



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

OCA CIRCULAR NO. 284-2023

TO : ALL REGIONAL TRIAL COURTS HANDLING FAMILY CASES

SUBJECT : AFFIDAVIT OF RESIDENCY AS SUFFICIENT COMPLIANCE WITH PARAGRAPH 3 (a) OF THE 2023 AMENDED GUIDELINES TO VALIDATE COMPLIANCE WITH THE JURISDICTIONAL REQUIREMENTS IN PETITIONS FOR DECLARATION OF ABSOLUTE NULLITY OF MARRIAGE AND ANNULMENT OF VOIDABLE MARRIAGE OR PETITIONS FOR LEGAL SEPARATION

In its Resolution dated 25 April 2023 in 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*), the Court *en banc* **RESOLVED** that the **AFFIDAVIT OF RESIDENCY** executed by a petitioner who is temporarily residing abroad for employment, business, education, or any other purpose, duly authenticated by the appropriate Philippine Consulate, shall be considered sufficient compliance with paragraph 3 (a) of the 2023 Amended Guidelines to Validate Compliance with the Jurisdictional Requirements in Petitions for Declaration of Absolute Nullity of Marriage and Annulment of Voidable Marriage or Petitions for Legal Separation.

For your information, guidance, and strict observance.

15 August 2023


RAUL B. VILLANUEVA
Court Administrator



Republic of the Philippines
Supreme Court
Baguio City

EN BANC

NOTICE

Sirs/Mesdames:

*Please take notice that the Court en banc issued a Resolution dated **APRIL 25, 2023**, 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).— The Court Resolved to **NOTE** the Letter dated April 12, 2023 of Atty. Lionell M. Macababbad of Macababbad Law Office, inquiring whether an Affidavit or Sworn Statement as to residency duly acknowledged before a Consul is sufficient compliance with (I)(3)(a) of the ‘Guidelines to Validate Compliance with the Jurisdictional Requirements in Petitions for Declaration of Absolute Nullity of Marriage and Annulment of Voidable Marriage or Petitions for Legal Separation’ since his client was not issued a Sworn Certification, as required by the Guidelines, when she went to the Philippine Consulate and was advised instead to execute an Affidavit or Sworn Statement. (For release)

The Court further Resolved to **DIRECT** the Office of the Court Administrator to **ISSUE** an appropriate Circular ordaining that the affidavit of residency executed by a petitioner who is temporarily residing abroad for employment, business, education, or any other purpose, duly authenticated by the appropriate Philippine Consulate, shall be considered sufficient compliance with paragraph 3 (a) of the 2023 Amended Guidelines to Validate Compliance with the Jurisdictional Requirements in Petitions for Declaration of Absolute Nullity of Marriage and Annulment of Voidable Marriage or Petitions for Legal Separation.” Hernando and Rosario, JJ., on leave. (Internal resolution-not for release) (19)


By authority of the Court:

A handwritten signature in black ink, appearing to read "Marife M. Lomibao-Cuevas".

MARIFE M. LOMIBAO-CUEVAS

Clerk of Court *Mmm*

~~OFFICE OF THE COURT ADMINISTRATOR (x)~~
Supreme Court



A.M. Nos. 02-11-10-SC & 02-11-11-SC
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***Attention**