

OCA CIRCULAR NO. 96-2003, July 31, 2003

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TO:

ALL JUDGES AND CLERKS OF COURT OF THE REGIONAL TRIAL COURTS

SUBJECTS:

AMENDMENTS TO A.M. No. 02-11-10-SC Re: RULE ON DECLARATION OF ABSOLUTE NULLITY OF VOID MARRIAGES AND ANNULMENT OF VOIDABLE MARRIAGES AND A.M. No. 02-11-11-SC Re: RULE ON LEGAL SEPARATION

The Supreme Court En Bane in its Resolution dated 08 July 2003, in A.M. No. 02-11-10-SC, Re: Rule on Declaration of Absolute Nullity of Void Marriages and Annulment of Voidable Marriages and A.M. No. 02-11-11-SC, Re: Rule on Legal Separation, Resolved to AMEND the provisions on venue in A.M. No. 02-11-10-SC and A.M. No. 02-1-11-SC. Thus:

Section 4 of the Rule on Declaration of Absolute Nullity of Void Marriages and 'Annulment of Voidable Marriages (A.M. No. 02-11-10-SC) is amended as follows:

"SEC. 4. Venue.— The petition shall be filed in the Family Court of the province or city where the petitioner or the respondent has been residing for at least six (6) months prior to the date of filing, or in case of nonresident respondent, where he may be found in the Philippines, at the election of the petitioner. In stations where no branches of the Regional Trial Court are designated as Family Courts, the cases falling within the jurisdiction of the Family Courts shall be raffled among the branches of the Regional Trial Court with the same station which shall try and decide such cases according to the existing issuances."

and Section 2(c) of the Rule on Legal Separation (A.M. No. 01-11-11-SC) is amended as follows:

SEC. 2. Petition.—

xxx

"(c) Venue.- The petition shall be filed in the Family Court of the province or city where the petitioner or the respondent has been residing for at least six (6) months prior to the date of filing, or in case of nonresident respondent, where he may be found in the Philippines, at the election of the petitioner. In stations where no branches of the Regional Trial Court are designated as Family Courts, the cases falling within the jurisdiction of the Family Courts shall be raffled among the branches of the Regional Trial Court with the same station which shall try and decide such cases according to the existing issuances."

These amendments shall take effect on 15 August 2003 following the publication in a newspaper of general circulation.

For the information and guidance of all concerned.

July __31__2003.

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