



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 283- 2023

TO : ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT : ISSUANCE OF COMMITMENT ORDER

Under the rules, upon filing of an information in court, trial court judges must determine the existence or non-existence of probable cause based on their personal evaluation of the prosecutor's report and its supporting documents.¹ In relation thereto, and for the guidance of all concerned, the following guideposts on the issuance of a mittimus or commitment order shall be observed:

A. There are three (3) possible scenarios after the personal evaluation by the Judge of the resolution of the prosecutor and its supporting evidence within ten (10) days from the filing of the complaint or information:

A.1 the case may be immediately dismissed, if the evidence on record clearly fails to establish probable cause;

A.2 if the Judge finds the existence of probable cause, he/she shall issue an order declaring the existence of probable cause. Simultaneously or immediately thereafter, the Judge shall also issue a warrant of arrest or a commitment order;

A.3 if on the basis of the evidence on hand, the Judge doubts the existence of probable cause, he/she may order the prosecutor to present additional evidence within five (5) days from notice and the issue must be resolved by the court within thirty (30) days from the filing of the complaint or information.²

¹ G.R. No. 187094, February 15, 2017 (Maza, et al. v. Hon. Turla, et al.)

² Rule 112, Section 5 of the Rules of Court

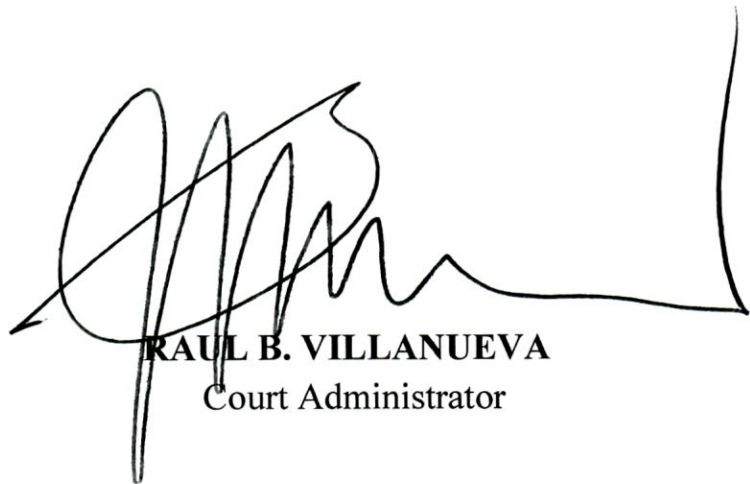
A.3.1 when the Judge finds the existence of probable cause, he/she shall issue an order declaring the existence of probable cause and simultaneously issue a commitment order or an warrant of arrest, as the case may be; or

A.3.2 the Judge may dismiss the case if the evidence on record fails to establish probable cause.

B. In instances where an accused is charged with more than one *information* filed before different courts/branches in the same station, all of the said court/branch shall issue, if circumstances warrant, an order declaring the existence of probable cause and simultaneously issue a commitment order, notwithstanding a commitment order issued by another court/branch against the same accused. The said commitment order shall contain a directive that the accused be detained in the same facility.

For strict compliance.

11 August 2023



RAUL B. VILLANUEVA
Court Administrator