

[REPUBLIC ACT NO. 6591, September 30, 1972]

AN ACT CREATING A JUVENILE AND DOMESTIC RELATIONS COURT FOR THE PROVINCE OF CAMARINES SUR AND THE CITIES OF NAGA AND IRIGA.

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 Province of Camarines Sur, the City of Naga and the City of Iriga, with permanent station in the City of Naga but with authority to conduct hearings and investigations in any city or municipality within its jurisdiction as the court may consider to be in the interest of justice.

The court shall be presided by a judge who shall have the same qualifications, rank, compensation, rights and Privileges as judges of courts of first instance; and, in addition, shall be one who is thoroughly familiar with the culture, mores, dialect, traditions and family life of the people within the jurisdiction of the court; who has demonstrated a sincere interest in social action and has least ten years of successful experience in social work, teaching or other similar work dealing with family relations, juveniles and the youth in general; who has obtained sufficient academic training in psychology and guidance, preferably one with a Master's degree in said studies social work or education; and who has had substantial experience, preferably gained as member of the Bench, in the impartial settlement of conflicts and in arriving acceptable compromises. The judge, who may or may not be a resident of the province or cities within the jurisdiction of the court, shall be appointed by the President of the Philippines with the consent of the Commission on Appointments.

Provisions of the Judiciary Act to the contrary notwithstanding, the court shall have exclusive original jurisdiction to hear and decide the following cases:

- a. Criminal cases wherein the accused is under sixteen years of age at the time of the filing of the case and which, at present, are cognizable by courts of first instance, city courts and municipal courts, except cases involving violations of municipal ordinances of the City of Iriga and of the different municipalities of Camarines Sur;
- b. Cases involving custody, guardianship, adoption, paternity and acknowledgment;
- c. Annulment of marriages, relief from marital obligations, legal separation of spouses, and actions for support;
- d. Proceedings brought under the provisions of Articles one hundred sixteen, one hundred seventeen, two hundred twenty-five, two hundred fifty-one, and three hundred thirty-two of the Civil Code;
- e. Proceedings for declaration of absence and for change of name;

- f. Actions involving separation of property and other property relations between spouses;
- g. Proceedings affecting a dependent or neglected child as hereinafter defined or other cases concerning the exercise or deprivation of parental authority.

The court shall have such incidental powers as are generally 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.

In case of the temporary absence, disqualification, or inhibition of the judge, the Secretary of Justice may designate a Judge of the Court of First Instance to act in the court or on a particular case in accordance with the procedures provided for under this Act. Such designation may also be made under the conditions provided in the first paragraph of Section fifty-one of the Judiciary Act.

For the more economical and expeditious disposition of cases pending before it, the court shall have the authority to designate any judge of an inferior court within its jurisdiction to act as a commissioner for the purpose of receiving evidence in the city or municipality wherein he is stationed. Such commissioner shall proceed to receive evidence without delay and shall submit to the court a full report of the proceedings under him within twenty days after the termination of said proceedings. The court shall have the discretion either to render a decision on the basis of the commissioner's report thus submitted, or require the commissioner to receive further evidence, or conduct further hearings itself.

SEC. 2. *"Dependent" or "neglected" child defined.*—The term "dependent child" or "neglected child" shall mean any child under sixteen years of age 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 or place of residence, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care the child may be, is an unfit place for such child.

SEC. 3. *Proceedings concerning a "dependent" or neglected" child.*—The Secretary of Social Welfare or his representative who is assigned within the jurisdiction of the Court, having knowledge of a child within said jurisdiction who appears to be a "dependent" or "neglected" child, must file with the clerk of court a written petition setting forth the facts constituting the child "dependent" or "neglected", which petition shall be verified by the affidavit of the petitioner and to which shall be annexed a summarized report on the case study on which the petition is based. It shall be sufficient if the affidavit shall be upon information and belief. Such petition shall set forth the name and residence of the parent or parents of such child, if known; and if such child has no parent living, then the name and residence of the guardian of such child, if it has one.

Upon filing of the petition, if the interest of the child so warrants, the court may take custody of the child for placement with any person, institution or agency authorized to care for children during the trial of the case. The court or the commissioner, if one