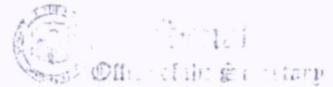


SENATE



COMMITTEE REPORT NO. 496

'18 OCT 10 P2:29

Submitted jointly by the Committees on Justice and Human Rights; and Finance on
OCT 10 2018.

Re: Senate Bill No. 2065

Recommending its approval in substitution of Senate Bill Nos. 1681, 1691, and 2002 taking into consideration House Bill No. 7309.

Sponsor: Senator Richard J. Gordon

MR. PRESIDENT:

The Committees on Justice and Human Rights; and Finance, to which was referred **Senate Bill No. 1681**, introduced by Senator Sonny Angara, entitled:

**"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"**

Senate Bill No. 1691, introduced by Senator Gatchalian, entitled:

**"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"

and **Senate Bill No. 2002**, introduced by Senator Gordon, entitled:

**"AN ACT
CREATING THE POSITIONS FOR JUDGES-AT-LARGE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS 'THE JUDICIARY REORGANIZATION ACT OF 1980', AND APPROPRIATING FUNDS THEREFOR"**

and taking into consideration **House Bill No. 7309**, introduced by Representatives Tricia Nicole Q. Velasco-Catera, Roy M. Loyola, Lord Allan Jay Q. Velasco, Reynaldo V. Umali, et. al., entitled:

**"AN ACT
CREATING THE POSITIONS FOR JUDGES-AT-LARGE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS 'THE JUDICIARY REORGANIZATION ACT OF 1980', AND APPROPRIATING FUNDS THEREFOR"**

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 2065 prepared by the Committees, entitled:

**"AN ACT
CREATING THE POSITIONS FOR JUDGES-AT-LARGE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS 'THE JUDICIARY REORGANIZATION ACT OF 1980', AND APPROPRIATING FUNDS THEREFOR"**

be approved in substitution of Senate Bill Nos. 1681, 1691 and 2002, taking into consideration House Bill No. 7309 with Senators Angara, Gatchalian, Gordon, and Legarda as authors thereof.

Respectfully submitted:

Chairpersons



LØREN B. LEGARDA
Committee on Finance



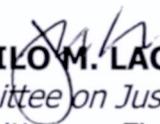
RICHARD J. GORDON

*Committee on Justice and Human Rights
Member, Committee on Finance*

Vice-Chairpersons



CYNTHIA A. VILLAR
Committee on Finance



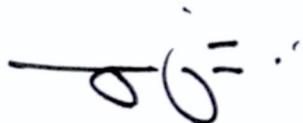
PANFILO M. LACSON

*Committee on Justice and Human Rights
Committee on Finance*



SONNY ANGARA
Committee on Finance

PAOLO BENIGNO "BAM" AQUINO IV
Committee on Finance

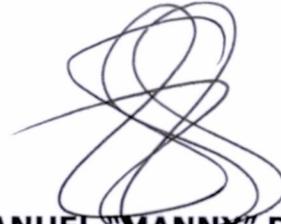


JOSEPH VICTOR G. EJERCITO
Committee on Finance

Members



MARIA LOURDES NANCY S. BINAY
Committee on Finance



EMMANUEL "MANNY" D. PACQUIAO
Committee on Justice and Human Rights



GREGORIO B. HONASAN II
Committee on Finance

GRACE POE
Committee on Justice and Human Rights
Member, Committee on Finance



WIN GATCHALIAN
Committee on Finance



FRANCIS "KIKO" PANGILINAN
Committee on Justice and Human Rights
Member, Committee on Finance

JOEL VILLANUEVA
Committee on Finance

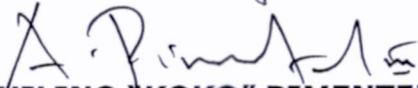

RISA HONTIVEROS
Committee on Justice and Human Rights
Member, Committee on Finance



FRANCIS "CHIZ" G. ESCUDERO
Committee on Finance

ANTONIO "SONNY" TRILLANES IV
Committee on Finance

with interpellate



AQUILINO "KOKO" PIMENTEL III

Committee on Finance

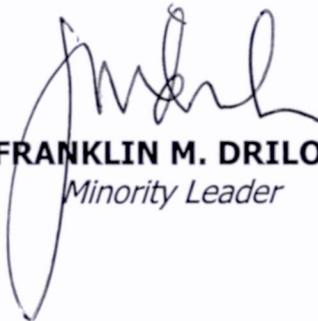
Ex Officio Members

RALPH G. RECTO

President Pro Tempore

JUAN MIGUEL "MIGZ" F. ZUBIRI

Majority Leader

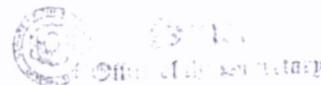


FRANKLIN M. DRILON

Minority Leader

VICENTE C. SOTTO III

Senate President



Prepared jointly by the Committees on Justice and Human Rights and Finance with Senators Angara, Gatchalian, Gordon, and Legarda as authors thereof. 2018 OCT 10 P2:30

AN ACT
RECEIVED
CREATING THE POSITIONS FOR JUDGES-AT-LARGE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE "THE JUDICIARY REORGANIZATION ACT OF 1980," AND APPROPRIATING FUNDS THEREFOR

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

1 **Section 1. Short title.** - This Act shall be known as the "Judges-At-Large
2 Act of 2018".

3 **Section 2.** A new paragraph (n) is inserted in Section 14 of Batas Pambansa
4 Blg. 129, otherwise known as "The Judiciary Reorganization Act of 1980", and shall
5 read as follows:

6 "(N) ONE HUNDRED (100) POSITIONS OF REGIONAL
7 TRIAL JUDGES-AT-LARGE ARE CREATED. THE DULY
8 APPOINTED REGIONAL TRIAL JUDGES-AT-LARGE SHALL HAVE
9 NO PERMANENT SALARIES AND MAY BE ASSIGNED BY THE
10 SUPREME COURT AS ACTING OR ASSISTING JUDGES TO ANY
11 REGIONAL TRIAL COURT IN THE PHILIPPINES AS PUBLIC
12 INTEREST MAY REQUIRE. THE SAID JUDGES-AT-LARGE ARE
13 ENTITLED TO SALARIES, PRIVILEGES, ALLOWANCE,
14 EMOLUMENTS, BENEFITS, RANK AND TITLE OF A REGIONAL

1 **TRIAL JUDGE. THE SUPREME COURT SHALL DETERMINE THE**
2 **LENGTH OF SUCH TEMPORARY ASSIGNMENT PROVIDED THAT**
3 **SUCH TEMPORARY ASSIGNMENT SHALL NOT EXCEED SIX**
4 **MONTHS WITHOUT THE CONSENT OF THE JUDGE**
5 **CONCERNED.**

6 *PROVIDED,* FURTHER THAT THE JUDICIAL AND BAR
7 **COUNCIL SHALL RECOMMEND TO THE PRESIDENT**
8 **APPOINTEES TO THE JUDGES-AT-LARGE POSITIONS. AFTER**
9 **THE PERIOD OF THE TEMPORARY ASSIGNMENT, THE**
10 **JUDICIAL AND BAR COUNCIL SHALL RECOMMEND TO THE**
11 **PRESIDENT THE PERMANENT SALA TO WHICH THE JUDGE-AT-**
12 **LARGE SHALL BE APPOINTED.**

13 *PROVIDED,* FURTHER THAT THERE SHALL BE CREATED
14 **ADDITIONAL POSITIONS TO SUPPORT THE JUDGES-AT-LARGE**
15 **AS MAY BE NECESSARY, SUBJECT TO EXISTING RULES AND**
16 **REGULATIONS."**

17 **Section 3.** Section 15 of the same Act is amended to read as follows:

18 "Sec. 15. *Qualifications.* – No person shall be appointed Regional Trial
19 Judge or **REGIONAL TRIAL JUDGE-AT-LARGE** unless [he] **THAT**
20 **PERSON** is a natural-born citizen of the Philippines, at least thirty-five years
21 of age, and, for at least ten years, has been engaged in the practice of law in
22 the Philippines or has held a public office in the Philippines requiring
23 admission to the practice of law as an indispensable requisite."

1 **Section 4.** A new section to be denominated as Section 25-A is hereby
2 inserted after Section 25 of the same Act to read as follows:

3 **"SEC. 25-A. CREATION OF POSITION FOR MUNICIPAL**
4 **TRIAL JUDGES-AT-LARGE – FIFTY (50) POSITIONS OF**
5 **MUNICIPAL TRIAL JUDGES-AT-LARGE ARE CREATED. THE**
6 **DULY APPOINTED MUNICIPAL TRIAL JUDGES-AT-LARGE**
7 **SHALL HAVE NO PERMANENT SALAS AND MAY BE ASSIGNED**
8 **BY THE SUPREME COURT AS ACTING OR ASSISTING JUDGES**
9 **TO ANY FIRST LEVEL COURT IN THE PHILIPPINES AS PUBLIC**
10 **INTEREST MAY REQUIRE. THEY SHALL BE ENTITLED TO THE**
11 **SALARIES, PRIVILEGES, ALLOWANCES, EMOLUMENTS,**
12 **BENEFITS, RANK AND TITLE OF A JUDGES OF A MUNICIPAL**
13 **TRIAL COURT IN CITIES. THE SUPREME COURT SHALL**
14 **DETERMINE THE LENGTH OF SUCH TEMPORARY ASSIGNMENT**
15 **PROVIDED THAT SUCH TEMPORARY ASSIGNMENT SHALL NOT**
16 **EXCEED SIX MONTHS WITHOUT THE CONSENT OF THE JUDGE**
17 **CONCERNED.**

18 **PROVIDED FURTHER THAT THE JUDICIAL AND BAR**
19 **COUNCIL SHALL RECOMMEND TO THE PRESIDENT**
20 **APPOINTEES TO THE JUDGES-AT-LARGE POSITIONS. AFTER**
21 **THE PERIOD OF THE TEMPORARY ASSIGNMENT, THE**
22 **JUDICIAL AND BAR COUNCIL SHALL RECOMMEND TO THE**
23 **PRESIDENT THE PERMANENT SALA TO WHICH THE JUDGE-AT-**
24 **LARGE SHALL BE APPOINTED.**

1 **PROVIDED FURTHER THAT THERE SHALL BE CREATED**
2 **ADDITIONAL POSITIONS TO SUPPORT THE JUDGES-AT-LARGE**
3 **AS MAY BE NECESSARY, SUBJECT TO EXISTING RULES AND**
4 **REGULATIONS.”**

5 **Section 5.** Section 26 of the same Act is amended to read as follows:

6 “Sec. 26. *Qualifications.* – No person shall be appointed judge
7 of a Metropolitan Trial Court, Municipal Trial Court, [or] Municipal
8 Circuit Trial Court, **OR A MUNICIPAL TRIAL JUDGE-AT-LARGE**
9 unless [he] **THAT PERSON** is a natural-born citizen of the Philippines,
10 at least 30 years of age, and, for at least five years, have been
11 engaged in the practice of law in the Philippines, or has held a public
12 office in the Philippines requiring admission to the practice of law as an
13 indispensable requisite.”

14 **Section 6.** Section 41 of the same Act is amended to read as follows:

15 “Sec. 41. *Salaries.* – Intermediate Appellate Justices, Regional
16 Trial Judges, **REGIONAL TRIAL JUDGES-AT-LARGE**, Metropolitan
17 Trial Judges, Municipal Trial Judges [and] Municipal Circuit Trial
18 Judges, **AND MUNICIPAL TRIAL JUDGES-AT-LARGE** shall receive
19 such compensation and allowances as may be authorized by the
20 President along the guidelines set forth in Letter of Implementation No.
21 93 pursuant to Presidential Decree No. 985, as amended by
22 Presidential Decree No. 1597.”

23 **Section 7.** Section 42 of the same Act is amended to read as follows:

1 "Sec. 42. Longevity pay **AND DISPLACEMENT ALLOWANCE.**

2 – A monthly longevity pay equivalent to 5% of the monthly basic pay
3 shall be paid to the Justices and Judges of the courts herein created
4 for each five years of continuous, efficient, and meritorious service
5 rendered in the judiciary: *Provided,* That in no cases shall the total
6 salary of each Justice or Judge concerned, after this longevity pay is
7 added, exceed the salary of the Justice or Judge next in rank.

8 **"REGIONAL TRIAL JUDGES-AT-LARGE AND MUNICIPAL**
9 **TRIAL JUDGES-AT-LARGE SHALL RECEIVE DISPLACEMENT**
10 **ALLOWANCES, WHICH SHALL COVER THEIR HOUSING, FOOD,**
11 **TRANSPORTATION, AND OTHER NECESSARY EXPENSES**
12 **INCURRED DURING THEIR DETAIL TO COURTS LOCATED**
13 **OUTSIDE THEIR PERMANENT RESIDENCES. THE SUPREME**
14 **COURT, UPON THE RECOMMENDATION OF THE COURT**
15 **ADMINISTRATOR AND THE PLANTILLA COMMITTEE, SHALL**
16 **DETERMINE THE AMOUNT OF DISPLACEMENT ALLOWANCE**
17 **FOR EACH DETAILED JUDGE-AT-LARGE."**

18 ***Section 8. Funding.*** The amount necessary for the implementation of this
19 Act shall be charged against the available appropriations of the Judiciary under the
20 current General Appropriations Act. Thereafter, such sums as may be necessary for
21 its continued implementation shall be included in the annual General Appropriations
22 Act.

23 ***Section 9. Implementing Rules and Regulations.*** Within sixty (60) days
24 from the approval of this Act, the Supreme Court, in consultation with the Secretary

1 of Budget and Management shall promulgate the necessary rules and regulations for
2 the effective implementation of this Act.

3 **Section 10. Separability Clause.** If any provision or part of this Act is
4 declared invalid or unconstitutional, the remaining parts or provisions not affected
5 shall remain in full force and effect.

6 **Section 11. Effectivity.** This Act shall take effect fifteen (15) days after its
7 publication in the Official Gazette or in any newspaper of general circulation.

8 *Approved,*