[DOJ DEPARTMENT CIRCULAR NO. 29, June 28, 1990]

AMENDMENT OF DEPARTMENT CIRCULAR NO. 7 DATED JANUARY 25, 1990 ON PERIOD OF APPEAL

In the interest of expeditious and efficient administration of justice, Sections 2 and 5 of Department Circular No. 7 dated January 25, 1990 is hereby amended to read as follows:

SECTION 2.   When to appeal: The appeal must be filed within a period of fifteen (15) days from receipt of the questioned resolution by the party or his counsel. The period shall be interrupted only by the filing of a motion for reconsideration within ten (10) days from receipt of the resolution and shall continue to run from the time the resolution denying the motion shall have been received by the movant or his counsel.

SECTION 5.   Transmission of records to the Secretary of Justice. — The Secretary of Justice, shall, if he finds the appeal to be sufficient in form and substance, direct the Prosecutor concerned to elevate the complete records of the case to the Department for review within ten (10) days from notice with his comment, if any. Any delay should be explained and the same should be attached to the records transmitted. Appropriate disciplinary action will be undertaken in case of unreasonable delay in the transmission of the requested records. In this connection, prosecutors shall, at the inception of the case, already chronologically arrange and consecutively page the records of the case starting from the complaint. Documents in local dialects other than Filipino shall be translated in English and attached to the records together with the transcript of stenographic notes, if any.

An additional paragraph to Section 9 is hereby included to read as follows:

The State Prosecutor/ Prosecuting Attorney assigned to review and evaluate the appeal shall have sixty (60) days from the date of assignment within which to resolve the appeal.

This Circular shall take effect fifteen days after publication in a newspaper of general circulation.

Adopted: June 28, 1990

(SGD.) FRANKLIN M. DRILON
Secretary