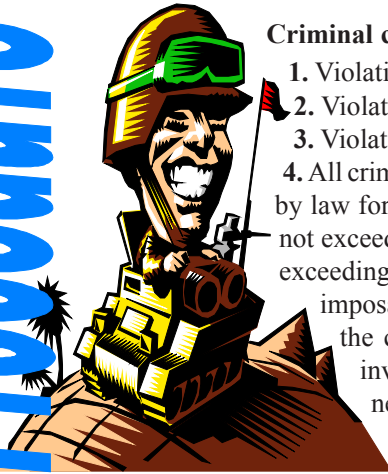


Cases under Summary Procedure



Criminal cases under Summary Procedure

1. Violations of traffic laws, rules and regulations
2. Violations of rental law [BP 22 cases]
3. Violations of municipal or city ordinances
4. All criminal cases where the penalty prescribed by law for the offense is imprisonment not exceeding six months, or a fine not exceeding Php 1,000. OR both, irrespective of other imposable penalties, accessory or otherwise, or of the civil liability arising therefrom. In offenses involving damage to property through criminal negligence, this rule shall govern where the imposable fine does not exceed Php 10,000.



For criminal cases falling under Summary Procedure, the case must be filed in court within sixty (60) days from the date the offense was committed. This prescriptive period is tolled (interrupted) by barangay conciliation proceedings. The filing of the complaint with the fiscal's office will also interrupt the running of the prescriptive period (Section 1, Rule 110).

Prohibited pleadings or motions :

- (a) motion to dismiss the complaint, or to quash the complaint or information; the lack of jurisdiction over the subject matter, or failure to comply with the required barangay conciliation can be raised in the counter-affidavit;
- (b) motion for bill of particulars;
- (c) motion for new trial, or for reconsideration of judgment, or reopening of the trial;
- (d) petition for relief from judgment;
- (e) motion for extension of time to file pleadings, affidavits or any other papers;
- (f) memoranda;
- (g) petition for certiorari, mandamus, or prohibition against any interlocutory order issued by the court;
- (h) motion to declare defendant in default;
- (i) dilatory motions for postponement;
- (j) third party complaints;
- (k) interventions.



Civil cases under Summary Procedure

A. All cases of forcible entry and unlawful detainer regardless of the amount of unpaid rentals or damages, but attorney's fees awarded by the court should not exceed Php 20,000.

B. All other civil cases except probate proceedings where the total amount claimed by the plaintiff does not exceed Php 200,000. (Metro Manila) exclusive of the costs and interest.

