

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session


SENATE

S.B. No. 1691



18 FEB 13 ATO :42

Introduced by Senator Sherwin Gatchalian

RECEIVED BY: 

**AN ACT AMENDING BATAS PAMBANSA BILANG 129, OTHERWISE
KNOWN AS "AN ACT REORGANIZING THE JUDICIARY, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES" TO CREATE THE
POSITIONS FOR JUDGES-AT-LARGE**

EXPLANATORY NOTE

From time immemorial, society has always pronounced that "Justice Delayed is Justice Denied." So, it should be a political mandate to curb the delays in the Judiciary at present times and to avoid the further delays in the administration of justice. Also, this policy will be in accordance with the sacred constitutional right of the speedy administration of justice.

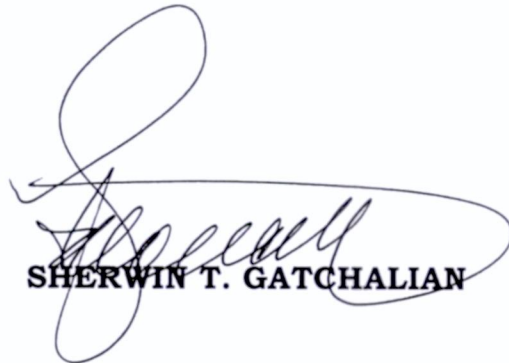
Today, the Judiciary is under fire for the congested or clogged dockets of the lower courts. The clogged dockets of the courts cause great delay in the disposition of cases. The following are the main causes of the congestions:

1. Lack of judges;
2. Heavy inflow of cases in Metro Manila and other cities; and
3. The use of regular judges as assisting or acting judges which has been proven to be unproductive because they do not have sufficient time to devote to the cases in vacant or congested courts since they have their own respective salas to attend to.

The delay in the disposition of cases is precisely what the 1987 Constitution seeks to avoid. Article III, Section 16 of the Constitution provides that: "All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies." Thus, it is imperative that new positions for the Judiciary must be created.

The solution, therefore, is the creation of "Judges-at-Large" positions. These Judges shall have no permanent salas and can be detailed by the Supreme Court to any court in the Philippines, as public interest may require.

In view of the foregoing consideration, the approval of this bill is strongly recommended.




SHERWIN T. GATCHALIAN

SENATE



S.B. No. 1691

'18 FEB 13 A10 :42

Introduced by Senator Sherwin Gatchalian 

**AN ACT AMENDING BATAS PAMBANSA BILANG 129, OTHERWISE
KNOWN AS "AN ACT REORGANIZING THE JUDICIARY, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES" TO CREATE THE
POSITIONS FOR JUDGES-AT-LARGE**

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

1 **SECTION 1.** Section 17, Chapter II of B.P. Blg. 129 is hereby
2 amended to read as follows:

3 Section 17. Appointment and assignment of Regional Trial Judges.
4 – Every Regional Trial Judge shall be appointed to a region which
5 shall be his permanent station, and his appointment shall state
6 the branch of the court and the seat thereof to which he shall be
7 originally assigned. However, the Supreme Court may assign
8 temporarily a Regional Trial Judge to another region as public
9 interest may require, provided that such temporary assignment
10 shall not last longer than six (6) months without the consent of the
11 Regional Trial Judge concerned.

12
13 [A Regional Trial Judge may be assigned by the Supreme Court to
14 any branch or city or municipality within the same region as public
15 interest may require, and such assignment shall not be deemed an
16 assignment to another station within the meaning of this section.]

17
18 **THERE SHALL BE APPOINTED REGIONAL TRIAL JUDGES-AT-**
19 **LARGE WHO WILL BE ASSIGNED BY THE SUPREME COURT TO**
20 **ANY BRANCH OR CITY OR MUNICIPALITY AS ACTING OR**
21 **ASSISTING JUDGE TO ANY REGIONAL TRIAL COURT IN THE**

1 PHILIPPINES. A REGIONAL TRIAL JUDGE-AT-LARGE MAY NOT
2 HAVE A PERMANENT STATION AND CAN BE DETAILED BY
3 THE SUPREME COURT IN THE EXPEDIENCY OF SERVICE,
4 AND FOR AS LONG AS PUBLIC INTEREST MAY REQUIRE.
5 THEY ARE ENTITLED TO THE SAME SALARIES, PRIVILEGES,
6 ALLOWANCES, EMOLUMENTS, BENEFITS, RANK AND TITLE
7 OF A REGIONAL TRIAL JUDGE WITH PERMANENT STATIONS.
8 THIS PROVISION IS WITHOUT PREJUDICE TO THE
9 APPOINTMENT OF A JUDGE-AT-LARGE TO A PERMANENT
10 STATION IN THE DISCRETION OF THE SUPREME COURT.
11

12 **SEC. 2.** Section 25, Chapter III of B.P. Blg. 129 is hereby amended to
13 read as follows:

14 Section 25. Establishment of Metropolitan Trial Courts, Municipal
15 Trial Courts and Municipal Circuit Trial Courts. – There shall be
16 created a Metropolitan Trial Court in each metropolitan area
17 established by law, a Municipal Trial Court in each of the other
18 cities or municipalities, and a Municipal Circuit Trial Court in each
19 circuit comprising such cities and/or municipalities as are
20 grouped together pursuant to law.
21

22 **THERE SHALL BE APPOINTED MUNICIPAL TRIAL JUDGE-AT-**
23 **LARGE WHO WILL BE ASSIGNED BY THE SUPREME COURT AS**
24 **ACTING OR ASSISTING JUDGE TO ANY FIRST-LEVEL COURT**
25 **IN THE PHILIPPINES. A MUNICIPAL TRIAL JUDGE-AT-LARGE**
26 **MAY NOT HAVE A PERMANENT STATION AND CAN BE**
27 **DETAILED BY THE SUPREME COURT IN THE EXPEDIENCY OF**
28 **SERVICE, AND FOR AS LONG AS PUBLIC INTEREST MAY**
29 **REQUIRE. THEY ARE ENTITLED TO THE SAME SALARIES,**
30 **PRIVILEGES, ALLOWANCES, EMOLUMENTS, BENEFITS, RANK**
31 **AND TITLE OF A MUNICIPAL TRIAL JUDGE WITH PERMANENT**
32 **STATIONS. THIS PROVISION IS WITHOUT PREJUDICE TO THE**

1 **APPOINTMENT OF A JUDGE-AT-LARGE TO A PERMANENT**
2 **STATION IN THE DISCRETION OF THE SUPREME COURT.**

3 **SEC. 3.** Section 42, Chapter IV of B.P. Blg. 129 is hereby amended to
4 read as follows:

5 “Section 42. Longevity pay and Displacement Allowance. – A monthly
6 longevity pay equivalent to 5% of the monthly basic pay shall be paid
7 to the Justices and Judges of the courts herein created for each five
8 (5) years of continuous, efficient and meritorious service rendered in
9 the Judiciary: Provided, That in no case shall the total salary of each
10 Justice or Judge concerned, after this longevity pay is added, exceed
11 the salary of the Justice or Judge next in rank.”
12

13
14 **REGIONAL TRIAL JUDGES-AT-LARGE AND MUNICIPAL TRIAL**
15 **JUDGES-AT-LARGE SHALL RECEIVE DISPLACEMENT**
16 **ALLOWANCES, WHICH SHALL BE UTILIZED TO COVER**
17 **ADJUSTMENTS FOR COST OF LIVING, TO INCLUDE LODGING,**
18 **FOOD, TRANSPORTATION, AND OTHER NECESSARY EXPENSES**
19 **INCURRED DURING THEIR ASSIGNMENT TO COURTS LOCATED**
20 **OUTSIDE THEIR PLACES OF RESIDENCE. THE DISPLACEMENT**
21 **ALLOWANCES SHALL BE DETERMINED BY THE SUPREME COURT**
22 **UPON THE RECOMMENDATION OF THE COURT ADMINISTRATOR**
23 **AND THE PLANTILLA COMMITTEE.**

24
25 **SEC.4. Repealing Clause.** – All laws, rules, regulations, orders,
26 memoranda or circulars inconsistent with this Act are hereby repealed or
27 modified accordingly.

28
29 **SEC. 5. Effectivity.** – This Act shall take effect fifteen (15) days after
30 the publication in the Official Gazette or in any two (2) national newspapers
31 of general circulation.

Approved,