

Republic of the Philippines
COURT OF APPEALS
Manila

MEDIATION FEE

Pursuant to Section 9, Rule 141 (A.M. No. 04-2-04-SC, effective 16 August 2004); and A.M. 01-10-5-SC, dated 16 October 2001, the Court of Appeals shall collect mediation fees in the amount of P1,000 to form the Mediation Fund, upon the filing of the following petitions, motions or pleadings:

Mediatable Cases:

A. SPECIAL CASES

1. **Petition**, including **Annulment of Judgment**
2. **Special Civil Action**, (e.g. Certiorari, Prohibition, Mandamus, Quo Warranto) except those involving pure questions of law.
3. **Petition for Review (Rule 42)**, or upon the filing of a motion for extension of time to file petition for review.
4. Appeals from final orders, awards judgments, resolutions of quasi-judicial agencies in the exercise of their quasi-judicial functions through **Petition for Review (Rule 43)** or **Certiorari**.
5. **Habeas Corpus** cases involving custody of minors, **with the consent of parties**, provided that the minor is not detained for commission of a criminal offense.
6. **Comment of Answer to the Petition** or Action, or upon the filing of a motion for extension of time to file comment/ answer to the petition.
7. **Appellees' / Respondents' Memorandum** in lieu of briefs in Appeals in Special Civil Action.

B. CIVIL CASES

1. **Appellee's Brief**, or upon the filing of a motion for extension of time to file appellee's brief.
2. Appellee's Manifestation in lieu of Briefs.

Note: Mediation fee for Civil Cases brought on Ordinary Appeal are paid in the Regional Trial Court (RTC).

C. CRIMINAL CASES

1. Criminal cases cognizable by the Katarungang Pambarangay, under Republic Act No. 7160, which are offenses punishable by imprisonment not exceeding one year or a fine not exceeding P5,000 (e.g. Petition for Review)

CASES NOT COVERED – The following shall not be referred to mediation

1. Those Civil Cases which by law cannot be compromised. Article 2035 of the Civil Code provides that “no compromise upon the following questions shall be valid”.
 - a) The civil status of persons;
 - b) The validity of a marriage or a legal separation;
 - c) Any ground for legal separation;
 - d) Future support;
 - e) The jurisdiction of courts;
 - f) Future legitime. (1814a)
2. Criminal Cases **except** those cognizable by the Katarungang Pambarangay, under Republic Act No. 7160, which are offenses punishable by imprisonment not exceeding one year or a fine not exceeding P5,000.00.
3. Habeas corpus petitions involving custody of minors when the subject is detained for commission of a criminal offense;
4. Cases with pending application for restraining orders/ preliminary injunctions, unless both parties have requested for mediation.

The following are **EXEMPT** from contributing to the mediation fund:

1. Pauper Litigant;
2. Accused-appellant; and
3. Government agencies and instrumentalities exempted under Sec. 22, Rule 141, Legal Fees.