



## 7. Request for OSG’s Assistance in the Transmittal of an Application or Claim by a Filipino Citizen for Child Support from a Foreigner under the United Nations (UN) Convention on the Recovery Abroad of Maintenance<sup>1</sup>

Filipino citizens with children from foreign spouses may request for the OSG’s assistance to apply or claim child support from a foreigner pursuant to the United Nations Convention on the Recovery Abroad of Maintenance. The UN Convention allows individuals to enforce judicial decisions regarding child support and alimony extraterritorially. <sup>2</sup>

<b>Office or Division:</b>	Docket Management Service, Legal Division, Secretariat	
<b>Classification:</b>	Highly Technical	
<b>Type of Transaction:</b>	Government to Citizens	
<b>Who may avail:</b>	Filipino citizens with children from foreign spouses	
<b>CHECKLIST OF REQUIREMENTS</b>		<b>WHERE TO SECURE</b>

<sup>1</sup> Pursuant to the **Convention on the Recovery Abroad of Maintenance**, the Office of the Solicitor General (OSG) acts as the Central Authority, which transmits and receives communications under this Convention.

On June 22, 2022 the Philippines deposited its instrument of ratification to the **Child Support Convention**, formally known as the “*Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance*.” Pursuant to the new Child Support Convention, the Supreme Court promulgated the “*Rules on Action for Support and Petition for Recognition and Enforcement of Foreign Decisions or Judgments on Support (A.M. No. 21-03-02- SC)*.” Under these new Rules, a petition for recognition and enforcement of foreign decisions may be filed by the Public Attorney’s Office (PAO).

For those countries that have not acceded/succeeded/ratified the Child Support Convention, but were already members to the prior Convention on the Recovery Abroad of Maintenance, the OSG still fulfills its role as Central Authority.

<sup>2</sup> The Office of the Solicitor General (OSG) collects some of your personal data when you transact with its employees and authorized representatives. The OSG will use this information solely for documentation and processing purposes relative to your transaction/s with the Office. By submitting your data to the OSG, you are expressly consenting and authorizing the OSG to collect, process, and store such personal and/or sensitive information as may be needed in the course of your transaction/s.

In all instances, the OSG shall ensure that processing your personal data shall strictly comply with the provisions of the Data Privacy Act and its Implementing Rules and Regulations and shall be consistent with the general data privacy principles of transparency, legitimate purpose, and proportionality.



Letter of Request and/or Endorsement (one original copy)		Availing Party		
Birth Certificate of Child (one original copy)		Availing Party (from Philippine Statistics Authority)		
Proof of acknowledgment of filiation (one original copy)		Availing Party		
Proof of identification of the putative parent (Foreigner) (one original copy)		Availing Party		
Other documentary requirements to support the application for Child Support		Availing Party		
CLIENT STEPS	AGENCY ACTIONS	FEES TO BE PAID	PROCESSING TIME	PERSON RESPONSIBLE
1. Applicant files a request and/or endorsement with the OSG for assistance in the transmittal of an application for child support	1.1. The application or endorsement received shall be forwarded by DMS personnel to the OSG Secretariat for assignment to a Legal Division.	None	1 Day	<i>Docket Management Service Personnel, OSG Building Lobby</i>
	1.2. The OSG Secretariat will assign the case to a Legal Division	None	1 Day	<i>Secretariat Personnel</i>
	1.3. The Assistant Solicitor General will assign the case to a Solicitor	None	1 Day	<i>Assistant Solicitor General</i>



	1.4. The Solicitor will evaluate the propriety and merits of the application/ claim for child support.	None	7 Days	<i>Solicitor</i>
2. The applicant will discuss with the Solicitor on filling out the application for child support.	2.1. The Solicitor will confer with the applicant, either through email or phone call if contact number is provided, to assist him/her in filling out the application for child support. The Solicitor will explain the requirements needed and allow the applicant ample time to submit the same.	None	6 Days	<i>Solicitor</i>
	2.2. The Solicitor will prepare his/her recommendation whether to refer the case to the appropriate government agency or Foreign Embassy or deny the request for lack of sufficient documents	None	1 Day	<i>Solicitor</i>



	<p>2.3. The Solicitor will prepare a letter addressed to the appropriate embassy concerned with the application and its attached complete documentary requirements, or if the applicant fails to provide sufficient and complete documents despite being given ample time to do so, the Solicitor will prepare a letter to the applicant denying the request for assistance due to failure of completion of the requirements.</p> <p>If the letter is delivered through registered mail, it will take about 20 days before the party concerned will receive it.</p> <p>If the letter is delivered through</p>	<p>None, unless applicant requests delivery through courier, in which case, proper fees must be provided</p>	<p>1 Day</p>	<p>Solicitor</p>
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courier, it will take 1 or 2 working days before the party concerned will receive it.

Total Processing Time

18 days