

[REPUBLIC ACT NO. 6031, August 04, 1969]

AN ACT TO INCREASE THE SALARIES OF MUNICIPAL JUDGES AND TO REQUIRE THEM TO DEVOTE FULL TIME TO THEIR FUNCTIONS AS JUDGES, TO CONVERT MUNICIPAL AND CITY COURTS INTO COURTS OF RECORD, TO MAKE FINAL THE DECISIONS OF COURTS OF FIRST INSTANCE IN APPEALED CASES FALLING UNDER THE EXCLUSIVE ORIGINAL JURISDICTION OF MUNICIPAL AND CITY COURTS EXCEPT IN QUESTIONS OF LAW, AMENDING THEREBY SECTIONS 45, 70, 75, 77 AND 82 OF REPUBLIC ACT NUMBERED TWO HUNDRED AND NINETY SIX, OTHERWISE KNOWN AS THE JUDICIARY ACT OF 1948, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 45 of Republic Act Numbered Two hundred and ninety-six, as amended is hereby further amended to read as follows:

"SEC. 45. *Appellate Jurisdiction.*— Courts of First Instance shall have appellate jurisdiction over all cases arising in city and municipal courts, in their respective provinces, except over appeals from cases tried by municipal judges of provincial capitals or city judges pursuant to the authority granted under the last paragraph of Section 87 of this Act.

Courts of First Instance shall decide such appealed cases on the basis of the evidence and records transmitted from the city or municipal courts: *Provided*, That the parties may submit memoranda and/or brief with oral argument if so requested: *Provided*, however, That if the case was tried in a city or municipal court before the latter became a court of record, then on appeal the case shall proceed by trial de novo.

In cases falling under the exclusive original jurisdiction of municipal and city courts which are appealed to the courts of first instance, the decision of the latter shall be final: *Provided*, That the findings of facts contained in said decision are supported by substantial evidence as basis thereof, and the conclusions are not clearly against the law and jurisprudence; in cases falling under the concurrent jurisdictions of the municipal and city courts with the courts of first instance, the appeal shall be made directly to the court of appeals whose decision shall be final: *Provided*, however, that the supreme court in its discretion may, in any case involving a question of law, upon petition of the party aggrieved by the decision and

under rules and conditions that it may prescribe, require by certiorari that the case be certified to it for review and determination, as if the case had been brought before it on appeal."

SEC. 2. Paragraph 2 of Section 75 of said Act is amended to read as follows:

"In other municipalities, the municipal judge shall likewise have a clerk of court, two stenographers and other minor personnel as the service may require, who shall be appointed by the municipal judge of the municipality with salaries three hundred pesos less than those received by their respective counterparts in the city courts or the municipal courts in the capitals of the provinces and sub-provinces to which such municipalities belong and such salaries shall be paid out of national funds."

SEC. 3. Section 77 of the same Act is hereby amended to read as follows:

"SEC. 77. *Attendance at Court.— Permission for judge to pursue other vocation.—*

"All provision of law relative to the observance of office hours and the holding of sessions applicable to courts of first instance shall likewise apply to municipal judges, but the latter may, after office hours, and with the permission of the district judge concerned, engage in teaching or other vocation not involving the practice of law: *Provided, however,* that until the secretary of justice certified that the salaries provided for in this act are actually paid municipal judges, the present provisions of law with respect to the observance of office hours and engaging in any other vocation by municipal judges shall remain in force."

"All municipal and city courts shall keep records of their proceedings in the same manner as courts of first instance. All judgments determining the merits of cases shall be in writing personally and directly prepared by the municipal or city judge, stating clearly the facts and the law on which they are based, signed by him, and filed with the clerk of court."

SEC. 4. Section 70 of the said Act is hereby amended to read as follows:

"SEC. 70. *Tenure of office— transfer from one municipality to another.—* Municipal judges having the requisite legal qualifications shall hold office during good behavior, until they reach the age of seventy years, or become incapacitated to discharge the duties of their office, unless sooner removed in accordance with law or unless his office be lawfully abolished or merged in the jurisdiction of another municipal judge: *Provided,* That in case the public interest requires it, a municipal judge of