Original – Court, 1st Copy – Prosecutor, 2nd Copy – Accused, Other copies as needed

Enter information in block letters in all parts of the Form except when reserved for Court use, which shall be completed by the Clerk.

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| (Judicial Region)  METC/MTCC/MTC/MCTC Case No.  RTC         (Municipality/City/Province)  BRANCH | For Court Use Only |
| People of the Philippines , v.  ,  *Accused.* |
| ATTORNEY OR PARTY WITHOUT ATTORNEY  *Name* ­­­  *Firm Name*  *Address*  *Email Address*  *Tel./Cel./Fax Nos.*  *PTR No.*       *Date/Place of Issuance*  *Roll No.*       *Date/Place of Issuance*  *IBP No.*       *Lifetime* *Date/Chapter*  *MCLE* *Compliance* *Exemption No.*  *Other Compliances* ­­­­­­­­­  *Attorney for*  *Prosecution:* *Public Prosecutor* *Private Prosecutor*  *Defense:* *Public Attorney* *Private Counsel*  *Other* |

**NOTICE OF ARRAIGNMENT AND PRE-TRIAL**

**COMMITMENT ORDER**

After a careful evaluation of the Information and the supporting evidence, the Court finds that it has jurisdiction over the subject matter of the Information and that probable cause exists to hold the accused      for trial.

Bail is not allowed set at P      .

Accused       is ordered committed to the custody and supervision of the Warden of       for confinement until further orders from this Court.

        Arraignment and Pre-Trial Conference (Mediation, where applicable) are set on      .

The private complainant is directed to appear at said hearing to participate in possible plea bargaining, where allowed, as well as in the Pre-Trial Conference, which includes Mediation, where applicable.

        SO ORDERED.

     

Judge Date

COPY FURNISHED

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| --- | --- | --- | --- |
| Person’s Name | Method | Place Served | Date Served |
| Trial Prosecutor | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Counsel for Accused | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Private Complainant | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Accused | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
|  | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
|  | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |

SPECIAL INSTRUCTIONS

*Arraignment and plea*; *how made*.

1. The accused must be arraigned before the court where the complaint or information was filed or assigned for trial. The arraignment shall be made in open court by the judge or clerk by furnishing the accused with a copy of the complaint or information, reading the same in the language or dialect known to him, and asking him whether he pleads guilty or not guilty. The prosecution may call at the trial witnesses other than those named in the complaint or information.
2. The accused must be present at the arraignment and must personally enter his plea. Both arraignment and plea shall be made of record, but failure to do so shall not affect the validity of the proceedings.
3. When the accused refuses to plead or makes a conditional plea, a plea of not guilty shall be entered for him.
4. When the accused pleads guilty but presents exculpatory evidence, his plea shall be deemed withdrawn and a plea of not guilty shall be entered for him. (n)
5. When the accused is under preventive detention, his case shall be raffled and its records transmitted to the judge to whom the case was raffled within three (3) days from the filing of the information or complaint. The accused shall be arraigned within ten (10) days from the date of the raffle. The pre-trial conference of his case shall be held within ten (10) days after arraignment. (n)
6. The private offended party shall be required to appear at the arraignment for purposes of plea bargaining, determination of civil liability, and other matters requiring his presence. In case of failure of the offended party to appear despite due notice, the court may allow the accused to enter a plea of guilty to a lesser offense which is necessarily included in the offense charged with the conformity of the trial prosecutor alone. (cir. 1-89)
7. Unless a shorter period is provided by special law or Supreme Court circular, the arraignment shall be held within thirty (30) days from the date the court acquires jurisdiction over the person of the accused. The time of the pendency of a motion to quash or for a bill of particulars or other causes justifying suspension of the arraignment shall be excluded in computing the period. (sec. 2, cir. 38-98)

(Section 1, Rule 116, ROC)

*Pre-trial*; *mandatory in criminal cases*

In all criminal cases cognizable by the Sandiganbayan, Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court and Municipal Circuit Trial Court, the court shall after arraignment and within thirty (30) days from the date the court acquires jurisdiction over the person of the accused, unless a shorter period is provided for in special laws or circulars of the Supreme Court, order a pre-trial conference to consider the following:

1. plea bargaining;
2. stipulation of facts;
3. marking for identification of evidence of the parties;
4. waiver of objections to admissibility of evidence;
5. modification of the order of trial if the accused admits the charge but interposes a lawful defense; and
6. such other matters as will promote a fair and expeditious trial of the criminal and civil aspects of the case.

(Section 1 Rule 118, ROC)

*Non-appearance at pre-trial conference*

If the counsel for the accused or the prosecutor does not appear at the pre-trial conference and does not offer an acceptable excuse for his lack of cooperation, the court may impose proper sanctions or penalties. (Section 3, Rule 118, ROC)