

12 JAN 26 2015

5 **SENATE**

8 **Senate Bill No. 3111**

11 **By Teofisto "TG" Guingona III**

14 **EXPLANATORY NOTE**

17 The efficacy of our anti-corruption laws, as well as the deterrence intended through its  
18 enforcement cannot be overemphasized. Unfortunately, this is often lost in the length of proceedings  
19 that a case normally takes. Because of this, even high-profile cases involving senior public officials  
20 and huge amounts of money oftentimes become buried and lost in the memory of our citizens. The  
21 need to extract accountability in a timely and relevant manner thus suffers.

23 Findings from a study jointly sponsored by the Supreme Court and the World Bank entitled  
24 "Philippines: Formulation of Case Decongestion and Delay Reduction Strategy Project-Phase I, reveal  
25 that on an average, each justice has a workload of 441 cases. Since Sandiganbayan justices work in  
26 divisions, each division effectively handles more than 1,000 cases per year. Because of this large  
27 number of cases vis-à-vis the number of Sandiganbayan Divisions (only five), in many instances,  
28 around only four (4) to five (5) hearings for every case (assuming that there are no postponements)  
29 are conducted annually, with an alarming average of three to four months interval between each  
30 scheduled hearing. As a consequence, the average time for disposition of cases (from filing to  
31 decision) is almost seven (7) years.

33 This bill seeks to increase the number of Associate Justices in the Sandiganbayan and to  
34 allow this Court, despite the retention of decision-making by division, to assign a single justice to hear  
35 and receive evidence. It is hoped that these measures would allow for the continuous trial of more  
36 cases and to expedite the resolution of the same.

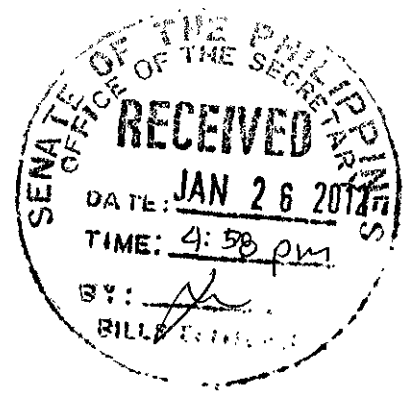
37 It is essential for the Sandiganbayan to conduct expeditious trials and speedy disposition of  
38 cases to impress upon the public its degree of responsibility, integrity, and accountability at all times.  
39 Increasing its capacity and rationalizing its procedures will make this court more capable in  
40 performing its principal function of eliminating grant and corruption in the government services.

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The immediate enactment of this measure is earnestly requested.



**TEOFISTO "TG" GUINGONA III**



1 **FIFTEENTH CONGRESS OF THE REPUBLIC )**  
2 **OF THE PHILIPPINES )**  
3 **Second Regular Session )**  
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5 **SENATE**

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8 **Senate Bill No. 3111**  
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11 **By Teofisto "TG" Guingona III**  
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14 **AN ACT STREAMLINING THE JURISDICTION OF THE SANDIGANBAYAN AND INCREASING THE**  
15 **NUMBER OF SANDIGANBAYAN ASSOCIATE JUSTICES AND DIVISIONS AND, AMENDING FOR THE**  
16 **PURPOSE PRESIDENTIAL DECREEE NO. 1606, AS AMENDED BY REPUBLIC ACT NO. 7975 AND**  
17 **REPUBLIC ACT 8294, AND FOR OTHER PURPOSES**  
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19 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress*  
20 *assembled:*  
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23 Section 1. Section 1, first paragraph, of the same decree is hereby further amended to read as  
24 follows:  
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26 "Section 1. Sandiganbayan; Composition; Qualifications; Tenure; Removal and  
27 Compensation- A special court, of the same level as the Court of appeals and  
28 possessing all the inherent powers of a court of justice, to be known as the  
29 Sandiganbayan is hereby created composed of a presiding justice and [fourteen]  
30 **FORTY FOUR (44)** associate justices who shall be appointed by the President."  
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34 Section 2. The first paragraph of Section 3 of the same decree is hereby further amended to read as  
35 follows:  
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37 "Section 3. Divisions of the Court; Quorum- The Sandiganbayan shall sit in  
38 **FIFTEEN (15)** divisions of three justices each. The **FIFTEEN (15)** divisions may  
39 sit at the same time.  
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41 The first **SEVEN (7)** divisions shall be stationed in the Metro Manila area, **FOUR**  
42 divisions shall be **STATIONED** in **ONE OR MORE CITIES IN THE VISAYAS** for  
43 cases coming from the Visayas region, and **ANOTHER FOUR DIVISIONS** shall  
44 be **STATIONED IN ONE OR MORE CITIES IN MINDANAO** for cases coming  
45 from the Mindanao region  
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48 Section 3. Section 5 of the same decree is hereby further amended to read as follows:  
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50 Section 5. *Proceedings, how conducted; votes required.* **FOR ALL CASES, THE**  
51 **SANDIGANBAYAN SHALL DESIGNATE A JUSTICE TO HEAR THE CASE AND**  
52 **RECEIVE THE EVIDENCE. HOWEVER,** the unanimous vote of the three justices  
53 in a division shall be **STILL BE** necessary for the pronouncement of a judgment.  
54 In the event that the three justices do not reach a unanimous vote, the Presiding  
55 Judge shall designate two other justices from among the members of the Court to  
56 sit temporarily with them, forming a division of five justices, and the concurrence

1 of a majority of such division shall be necessary for rendering judgment.  
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3 **Section 4. URGENCY. RECOGNIZING THE CRITICAL NATURE OF INCREASING THE**  
4 **DIVISIONS IN THE SANDIGANBAYAN AS AN INDISPENSABLE PART OF THE EFFORTS**  
5 **AGAINST GRAFT AND CORRUPTION, THE FUNDS FOR THE FIRST FIFTEEN (15)**  
6 **POSITIONS OF THE ADDITIONAL THIRTY POSITIONS FOR ASSOCIATE JUSTICES SHALL**  
7 **BE RELEASED AND THE POSITIONS CREATED WITHIN THIRTY DAYS FROM**  
8 **EFFECTIVITY OF THIS ACT, WHILE THE JUDICIAL AND BAR COUNCIL SHALL, IN THE**  
9 **MEANTIME, IMMEDIATELY COMMENCE THE PROCESS OF NOMINATION AND**  
10 **SELECTION OF THE NAMES TO BE SUBMITTED TO THE PRESIDENT FOR APPOINTMENT.**  
11 **AS FOR THE REST OF THE FIFTEEN POSITIONS FOR ASSOCIATE JUSTICES, THE SAME**  
12 **SHALL BE CREATED AND THE FUNDS THEREFOR RELEASED WITHIN NINETY DAYS**  
13 **FROM EFFECTIVITY OF THIS ACT. THE PRESIDENT SHALL MAKE APPOINTMENTS TO**  
14 **SAID POSITIONS WITHIN THE PERIOD SET BY THE CONSTITUTION.**  
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16 Section 5. Separability Clause. If for any reason any provision of this Act is declared unconstitutional  
17 or invalid, such parts or portions not affected thereby shall remain in full force and effect.  
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19 Section 6. Repealing Clause. All acts, decrees, general orders and circulars, or parts thereof  
20 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.  
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22 Section 7. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at  
23 least two (2) newspapers of general circulation.  
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25 Approved,  
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