i>(Pangalan ng Naghahabla)</i>	<i>(Kasarian)</i>	<i>(Edad)</i>	<i>(Katayuang Sibil)</i>

(Put a check on any of the following)
(*Pumili sa mga sumusunod at lagyan ng tsek*)

- | | | |
|--|--|--|
| <input type="checkbox"/> INDIVIDUAL
(<i>Tao/Indibidwal</i>) | <input type="checkbox"/> CORPORATION
(<i>Korporasyon</i>) | <input type="checkbox"/> PARTNERSHIP
(<i>Bakasan</i>) |
| <input type="checkbox"/> COOPERATIVE
(<i>Kooperatiba</i>) | <input type="checkbox"/> SOLE PROPRIETORSHIP
(<i>Solong Pagmamay-ari</i>) | |

NATURE OF BUSINESS:

(Uri ng Negosyo)

BANKING

(Bangko)

LENDING

(Pagpapautang)

OTHERS/PLEASE INDICATE _____

(Iba pang uri ng negosyo)

PLAINTIFF'S HOME ADDRESS:

(Pahatirang Sulat sa Bahay ng Naghahabla)

(City) _____

(Lungsod)

_____ Zip Code

(Province, if applicable) _____

(Lalawigan, kung meron)

_____ Zip Code

Telephone No. _____ Cellphone No. _____

(Telepono Blg.)

(Selpon Blg.)

PLACE OF WORK: _____

(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____

(Telepono Blg.)

(Selpon Blg.)

NAME OF PLAINTIFF'S REPRESENTATIVE:

if applicable (must be a non-lawyer)

(Pangalan ng Kinatawan:)

(kung meron) [dapat hindi abogado]

HOME ADDRESS: (City) _____

(Pahatirang Sulat sa Bahay) (Lungsod)

_____ Zip Code

(Province, if applicable) _____

(Lalawigan, kung meron)

_____ Zip Code

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.) (Selpon Blg.)

PLACE OF WORK: _____
(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

NAME OF DEFENDANT/S <i>(Pangalan ng Hinahabla)</i>	SEX <i>(Kasarian)</i>	AGE <i>(Edad)</i>	CIVIL STATUS <i>(Katayuang Sibil)</i>
---	--------------------------	----------------------	--

<input type="checkbox"/> INDIVIDUAL <i>(Tao/Indibidwal)</i>	<input type="checkbox"/> CORPORATION <i>(Korporasyon)</i>	<input type="checkbox"/> PARTNERSHIP <i>(Bakasan)</i>	
<input type="checkbox"/> COOPERATIVE <i>(Kooperatiba)</i>	<input type="checkbox"/> SOLE PROPRIETORSHIP <i>(Solong Pagmamay-ari)</i>		

DEFENDANT'S HOME ADDRESS:
(Pahatirang Sulat sa Bahay ng Hinahabla)

(City) _____ Zip Code _____
(Lungsod)

(Province, if applicable) _____ Zip Code _____
(Lalawigan, kung meron)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

PLACE OF WORK: _____
(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

NAME OF DEFENDANT’S REPRESENTATIVE:

if applicable (must be a non-lawyer)
(Pangalan ng Kinatawan:)
(kung meron) [dapat hindi abogado]

HOME ADDRESS: (City) _____ Zip Code
(Pahatirang Sulat sa Bahay) (Lungsod)

(Province, if applicable) _____ Zip Code
(Lalawigan, kung meron)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

PLACE OF WORK: _____
(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

If more than one (1) defendant, list next defendant here:
(Kung higit sa isa (1) ang Hinahabla, ilagay ang susunod na hinahabla rito:)

NAME OF DEFENDANT/S SEX AGE CIVIL STATUS
(Pangalan ng Hinahabla) (Kasarian) (Edad) (Katayuang Sibil)

- INDIVIDUAL CORPORATION PARTNERSHIP
COOPERATIVE SOLE PROPRIETORSHIP

DEFENDANT’S HOME ADDRESS:
(Pahatirang Sulat sa Bahay ng Hinahabla)

(City) _____ Zip Code
(Lungsod)

(Province, if applicable) _____ Zip Code
(Lalawigan, kung meron)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

PLACE OF WORK: _____
(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

NAME OF DEFENDANT’S REPRESENTATIVE:

if applicable (must be a non-lawyer)
(Pangalan ng Kinatawan:)
(kung meron) [dapat hindi abogado]

HOME ADDRESS: (City) _____ Zip Code
(Pahatirang Sulat sa Bahay) (Lungsod)

(Province, if applicable) _____ Zip Code
(Lalawigan, kung meron)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

PLACE OF WORK: _____
(Lugar ng Pinagtatrabahuan)

Telephone No. _____ Cellphone No. _____
(Telepono Blg.) (Selpon Blg.)

***Note:** If you need more space, you can write at the back of this Form.
(*Tala: Kung kailangan mo ng karagdagang patlang, maaari mong isulat sa likod ng Form na ito.)

2. Plaintiff claims the defendant owes him/her/it

P _____.

(Ang Hinahabla ay umutang sa Naghahabla ng halagang)

(a) Why does the defendant owe plaintiff money?

(Bakit ang Hinahabla ay nagkautang ng salapi sa Naghahabla?)

_____.

(If you need more space, please use the back page). (Kung kailangan mo ng karagdagang patlang, maaaring gamitin ang likod ng pahinang ito.)

(b) When did this happen?

(Kailan ito nangyari?)

Date: _____

(Petsa)

If no specific date, give the time period:

(Kung walang tiyak na petsa, ibigay ang tantiyang panahon)

Date started: _____

(Petsa nagsimula)

Through: _____

(Hanggang)

(c) How did you compute the money owed to you? (Do not include court costs or fees)

_____.

(Paano mo kinuwenta ang salaping inutang sa iyo?) [Hindi kasama ang bayad sa pagpapatala sa hukuman.]

3. (a) Did you ask the defendant to pay you before you filed this case?

(Siningil mo ba ang Hinahabla bago ka nagsampa ng kasong ito?)

Yes

(Oo)

No

(Hindi)

If no, explain:

(Kung hindi, ipaliwanag)

(b) How did you ask the defendant?

Paano mo siningil ang Hinahabla?

In person

(Sa kanya mismo)

By phone

(Sa telepono)

In writing

(Sa sulat)

Others (please specify) _____

(Iba pa) [pakisulat kung paano]

(c) When did you do this?

(Kailan mo ginawa ito?)

4. What is your proof that defendant owes you money?

(Ano ang iyong katibayan o pruweba na ang Hinahabla ay may utang na salapi sa iyo?)

5. Did you attach your proof to this form?

(Iyo bang inilakip ang katibayan o pruweba sa Form na ito?)

Yes

(Oo)

No

(Hindi)

6. Was this claim referred to the barangay?

(Dumaan ba sa barangay ang paniningil na ito?)

Yes

(Oo)

No

(Hindi)

Not Covered

(Hindi sakop)

State reason:

(Isulat ang dahilan)

If yes, do you have a Certificate to File Action or a Compromise Agreement executed before the barangay? _____

(Kung oo, meron ka bang Patunay sa Pagsampa ng Kaso o Kasunduan na isinagawa sa barangay?)

6-A. How many small claims cases have you filed within this calendar year prior to this present case, in this court station and in the entire country: _____

(Pang ilang kaso na itong isinampa mo sa loob ng kasalakuyang taon sa korte na ito at sa buong bansa?)

7. By the filing of this action, plaintiff hereby waives any amount in excess of ₱200,000.00, excluding interest and costs.
(Sa pagsampa ng kasong ito, ang Naghahabla ay isinusuko ang anumang halaga na higit sa ₱200,000.00, hindi kasama ang tubo at gastos sa pagsampa ng kasong ito.)

**PRAYER
(PAGSAMO)**

WHEREFORE, plaintiff respectfully prays for judgment ordering defendant to pay the amount of ₱ _____, with interest at the rate of _____% per annum/per month from _____ until fully paid.

(DAHIL DITO, ang Naghahabla ay magalang na sumasamo na igawad ang kapasiyahang utusan ang Hinahabla na magbayad sa Naghahabla ng halagang ₱ _____, pati ang tubo na _____% bawat taon/buwan simula _____ hanggang ganap o lubos na mabayaran ito.) _____, _____, 20____.

FOR OFFICIAL USE ONLY

(Para sa Opisyal na gamit lamang)

- To be accomplished by the Branch Clerk of Court-

(Sasagutan ng Kawani ng Hukuman)

1. Cause of action

- Check
- Promissory Note
- Contract
 - Oral Written
- Barangay Agreement
 - Others (Please specify):

_____.

2. _____ Barangay conciliation required.

If yes, _____ Certificate to File Action
_____ Compromise Agreement attached.

_____ Barangay conciliation not required.

Please state the reason):
_____.

PLAINTIFF
(Naghahabla)

FORM 1-A-SCC

**VERIFICATION AND CERTIFICATION AGAINST
NON-FORUM SHOPPING, SPLITTING A SINGLE CAUSE
OF ACTION AND MULTIPLICITY OF SUITS**

I, _____ of legal age, _____,
(name) (citizenship)
_____, and a resident of _____,
(civil status) (residence)

on oath, state:

1. That I am the _____ in the above-entitled case have caused this _____ to be prepared; that I read and understood its contents which are true and correct of my own personal knowledge and/or based on true records;
2. That I have not commenced any action or proceeding involving the same issue or subject matter, and specifically the same check/s in the Supreme Court, the Court of Appeals or any other tribunal or agency, particularly before the Office of the City Prosecutor of _____; that to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals or any other tribunal or agency, and that, if I should learn thereafter that a similar action or proceeding has been filed or is pending before these courts or tribunal or agency, I undertake to report that fact to the Court within five (5) days therefrom.
3. That the filing of this case is not in violation of the rule against splitting a single cause of action or multiplicity of suits.
4. That I knowingly and voluntarily waive and forego the institution of any criminal complaint for Violation of Batas Pambansa Blg. 22 against the defendant herein based on the same check/s subject matter of this Small Claims Complaint.

IN WITNESS WHEREOF, I have hereunto set my hand this day of _____, 20____.

Affiant

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

NOTARY PUBLIC

FORM 2-SCC

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,

vs.

Civil Case No. _____
For: _____

_____,
Defendant.

x-----x

SUMMONS

TO: _____

GREETINGS:

You are hereby required, within ten (10) days from receipt of this Summons, to file with this Court and serve on plaintiff, your verified Response to the attached Statement of Claim. The form of the required Response is attached hereto.

You are required to submit with your Response certified copies of documents as well as affidavits of any witness to stand as your evidence in this case. You must present the original document/s on the day of hearing.

A motion to dismiss is prohibited and shall not be entertained. Any ground for dismissal should be included in your Response. Likewise, motions for bill of particulars and for extension to file pleadings, affidavits or any other paper are prohibited.

Your failure to respond within the 10-day period AND TO APPEAR AT THE HEARING OF THIS CASE will authorize the Court to render judgment.

Witness my hand under the seal of this Court, this _____ day of _____, 20____, at _____, Philippines.

BRANCH CLERK OF COURT

NOTE: FOR INQUIRIES, CALL TEL. # _____

FORM 3-SCC

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,

vs.

Civil Case No. _____
For: _____

_____,
Defendant.

x-----x

RESPONSE
(SAGOT)

Defendant/s state/s:

(Ang Hinahabla ay nagsasaad:)

- 1. Defendant denies the Statement of Claim for any of the following reasons:
(Put a check in any of the following)

(Tinatanggihan ng Hinahabla ang Habla ng Pagsingil sa alinmang sumusunod na dahilan): [Pumili sa mga sumusunod at lagyan ng tsek]

- (a) _____ Defendant does not owe plaintiff any money.
(Ang Hinahabla ay walang pagkakautang na salapi sa Naghahabla.)
_____ Defendant owes plaintiff only a portion of the amount claimed.
(Ang utang ng Hinahabla ay bahagi lamang ng halagang sinisingil ng Naghahabla.)

_____ It is the plaintiff who owes defendant money.
(Ang Naghahabla ang siyang may utang na salapi sa Hinahabla.)

- (b) If defendant owes plaintiff only a portion of the amount claimed, how much is this?
(Kung ang utang ng Hinahabla ay bahagi lamang ng halagang sinisingil ng Naghahabla, magkano ito?)

- (c) If it is the plaintiff who owes defendant money, how much and when did this happen?
(Kung ang Naghahabla ang siyang may utang na salapi sa Hinahabla, magkano at kailan ito nangyari?)

If no specific date, estimate the time period:
(Kung walang tiyak na petsa, ibigay ang tantiyang panahon)
Date started _____
(Petsa nagsimula)
Through _____
(Hanggang)

- (d) How did you compute the money owed you? (Do not include court costs or fees for service.)
(Paano mo kinuwenta ang salaping pagkakautang sa iyo?) (Huwag isama ang filing fees at bayad sa serbisyo.)

- 2. If plaintiff owes you money, did you ask plaintiff to pay you?
(Kung ang Naghahabla ay siyang may pagkakautang sa iyo, sinisingil mo ba siya?)

_____ Yes _____ No
(Oo) (Hindi)

If yes, how?
(Kung oo, paano?)

VERIFICATION AND CERTIFICATION AGAINST NON-FORUM
SHOPPING, SPLITTING A SINGLE CAUSE OF ACTION AND
MULTIPLICITY OF SUITS
(if with permissive counterclaim)

*(PAGPAPATOTOO O PAGPAPATUNAY NA WALANG IBANG
KASONG NAKASAMPA/NAKABINBIN SA IBANG HUKUMAN)
(kapag may ganting habol na pinahihintulutan)*

FORM 4-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____

For: _____

Defendant.

x- - - - -x

**NOTICE OF HEARING
(ABISO NG PAGDINIG)**

YOUR CASE IS SET for hearing before the Presiding Judge of this Court
on _____ at _____.

(Ang inyong kaso ay diringgin ng Pinunong Hukom ng Hukumang ito
sa _____, sa ganap na _____.)

YOU MUST ATTEND THE HEARING. IF YOU CANNOT ATTEND
BECAUSE IT IS PHYSICALLY IMPOSSIBLE FOR YOU TO DO SO, YOU MAY
AUTHORIZE A REPRESENTATIVE WHO IS NOT A LAWYER TO APPEAR
FOR YOU. FOR THIS PURPOSE YOU SHOULD FILL UP FORM 5-SCC
(SPECIAL POWER OF ATTORNEY).

*(KINAKAILANGAN NINYONG DUMALO SA PAGDINIG, KUNG HINDI
KAYA NG KATAWAN NINYO ANG PAGDALO NANG PERSONAL SA PAGDINIG
NG IYONG KASO, MAAARI KANG MAGPADALA NG IYONG KINATAWAN NA
HINDI ABOGADO SA PAGDINIG, SA GANITONG LAYUNIN, PUNUAN NINYO
ANG FORM 5-SCC [NATATANGING GAWAD-KAPANGYARIHAN - SPECIAL
POWER OF ATTORNEY.]*

WITNESS the HON. _____,
Presiding Judge of this Court, this ____ day of _____,
20____, at

_____, Philippines.

(Saksi si Kgg. _____,
Pinunong Hukom ng Hukumang ito, ngayong _____,
20__ dito sa _____, Pilipinas.)

Branch Clerk of Court
(Sangay na Kawani ng Hukuman)

NOTE: FOR INQUIRIES, CALL TEL. # _____
(Tala: Para sa katanungan, tumawag sa Korte sa Tel. Blg. _____)

FORM 5-SCC

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,

vs.

Civil Case No. _____
For: _____

_____,
Defendant.

x-----x

PLAINTIFF'S RETURN/MANIFESTATION

This is to certify that on ____ (date) and ____ (date) ____, the undersigned tried to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s name/s of defendant/s ____, but failed and unavailing on the ground that the said defendant/s was/were not around during the time of service.

However, on ____ (date) ____, the Summons, Statement of Claims, Annexes thereto and Notice of Hearing were served personally to (name of defendant who received) ____, as shown by her/his signature appearing at the lower portion of the summons.

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court, DULY SERVED PERSONALLY.

_____, Philippines, (date).

PLAINTIFF

FORM 5-A-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____
For: _____

Defendant.

x-----x

PLAINTIFF’S RETURN/MANIFESTATION

This is to certify that on (date) and (date) , the undersigned tried to serve the Summons, Statement of Claim, together with the Annexes and Notice of Hearing upon the defendant/s name/s of defendant/s , but failed and unavailing on the ground that the said defendant/s was/were not around during the time of service.

However, on (date) , the Summons, Statement of Claims, Annexes thereto and Notice of Hearing were served through (name of person who received) , who introduced himself/herself as a (relationship of the person to the defendant/s) , a person of suitable age and discretion, residing therein, who signed at the lower portion of the summons.

Substituted service was made after the undersigned exerted earnest efforts to serve the Summons, together with the Statement of Claim, Annexes thereto and the Notice of Hearing personally upon the defendant, which proved futile.

WHEREFORE, the original copy of the Summons is respectfully returned to the Honorable Court, DULY SERVED.

_____, Philippines, (date).

PLAINTIFF

FORM 6-SCC

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,

vs.

Civil Case No. _____
For: _____

_____,
Defendant.

x-----x

MOTION TO PLEAD AS INDIGENT

_____, unto this Honorable Court, respectfully alleges that:

1. I am a resident of _____;
2. My gross income and that of my immediate family does not exceed _____;
3. I do not own real property with an assessed value of more than (amount as provided in the Revised Rules of Court, as amended) as shown by the attached Certification issued by the Office of the City/Municipal Assessor and the City/Municipal Treasurer's Office;
4. Due to financial constraint, I cannot afford to pay for the expenses of a court litigation as I do not have enough funds for food, shelter and other basic necessities;
5. Should the court render judgment in my favor, the amount of the docket and other legal fees which I was exempted from paying shall be a lien on the judgment, unless the court orders otherwise.

WHEREFORE, premises considered, it is respectfully prayed that I be exempted from the payment of docket and other legal fees as indigent pursuant to Section 21, Rule 3, in relation to Section 18, Rule 141 of the Revised Rules of Court.

Other reliefs just and equitable under the premises are likewise prayed for.

PLAINTIFF

FORM 7-SCC

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, _____, of legal age, single/
married, with residence at _____
do hereby appoint, name and constitute _____,
likewise of legal age, single/married, with residence at _____,
who is related to me and/or is my next-
of-kin, and is not a lawyer, as my true and legal representative to act for and
in my name and stead and to represent me during the hearing of Civil Case
No. _____, to enter into amicable settlement, to submit to alternative
modes of dispute resolution and to make admissions or stipulations of facts
and documents without further consultation from me.

I hereby grant my representative full power and authority to execute and
perform every act necessary to render effective the power to compromise as
though I myself have so performed it and hereby approving all that he may do
by virtue of these presents.

In witness whereof, I hereunto set my hand this _____ day
of _____, 20_____, at _____.

Principal

Agent

Witnesses: _____

(ACKNOWLEDGMENT)

FORM 8-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____
For: _____

Defendant.

X-----X

**JOINT MOTION
(FOR DISMISSAL)**

Plaintiff and defendant, unto this Honorable Court, respectfully allege that:

- 1. Plaintiff and defendant have mutually and voluntarily settled their claim and counterclaim to the entire satisfaction of each other; and
- 2. The parties no longer have a cause of action against each other.

WHEREFORE, premises considered, plaintiff and defendant respectfully pray that the plaintiff's statement of claim and defendant's counterclaim incorporated in his response be dismissed.

Other reliefs just and equitable under the premises are likewise prayed for.

_____(place)_____, _____(date)____.

Plaintiff

Defendant

To the Branch Clerk of Court:

Please submit the foregoing motion for the consideration of the Court without hearing and further argument from the parties.

Plaintiff

Defendant

FORM 9-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____
For: _____

Defendant.

x-----x

MOTION FOR APPROVAL OF COMPROMISE AGREEMENT

The parties respectfully allege that:

1. Plaintiff filed this claim against defendant for:

- _____ collection of sum of money
- _____ liquidated damages
- _____ enforcement of barangay agreement

2. The parties have come to an amicable settlement and have executed a compromise agreement with the following terms and conditions.

(copy terms and condition here)

3. The parties agree that the approval of this agreement by the Court shall put an end to this litigation, except for purposes of execution in case of default.

WHEREFORE, premises considered, the parties respectfully pray that the court approve this agreement and render judgment on the basis thereof.

_____(place)_____, _____(date)____.

Plaintiff

Defendant

FORM 10-SCC

REPUBLIC OF THE PHILIPPINES

_____,
Plaintiff,

vs.

Civil Case No. _____
For: _____

_____,
Defendant.

x- - - - -x

**DECISION
(BASED ON COMPROMISE AGREEMENT)**

Plaintiff filed this case against defendant for _____
in the amount of _____.

Defendant denied plaintiff's claim on the ground of _____
and set up a counterclaim for _____.

The parties, however, reached an amicable settlement and submitted to the court a compromise agreement, the terms and conditions of which are as follows:

(terms and condition here)

It appearing that the agreement is not contrary to law, morals, good customs, public moral and public policy, and pursuant to Articles 2028 and 2037 of the Civil Code of the Philippines, the same is hereby APPROVED and ADOPTED as the Decision of this court.

The parties are hereby ordered to faithfully comply with the terms and conditions of the agreement.

WHEREFORE, judgment is hereby rendered approving the Compromise Agreement and the parties are ordered to comply with the terms and conditions, as follows:

(The judge should define the rights and obligations of the parties under the judgment approving the Compromise Agreement to be enforced by a Writ of Execution.)

SO ORDERED.

____ (place) _____, ____ (date) ____.

Presiding Judge

FORM 11-SCC

REPUBLIC OF THE PHILIPPINES

(Title)

(Case Number)

DECISION

This is a small claims action for (state which of the claims or demands below is the subject of the action filed):

[For money owed under any of the following:

- 1. Contract of lease*
- 2. Contract of loan*
- 3. Contract of services*
- 4. Contract of sale*
- 5. Contract of mortgage; or*

For liquidated damages arising from contracts;

The enforcement of a barangay amicable settlement or an arbitration award involving a money claim covered by this Rule pursuant to Section 417 of Republic Act 7160, otherwise known as The Local Government Code of 1991.]

Plaintiff alleges that (state material allegations and prayer in the Statement of Claim).

Defendant alleges that (state reasons for denial of the claim and other material allegations in the Response including counterclaims, if any).

On (date), both parties appeared during the hearing conducted by (state name of Judge who conducted the dispute resolution. State whether parties appeared personally or through a specially authorized representative.)

Considering the failure of the parties to arrive at any settlement of the dispute, this court proceeded with the hearing of the case which was terminated on _____.

The issue to be resolved by this court is whether_____.

Plaintiff’s evidence consists of: (state documents of plaintiff, affidavits submitted if any and statements made by plaintiff and witnesses under oath during the hearing.)

Defendant’s evidence consists of: (state documents of defendant, affidavits submitted if any and statements made by defendant and witnesses under oath during the hearing.)

This court finds that the claim of plaintiff (or defendant in a counterclaim) is (state whether meritorious or devoid of merit). Under Article/Section (state the applicable provisions of law) or pursuant to established jurisprudence (cite applicable jurisprudence). In this case, this court found that (state first the factual findings established by the evidence and then the legal conclusions).

Wherefore, the (claim/counterclaim) is (granted/denied). This court orders _____ to pay to _____ the amount of (state the monetary award or damages) with interest of (if applicable under Civil Code and/or settled jurisprudence) until fully paid.

SO ORDERED.

_____(place)_____, _____(date)_____.

Presiding Judge

Copy furnished:

All parties
Office of the Clerk of Court of _____

FORM 12-SCC

REPUBLIC OF THE PHILIPPINES

Plaintiff,

vs.

Civil Case No. _____
For: _____

Defendant.

X-----X

MOTION FOR EXECUTION

Plaintiff/Defendant, unto this Honorable Court, respectfully alleges that:

1. On _____, a judgment was rendered by the Court, the dispositive portion of which reads:

- 2. The judgment is final, executory and unappealable.
- 3. The defendant has not complied with the judgment.

WHEREFORE, premises considered, it is respectfully prayed that a writ of execution be issued to implement the judgment of the Court dated _____.

_____, _____.

Plaintiff/Defendant

NOTICE OF HEARING

NAME OF DEFENDANT (If filed by the Plaintiff)

NAME OF PLAINTIFF (If filed by the Defendant)

NAME OF CLERK OF COURT

Please be notified that the undersigned will submit the foregoing motion for the consideration and approval of the Court on _____ at _____.

_____ (place) _____, _____ (date) _____.

Plaintiff/Defendant

**COMPARATIVE STUDY BETWEEN
THE 2008 RULES AND
THE 2016 REVISED RULES OF PROCEDURE
FOR SMALL CLAIMS CASES**

(Amendments in bold letters)

**THE RULE OF
PROCEDURE FOR SMALL
CLAIMS CASES**

SECTION 1. *Title.*— This Rule shall be known as “The Rule of Procedure for Small Claims Cases.”

SEC. 2. *Scope.*— This Rule shall govern the procedure in actions before the Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts and Municipal Circuit Trial Courts for payment of money where the value of the claim does not exceed One Hundred Thousand Pesos (P100,000.00) exclusive of interest and costs.

**THE REVISED RULES OF
PROCEDURE FOR SMALL
CLAIMS CASES**

SECTION 1. *Title.*— These Rules shall be known as “The **Revised** Rules of Procedure for Small Claims Cases.”

SEC. 2. *Scope.*— These Rules shall govern the procedure in actions before the Metropolitan Trial Courts (**MeTCs**), Municipal Trial Courts in Cities (**MTCCs**), Municipal Trial Courts (**MTCs**) and Municipal Circuit Trial Courts (**MCTCs**) for payment of money where the value of the claim does not exceed **Two Hundred Thousand Pesos (P200,000.00)** exclusive of interest and costs.

SEC. 3. *Objectives*

(a) To protect and advance the constitutional right of persons to a speedy disposition of their cases;

(b) To provide a simplified and inexpensive procedure for the disposition of small claims cases; and,

SEC. 3. *Definition of Terms.*— For purposes of this Rule:

(a) *Plaintiff* refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against plaintiff;

(b) *Defendant* is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim;

(c) *Person* is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law;

(d) *Individual* is a natural person;

(e) *Motion* means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter;

(f) *Good cause* means circumstances sufficient to justify the requested order or other action, as determined by the judge; and

(g) *Affidavit* means a written statement or declaration of facts that are sworn or affirmed to be true.

(c) To introduce innovations and best practices for the benefit of the underprivileged.

SEC. 4. *Definition of Terms.*— For purposes of this Rule:

(a) *Plaintiff* refers to the party who initiated a small claims action. The term includes a defendant who has filed a counterclaim against plaintiff;

(b) *Defendant* is the party against whom the plaintiff has filed a small claims action. The term includes a plaintiff against whom a defendant has filed a claim, or a person who replies to the claim;

(c) *Person* is an individual, corporation, partnership, limited liability partnership, association, or other juridical entity endowed with personality by law;

(d) *Individual* is a natural person;

(e) *Motion* means a party's request, written or oral, to the court for an order or other action. It shall include an informal written request to the court, such as a letter;

(f) *Good cause* means circumstances sufficient to justify the requested order or other action, as determined by the judge; and,

(g) *Affidavit* means a written statement or declaration of facts that are sworn to or affirmed to be true.

SEC. 4. *Applicability.*— The Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts shall apply this Rule in all actions which are: (a) purely civil in nature where the claim or relief prayed for by the plaintiff is solely for payment or reimbursement of sum of money, and (b) the civil aspect of criminal actions, either filed before the institution of the criminal action, or reserved upon the filing of the criminal action in court, pursuant to Rule 111 of the Revised Rules of Criminal Procedure.

These claims or demands may be:

(a) For money owed under any of the following:

1. Contract of Lease;
2. Contract of Loan;
3. Contract of Services;
4. Contract of Sale; or
5. Contract of Mortgage;

(b) For damages arising from any of the following:

1. Fault or negligence;
2. Quasi-contract; or
3. Contract;

(c) The enforcement of a *barangay* amicable settlement or an arbitration award involving a money claim covered by this Rule pursuant to Sec. 417 of Republic Act 7160, otherwise known as the

SEC. 5. *Applicability.*— The Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts shall apply this Rule in all actions **that** are purely civil in nature where the claim or relief prayed for by the plaintiff is solely for payment or reimbursement of sum of money.

The claims or demands may be:

(a) For money owed under any of the following:

1. Contract of Lease;
2. Contract of Loan;
3. Contract of Services;
4. Contract of Sale; or
5. Contract of Mortgage;

(b) **For liquidated damages arising from contracts;**

(c) The enforcement of a *barangay* amicable settlement or an arbitration award involving a money claim covered by this Rule pursuant to Sec. 417 of Republic Act 7160, otherwise known as the

Local Government Code of 1991. Local Government Code of 1991.

SEC. 5. Commencement of Small Claims Action.— A small claims action is commenced by filing with the court an accomplished and verified Statement of Claim (*Form 1-SCC*) in duplicate, accompanied by a Certification of Non-Forum Shopping (*Form 1-A, SCC*), and two (2) duly certified photocopies of the actionable document/s subject of the claim, as well as the affidavits of witnesses and other evidence to support the claim. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Claim, unless good cause is shown for the admission of additional evidence.

No formal pleading, other than the Statement of Claim described in this Rule, is necessary to initiate a small claims action.

SEC. 6. Commencement of Small Claims Action.— A small claims action is commenced by filing with the court an accomplished and verified Statement of Claim (*Form 1-SCC*) in duplicate, accompanied by a Certification Against Forum Shopping, **Splitting a Single Cause of Action, and Multiplicity of Suits (*Form 1-A-SCC*)**, and two (2) duly certified photocopies of the actionable document/s subject of the claim, as well as the affidavits of witnesses and other evidence to support the claim. No evidence shall be allowed during the hearing which was not attached to or submitted together with the **Statement of Claim**, unless good cause is shown for the admission of additional evidence.

The plaintiff must state in the Statement of Claim if he/she/it is engaged in the business of lending, banking and similar activities, and the number of small claims cases filed within the calendar year regardless of judicial station.

No formal pleading, other than the Statement of Claim/s described in this Rule, is necessary to initiate a small claims action.

SEC. 7. Venue.— **The regular rules on venue shall apply.**

However, if the plaintiff is engaged in the business of lending, banking and similar activities, and has a branch within the municipality or city where the defendant resides, the Statement of Claim/s shall be filed where that branch is located.

SEC. 6. Joinder of Claims.— Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed P100,000.00.

SEC. 7. Affidavits.— The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants which are admissible in evidence.

A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.

SEC. 8. Joinder of Claims.— Plaintiff may join in a single statement of claim one or more separate small claims against a defendant provided that the total amount claimed, exclusive of interest and costs, does not exceed **Two Hundred Thousand Pesos (P200,000.00).**

SEC. 9. Affidavits.— The affidavits submitted under this Rule shall state only facts of direct personal knowledge of the affiants **or based on authentic records**, which are admissible in evidence.

A violation of this requirement shall subject the party, and the counsel who assisted the party in the preparation of the affidavits, if any, to appropriate disciplinary action. The inadmissible affidavit(s) or portion(s) thereof shall be expunged from the record.

The non-submission of the required affidavits will cause the immediate dismissal of the claim or counterclaim.

SEC. 8. Payment of Filing Fees.–

The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent.

SEC. 10. Payment of Filing Fees.–

The plaintiff shall pay the docket and other legal fees prescribed under Rule 141 of the Revised Rules of Court, unless allowed to litigate as an indigent.

Exemption from the payment of filing fees shall be granted only by the Supreme Court. However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of P500.00 shall be paid for every claim filed after the fifth (5th) claim, and an additional 100 or a total of P600.00 for every claim filed after the tenth (10th) claim, and another P100.00 or a total of P700 for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.

If the plaintiff is engaged in the business of banking, lending and similar activities, the amount of filing and other legal fees shall be the same as those applicable to cases filed under the regular rules.

A claim filed with a motion to sue as indigent (*Form 6-SCC*) shall be referred to the Executive Judge for immediate action in case of multi-sala courts, or to the Presiding Judge of the court hearing the small claims case. If the motion is

A claim filed with a motion to sue as indigent (*Form 6-SCC*) shall be referred to the Executive Judge for immediate action in case of multi-sala courts. If the motion is granted by the Executive Judge, the case shall be raffled off or

granted by the Executive Judge, the case shall be raffled off or assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the P1,000.00 fee for service of summons and processes in civil cases.

SEC. 9. Dismissal of the Claim.— After the court determines that the case falls under this Rule, it may, from an examination of the allegations of the Statement of Claim and such evidence attached thereto, by itself, dismiss the case outright on any of the grounds apparent from the Claim for the dismissal of a civil action.

assigned to the court designated to hear small claims cases. If the motion is denied, the plaintiff shall be given five (5) days within which to pay the docket fees, otherwise, the case shall be dismissed without prejudice. In no case shall a party, even if declared an indigent, be exempt from the payment of the P1,000.00 fee for service of summons and processes.

SEC. 11. Dismissal of the Claim.— After the court determines that the case falls under this Rule, it may, from an examination of the allegations of the Statement of Claim/s and such evidence attached thereto, by itself, dismiss the case outright on any of the grounds for the dismissal of the case. **The order of dismissal shall state if it is with or without prejudice.**

If, during the hearing, the court is able to determine that there exists a ground for dismissal of the Statement of Claim/s, the court may, by itself, dismiss the case even if such ground is not pleaded in the defendant's Response.

If plaintiff misrepresents that he/she/ it is not engaged in the business of banking, lending or

similar activities when in fact he/she/it is so engaged, the Statement of Claim/s shall be dismissed with prejudice and plaintiff shall be meted the appropriate sanctions, such as direct contempt.

However, if the case does not fall under this Rule, but falls under summary or regular procedure, the case shall not be dismissed. Instead, the case shall be re-docketed under the appropriate procedure, and returned to the court where it was assigned, subject to payment of any deficiency in the applicable regular rate of filing fees. If a case is filed under the regular or summary procedure, but actually falls under this Rule, the case shall be referred to the Executive Judge for appropriate assignment.

SEC. 10. *Summons and Notice of Hearing.*— If no ground for dismissal is found, the court shall forthwith issue Summons (*Form 2-SCC*) on the day of receipt of the Statement of Claim, directing the defendant to submit a verified Response.

The court shall also issue a Notice (*Form 4-SCC*) to both parties, directing them to appear before it on a specific date and time for hearing, with a warning

SEC. 12. *Summons and Notice of Hearing.*— If no ground for dismissal is found, the court shall forthwith issue Summons (*Form 2-SCC*) on the day of receipt of the Statement of Claim/s, directing the defendant to submit a verified Response.

The court shall also issue a **Notice of Hearing (*Form 4-SCC*)** to both parties, directing them to appear before it on a specific date and time for hearing, with a

that no unjustified postponement shall be allowed, as provided in Section 19 of this Rule. The summons and notice to be served on the defendant shall be accompanied by a copy of the Statement of Claim and documents submitted by plaintiff, and a copy of the Response (*Form 3-SCC*) to be accomplished by the defendant. The Notice shall contain an express prohibition against the filing of a motion to dismiss or any other motion under Section 14 of this Rule.

warning that no unjustified postponement shall be allowed, as provided in **Section 21** of this Rule.

The Summons to be served on the defendant shall be accompanied by a copy of the Statement of Claim/s and documents submitted by plaintiff, and a blank Response Form (*Form 3-SCC*) to be accomplished by the defendant. A Notice of Hearing shall accompany the Summons and shall contain: (a) the date of the hearing, which shall not be more than thirty (30) days from the filing of the Statement of Claim/s; and (b) the express prohibition against the filing of a motion to dismiss or any other motion under Section 16 of this Rule.

If Summons is returned without being served on any or all of the defendants, the court shall order the plaintiff to cause the service of summons and to inform the court within thirty (30) days from notice if said summons was served or not; otherwise, the Statement of Claim/s shall be dismissed without prejudice as to those who were not served with summons.

SEC. 11. *Response.*— The defendant shall file with the court

SEC. 13. *Response.*— The defendant shall file with the court

and serve on the plaintiff a duly accomplished and verified Response within a non-extendible period of ten (10) days from receipt of summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.

The grounds for the dismissal of the claim, under Rule 16 of the Rules of Court, should be pleaded.

SEC. 12. *Effect of Failure to File Response.*— Should the defendant fail to file his Response within the required period, and likewise fail to appear at the date set for hearing, the court shall render judgment on the same day, as may be warranted by the facts.

Should the defendant fail to file his Response within the required period but appears at the date set for hearing, the court shall ascertain what defense he has to offer and proceed to hear, mediate or adjudicate the case on the same day as if a Response has been filed.

and serve on the plaintiff a duly accomplished and verified Response within a non-extendible period of ten (10) days from receipt of summons. The Response shall be accompanied by certified photocopies of documents, as well as affidavits of witnesses and other evidence in support thereof. No evidence shall be allowed during the hearing which was not attached to or submitted together with the Response, unless good cause is shown for the admission of additional evidence.

SEC. 14. *Effect of Failure to File Response.*— Should the defendant fail to file **his/her/its** Response within the required period, and likewise fail to appear on the date set for hearing, the court shall render judgment on the same day, as may be warranted by the facts **alleged in the Statement of Claim/s.**

Should the defendant fail to file **his/her/its** Response within the required period but appears on the date set for hearing, the court shall ascertain what defense **he/she/it** has to offer **which shall constitute his/her/its Response**, and proceed to hear or adjudicate the case on the same day as if a Response has been filed.

SEC. 13. Counterclaims Within the Coverage of this Rule.— If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff's claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from suit on the counterclaim.

The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.

SEC. 14. Prohibited Pleadings and Motions.— The following pleadings, motions, or petitions shall not be allowed in the cases covered by this Rule:

- (a) Motion to dismiss the complaint;
- (b) Motion for a bill of particulars;
- (c) Motion for new trial, or for

SEC. 15. Counterclaims Within the Coverage of this Rule.— If at the time the action is commenced, the defendant possesses a claim against the plaintiff that (a) is within the coverage of this Rule, exclusive of interest and costs; (b) arises out of the same transaction or event that is the subject matter of the plaintiff's claim; (c) does not require for its adjudication the joinder of third parties; and (d) is not the subject of another pending action, the claim shall be filed as a counterclaim in the Response; otherwise, the defendant shall be barred from **suing** on the counterclaim.

The defendant may also elect to file a counterclaim against the plaintiff that does not arise out of the same transaction or occurrence, provided that the amount and nature thereof are within the coverage of this Rule and the prescribed docket and other legal fees are paid.

SEC. 16. Prohibited Pleadings and Motions.— The following pleadings, motions, or petitions shall not be allowed in the cases covered by this Rule:

- (a) Motion to dismiss the **Statement of Claim/s**;
- (b) Motion for a bill of particulars;
- (c) Motion for new trial, or for

reconsideration of a judgment, or for reopening of trial;

(d) Petition for relief from judgment;

(e) Motion for extension of time to file pleadings, affidavits, or any other paper;

(f) Memoranda;

(g) Petition for certiorari, mandamus, or prohibition against any interlocutory order issued by the court;

(h) Motion to declare the defendant in default;

(i) Dilatory motions for postponement;

(j) Reply;

(k) Third-party complaints; and

(l) Interventions.

SEC. 15. Availability of Forms; Assistance by Court Personnel.— The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements as well as procedure for small claims cases.

SEC. 16. Appearance.— The parties shall appear at the designated date of hearing personally.

Appearance through a

reconsideration of a judgment, or for reopening of trial;

(d) Petition for relief from judgment;

(e) Motion for extension of time to file pleadings, affidavits, or any other paper;

(f) Memoranda;

(g) Petition for *certiorari*, *mandamus*, or prohibition against any interlocutory order issued by the court;

(h) Motion to declare the defendant in default;

(i) Dilatory motions for postponement;

(j) Reply **and rejoinder**;

(k) Third-party complaints; and

(l) Interventions.

SEC. 17. Availability of Forms; Assistance by Court Personnel.— The Clerk of Court or other court personnel shall provide such assistance as may be requested by a plaintiff or a defendant regarding the availability of forms and other information about the coverage, requirements as well as procedure for small claims cases.

SEC. 18. Appearance.— The parties shall personally appear on the designated date of hearing.

Appearance through a

representative must be for a valid cause. The representative of an individual-party must not be a lawyer, and must be related to or next-of-kin of the individual-party. Juridical entities shall not be represented by a lawyer in any capacity.

The representative must be authorized under a Special Power of Attorney (Form 5-SCC) to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.

SEC. 17. *Appearance of Attorneys Not Allowed.*— No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.

If the court determines that a party cannot properly present his/her claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter's consent.

SEC. 18. *Non-appearance of Parties.*— Failure of the plaintiff to appear shall be cause for the dismissal of the claim without prejudice. The defendant who appears shall be entitled to judgment on a permissive counterclaim.

representative must be for a valid cause. The representative of an individual-party must not be a lawyer, and must be related to or next-of-kin of the individual-party. Juridical entities shall not be represented by a lawyer in any capacity.

The representative must be authorized under a Special Power of Attorney (**Form 7-SCC**) to enter into an amicable settlement of the dispute and to enter into stipulations or admissions of facts and of documentary exhibits.

SEC. 19. *Appearance of Attorneys Not Allowed.*— No attorney shall appear in behalf of or represent a party at the hearing, unless the attorney is the plaintiff or defendant.

If the court determines that a party cannot properly present his/her claim or defense and needs assistance, the court may, in its discretion, allow another individual who is not an attorney to assist that party upon the latter's consent.

SEC. 20. *Non-appearance of Parties.*— Failure of the plaintiff to appear shall be cause for the dismissal of the claim without prejudice. The defendant who appears **in the absence of the plaintiff** shall be entitled to judgment on a permissive counterclaim.

Failure of the defendant to appear shall have the same effect as failure to file a Response under Section 12 of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.

Failure of both parties to appear shall cause the dismissal with prejudice of both the claim and counterclaim.

SEC. 19. Postponement When Allowed.— A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.

SEC. 20. Duty of the Court.— At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.

SEC. 21. Hearing.— At the hearing, the judge shall exert efforts to bring the parties to an amicable settlement of their dispute. Any settlement (*Form 7-SCC*) or resolution (*Form 8-SCC*) of the dispute shall be reduced into writing, signed by the parties and

Failure of the defendant to appear shall have the same effect as failure to file a Response under **Section 14** of this Rule. This shall not apply where one of two or more defendants who are sued under a common cause of action and have pleaded a common defense appears at the hearing.

Failure of both parties to appear shall cause the dismissal with prejudice of both the Statement of Claim/s and counterclaim.

SEC. 21. Postponement When Allowed.— A request for postponement of a hearing may be granted only upon proof of the physical inability of the party to appear before the court on the scheduled date and time. A party may avail of only one (1) postponement.

SEC. 22. Duty of the Court.— At the beginning of the court session, the judge shall read aloud a short statement explaining the nature, purpose and the rule of procedure of small claims cases.

SEC. 23. Hearing.— At the hearing, the judge shall **first** exert efforts to bring the parties to an amicable settlement of their dispute. **If efforts at settlement fail, the hearing shall immediately proceed in an informal and expeditious**

submitted to the court for approval (*Form 12-SCC*).

Settlement discussions shall be strictly confidential and any reference to any settlement made in the course of such discussions shall be punishable by contempt.

SEC. 22. *Failure of Settlement.*— If efforts at settlement fail, the hearing shall proceed in an informal and expeditious manner and be terminated within one (1) day. Either party may move in writing (*Form 10-SCC*) to have another judge hear and decide the case. The reassignment of the case shall be done in accordance with existing issuances.

The referral by the original judge to the Executive Judge shall be made within the same day the motion is filed and granted, and by the Executive Judge to the designated judge within the same day of the referral. The new judge shall hear and decide the case within five (5) working days from receipt of the order of reassignment.

SEC. 23. *Decision.*— After the hearing, the court shall render its decision on the same day, based on the facts established by the evidence (*Form 13-SCC*). The decision shall immediately be entered by the Clerk of Court in the court docket for civil cases and

manner and be terminated within the same day.

Any settlement (*Form 8-SCC*) or resolution of the dispute shall be reduced into writing, signed by the parties and submitted to the court for approval (*Form 9-SCC and Form 10-SCC*).

SEC. 24. *Decision.*— After the hearing, the court shall render its decision **based on the facts established by the evidence (*Form 11-SCC*), within twenty four (24) hours from termination of the hearing.** The decision shall immediately be

a copy thereof forthwith served on the parties.

The decision shall be final and unappealable.

SEC. 24. Execution.— If the decision is rendered in favor of the plaintiff, execution shall issue upon motion (*Form 9-SCC*).

SEC. 25. Applicability of the Rules of Civil Procedure.— The Rules of Civil Procedure shall apply suppletorily insofar as they are not inconsistent with this Rule.

SEC. 26. Effectivity.— This Rule shall take effect on October 01, 2008 for the pilot courts designated to apply the procedure for small claims cases following its publication in two newspapers of

entered by the Clerk of Court in the court docket for civil cases and a copy thereof forthwith served on the parties.

The decision shall be final, **executory** and unappealable.

SEC. 25. Execution.— When the decision is rendered, execution shall issue upon motion (*Form 12-SCC*) of the winning party.

SEC. 26. Certification of documents. All documents attached to the Statement of Claim/s or Response that are required to be certified, except public or official documents, shall be certified by the signature of the plaintiff or defendant concerned.

SEC. 27. Applicability of the Rules of Civil Procedure.— The Rules of Civil Procedure shall apply suppletorily insofar as they are not inconsistent with this Rule.

SEC. 28. Non-applicability. The rules on mediation/judicial dispute resolution shall not apply, inasmuch as the parties may enter into compromise at any stage of the proceedings.

SEC. 29. Effectivity.— These Revised Rules shall take effect on February 1, 2016 following their publication in two newspapers of general circulation. They shall govern all cases filed after their

general circulation. The amendments to this Rule shall take effect ninety (90) days from publication in two (2) newspapers of general circulation.

effectivity, and also all pending proceedings, except to the extent that in the opinion of the court, their application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.

**SMALL CLAIMS
STANDARD FORMS**

The following forms shall be used. Substantial compliance therewith shall be sufficient.

(See attached forms)