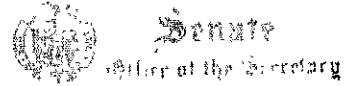


SIXTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



13 JUL -4 A8:18

SENATE

S. B. No. **443**

RECORDED BY: *ji*

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Introduced by Senator **FRANCIS G. ESCUDERO**

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**EXPLANATORY NOTE**

This bill is being filed to possibly further enhance the disposition of cases in court.

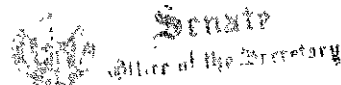
Undeniably, vacant courts and the non-availability of courts have resulted in the clogging of court dockets, especially in areas where cases have significantly increased.

With this proposed amendment of Batas Pambansa Blg. 129, as amended, it is believed that 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**

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



'13 JUL -4 18:18

SENATE

S. B. No. 443

RECEIVED BY: *ja*

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Introduced by Senator FRANCIS G. ESCUDERO

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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. **IN THE EVENT OF THE**  
8 **FILING OF APPLICATIONS FOR VOLUNTARY LATERAL**  
9 **TRANSFERS BY SITTING JUDGES TO ANOTHER REGION**  
10 **OR TO ANOTHER BRANCH WITHIN THE SAME REGION,**  
11 **THE SUPREME COURT SHALL ACT UPON SAID**  
12 **APPLICATIONS AND SHALL ISSUE THE APPROPRIATE**  
13 **ORDERS FOR THE PURPOSE; PROVIDED THAT THE SAID**  
14 **TRANSFER SHALL NOT IN ANY MANNER BE INIMICAL TO**  
15 **THE SPEEDY DISPENSATION OF JUSTICE.** However, the  
16 Supreme Court may assign temporarily a Regional Trial Judge to  
17 another region **OR TO ANOTHER BRANCH WITHIN THE**  
18 **SAME REGION,** as public interest may require, provided that  
19 such temporary assignment shall not last longer than six (6) months  
20 without the consent of the Regional 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 require, and such assignment shall not be  
4 deemed an assignment to another station within the meaning of  
5 this section. "

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. **IN THE EVENT OF**  
17 **VOLUNTARY APPLICATIONS FOR LATERAL TRANSFERS**  
18 **BY SITTING JUDGES TO ANOTHER REGION OR TO**  
19 **ANOTHER BRANCH WITHIN THE SAME REGION, THE**  
20 **SUPREME COURT SHALL ACT UPON SAID APPLICATIONS**  
21 **AND SHALL ISSUE THE APPROPRIATE ORDERS FOR THE**  
22 **PURPOSE; PROVIDED THAT THE SAID TRANSFER SHALL**  
23 **NOT IN ANY MANNER BE INIMICAL TO THE SPEEDY**  
24 **DISPENSATION OF JUSTICE.** A Metropolitan Trial Judge may  
25 be assigned by the Supreme Court to any branch within said  
26 metropolitan area as the interest of justice may require, and such  
27 assignment shall not be deemed an assignment to another station  
28 within the meaning of this section. **HOWEVER, THE SUPREME**  
29 **COURT MAY ASSIGN TEMPORARILY A METROPOLITAN**  
30 **TRIAL JUDGE TO ANOTHER REGION OR TO ANOTHER**  
31 **BRANCH WITHIN THE SAME REGION, AS PUBLIC**  
32 **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  
6 a 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.”

24           **SECTION 4.** A new section, Section 31-A, is hereby inserted  
25 to read as follows:

26           “**SEC.31-A. A MUNICIPAL TRIAL JUDGE SHALL BE**  
27 **APPOINTED TO A JUDICIAL REGION TO PRESIDE OVER A**  
28 **MUNICIPAL TRIAL COURT IN CITIES, MUNICIPAL TRIAL**  
29 **COURT OR A MUNICIPAL CIRCUIT TRIAL COURT WHICH**  
30 **SHALL BE HIS PERMANENT STATION, AND HIS**  
31 **APPOINTMENT SHALL STATE THE BRANCH OF THE**

1 COURT AND THE SEAT THEREOF TO WHICH HE SHALL BE  
2 ORIGINALLY ASSIGNED. IN THE EVENT OF VOLUNTARY  
3 APPLICATIONS FOR LATERAL TRANSFERS BY SITTING  
4 JUDGES TO ANOTHER REGION OR TO ANOTHER BRANCH  
5 WITHIN THE REGION, THE SUPREME COURT SHALL ACT  
6 UPON SAID APPLICATIONS AND SHALL ISSUE THE  
7 APPROPRIATE ORDERS FOR THE PURPOSE; PROVIDED  
8 THAT THE SAID TRANSFER SHALL NOT IN ANY MANNER  
9 BE INIMICAL TO THE SPEEDY DISPENSATION OF JUSTICE.  
10 HOWEVER, THE SUPREME COURT MAY ASSIGN  
11 TEMPORARILY A MUNICIPAL TRIAL JUDGE TO ANY  
12 MUNICIPAL COURT IN ANOTHER REGION OR TO  
13 ANOTHER BRANCH WITHIN THE REGION, AS PUBLIC  
14 INTEREST MAY REQUIRE, PROVIDED THAT SUCH  
15 TEMPORARY ASSIGNMENT SHALL NOT LAST LONGER  
16 THAN SIX (6) MONTHS WITHOUT THE CONSENT OF THE  
17 MUNICIPAL TRIAL JUDGE CONCERNED."

18 SECTION 5. A new Section 44 is hereby inserted into Batas Pambansa Blg.  
19 129 as amended, which is to read as follows:

20 "SEC. 44. THE AMOUNT NECESSARY TO CARRY OUT  
21 THE PROVISIONS OF THIS ACT ON PRIORITY BASIS AS  
22 DETERMINED BY THE SUPREME COURT IS HEREBY  
23 AUTHORIZED TO BE INCLUDED IN THE APPROPRIATIONS  
24 OF THE SUPREME COURT IN THE ANNUAL GENERAL  
25 APPROPRIATIONS ACT OF THE YEAR FOLLOWING ITS  
26 ENACTMENT INTO LAW AND THEREAFTER: *PROVIDED,*  
27 *THAT,* TO EFFECTIVELY IMPLEMENT THIS ACT, THE  
28 SUPREME COURT IS HEREBY VESTED WITH THE POWER  
29 TO PRIORITIZE OR TO DETERMINE WHICH SALA OR  
30 SALAS SHALL BE ESTABLISHED FOR A GIVEN YEAR:  
31 *PROVIDE, FURTHER,* THAT, FOR REASONS OF EFFICIENCY,  
32 ECONOMY AND ACCESSIBILITY, THE SUPREME COURT IS  
33 HEREBY AUTHORIZED TO TRANSFER A SALA FROM ONE  
34 STATION, AS DETERMINED HEREIN, TO ANOTHER

1           **WITHIN THE SAME JUDICIAL REGION: PROVIDED,**  
2           **FINALLY, THAT THE SUPREME COURT SHALL NOT EFFECT**  
3           **THE TRANSFER OF A SALA OFTENER THAN ONCE EVERY**  
4           **THREE (3) YEARS."**

5   **SECTION 6.** The existing Sections 44 through 48 of Batas Pambansa Blg. 129 as  
6 amended are hereby renumbered as Sections 45 through 49 accordingly.

7   **SECTION 7. *Repealing Clause*** - All other laws, decrees, executive orders,  
8 executive issuances or letters of instructions, rules and regulations, or any part  
9 thereof, inconsistent or contrary to the provisions of this Act are hereby deemed  
10 repealed, amended or modified accordingly.

11   **SECTION 8. *Separability Clause*** - If any provision of this Act is declared  
12 unconstitutional or invalid, other parts or provisions hereof not affected shall  
13 continue to be in full force and effect.

14   **SECTION 9. *Effectivity***. - This Act shall take effect (15) days after completion of  
15 its publication in the Official Gazette or of two (2) newspapers of general  
16 circulation.

17           *Approved,*