

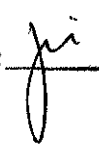


Senate
Office of the Secretary

CONGRESS OF THE PHILIPPINES
SIXTEENTH CONGRESS
First Regular Session

'13 JUL -4 A10 :32

SENATE

RECEIVED BY: 

S. B. No. 470

INTRODUCED BY SENATOR FRANKLIN M. DRILON

EXPLANATORY NOTE

This bill is being filed to further enhance the disposition of cases in the Sandiganbayan, a specialized court created by law to effectively and swiftly deal with corruption cases against erring government officials and employees. At present, the Sandiganbayan is divided into five (5) divisions of three (3) justices each.

Undeniably, the arrangement that 3 justices sit as a panel and act as trial judges to hear the evidence of the parties and decide each case worked when the number of cases that reached the Sandiganbayan was small. However, over the years, the government expanded and its transactions multiplied. The capacity of this Court to decide cases promptly has been strained beyond its limits. Consequently, graft cases are heard and decided on the average of 5 to eight (8) years.

This delay is intolerable if the war against corruption is to be won. Inevitably, something needs to be urgently done to increase the Sandiganbayan's capacity to hear and decide cases with the least possible cost. This bill proposes that Section 3 of Presidential Decree 1606, as amended, be further amended to allow individual justices of this Court to sit and receive evidence, for and in behalf of his Division. This arrangement, if approved, shall significantly expedite the resolution of cases in the Sandiganbayan.

Foregoing considered, the passage of this Bill is earnestly requested.


FRANKLIN M. DRILON



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AN ACT FURTHER AMENDING PRESIDENTIAL DECREE NO. 1606, AS AMENDED

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

1 SECTION 1. Section 3 of Presidential Decree No. 1606, as amended, is hereby further
2 amended to read as follows:

3 "SEC. 3 - Divisions of the Courts; Quorum. The Sandiganbayan shall sit in five (5)
4 divisions of three justices each. [The five (5) may sit at the same time.

5 Three Justices shall constitute a quorum for sessions in divisions: Provided, That when
6 the required quorum for the particular division cannot be had due to the legal qualification or] IN
7 **CASE OF** temporary disability of a Justice or [of] a vacancy [occurring therein], the Presiding
8 Justice may designate [an Associate] **ANOTHER** Justice of the Court, to be determined by strict
9 rotation on the basis of the reverse order of precedence, to sit as a special member of said
10 division with all the rights and prerogatives of a regular member of said division in the trial and
11 determination of a case or cases assigned thereto[, unless the operation of the court will be
12 prejudiced thereby, in which case, the President shall, upon the recommendation of the Presiding
13 Justice, designate any Justice or Justices of the Court of Appeals to sit temporarily therein].

14 **EVERY CASE FILED WITH THE SANDIGANBAYAN SHALL BE RAFFLED**
15 **FOR ASSIGNMENT TO A JUSTICE-IN-CHARGE, WHO SHALL MONITOR AND**

1 REPORT THE DEVELOPMENTS IN THE CASE TO THE MEMBERS OF HIS
2 DIVISION. THE JUSTICE-IN-CHARGE SHALL HEAR AND RECEIVE EVIDENCE
3 FOR THE DIVISION TO WHICH HE BELONGS AND RESOLVE EVERY INCIDENT
4 THAT ARISES IN THE COURSE OF THE PROCEEDING IN THAT CASE.

5 AFTER THE CASE HAS BEEN SUBMITTED FOR DECISION, THE JUSTICE-
6 IN-CHARGE SHALL SUBMIT A REPORT TO THE DIVISION, WHICH REPORT
7 SHALL CONTAIN A SUMMARY OF THE CONFLICTING CLAIMS OF THE
8 PARTIES, THE ISSUE OR ISSUES INVOLVED, THE ARGUMENTS OF THE
9 CONTENDING SIDES, AND THE LAWS AND JURISPRUDENCE THAT CAN AID
10 THE DIVISION IN DECIDING OR RESOLVING THE CASE.

11 IN CONSULTATION, THE THREE MEMBERS OF THE DIVISION SHALL
12 AGREE ON THE CONCLUSION OR CONCLUSIONS IN THE CASE AND ASSIGN A
13 MEMBER TO WRITE THE DECISION FOR THE DIVISION. IF THE UNANIMOUS
14 VOTE OF ALL ITS MEMBERS CANNOT BE HAD, THE PRESIDING JUSTICE
15 SHALL DESIGNATE BY RAFFLE TWO SPECIAL MEMBERS FOR THE DIVISION
16 TO CONSTITUTE IT INTO A DIVISION OF FIVE JUSTICES. THE VOTE OF THE
17 MAJORITY OF SUCH DIVISION SHALL PREVAIL.

18 SECTION 2. This Act shall take effect fifteen (15) days following its publication in the
19 Official Gazette or in two (2) national newspapers of general circulation.

Approved,