



Republic of the Philippines  
Professional Regulation Commission  
Manila



**Memorandum Order No. 32**

**Series of 2020**

June 02, 2020

**TO :** PROFESSIONAL REGULATORY BOARDS (BOARDS)  
**OFFICE OF THE LEGAL SERVICE (CENTRAL OFFICE)**

**SUBJECT :** GUIDELINES ON THE FILING OF PLEADINGS AND CONDUCT OF HEARINGS AND OTHER LEGAL PROCEEDINGS AFFECTED BY THE COMMUNITY QUARANTINE

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This Memorandum Order is hereby issued to prescribe the guidelines on the filing of pleadings and the conduct of hearings and other legal proceedings affected by the community quarantine.

**I. LEGAL BASES**

- 1. Presidential Proclamation No. 929 (2020)** placing the entire Luzon under an Enhanced Community Quarantine which resulted in the suspension of work in the government, including the Professional Regulation Commission (Commission), effective 17 March 2020;
- 2. Republic Act No. 111469: “Bayanihan to Heal as One Act”** authorizing the President to adopt temporary emergency measures to respond to the crisis brought by the COVID-19 pandemic, specifically: *to move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under community quarantine (Section 4);*
- 3. Administrative Order No. 30 (2020)** directing all government offices to formulate and issue guidelines on the *interruption of periods for the filing of documents, payment of taxes, charges and other fees, and cancellation of proceedings before their respective offices, and on the movement of timelines for the release of benefits;*
- 4. Commission Resolution No. 1033 (A) (2017): “Revised Rules and Regulations in Administrative Investigations” (2017 PRC Rules)** authorizing the Commission to *suspend the application of the Rules* in order to best serve the public interest, and in the interest of justice and general welfare, *to apply such suitable, fair and reasonable procedure* to improve delivery of public service and to assist the parties in obtaining a just and speedy determination of cases. (*Section 3, par 2, Rule I*); and
- 4. Commission Memorandum Order No. 24 (2020): “Post Enhanced/Local Community Quarantine Interim Guidelines”**

**II. PURPOSES:**

To provide specific rules to be observed in the conduct of administrative investigations, hearings and other legal proceedings, including all processes incidental thereto, that are affected by the community quarantine.

To prescribe precautionary and preventive measures as well as response mechanisms to protect the Commission officers/personnel and its clientele against the threat of COVID-19, without compromising the delivery of legal services to the public.

### III. SPECIAL RULES:

#### A. Filing of Pleadings and Other Legal Documents

1. The reglementary periods for the filing of pleadings, motions, appearances, notices, and all other relevant legal documents shall be deemed interrupted from 17 March 2020 to 31 May 2020.
2. The deadline shall be automatically extended for thirty (30) calendar days from 31 May 2020. If the new deadline falls on a holiday or non-working day, the submission and/or filing shall be made on the next working day.
3. Should office operations resume under skeletal workforce, only initiatory pleadings (complaint-affidavits and petitions) shall be required to be personally filed, other pleadings and legal documents will have to be filed through electronic transmission/email or thru registered mail or private courier.

The following rules shall govern the electronic filing of pleadings:

1. Electronic filing of non-initiatory pleadings and other legal documents may be done thru the submission of either the scanned copy of the same or the document file itself. It must indicate the case number, case title, and the caption, title, or heading of the pleading, e.g., Admin. Case No. 1234, John Doe v. Juan Dela Cruz, Motion for Reconsideration. For this purpose, the time and date that the email was sent by the sender shall be considered as the date and time of filing.
2. Pieces of evidence which are not documentary in nature may be photographed and converted into **Portable Document Format (PDF)** but must be authenticated by a certification of the person submitting such evidence as a true photo reproduction thereof.
3. If unable to secure the services of a notary public, the parties may be allowed to submit unnotarized pleadings, accompanied by a **self-declaration** that reads:

*"I declare under the penalties of perjury that herein submissions are true and correct to the best of my knowledge."*

*Signature*

4. Should it not be convenient for the parties to physically sign the documents, **electronic signature** as defined under Section 5(e) of Republic Act No. 8792<sup>1</sup>, otherwise known as the *Electronic Commerce Act of 2000*, shall be allowed for electronic submission. As such, electronic images of physical signatures affixed to the document shall be recognized. The pleading to be submitted electronically must contain the electronic signature of the person who prepared the same.

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<sup>1</sup> Section 5(e). "Electronic Signature" refers to any distinctive mark, characteristic and/or sound in electronic form, representing the identity of a person and attached to or logically associated with the electronic data message or electronic document or any methodology or procedures employed or adopted by a person and executed or adopted by such person with the intention of authenticating or approving an electronic data message or electronic document.

5. The filing party shall be required to submit **proof of service** of hard copy/ies of the pleading or legal document upon the adverse party. Service of soft copy/ies thru email shall not be equivalent to service for purposes hereof.
6. The soft copies of the pleadings and its annexes, as well as the accompanying self-declaration and proof of service as above mentioned, must be individually saved in **PDF** and attached to the email. The filename of the soft copy must be the same as the document title.
7. The email must be sent to the official email address (*Annex A*), using the following format:

<b>Subject</b>	<b>Admin. Case No. 1234 (John Doe vs. Juan dela Cruz)</b>
<b>Attachments</b>	<b>Motion for Reconsideration.pdf, Annex A.pdf, Annex B.pdf</b>
<p style="text-align: center;"><b>(Sample body of email) Case</b></p> <p><b>Number: Admin. Case No. 123456</b></p> <p><b>Case Title: John Doe vs. Juan dela Cruz</b></p> <p><b>Name of Filing Party: John Doe</b></p> <p><b>Contact Numbers: (02) 888-9900 (landline), 0900-1112233 (cp)</b></p> <p><b>Other email address/es, if any: [filer's other email address/es]</b></p> <p><b>Title of Attached Documents:</b></p> <ol style="list-style-type: none"> <li><b>1. Motion for Reconsideration.pdf</b></li> <li><b>2. Annex A - [name of document].pdf</b></li> <li><b>3. Annex B - [name of document].pdf</b></li> <li><b>4. Self-Declaration.pdf</b></li> <li><b>5. Proof of Service.pdf</b></li> </ol>	

8. The originals, i.e. **hard or physical copies** of the electronically transmitted files must be sent via registered mail or private courier within ten (10) working days from the date that the community quarantine has been lifted or withdrawn, without the need of an order directing the submission thereof. The said documents shall contain the proper notarization and must be duly signed in handwritten (wet ink) form by the signatories.
9. To ensure the integrity of documents, the filing party shall be required to issue an **undertaking** that the hard copies filed with the OLS are faithful reproductions of the documents and annexes that were filed *via* email. Such **undertaking** must reflect the date of the submission through email. The **undertaking** shall read as follows:

*I, \_\_\_\_\_ hereby  
 declare that the document/s (and the annexes) as submitted  
 electronically on \_\_\_\_\_ is/are complete  
 and true copy/ies of the document/s (and annexes) filed with  
 the Office of the Legal Services.*

*Signature over Printed Name  
 (indicate whether complainant/respondent)  
 Date*

*SUBSCRIBED AND SWORN TO before me on this \_\_\_day  
of \_\_\_\_, 20\_\_\_, affiant exhibiting his/her competent evidence  
of identity, to wit: \_\_\_\_\_.*

*Person Administering Oath*

*Doc. No.:  
Page No.:  
Book No.:  
Series of 20\_\_*

10. Only submissions complying with the foregoing procedure shall be considered complete, correct and deemed filed. A pleading shall be deemed to have been filed on the date and time of filing of the soft copy thereof.

As far practicable, the following rules on electronic filing shall also apply to pleadings and other legal documents in connection with the conduct of conciliation/mediation and other special investigation proceedings.

The foregoing pleadings and legal documents shall be sent to the appropriate email address as listed in *Annex A* of these Guidelines.

There shall be designated email administrators who shall monitor and log the pleadings and documents received on a daily basis. Upon receipt, the administrators shall immediately print the electronically submitted pleadings and documents for indorsement to the corresponding hearing officer.

#### **B. Conduct of Hearings and other Legal Proceedings**

1. All suspended hearings, including conciliation/mediation and clarificatory conferences from 17 March 2020 to 31 May 2020 shall be rescheduled upon resumption of office operations, subject to established health and safety protocols.
2. Hearings, conciliation/mediation and clarificatory conferences originally scheduled from 01 June 2020 onwards may be reset to another date, if circumstances warrant.
3. In lieu of the formal hearings, the submission of position paper, comments and other relevant pleadings shall be required, whenever just and applicable: *Provided*, that face-to-face hearings and other legal proceedings may still be conducted at the discretion of the Board, conciliator/mediator or special investigator concerned, and only if urgent, necessary and practicable under the circumstances.
4. Videoconferencing hearings, conciliation/mediation and clarificatory conferences shall be conducted, once the technical and security systems are in place. A separate guideline shall be issued for this purpose.

#### **C. Requests for Untagging and Issuance of Certificate of Non-Derogatory Record**

1. Requests for untagging of professionals with administrative case shall be sent to the official email address (*Annex A*) accompanied



by an electronic copy of a valid government ID (preferably PRC ID) of the requesting professional. If the request is made by a representative, an electronic copy of the following requirements shall be attached: (a) Special Power of Attorney (SPA), (b) letter of consent from the professional, if the request is being made by a third party for employment or other legal purposes, (c) valid government ID of the representative, and (d) valid government ID (preferably PRC ID) of the registered professional.

Upon receipt of request, the docket officer shall verify the status of the case in the PRC database, and with the consent of the concerned hearing officer, the Service Request Form (SRF) for untagging shall be prepared and indorsed to the Officer-in-Charge/Chief for approval and signature. The same shall be forwarded to the ICTS for untagging.

2. The processing of requests for the issuance of Certificates of Non-Derogatory Record is likewise suspended until 31 May 2020. Requests may however be sent to the official email address (*Annex A*) for evaluation and processing upon resumption of office operations.

These Guidelines shall be in effect only for the period herein stated, and may be revised at any time to conform with future directives and orders as may be issued by the Commission, Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and Office of the President (OP).

For compliance.

  
**TEOFILO S. PILANDO, JR.**  
Chairman  


## Annex A

List of Email Addresses:

<b>Concerned Unit/Function</b>	<b>Email Address</b>
Administrative Cases	<a href="mailto:hid.admncases@prc.gov.ph">hid.admncases@prc.gov.ph</a>
Legal Untagging	<a href="mailto:hid.legaluntagging@prc.gov.ph">hid.legaluntagging@prc.gov.ph</a>
Issuance of Certificate of Non-Derogatory Record (No Pending Case)	<a href="mailto:hid.certnopening@prc.gov.ph">hid.certnopening@prc.gov.ph</a>
Conciliation/Mediation	<a href="mailto:conciliation.mediation@prc.gov.ph">conciliation.mediation@prc.gov.ph</a>
Special Investigation/Preliminary Investigation	<a href="mailto:spd.preinvestigation@prc.gov.ph">spd.preinvestigation@prc.gov.ph</a>