



Republic of the Philippines  
Supreme Court  
Office of the Court Administrator  
Manila

**OCA CIRCULAR NO. 149A-2018**

**TO : ALL JUDGES AND CLERKS OF COURT OF THE FIRST AND SECOND LEVEL COURTS**

**SUBJECT : AMENDMENT OF PARAGRAPH NO. 5 OF THE RESOLUTION DATED 8 JUNE 2004 IN A.M. NO. 04-5-19-SC (RE: RESOLUTION PROVIDING GUIDELINES IN THE INVENTORY AND ADJUDICATION OF CASES ASSIGNED TO JUDGES WHO ARE PROMOTED OR TRANSFERRED TO OTHER BRANCHES IN THE SAME COURT LEVEL OF THE JUDICIAL HIERARCHY)**

Pursuant to the 19 June 2018 Resolution in A.M. No. 17-08-215-RTC (*Re: Letter of Judge Maria Victoria A. Soriano-Villadolid, Regional Trial Court, Branch 24, Manila*), the Court *En Banc* **RESOLVED** to **AMEND** paragraph No. 5 of the Resolution dated 8 June 2004 in A.M. No. 04-5-19-SC (*Re: Resolution Providing Guidelines in the Inventory and Adjudication of Cases Assigned to Judges Who are Promoted or Transferred to Other Branches in the Same Court Level of the Judicial Hierarchy*), the full text of which is reproduced as follows:

5. Should any case be left undecided by the transferred/detailed/assigned judge, **the incumbent judge shall automatically refer the said case to the previous judge for decision-making UNLESS the latter who substantially heard the case and before whom it was submitted for decision has in the meantime died, retired or for any reason has left the service, or has become disabled, disqualified, or otherwise incapacitated to decide the case.**

**Since the primary responsibility over a case belongs to the presiding judge of the branch to which it has been raffled or assigned, he may also decide the case to the exclusion of any other judge provided that all the parties agree**

in writing that the incumbent presiding judge should decide the same.

If the new station of the transferred judge is within the province of the judicial region of his/her former station, the case shall be decided in such station by the transferred judge who shall adjust his/her calendar to enable him/her to dispose of the undecided case at his/her own expense without sacrificing efficiency in the performance of his/her duties in his/her new station.

If the new station of the transferred judge is outside of the province in the judicial region of his/her former station, the records of the undecided case shall be delivered, either by personal service of (sic) by registered mail, to the transferred judge at his/her own expense.

In either case, the transferred judge shall return to his former branch the records of the case with the decision that the new judge shall promulgate in his stead. (Amendments in bold)

This Circular revokes OCA Circular No. 149-2018 dated 10 July 2018.

For your information, guidance and strict compliance.

16 July 2018

  
JOSE MIDAS P. MARQUEZ  
Court Administrator