

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
SECOND REGULAR SESSION)

Senate
Office of the Secretary

'12 JAN 17 P2:45

SENATE

S.B. NO. **3099**

REC'D

BY: 

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

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

3 “SEC. 3. – *Divisions of the Courts; Quorum.* The Sandiganbayan shall sit in five
4 (5) 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
6 when the required quorum for the particular division cannot be had due to the legal
7 qualification or] **IN CASE OF** temporary disability of a Justice or [of] a vacancy
8 [occurring therein], the Presiding Justice may designate [an Associate] **ANOTHER**
9 Justice of the Court, to be determined by strict rotation on the basis of the reverse order
10 of precedence, to sit as a special member of said division with all the rights and
11 prerogatives of a regular member of said division in the trial and determination of a case
12 or cases assigned thereto[, unless the operation of the court will be prejudiced thereby,
13 in which case, the President shall, upon the recommendation of the Presiding Justice,
14 designate any Justice or Justices of the Court of Appeals to sit temporarily therein].

15 **EVERY CASE FILED WITH THE SANDIGANBAYAN SHALL BE**
16 **RAFFLED FOR ASSIGNMENT TO A JUSTICE-IN-CHARGE, WHO SHALL**
17 **MONITOR AND REPORT THE DEVELOPMENTS IN THE CASE TO THE**
18 **MEMBERS OF HIS DIVISION. THE JUSTICE-IN-CHARGE SHALL HEAR**
19 **AND RECEIVE EVIDENCE FOR THE DIVISION TO WHICH HE BELONGS**

20 AND RESOLVE EVERY INCIDENT THAT ARISES IN THE COURSE OF THE
21 PROCEEDING IN THAT CASE.

22 AFTER THE CASE HAS BEEN SUBMITTED FOR DECISION, THE
23 JUSTICE-IN-CHARGE SHALL SUBMIT A REPORT TO THE DIVISION,
24 WHICH REPORT SHALL CONTAIN A SUMMARY OF THE CONFLICTING
25 CLAIMS OF THE PARTIES, THE ISSUE OR ISSUES INVOLVED, THE
26 ARGUMENTS OF THE CONTENDING SIDES, AND THE LAWS AND
27 JURISPRUDENCE THAT CAN AID THE DIVISION IN DECIDING OR
28 RESOLVING THE CASE.

29 IN CONSULTATION, THE THREE MEMBERS OF THE DIVISION
30 SHALL AGREE ON THE CONCLUSION OR CONCLUSIONS IN THE CASE
31 AND ASSIGN A MEMBER TO WRITE THE DECISION FOR THE DIVISION.
32 IF THE UNANIMOUS VOTE OF ALL ITS MEMBERS CANNOT BE HAD, THE
33 PRESIDING JUSTICE SHALL DESIGNATE BY RAFFLE TWO SPECIAL
34 MEMBERS FOR THE DIVISION TO CONSTITUTE IT INTO A DIVISION OF
35 FIVE JUSTICES. THE VOTE OF THE MAJORITY OF SUCH DIVISION
36 SHALL PREVAIL.

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

39

40 Approved,