

SC ADMINISTRATIVE CIRCULAR NO. 08 – 2001, January 23, 2001

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TO

:EXECUTIVE JUDGES AND PRESIDING JUDGES OF THE REGIONAL TRIAL COURTS

SUBJECT

:TRANSFER TO DESIGNATED REGIONAL TRIAL COURTS OF SEC CASES ENUMERATED IN SECTION 5, P. D. NO. 902-A FROM THE REGULAR REGIONAL TRIAL COURTS

In A. M. No. 00-8-10-SC (In Re: Transfer of Cases from the Securities and Exchange Commission to the Regular Courts Pursuant to R. A. No. 8799), the Court, through its Resolution dated August 22, 2000, directed the Court Administrator and the Securities and Exchange Commission to cause the actual transfer of the records of intra-corporate cases and all other SEC cases affected by R. A. No. 8799 to the Regional Trial Courts. In the transfer of the SEC cases, the Court, among others, ordered that:

"3. The records of cases classified under a specific venue group (e.g., Manila, Quezon City, Cebu City) shall be transmitted to the Executive Judge of the Regional Trial Court in the place for raffle between or among the different branches thereof. However, if a specific branch thereof has been designated as a special commercial court the cases shall be transmitted to said special commercial court."

On November 21, 2000, the Court promulgated in A. M. No. 00-11-03-SC a Resolution Designating Certain Branches of Regional Trial Courts to Try and Decide Cases Formerly Cognizable by the Securities and Exchange Commission. The Resolution took effect on December 15, 2000. While the Resolution provided guidelines in the disposition of SEC cases, it did not provide for the transfer of SEC cases already distributed to the regular branches of Regional Trial Courts pursuant to A. M. No. 00-8-10-SC to the special branches of Regional Trial Courts designated to hear and decide cases formerly cognizable by the SEC.

As a supplement to the promulgated guidelines, all SEC cases originally assigned or transmitted to the regular Regional Trial Courts pursuant to A.M. No. 00-8-10-SC shall be transferred to branches of Regional Trial Courts specially designated to hear such cases in accordance with A. M. No. 00-11-03-SC. The transmittal shall include those cases directly filed with the regular Regional Trial Courts prior to the effectivity of the Resolution in A. M. No. 00-11-03-SC. In case two branches of the Regional Trial Court have been designated in a province or city, the distribution of cases shall be done by way of raffle between them. Owing to the expertise of the designated courts gained through special training, all SEC cases shall be transmitted regardless of the stage of their proceedings -whether for pre-trial, trial or submitted for decision.

For strict compliance.

This Administrative Circular shall take effect on March 1, 2001.

Promulgated this 23rd day of January 2001.

(Sgd.) HILARIO G. DAVIDE, JR.

Chief Justice

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