

OCA CIRCULAR NO. 225-2016, October 25, 2016

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TO :

ALL JUDGES OF FAMILY COURTS

SUBJECT :

CLARIFICATION OF OCA CIRCULAR NO. 10-2014 ON THE REQUIREMENT OF THE LAW ON ADOPTION CASES

Quoted hereunder are pertinent provisions of Resolution No. 02-2016 of the Committee on Family Courts and Juvenile Concerns- Technical Working Group, clarifying the application of OCA Circular No. 10-2014 on petitions for adoption intended for inter-country adoption but filed under the Domestic Adoption Act of 1998 (R.A. No. 8552):

Resolution No. 02-2016

CLARIFICATION OF OCA CIRCULAR NO. 10-2014 ON THE REQUIREMENT OF THE LAW ON ADOPTION CASES

A petition for adoption which is properly one for inter- country adoption but filed with the Family Court under the Domestic Adoption Act of 1998 (R.A. No. 8552) by an alien or a former Filipino citizen, or by a Filipino citizen permanently . residing abroad, not qualified under the law as to residency and certification or not falling under the exceptions provided by law, shall not be dismissed by the Family Court, but shall be transmitted to the Inter-Country Adoption Board for the latter's appropriate action pursuant to Section 32 of the Rule on Adoption (A.M. No. 02-6-02-SC).

However, if the said alien or former Filipino citizen is qualified under Section 7 (b) of the Domestic Adoption Act of 1998, the Family Court shall hear and decide the petition for adoption.

For the information and guidance of all concerned.

25 October 2016

(SGD.) RAUL BAUTISTA VILLANUEVA

Deputy Court Administrator

and

Officer-in-Charge

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