

[REPUBLIC ACT NO. 6512, July 21, 1972]

**AN ACT CREATING A COURT OF JUVENILE AND DOMESTIC
RELATIONS IN THE CITY OF BAGUIO**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. The Juvenile and Domestic Relations Court.- There shall be a Juvenile and Domestic Relations Court for the City of Baguio and the Province of Benguet, with its seat at the Municipality of La Trinidad, Province of Benguet to be presided by a judge who shall have the experience, recognizable attitude or demonstrated ability in dealing with cases involving children and families, and shall further possess the same qualifications, enjoy the same privileges and receive the same salary as judges of the Courts of First Instance, He shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments.

Jurisdiction.—The provisions of the Judiciary Act of 1948, as amended, to the contrary notwithstanding, the court shall have exclusive original jurisdiction to hear and decide the following cases:

- a. Criminal cases cognizable by the City Court of Baguio and the Courts of First Instance, within the territorial limits of Baguio City and the Province of Benguet wherein the accused is under sixteen years of age at the time of the trial;
- b. Cases involving custody, guardianship, adoption, paternity and acknowledgment;
- c. Annulment of marriages, legal separation of spouses and action for support;
- d. Proceedings brought under the provisions of articles one hundred sixteen, two hundred twenty-five, two hundred fifty-one and three hundred thirty-two of the Civil Code;
- e. Petitions for the declaration of absence and for the change of name;
- f. Actions for the separation of property of spouse; and
- g. Proceedings affecting a dependent or neglected child, as hereinafter defined.

The court shall likewise have such incidental powers as are originally possessed by Courts of First Instance.

If any question involving any of the above matters should arise as an incident in any case pending in the ordinary courts, said incident shall be determined in the main case.

SEC. 2. *Dependent or neglected child defined.* —The term "dependent child" or "neglected child" shall be understood to mean any under sixteen years of age who is dependent upon the public for support or who is dependent upon the public for support or who is destitute, homeless or abandoned; or who has no proper parental

care or guardianship, or who habitually begs or receives alms, or who is found living in any house of ill fame or with any vicious or disreputable person, or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such child.

SEC. 3. *Proceedings concerning a "dependent or neglected" child.*—The Secretary of the Department of Social Welfare or his representative who is a resident of the city or province having knowledge of a child who appears to be a dependent or neglected child, may file with the Juvenile and Domestic Relations Court a written petition setting forth the facts constituting the dependent or neglected child which petition shall be verified by the affidavit of the petitioner. It shall be sufficient, if the affidavit shall be upon information and belief. Such petition shall set forth the name of the parent or parents of such child, if known, and their residence; and if such child has no parent living, then the name and residence of the guardian of such child, if it has one.

Upon the filing of such petition, the judge of said court shall fix the day and time for the hearing of such petition. If it appears that one or both of such parents, or guardian, if there be no parents, reside in the city or Province, the clerk of court of said court shall immediately issue summons, which shall include a copy of the petition, and which shall be served on such parent or parents or guardian, if any, if either can be found in the city not less than two days before the time fixed for said hearing, requiring them to appear on said day and hour to show cause, if any, why such child should not be declared by said court to be a dependent or neglected child. If it appears from the petition that neither of said parents is living, or does not reside in the city or province and that said child has no guardian residing in said city or province, or in case one or both of said parents, or the guardian in case there are no parents, he shall endorse on said petition a request that the child be declared a dependent child, then the summons herein provided for shall not be issued, and the court may there upon proceed to a hearing of the case. In case neither of the parents or guardian is found, then the court shall appoint some suitable person to represent said child in said case.

Upon hearing of such case the child shall be brought before said court; whereupon the court shall investigate the facts, and ascertain whether the child is a dependent child, its residence and, as far as possible, the whereabouts of its parents or near adult relatives, and how long the child has been maintained, in whole or in part by private or public charity the occupation of the parents, if living, whetherer they are supported by the public or have abandoned the child, and to ascertain, as far as possible, if the child is found dependent, the cause therefor. The court may compel the attendance of witnesses on such examination. The city fiscal or provincial fiscal as the case may be, when requested by the court shall appear in any such examination ,in behalf of the petitioner. It shall be the duty of the city or provincial fiscal, upon request of the court or any petitioner, to file a petition and to conduct any necessary proceedings in any case within the provisions of this Act.

In the hearing of such case, the court shall not be bound to follow the technical rules of evidence. If the said child is found after such hearing to be a dependent or neglected child, as defined herein, it shall be adjudged a dependent child; and an order may be entered making such disposition of the care and custody of said child as the court deems best for its moral and physical welfare. It may be turned over to the care and custody of any suitable person or any suitable institution in the city or