

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'19 DEC 18 P4:56

RECEIVED



SENATE
Senate Bill No. 1253

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

AN ACT
CREATING ADDITIONAL DIVISIONS IN THE COURT OF APPEALS, INCREASING THE NUMBER OF COURT OF APPEALS JUSTICES FROM SIXTY-NINE (69) TO SEVENTY-EIGHT (78), AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, AS AMENDED OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

A strong and efficient Judiciary is essential to the protection and enforcement of fundamental rights. Thus, the Judiciary must remain steadfast if it is to fulfill its role in the administration of justice pursuant to its Constitutional mandate.

However, the fulfillment of this mandate is jeopardized by the sheer number of cases being handled by the Judiciary, resulting to clogged dockets. These problems cause inevitable delays in deciding and resolving cases, diluting the public's confidence and trust in the country's justice system. In this regard, the Court of Appeals, as the country's foremost appellate court, has been instituting internal measures to alleviate the problem.

However, the Legislative must not leave it to the Judiciary to fix the problem, as it takes an inter-departmental effort to properly address it. In this regard, this proposed measure seeks to add three additional divisions of the Court of Appeals, each with three members. These additional members and divisions will enable the Court of Appeals to handle its case load in a more efficient manner.

In view of the foregoing, the approval of this bill is earnestly sought.


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO



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

1 Section 1. Section 3, Chapter 1 of Batas Pambansa Bilang 129, as amended, is
2 hereby further amended to read as follows:

3
4 "Sec. 3. *Organization.* – There is hereby created a Court of
5 Appeals which shall consist of a Presiding Justice and seventy-seven (77)
6 Associate Justices who shall be appointed by the President of the
7 Philippines. The Presiding Justice shall be so designated in his
8 appointment, and the Associate Justices shall have precedence
9 according to the dates of their respective appointments or, when the
10 appointments of two or more of them shall bear the same date,
11 according to the order in which their appointments were issued by the
12 President. Any member who is reappointed to the Court after rendering
13 service in any other position in the government shall retain the
14 precedence to which he was entitled under his original appointment, and
15 his service in the court shall, for all intents and purposes, be considered
16 as continuous and uninterrupted."

1
2 Sec. 2. Section 4, Chapter 1 of Batas Pambansa Bilang 129, as amended, is
3 hereby further amended to read as follows:
4

5 “Sec. 4. *Exercise of Powers and Functions.* – The Court of Appeals
6 shall exercise its powers, functions, and duties through twenty-six (26)
7 divisions each composed of three (3) members. The Court may sit en
8 banc for the purpose of exercising administrative, ceremonial, or other
9 non-adjudicatory functions.”
10

11 Sec. 3. Section 10, Chapter 1 of Batas Pambansa Bilang 129, as amended, is
12 hereby further amended to read as follows:
13

14 “Sec. 10. *Place of Holding Sessions.* – The Court of Appeals shall
15 have its permanent stations as follows:
16

17 “The first seventeen (17) Divisions shall be stationed in the City
18 of Manila for cases coming from the Third (3rd) to the Fifth (5th) Judicial
19 Regions;
20

21 “The Eighteenth (18th), Nineteenth (19th), and Twentieth (20th)
22 Divisions shall be stationed in the City of Cebu for cases coming from
23 the Sixth (6th), Seventh (7th), and Eighth (8th) Judicial Regions;
24

25 “The Twenty-first (21st), Twenty-second (22nd), and Twenty-third
26 (23rd) Divisions shall be stationed in the City of Cagayan de Oro for cases
27 coming from the Ninth (9th) and Tenth (10th) Judicial Regions;
28

29 “The Twenty-fourth (24th) Division shall be stationed in the City
30 of Vigan for cases coming from the First (1st) and Second (2nd) Judicial
31 Regions; and
32

1 “The Twenty-fifth (25th) and Twenty-sixth (26th) Divisions shall be
2 stationed in the City of Davao for cases coming from the Eleventh (11th)
3 and Twelfth (12th) Judicial Regions.
4

5 “Whenever demanded by public interest or whenever justified by
6 an increase in case load, the Supreme Court, upon its own initiative or
7 upon recommendation of the Presiding Justice of the Court of Appeals,
8 may authorize any division of the Court to hold sessions periodically or
9 for such periods and at such places as the Supreme Court may determine
10 for the purpose of hearing and deciding cases.
11

12 “Trials or hearings in the Court of Appeals must be continuous
13 and must be completed within three (3) months unless extended by the
14 Chief Justice of the Supreme Court.”
15

16 Sec. 4. *Funding.* – The amounts necessary to carry out the provisions of this
17 Act shall be included in the General Appropriations Act of the year following its
18 enactment into law and thereafter.
19

20 Sec. 5. Upon the effectivity of this Act, all pending cases, except those which
21 have been submitted for resolution, shall be referred to the proper division of the
22 Court of Appeals.
23

24 Sec. 6. Nothing in this Act shall be construed to allow the transfer, except in
25 cases of temporary assignment, of any member of the Court of Appeals to any place
26 or station without such member’s written consent, or to undermine the security of
27 tenure of its members as provided in the Constitution, or alter the seniority in the
28 Court of Appeals in accordance with existing laws.
29

30 Sec. 7. *Separability Clause.* – If any portion or provision of this Act is declared
31 unconstitutional, the remainder of this Act or any provision thereof not affected
32 thereby shall remain in full force and effect.

1

2 Sec. 8. *Repealing Clause.* – All laws, presidential decrees, letters of instruction,
3 executive orders, rules, or regulations, or any part thereof inconsistent with the
4 provisions of this Act are hereby repealed or modified accordingly.

5

6 Sec. 9. *Effectivity.* – This Act shall take effect after fifteen (15) days following
7 its publication in two (2) newspapers of general circulation.

Approved,