

AN ACT TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED TWO HUNDRED NINETY-SIX, OTHERWISE KNOWN AS "THE JUDICIARY ACT OF 1948"; AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 3828, June 22, 1963

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/8bcf57a54b60/>

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

SECTION 1. Paragraph (c), Section forty-four of Republic Act Numbered Two hundred ninety-six, as amended, is hereby further amended to read as follows:

"(c) In all cases in which the demand, exclusive of interest, or value of the property in controversy, amounts to more than ten thousand pesos;"

SEC. 2. Section seventy-one of the same Act, as amended, is further amended to read as follows:

"SEC. 71. Qualifications for the Office of Justice of the Peace.—No person shall be eligible for appointment as justice of the peace or auxiliary justice of the peace unless he is (1) at least twenty-five years of age; (2) a citizen of the Philippines; (3) of good moral character and has not been convicted of any felony; (4) has been admitted by the Supreme Court to the practice of law; and (5) has practiced law in the Philippines for a period of not less than five years or has held during a like period, within the Philippines, an office requiring admission to the practice of law in the Philippines as an indispensable requisite."

SEC. 3. Sections seventy-four and seventy-five of the same Act are amended to read as follows:

"SEC. 74. Courtroom and supplies.—The justice of the Peace shall be provided with a room in the tribunal, or elsewhere in the center of population, suitable for holding court and shall be supplied with the necessary office supplies, furniture, lights, and janitor service therefor and shall also be provided with such of the printed laws in force in the Philippines as may be required for his official use. The similar expenses of maintaining the office of a justice of the peace appointed in unorganized territory shall likewise be provided.

"Legal blanks and the dockets required by law, as well as the notarial seal to be used by the justice as ex-officio notary public shall be furnished by the Department of Justice.

"SEC. 75. Clerks and employees of justice of the peace courts.—The municipal or justice of the peace courts of the several chartered cities and of the provincial and sub-provincial capitals and first-class municipalities shall have such clerks of court, stenographers and other employees as may be necessary.

"In other municipalities, the justices of the peace shall have one clerk-stenographer each who shall be appointed by the justice of the peace of the municipality with a salary not to exceed fourteen hundred forty pesos per annum.

"With the exception of the clerks and employees of the Municipal Court of the City of Manila, all employees mentioned in this section shall be appointed by the respective justices of the peace, and their salaries paid by the National Government."

SEC. 4. Section eighty-two of the same Act, as amended, is hereby further amended to read as follows:

"SEC. 82. Salaries of justices of the peace. — Except as provided in the next succeeding section, justices of the peace shall receive the following salaries per annum:

"(a) Of circuit courts, six thousand pesos each;

"(b) In municipalities of first class, six thousand pesos each;

"(c) In municipalities of the second class, six thousand pesos each;

"(d) In municipalities of the third class, five thousand four hundred pesos each;

"(e) In municipalities of the fourth class and fifth class, five thousand four hundred pesos each; "(f) In municipalities of the sixth class, seventh class and municipal districts and other places not especially provided for by law, four thousand eight hundred pesos each:

"Provided, That when a justice of the peace is designated to act temporarily in one or more municipalities Or districts, he shall be entitled to the salary of his municipality or district, plus thirty per centum of the salary for each municipality or district in which he is temporarily designated to act."

SEC. 5. Paragraph two of Section eighty-three of the same Act, as amended, is hereby further amended to read as follows:

"SEC. 83. Salaries of the judges of the municipal courts of chartered cities and of the justices of the peace in provincial capitals.—

"The annual salaries of the justices of the peace of the capitals of the provinces and sub-provinces shall be as follows:

"Of the justices of the peace of the capitals of first, second, and third class provinces, nine thousand six hundred pesos each; of the justices of the peace of the capitals of fourth and fifth class provinces, eight thousand four hundred pesos each; of the justices of the peace of the capitals of sixth and seventh class provinces, seven thousand two hundred pesos each: Provided, That the salaries of the justices of the peace of sub-provincial capitals shall be the same as those of the provincial capitals of provinces which the sub-provinces would have been classified they independent provinces: Provided, further, That judge of the municipal court of a city which is at same time the capital of a province shall be considered as the justice of the peace of the capital of such province.

SEC. 6. Section eighty-seven of the same Act, amended, is hereby further amended to read as follows:

"SEC. 87. Original jurisdiction to try criminal cases.— Justices of the peace and judges of municipal courts of chartered cities shall have original jurisdiction over:

"(a) All violations of municipal or city ordinances committed within their respective territorial jurisdictions;

"(b) All criminal cases arising under the laws relating to: "(1) Gambling and management or operation of lotteries; "(2) Assaults where the intent to kill is not charged or evident upon the trial; "(3) Larceny, embezzlement and estafa where the amount of money or property stolen, embezzled, or otherwise involved, does not exceed the sum or value of two hundred pesos; "(4) Sale of intoxicating liquors; "(5) Falsely impersonating an officer; "(6) Malicious mischief; "(7) Trespass on government or private property; "(8) Threatening to take human life; "(9) Illegal possession of firearms, explosives and ammunition; "(10) Illegal use of aliases; and "(11) Concealment of deadly weapons. "(c) Except violations of election laws all other offenses in which the penalty provided by law is imprisonment for not more than three years, or a fine of not more than three thousand pesos, or both such fine and imprisonment.

"Said justices of the peace and judges of municipal courts may also conduct preliminary investigation for any offense alleged to have been committed within the respective municipalities and cities, which are cognizable by

Courts of First Instance and the information filed with their courts without regard to the limits of punishment, and may release, or commit and bind over any person charged with such offense to secure his appearance before the proper court.

"No warrant of arrest shall be issued by any justice of the peace in any criminal case filed with him unless he first examines the witness or witnesses personally, and the examination shall be under oath and reduced to writing in the form of searching questions and answers.

"Justices of the peace in the capitals of provinces and sub-provinces and judges of municipal courts shall have like jurisdiction as the Court of First Instance to try parties charged with an offense committed within their respective jurisdictions, in which the penalty provided by law does not exceed prison correctional or imprisonment for not more than six years or fine not exceeding six thousand pesos or both, and in the absence of the district judge, shall have like jurisdiction within the province as the Court of First Instance to hear applications for bail.

"All cases filed under the next preceding paragraph with justices of the peace of capitals and municipal court judges shall be tried and decided on the merits by the respective justices of the peace or municipal judges. Proceedings had shall be recorded and decisions therein shall be appealable direct to the Court of Appeals or the Supreme Court, as the case may be."

SEC. 7. The first and second paragraphs of Section eighty-eight of the same Act, as amended, are hereby further amended to read as follows:

"SEC. 88. Original jurisdiction in civil cases.—In all civil actions, including those mentioned in Rules fifty-nine and sixty-two of the Rules of Court, arising in his municipality or city, and not exclusively cognizable by the Court of First Instance, the justice of the peace and the judge of a municipal court shall have exclusive original jurisdiction where the value of the subject-matter or amount of the demand does not exceed ten thousand pesos, exclusive of interests and costs. Where there are several claims or causes of action between the same parties embodied in the same complaint, the amount of the demand shall be the totality of the demand in all the causes of action, irrespective of whether the causes of action arose out of the same or different transactions; but where the claims or causes of action joined in a single complaint are separately owned by or due to different parties, each separate claim shall furnish the jurisdictional test. In forcible entry and detainer proceedings the justice of the peace or judge of the municipal court shall have original jurisdiction, but the said justice or judge may receive evidence upon the question of title therein, whatever may be the value of the property, solely for the purpose of determining the character and extent of possession and damages for detention, in forcible entry proceedings, he may grant preliminary injunctions, in accordance with the provisions of the Rules of Court, to prevent the defendant from committing further acts of dispossession against the plaintiff.

"The jurisdiction of a justice of the peace and judge of a municipal court shall not extend to civil actions in which the subject of litigation is not capable of pecuniary estimation, except in forcible entry and detainer cases; nor to those which involve the legality of any tax, impost or assessment; nor to actions involving admiralty or maritime jurisdiction; nor to matters of probate, the appointment of trustees or receivers; nor to actions for annulment of marriages: Provided, however, That justices of the peace may, with the approval of the Secretary of Justice, be assigned by the respective district judge in each case to hear and determine cadastral or land registration cases covering lots where there is no controversy or opposition, or contested lots the value of which does not exceed ten thousand pesos, such value to be ascertained by the affidavit of the claimant or by agreement of the respective claimants, if there are more than one, or from the corresponding tax declaration of real property."

SEC. 8. Any provision of law to the contrary notwithstanding, justices of the peace shall hereafter be known as

municipal judges and the justices of the peace courts shall be known as municipal courts.

SEC. 9. There is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, such sum as may be necessary to carry out the purposes of this Act. Henceforth, appropriations to cover the salaries and other expenses as herein provided for shall be carried in the annual General Appropriation Acts.

SEC. 10. This Act shall take effect upon its approval.

Approved, June 22, 1963.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.