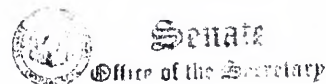


NINETEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }



'22 JUL -7 P5 :45

SENATE

Senate Bill No. 214

RECEIVED BY:

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Introduced by: **Senator Raffy T. Tulfo**

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**"AN ACT PROVIDING FOR THE MODERNIZATION OF THE JUDICIAL DEPARTMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"**

**EXPLANATORY NOTE**

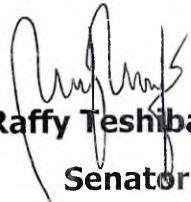
A strong judiciary provides both our state and its citizens an efficient and effective means to enforce rights, get reparations for trespasses, and receive reliefs provided for in law. However, the state of the Philippine's Judicial Department is sorely lackluster as compared to other jurisdictions. Unlike its two other coequal branches of government, the Judiciary suffers from a sorry lack of funding and is habitually denied the requests it makes during the budget process which barely enables it to maintain the makeshift houses of justice we see all over the country, let alone serve as the final arbiter of conflicts of rights and the interpreter of vagueness in law.

The lack of proper and modern facilities, along with the lack of budget to support the honorable members of the judiciary has led to widespread injustice and delays in litigation. Commonplace is the situation wherein multiple judges are left to occupy the same court rooms and offices making it difficult for the administration of sound and swift orders from courts of all levels. Hearings, by which the rights of persons are determined, and where facts become ascertained, are usually delayed months at a

time due to the unavailability of either court personnel or the facilities required. Litigants are currently left to wait years in order to vindicate themselves or claim what is legally theirs making the court process unadvisable unless it is of the direst of circumstances.

Given this situation, it is high time that the Legislative branch of our government enact measures which will allow the judiciary to develop in the same manner as different agencies or components of the executive. By strengthening the Judiciary, the Philippines may rest easy that we remain a country ruled by law and not by the caprices of the unjust.

It is for this purpose that the approval of this bill is earnestly sought




**Raffy Teshiba Tulfo**  
Senator

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**"AN ACT PROVIDING FOR THE MODERNIZATION OF THE JUDICIAL DEPARTMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"**

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

1            *SECTION 1. Short Title.* – This Act shall be known as the "Judiciary Modernization  
2 Act of 2022."

3  
4            *SECTION 2. Declaration of Policy* – It is hereby declared the policy of the State to  
5 implement a modernization program for the Judicial Department which has, for its end  
6 view, its improvement into a more efficient, reliable, competent, technologically adaptive,  
7 and modern judicial department that grants ease of access and security of transactions  
8 in the institution, litigation, and resolution of civil, criminal, and special proceedings in  
9 order to promote better enforcement of obligations, both between private persons and  
10 natural or juridical persons with the state together with a swifter and more accurate  
11 determination of genuine conflicts in interpretation of the law as well as the more

12 responsive exercise of extraordinary judicial powers vested by the Constitution to the  
13 Judiciary.

14  
15 *SECTION 3. Components of the Judiciary Modernization Program* – The Judiciary  
16 modernization program shall consist of the following components:

17  
18 a. Infrastructure Development and Facility Modernization – The objectives of this  
19 component are:

20  
21 1. Acquisition, titling, and management of land and other real estate by  
22 the national government dedicated exclusively for the construction of  
23 structures wherein each branch of the Regional Trial Court, Metropolitan  
24 Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts are  
25 to be individually situated eliminating the need for shared salas,  
26 courtrooms, and other physical spaces between independent branches.

27  
28 2. Upgrading, modernization, and streamlining of facilities dedicated to the  
29 support and execution of judicial functions such as but not limited to  
30 offices of the court staff, offices of the clerks of court, offices of the  
31 sheriff, offices of the judicial marshals, and private chambers of judges  
32 and executive judges.

33  
34 3. Development, procurement, and management of secure, reliable, and  
35 cost-efficient information technology systems that promote ease of  
36 transaction, allow for automation, and ensures integration of existing  
37 systems for case management and document retrieval essential to or  
38 related to the conduct of judiciary functions.

39

40 b. Equipment Upgrading, Acquisition and Maintenance – The objectives of this  
41 component are:

42  
43 1. Provision to all courts of the most reliable and technologically modern  
44 internet and telephone connectivity to allow for attendance in remote  
45 hearings by parties who are determined to participate in court  
46 proceedings by the rules set forth by the Supreme Court.

47  
48 2. Acquisition and provision of modern computer or computer systems to  
49 allow for faster execution of judicial functions to all relevant personnel  
50 of the judicial department.

51  
52 3. Acquisition of data and information technology systems necessary to  
53 allow submission of documents through means of internet connectivity  
54 *provided that the data and information technology systems ensure*  
55 *integrity of data upon submission and reliability of ascertaining the fact*  
56 *of receipt by all parties concerned in the transaction.*

57  
58 c. Personnel Development, Welfare, and Protection – The objectives of this  
59 component is the hiring of additional qualified personnel, the continuous  
60 education of all qualified employees, and the assurance of security for all  
61 members of the judicial department whose lives and physical well-being are at  
62 risk by malefactors seeking to unjustly harm personnel in the course of  
63 performing their duties.

64  
65 *SECTION 4. Submission of the Judicial Modernization Program – Within ninety (90)*  
66 *days from the effectivity of this act, the Court Administrator, upon approval by the Chief*  
67 *Justice, and with notice to the Department of Justice (DOJ), after consultation with the*  
68 *executive judges, presiding justices, the Department of Budget and Management (DBM)*

69 , and the Department of Finance (DOF), shall submit the Judiciary Modernization Program  
70 to the Judicial Modernization Oversight Committee created under this Act, for its  
71 consideration, which shall indicate the following:

72

73 a. The number of personnel, inventory, valuation and useful life of facilities and  
74 equipment currently in use and owned by the Judicial Department in the  
75 exercise of their judicial functions.

76

77 b. The modernization projects and activities under the program to be undertaken  
78 and the corresponding component and objectives to which the projects are  
79 directed to fulfill.

80

81 c. The order of priority, the schedule of implementation, and the corresponding  
82 phases of implementation of the modernization projects and activities.

83

84 d. The estimated cost of each modernization project or activity to be undertaken.

85

86 *SECTION 5. Means of Procurement* – All other laws governing government  
87 procurement notwithstanding, the Judicial Department shall procure the necessary  
88 property taking into consideration the following policies and principles:

89

90 a. The Judicial Department shall give preference to domestic entities that are  
91 qualified to participate in the procurement activities to be undertaken under  
92 this act.

93

94 b. The Office of the Court Administrator shall determine the specific minimum  
95 standards for items, equipment, and technology, and information systems to  
96 be submitted for approval of the Chief Justice. The Office of the Court  
97 Administrator shall be mandated to ensure that the minimum standards set is

98 responsive to the needs of the Judicial Department and shall ensure usability  
99 of all procured items for a period of more than ten (10) years.

100  
101 c. The Court Administrator in the implementation of any and all of the provisions  
102 of this act, with the approval of the Chief Justice may enter into multi-year  
103 contracts and other contractual arrangements *provided* that none of the multi-  
104 year contracts and other contractual arrangements shall be the most favorable  
105 arrangement for the government.

106  
107 d. Congress shall, upon the issuance of a multi-year obligation authority by the  
108 Department of Budget and Management (DBM) and certification by the  
109 president, make the corresponding appropriation for the ensuing fiscal year.  
110 The Office of the Court Administrator, upon approval of the Chief Justice, shall  
111 issue implementing guidelines that shall ensure consistency with the Judicial  
112 Modernization Program and existing guidelines in the contracting of multi-year  
113 projects.

114  
115 e. The Office of the Court Administrator shall submit to the Judicial Modernization  
116 Oversight Committee created under this act, the Secretary of Finance and the  
117 Secretary of Budget and Management, copies of all multi-year contracts and  
118 other agreements to enable Congress to appropriate funds. The funds  
119 appropriated for the Judicial Modernization Program shall be treated by the  
120 Court Administrator as a distinct and separate budget item from the regular  
121 appropriation of the Judiciary Department.

122  
123 *SECTION 6. Fund Augmentation from the Provincial, City, and Municipal*  
124 *Governments for Halls of Justice and other structures dedicated to the execution of the*  
125 *duty of the Judicial Department* – It shall be mandatory for the provincial, city, and  
126 municipal governments to automatically allocate at least five percent (5%) of its annual

127 appropriations earmarked for local development projects, sourced from its internal  
128 revenue allocation as its annual fund augmentation to support priority projects and  
129 activities of Halls of Justices and other structures dedicated to the execution of the duty  
130 of the Judicial Department embodied in their territorial jurisdiction.

131  
132 *SECTION 7. Period of Implementation* – The Judicial Reorganization and  
133 Modernization Program shall be implemented over a period of ten (10) years. The  
134 payment for amortization of outstanding multi-year contract obligations incurred under  
135 this act may extend beyond such period.

136  
137 *SECTION 8. Congressional Judicial Modernization Oversight Committee* – There is  
138 hereby created the Judicial Modernization Oversight Committee to monitor and oversee  
139 the implementation of the provisions of this act. The committee shall be composed of six  
140 (6) members from the House of Representatives and six (6) members from the Senate  
141 with the Chairpersons of the Committee on Justice of both Houses as Joint Chairpersons.  
142 The five (5) other members from each chamber shall be designated by the Speaker of  
143 the House and the Senate President, respectively with the minority having at least two  
144 (2) representatives from both Chambers.

145  
146 *SECTION 9. Review.* – Within five (5) years after the effectivity of this Act, the  
147 Judicial Modernization Oversight Committee shall conduct a review or evaluation of the  
148 accomplishments and effect of the Judicial Modernization Program for the purpose of  
149 determining remedial legislation.

150  
151 *SECTION 10. Implementing Rules and Regulations.* – The Office of the Court  
152 Administrator, upon approval of the Chief Justice, shall promulgate the necessary rules  
153 and regulations within one hundred twenty (120) days from the approval of this Act for  
154 its effective implementation.

155



156            *SECTION 11. Separability Clause* – If any provision of this Act shall be held  
157 unconstitutional or invalid, the other provisions not otherwise affected shall remain in full  
158 force and effect.

159

160            *SECTION 12. Repealing Clause* – All laws, executive orders, rules, and regulations  
161 inconsistent with or contrary to this act, are hereby deemed accordingly repealed or  
162 modified.

163

164            *SECTION 13. Effectivity Clause.* – This Act shall take effect after fifteen (15) days  
165 following its publication in the Official Gazette or in at least two (2) newspapers of national  
166 circulation.

*Approved.*