

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

9 116 -2 1008

SENATE  
S. No. **3371**

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Introduced by Senator FRANCIS G. ESCUDERO

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### EXPLANATORY NOTE

This bill is being filed to further enhance the disposition of cases in court.

Undeniably, vacant courts and the non-availability of courts have resulted in the clogging of court dockets, especially in areas where cases have significantly increased.

With this proposed amendment of Batas Pambansa Blg. 129, as amended, the Supreme Court shall be afforded the required flexibility in the management of courts. The re-assignment of judges from one judicial region or branch of a region to another through lateral transfer shall now be allowed as a matter of administrative prerogative on the part of the Supreme Court.

In view of the above, passage of this legislation with utmost dispatch is sought.



FRANCIS G. ESCUDERO

SENATE  
S. No. 3371

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT  
FURTHER AMENDING BATAS PAMBANSA BLG. 129, OR THE  
JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED

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

1 SECTION 1. Section 17 of Batas Pambansa Blg. 129, as amended, is hereby  
2 further amended to read as follows:

3  
4 "SEC. 17. - *Appointment and assignment of Regional Trial Judges.* -  
5 Every Regional Trial Judge shall be appointed to a JUDICIAL region.  
6 [which shall be his permanent station, and his appointment shall state  
7 the branch of the court and the seat thereof to which he shall be  
8 originally assigned] THE SUPREME COURT SHALL DETERMINE,  
9 AS PUBLIC INTEREST MAY REQUIRE, THE BRANCH OF THE  
10 COURT AND THE SEAT THEREOF WITHIN THE REGION TO  
11 WHICH THE APPOINTEE SHALL BE ORIGINALLY ASSIGNED.  
12 APPLICATIONS FOR LATERAL TRANSFERS TO ANOTHER  
13 REGION OR TO ANOTHER BRANCH WITHIN THE REGION  
14 SHALL BE ACTED UPON BY THE SUPREME COURT, WHICH  
15 SHALL ISSUE APPOINTMENTS FOR THE PURPOSE, TO A  
16 SPECIFIC BRANCH, CITY OR MUNICIPALITY. However, the  
17 Supreme Court may assign temporarily a Regional Trial Judge to  
18 another region or to another branch within the region, as public interest  
19 may require, provided that such temporary assignment shall not last  
20 longer than six (6) months without the consent of the Regional Trial  
21 Judge concerned.

22  
23 [A Regional Trial Judge may be assigned by the Supreme Court  
24 to any branch or city or municipality within the same region as public  
25 interest may required, and such assignment shall not be deemed an  
26 assignment to another station within the meaning of this section. (sic)"]  
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28 SECTION 2. Section 28 of Batas Pambansa Blg. 129, as amended, is hereby  
29 further amended to read as follows:

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31 "SEC. 28. - *Other Metropolitan Trial Courts.* - The Supreme  
32 Court shall constitute Metropolitan Trial Courts in such other  
33 metropolitan areas as may be established by law whose territorial  
34 jurisdiction shall be co-extensive with the cities and municipalities  
35 comprising the metropolitan area.

36  
37 Every Metropolitan Trial Judge shall be appointed to a  
38 metropolitan area. [which shall be his permanent station and his

1 appointment shall state the branch of the court and the seat thereof to  
2 which he shall be originally assigned.] THE SUPREME COURT  
3 SHALL DETERMINE, AS PUBLIC INTEREST MAY REQUIRE, THE  
4 BRANCH OF THE COURT AND THE SEAT THEREOF WITHIN  
5 THE REGION TO WHICH THE APPOINTEE SHALL BE  
6 ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL  
7 TRANSFERS TO ANOTHER REGION OR TO ANOTHER BRANCH  
8 WITHIN THE REGION SHALL BE ACTED UPON BY THE  
9 SUPREME COURT, WHICH SHALL ISSUE APPOINTMENTS FOR  
10 THE PURPOSE, TO A SPECIFIC BRANCH, CITY OR  
11 MUNICIPALITY. [A Metropolitan Trial Judge may be assigned by the  
12 Supreme Court to any branch within said metropolitan area as the  
13 interest of justice may require, and such assignment shall not be  
14 deemed an assignment to another station within the meaning of this  
15 section.]” HOWEVER, THE SUPREME COURT MAY ASSIGN  
16 TEMPORARILY A METROPOLITAN TRIAL JUDGE TO ANOTHER  
17 REGION AS PUBLIC INTEREST MAY REQUIRE, PROVIDED  
18 THAT SUCH TEMPORARY ASSIGNMENT SHALL NOT LAST  
19 LONGER THAN SIX (6) MONTHS WITHOUT THE CONSENT OF  
20 THE METROPOLITAN TRIAL JUDGE CONCERNED.

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22 SECTION 3. Section 31 of Batas Pambansa Blg. 129, as amended, is hereby  
23 further amended to read as follows:  
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25 “SEC. 31. - *Municipal Circuit Trial Courts.* - There shall be a  
26 Municipal Circuit Trial Court in each area defined as a municipal  
27 circuit, comprising one or more cities and/or one or more  
28 municipalities. The municipalities comprising municipal circuits as  
29 organized under Administrative Order No. 33, issued on June 13, 1978  
30 by the Supreme Court pursuant to Presidential Decree No. 537, are  
31 hereby constituted as municipal circuits for purposes of the  
32 establishment of the Municipal Circuit Trial Courts[; and the  
33 appointments thereto of Municipal Circuit Trial Judges]: *Provided,*  
34 *however,* That the Supreme Court may, as the interests of justice may  
35 require, further reorganize the said courts taking into account  
36 workload, geographical location, and such other factors as will  
37 contribute to a rational allocation thereof, pursuant to the provisions of  
38 Presidential Decree No. 537 which shall be applicable insofar as they are  
39 not inconsistent with this Act.  
40

41 [Every Municipal Circuit Trial Judge shall be appointed to a  
42 municipal circuit which shall be his official station.]  
43

44 The Supreme Court shall determine the city or municipality  
45 where the Municipal Circuit Trial Court shall hold sessions.”  
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47 SECTION 4. A new section, Section 31-A, is hereby inserted to read as  
48 follows:  
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50 SEC. 31-A. A MUNICIPAL TRIAL JUDGE SHALL BE  
51 APPOINTED TO A JUDICIAL REGION TO PRESIDE OVER A  
52 MUNICIPAL TRIAL COURT IN CITIES, MUNICIPAL TRIAL  
53 COURT OR A MUNICIPAL CIRCUIT TRIAL COURT. THE  
54 SUPREME COURT SHALL DETERMINE, AS PUBLIC INTEREST  
55 MAY REQUIRE, THE COURT AS WELL AS THE BRANCH OF THE  
56 COURT AND THE SEAT THEREOF WITHIN THE REGION TO  
57 WHICH THE APPOINTEE SHALL BE ORIGINALLY ASSIGNED.  
58 APPLICATIONS FOR LATERAL TRANSFERS TO ANOTHER  
59 REGION OR TO ANOTHER BRANCH WITHIN THE REGION  
60 SHALL BE ACTED UPON BY THE SUPREME COURT, WHICH

1 SHALL ISSUE APPOINTMENTS FOR THE PURPOSE, TO A  
2 SPECIFIC COURT AND BRANCH, CITY OR MUNICIPALITY.  
3 HOWEVER, THE SUPREME COURT MAY ASSIGN  
4 TEMPORARILY A MUNICIPAL TRIAL JUDGE TO ANY  
5 MUNICIPAL COURT IN ANOTHER REGION OR TO ANOTHER  
6 BRANCH WITHIN THE REGION, AS PUBLIC INTEREST MAY  
7 REQUIRE, PROVIDED THAT SUCH TEMPORARY ASSIGNMENT  
8 SHALL NOT LAST LONGER THAN SIX (6) MONTHS WITHOUT  
9 THE CONSENT OF THE MUNICIPAL TRIAL JUDGE  
10 CONCERNED.”

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12 **SECTION 5.** Section 14 Batas Pambansa Bilang 129, as amended, is hereby  
13 further amended to read as follows:

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15 “SEC. 15. The amount necessary to carry out the provision of  
16 this Act on priority basis as determined by the Supreme Court is hereby  
17 authorized to be included in the appropriations of the Supreme Court in  
18 the annual General Appropriations Act of the year following its  
19 enactment into law and thereafter: *Provided*, That, to effectively  
20 implement this Act, the Supreme Court is hereby vested with the power  
21 to prioritize or to determine which sala or salas shall be established for a  
22 given year: *Provide, further*, That, for reasons of efficiency, economy and  
23 accessibility, the Supreme Court is hereby authorized to transfer a sala  
24 from one station[, as determined herein,] to another [within the same  
25 Judicial Region: *Provided, finally*, That the Supreme Court shall not effect  
26 the transfer of a sala oftener than once every three (3) years.]”

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28 **SECTION 6. Effectivity.** - This Act shall take effect fifteen (15) days after  
29 completion of its publication in the Official Gazette or two (2) newspapers of  
30 general circulation.

31  
32 Approved,