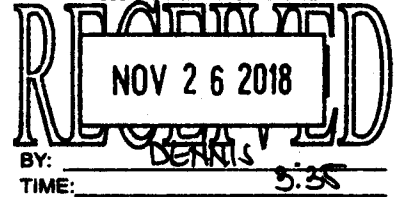




Republic of the Philippines
Supreme Court
Manila
EN BANC
NOTICE

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated **OCTOBER 2, 2018**, which reads as follows:

“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).- Acting on Resolution No. 02-2018 of the Committee on Family Courts and Juvenile Concerns, the Court Resolved to **APPROVE** the Proposed Guidelines to Validate Compliance with the Jurisdictional Requirement Set Forth in A.M. No. 02-11-10-SC, viz.:

(a) **Contents and form of the petition.** With reference to the requirements of Section 5 of A.M. No. 02-11-10-SC and Section 2(b) of A.M. No. 02-11-11-SC, petitioner shall state the complete address of the parties in the petition (*i.e.*, house number, street, *purok*/village/subdivision, barangay, zone, town, city, and province);

In view of the foregoing, petitioner shall attach the following: (1) sworn certification of residency (with house location sketch) issued by the *barangay*; (2) sworn statement of counsel of record that he/she has personally verified petitioner’s residency and that the petitioner had been residing thereat for at least six (6) months prior to the filing of petition; and (3) any but not limited to the following supporting documents:

(i) Utility bills in the name of the petitioner for at least six (6) months prior to the filing of the petition;

(ii) Government-issued I.D. or Company I.D., bearing the photograph and address of the petitioner and issued at least six (6) months prior to the filing of the petition;

(iii) Notarized lease contract, if available, and/or receipts for rental payments (bearing the address of the petitioner) for at least six (6) months prior to the filing of the petition;

(iv) Transfer Certificate of Title, or Tax Declaration, or Deed of Sale and the like, in the name of the petitioner where he/she resides;

If the petition is filed by the petitioner without counsel and a counsel subsequently appears, said counsel shall submit, together with the formal entry of appearance, an affidavit of verification of residency of the petitioner.

(b) **Collusion investigation.** In cases where the public prosecutor is directed to investigate whether collusion exists between the parties, the court shall additionally order the public prosecutor to include in the collusion investigation report a determination of the party's residence.

(c) **Dismissal of the petition for alleging a false address.** At any stage of the proceedings where it appears that the address alleged in the verified petition is false or where it appears from the registry return/s that either party is unknown at the given address, the court shall, after notice and hearing, dismiss the petition and require the counsel of record to show cause why no appropriate sanctions be imposed upon him/her for submitting a false affidavit of verification.

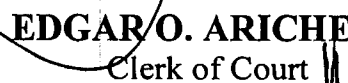
(d) **Dismissal of the petition, without prejudice, for failure to prove residency.** Failure of the petitioner to comply with the residency requirement shall be a ground for the immediate dismissal of the petition, without prejudice to the refile of the petition in the proper venue.

(e) If the petition is filed at the respondent's place of residence and summons could not be served by reason that the respondent is not actually residing at the given address, then the petition shall be dismissed.

(f) **Sanctions.** Officials, parties or representatives who submit a false certification or document shall be held liable for indirect contempt, without prejudice to criminal and/or administrative liabilities.

The above Guidelines shall be applied prospectively." Bersamin, J., on official business. Caguioa, J., on leave. Gesmundo, J., on official business. (adv33)

Very truly yours,


EDGAR O. ARICHETA
Clerk of Court

HON. VICTORIA ISABEL A. PAREDES (x)
HON. GERALDINE C. FIEL-MACARAIG (x)
Associate Justices and Vice-Chairpersons
Committee on Family Courts and Juvenile Concerns
Court of Appeals, Manila

PUBLIC INFORMATION OFFICE (x)
Supreme Court
(for uploading)

A.M. No. 02-11-10-SC
wmd 10218 (adv33) 101518

Court Administrator

*HON. JOSE MIDAS P. MARQUEZ (x)

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*For circularization