

OCA CIRCULAR NO. 34 -2015, February 18, 2015

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TO :

ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT :

Application of Republic Act Nos. 6033, 6034, 6035, and 6036

The Philippine Bar Association, through its President Atty. Beda G. Fajardo, has invited the attention of the Court regarding the significance of the so-called Laurel Laws, namely: Republic Act No. 6033 (An Act requiring courts to give preference to criminal cases where the party or parties involve indigents), Republic Act No. 6034 (An Act providing transportation and other allowances for indigent litigants), Republic Act No. 6035 (An Act requiring stenographers to give free transcript of notes to indigents and low income litigants and providing a penalty for the violation thereof), and Republic Act No. 6036 (An Act providing that bail shall not, with certain exceptions, be required in cases of violations of municipal or city ordinances and in criminal offenses when the prescribed penalty for such offenses is not higher than arresto mayor and/or a fine of two thousand pesos or both). Republic Act Nos. 6033, 6034, 6035, and 6036 are herein incorporated and appended as Annexes "A," "B," "C," and "D," respectively.

Another benefit granted to indigent litigants is the exemption from payment of legal fees. Section 19, Rule 141[1], provides:

Section 19. Indigent litigants exempt from payment of legal fees. - Indigent litigants (a) whose gross income and that of their immediate family do not exceed an amount double the monthly minimum wage of an employee and (b) who do not own real property with A FAIR MARKET VALUE AS STATED IN THE CURRENT TAX DECLARATION of more than THREE hundred thousand (P300,000.00) pesos shall be exempt from the payment of legal fees.

The legal fees shall be a lien on any judgment rendered in the case favorable to the indigent litigant unless the court otherwise provides.

To be entitled to the exemption herein provided, the litigant shall execute an affidavit that he and his immediate family do not earn a gross income abovementioned, nor they own any real property with the fair value aforementioned, supported by an affidavit of a disinterested person attesting to the truth of the litigant's affidavit. The current tax declaration, if any, shall be attached to the litigant's affidavit.

Any falsity in the affidavit of litigant or disinterested person shall be sufficient cause to dismiss the complaint or action or to strike out the pleading of that party, without prejudice to whatever criminal liability may have been incurred.

In view of the foregoing, all concerned are hereby REMINDED to COMPLY with the above quoted laws and rule, for the purpose of ensuring that the indigent and low income litigants will be able to avail of the full benefits

of the laws.

Strict compliance is hereby enjoined.

February 18,2015

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

[1] A.M. No. 04-2-04-SC (Revision of Rule 141, Revised Rules of Court), 20 July 2004, Sec. 19.

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