

## CIRCULAR NO. 9-98, January 27, 1998

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### OFFICE OF THE COURT OF ADMINISTRATOR

27 January 1998

#### TO :

All Judges and Clerks of Court of the Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts and Municipal Circuit Trial Courts

SUBJECT: Observance of the Statutory Requirements for Marriages and the Prescribed Amounts of Fees for the Solemnization of Marriages

The following guidelines shall be observed by all judges in the exercise of their authority to solemnize marriages as defined by Article 7 of the Family Code of the Philippines, as amended:

- Before solemnizing the marriage, the judge should (a) see to the presence and concurrence of the essential requirements of marriage prescribed by Article 2 of the Family Code, as amended; and (b) ensure compliance with Sections (2) and (3) of Article 3 of the same Code on the formal requisites of marriage.
- In accordance with the provisions of Articles 7 and 8, the marriage shall be solemnized "within the court's jurisdiction" and "publicly in the chambers of the judge or in open court xxx and not elsewhere, except in cases of marriages contracted at the point of death or in remote places in accordance with Article 29 [of the Family Code, as amended], or where both of the parties request the solemnizing officer in writing in which case the marriage may be solemnized at a house or place designated by them in a sworn statement to that effect."
- For the performance of the marriage ceremony, including the issuance of the certificate of marriage, only the following legal fees in the amounts prescribed through Administrative Circular No. 31-90 dated 15 October 1990 shall be collected:
  - (a) Two hundred (P-200.00) pesos - for marriages solemnized by Justices of the Court of Appeals;
  - (b) One hundred (P100.00) pesos - for marriages solemnized by Judges of the Regional Trial Courts; and
  - (c) Fifty (P50.00) pesos - for marriages solemnized by Judges of the Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts and Municipal Circuit Trial Courts.
- The collection of other fees not mentioned by Administrative Circular No. 31-90, series of 1990, or the collection of the legal fees in any currency other than the Philippine peso shall not be allowed and shall be dealt with accordingly.

All Executive Judges are hereby directed to post copies of this Circuit in conspicuous places in their respective

courts. They are also enjoined  
immediately report to the Court Administrator any violation of provisions hereof.  
For strict compliance.

**(SGD.) ALFREDO L. BENIPAYO**

Court Administrator

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