

OCA CIRCULAR NO. 200-2016, September 22, 2016

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TO :

ALL FIRST AND SECOND LEVEL COURTS

SUBJECT :

NEW PROVISION UNDER SECTION 8, CHAPTER V OF A.M. NO. 03-8-02-SC DATED 27 JANUARY 2004

Pursuant to the Supreme Court En Banc Resolution dated 10 August 2016 in A.M. No. 16-06-208-RTC (Re: Inhibition of Presiding Judges Reynaldo B. Clemens and Ernesto L. Penaflor of Branches 31 and 32, respectively, Regional Trial Court [RTC], Calbayog City, Samar, in Special Civil Action No. 197), and in view of the existing Section 8, Chapter V of A.M. No. 03-8-02-SC (Guidelines on the Selection and Appointment of Executive Judges and Defining their Powers, Prerogatives and Duties) dated 27 January 2004, which is silent in instances where judges of the multiple branch RTC inhibited themselves from trying and deciding cases, all concerned are **DIRECTED** to JUDICIOUSLY OBSERVE the NEW provision under Section 8, Chapter V of A.M. 03-8-02-SC, to wit:

(d) [W]here all the judges in the multiple branch RTC are disqualified or voluntarily inhibit, the Clerk of Court of the branch of the judge disqualified or inhibited last, shall refer the order of inhibition to the Executive Judge of the nearest multiple branch RTC or to the nearest single branch RTC, whichever is the nearest in terms of geographical location. The same applies in multiple branch first level court. In case the nearest court station is a multiple branch court, the Executive Judge shall raffle the case among the judges in the station. In both instances, the judge to whom the case is assigned shall try and decide the case in the court of origin. (Emphasis added)

For your information, guidance and strict compliance.

September 22, 2016

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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