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.

|  |  |
| --- | --- |
| (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* |

**PRE-TRIAL ORDER**

    At today's pre-trial conference, the Public Prosecutor Private Prosecutor Private Complainant defense counsel accused appeared.

STIPULATIONS

The parties agreed to stipulate on the following facts:

1. The identity of the accused as the same individual named in the Information.

2. The Court has jurisdiction over

the subject matter of the case

the person of the accused.

3. The subject incident took place

on       *(date)*

at      . *(place)*

4. The accused was arrested:

on

at

by

with without a warrant of arrest.

5. The accused was made subject of inquest proceedings:

on

at

by      .

6. (a) The accused and the private complainant did not know each other prior to the subject incident.

(b) The accused and the private complainant knew each other prior to the

subject incident.

7. (a) The Police Investigator       assigned to the case conducted an

investigation and prepared the following documents:

Exhibit      Police Letter-Referral/Investigation Report

Exhibit      Sworn Statement of

Exhibit      Sworn Statement of

(add more lines if necessary)

(b) The Police Investigator has no personal knowledge of the commission of the offense or the identity of the offender.

(c) The Police Investigator received from       on       the following object evidence:

Exhibit \_\_ (list down object evidence)

Exhibit \_\_

Exhibit \_\_

(d) The  Police Investigator Arresting Officer placed markings on the object evidence as follows:

Exhibit       (list down object evidence) with marking

Exhibit       with marking

Exhibit       with marking

(e) The Arresting Officer/s       has/have no personal knowledge of the commission of the offense.

(Add other stipulations)

TESTIMONIAL EVIDENCE

A. The prosecution shall offer the following witnesses for identification of their Judicial Affidavit and further examination:

|  |  |
| --- | --- |
| Witness | Date |
|  |  |
|  |  |
|  |  |
|  |  |

B. The defense shall offer the following witnesses for identification of their Judicial Affidavit and further examination:

|  |  |
| --- | --- |
| Witness | Date |
|  |  |
|  |  |
|  |  |
|  |  |

Postponements are discouraged. An absence shall result in the absentee having only the remaining assigned dates to complete his evidence presentation. No replacement date shall be given for any absence.

Parties are given a final period of five (5) days from today within which to submit additional affidavits. No witness shall be allowed to testify who has not submitted an affidavit.

DOCUMENTARY/OBJECT EVIDENCE

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| PROSECUTION | | | DEFENSE | | |
| Exh. | Description | Type\* | Exh. | Description | Type\* |
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*\*\* DOCUMENT TYPES: O – Original; CTC – Certified True Copy; FRO – Faithful Reproduction of Original; PM – Provisional Marking*

ISSUES

The issues are:

1. FACTUAL

      *(list issues)*

1. LEGAL

      *(list issues)*

SO ORDERED.

     

Judge Date

**Conformity to Stipulations:**

Private Complainant Accused

     

Trial Prosecutor Defense Counsel

Private Prosecutor

Date

COPY FURNISHED

|  |  |  |  |
| --- | --- | --- | --- |
| 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

*Matters to Take Up During Pre-Trial*

The following shall be considered during the Pre-Trial Conference:

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. (Sec 1, Rule 118 ROC)

*Pre-Trial Order*

After the pre-trial conference, the court shall issue an order reciting the actions taken, the facts stipulated, and evidence marked. Such order shall bind the parties, limit the trial to matters not disposed of, and control the course of the action during the trial, unless modified by the court to prevent manifest injustice. (Sec. 4, Rule 118 ROC)

*Absence of witnesses*

A party who does not appear for mediation or pre-trial in violation of the order of the pre-trial judge or in accordance with the scheduled mediation conferences, shall be imposed the appropriate sanctions as provided for in Rule 18 of the Rules of Court by said judge. In addition, the pre-trial judge may require the non-appearing party to reimburse not exceeding treble the costs incurred by the appearing party including attorneyís fees for that day. A party who appears without the required authorization may similarly be sanctioned. (A.M. No. 04-1-12-SC Re: Proposed Guidelines for the Implementation of An Enhanced Pre-Trial Proceeding Through Conciliation and Neutral Evaluation)

*Consent*

The parties and their respective counsels shall sign this Pre-Trial Order to signify their consent to be bound by this order, including the schedule so fixed.