


FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

SENATE  
OFFICE OF THE SECRETARY

10 JUL 27 10:28

SENATE

S. B. No. **2088**

RECEIVED BY: 

---

Introduced by Senator FRANCIS G. ESCUDERO

---

### 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

10 JUL 27 10:28

SENATE

S. B. No. 2088

RECEIVED BY: 

---

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

1 [A Regional Trial Judge may be assigned by the Supreme  
2 Court to any branch or city or municipality within the same region  
3 as public interest may required, and such assignment shall not be  
4 deemed an assignment to another station within the meaning of  
5 this section. (sic)"]

6 **SECTION 2.** Section 28 of Batas Pambansa Blg. 129, as amended, is hereby  
7 further amended to read as follows:

8 "SEC. 28. - *Other Metropolitan Trial Courts.* - The Supreme  
9 Court shall constitute Metropolitan Trial Courts in such other  
10 metropolitan areas as may be established by law whose territorial  
11 jurisdiction shall be co-extensive with the cities and municipalities  
12 comprising the metropolitan area.

13 Every Metropolitan Trial Judge shall be appointed to a  
14 metropolitan area. [which shall be his permanent station and his  
15 appointment shall state the branch of the court and the seat thereof  
16 to which he shall be originally assigned.] **THE SUPREME COURT  
17 SHALL DETERMINE, AS PUBLIC INTEREST MAY REQUIRE,  
18 THE BRANCH OF THE COURT AND THE SEAT THEREOF  
19 WITHIN THE REGION TO WHICH THE APPOINTEE SHALL  
20 BE ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL  
21 TRANSFERS TO ANOTHER REGION OR TO ANOTHER  
22 BRANCH WITHIN THE REGION SHALL BE ACTED UPON BY  
23 THE SUPREME COURT, WHICH SHALL ISSUE  
24 APPOINTMENTS FOR THE PURPOSE, TO A SPECIFIC  
25 BRANCH, CITY OR MUNICIPALITY. [A Metropolitan Trial  
26 Judge may be assigned by the Supreme Court to any branch within  
27 said metropolitan area as the interest of justice may require, and  
28 such assignment shall not be deemed an assignment to another  
29 station within the meaning of this section.]" **HOWEVER, THE  
30 SUPREME COURT MAY ASSIGN TEMPORARILY A  
31 METROPOLITAN TRIAL JUDGE TO ANOTHER REGION AS  
32 PUBLIC INTEREST MAY REQUIRE, PROVIDED THAT SUCH  
33 TEMPORARY ASSIGNMENT SHALL NOT LAST LONGER****

1           THAN SIX (6) MONTHS WITHOUT THE CONSENT OF THE  
2           METROPOLITAN TRIAL JUDGE CONCERNED.

3           SECTION 3. Section 31 of Batas Pambansa Blg. 129, as amended, is  
4 hereby further amended to read as follows:

5           “SEC. 31. - Municipal Circuit Trial Courts. - There shall be a  
6 Municipal Circuit Trial Court in each area defined as a municipal  
7 circuit, comprising one or more cities and/or one or more  
8 municipalities. The municipalities comprising municipal circuits as  
9 organized under Administrative Order No. 33, issued on June 13,  
10 1978 by the Supreme Court pursuant to Presidential Decree No.  
11 537, are hereby constituted as municipal circuits for purposes of the  
12 establishment of the Municipal Circuit Trial Courts]; and the  
13 appointments thereto of Municipal Circuit Trial Judges]: Provided,  
14 however, That the Supreme Court may, as the interests of justice  
15 may require, further reorganize the said courts taking into account  
16 workload, geographical location, and such other factors as will  
17 contribute to a rational allocation thereof, pursuant to the  
18 provisions of Presidential Decree No. 537 which shall be applicable  
19 insofar as they are not inconsistent with this Act.

20           [Every Municipal Circuit Trial Judge shall be appointed to a  
21 municipal circuit which shall be his official station.]

22           The Supreme Court shall determine the city or municipality  
23 where the Municipal Circuit Trial Court shall hold sessions.”

1           SECTION 4. A new section, Section 31-A, is hereby inserted to read as  
2 follows:

3           SEC.31-A. A MUNICIPAL TRIAL JUDGE SHALL BE  
4 APPOINTED TO A JUDICIAL REGION TO PRESIDE OVER A  
5 MUNICIPAL TRIAL COURT IN CITIES, MUNICIPAL TRIAL  
6 COURT OR A MUNICIPAL CIRCUIT TRIAL COURT. THE  
7 SUPREME COURT SHALL DETERMINE, AS PUBLIC  
8 INTEREST MAY REQUIRE, THE COURT AS WELL AS THE  
9 BRANCH OF THE COURT AND THE SEAT THEREOF WITHIN  
10 THE REGION TO WHICH THE APPOINTEE SHALL BE  
11 ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL  
12 TRANSFERS TO ANOTHER REGION OR TO ANOTHER  
13 BRANCH WITHIN THE REGION SHALL BE ACTED UPON BY  
14 THE SUPREME COURT, WHICH SHALL ISSUE  
15 APPOINTMENTS FOR THE PURPOSE, TO A SPECIFIC  
16 COURT AND BRANCH, CITY OR MUNICIPALITY.  
17 HOWEVER, THE SUPREME COURT MAY ASSIGN  
18 TEMPORARILY A MUNICIPAL TRIAL JUDGE TO ANY  
19 MUNICIPAL COURT. IN ANOTHER REGION OR TO  
20 ANOTHER BRANCH WITHIN THE REGION, AS PUBLIC  
21 INTEREST MAY REQUIRE, PROVIDED THAT SUCH  
22 TEMPORARY ASSIGNMENT SHALL NOT LAST LONGER  
23 THAN SIX (6) MONTHS WITHOUT THE CONSENT OF THE  
24 MUNICIPAL TRIAL JUDGE CONCERNED.”

25           SECTION 5. Section 14 Batas Pambansa Bilang 129, as amended, is  
26 hereby further amended to read as follows:

27           “SEC. 15. The amount necessary to carry out the provision of  
28 this Act on priority basis as determined by the Supreme Court is  
29 hereby authorized to be included in the appropriations of the  
30 Supreme Court in the annual General Appropriations Act of the  
31 year following its enactment into law and thereafter: *Provided, That,*  
32 to effectively implement this Act, the Supreme Court is hereby  
33 vested with the power to prioritize or to determine which sala or  
34 salas shall be established for a given year: *Provide, further, That, for*

1 reasons of efficiency, economy and accessibility, the Supreme Court  
2 is hereby authorized to transfer a sala from one station[, as  
3 determined herein,] to another [within the same Judicial Region:  
4 *Provided, finally,* That the Supreme Court shall not effect the transfer  
5 of a sala oftener than once every three (3) years.]”

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

9 *Approved,*