

OCA CIRCULAR NO. 65-2008, April 18, 2008

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TO:

ALL TRIAL JUDGES

SUBJECT:

TERMINATION OF THE PROBATION IN CASES WHERE THE SUPERVISION OVER THE PROBATIONER IS TRANSFERRED TO ANOTHER COURT

For the information and guidance of all concerned, quoted hereunder is a portion of the Resolution of the Court En Banc dated July 1, 2008, in A.M. No. 08-6-316-RTC- Re: Query of Executive Judge Aurora V. Maqueda-Roman, RTC-Gumaca, Quezon on the

Termination of the Probation in Cases where the Supervision over the Probationer is Transferred to Another Court, to wit:

"(b) ADVISE the Executive Judges of the Regional Trial Courts that the Probation Law of 1976, which provides that "[t]he re after, the Executive Judge to whom jurisdiction over the probationer is transferred shall have the power with respect to him that was previously possessed by the court which granted the probation" [emphasis supplied), includes the power to issue an order terminating the probation and finally discharging the probationer;

[c] REQUIRE the court to which the probation case has been transferred to furnish the court, which originally granted the probation and which is in custody of the complete records of the case concerned, a copy of the Order of termination, revocation or modification of the probation, so that the latter may be apprised of the date and mode by which the probation case was closed."

For strict compliance.

April __18__, 2008.

JOSE P. PEREZ

Court Administrator

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