

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

OFFICE

8 DEC -8 13:29

SENATE

S. No. 2947

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Introduced by Senator FRANCIS G. ESCUDERO

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#### EXPLANATORY NOTE

Section 6, Article VIII of our Constitution provides that: "The Supreme Court shall have administrative supervision over all courts and the personnel thereof."

In view of the above Constitutional provision, a corresponding law must be passed to ensure that the Supreme Court will be allowed to assign judges as may be necessary to effect the speedy disposition of justice.

Data has shown that vacancies in the judiciary have remained unfilled and this has affected the delivery of justice.

From its pool of sitting judges, the Supreme Court must be given the necessary authority to assign judges to other posts so that the wheels of justice may grind in those areas which have remained under-served.

In view of the foregoing provisions, the approval of this bill is earnestly recommended.



FRANCIS G. ESCUDERO

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

8 DEC -8 P3:29

RECORDED

SENATE

S. No. **2947**

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Introduced by Senator FRANCIS G. ESCUDERO

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AN ACT

AUTHORIZING THE APPOINTMENT OF JUDGES TO A JUDICIAL REGION AND AUTHORIZING THEIR TRANSFER IN THE INTEREST OF THE PUBLIC, AMENDING SECTIONS 17, 28 AND 31 OF BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY RE-ORGANIZATION ACT OF 1980 AND APPROPRIATING FUNDS THEREFOR AND SECTION 15 OF REPUBLIC ACT 7154 OTHERWISE KNOWN AS AN ACT TO AMEND SECTION FOURTEEN OF BATAS PAMBANSA BILANG 129.

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

SECTION 1. Section 17 of Batas Pambansa Blg. 129, as amended, otherwise known as the Judiciary Reorganization Act of 1980, is hereby amended shall read as follows:

“SEC. 17. Appointment and assignment of Regional Trial Judges. – Every regional Trial Judge shall be appointed to a JUDICIAL region [which shall be his permanent station, and his appointment shall state the branch of the court and the seat thereof to which he shall be originally assigned]. THE SUPREME COURT SHALL DETERMINE, AS PUBLIC INTEREST MAY REQUIRE, THE BRANCH OF THE COURT AND THE SEAT THEREOF WITHIN THE REGION TO WHICH THE APPOINTEE SHALL BE ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL TRANSFERS TO ANOTHER REGION OR TO ANOTHER BRANCH WITHIN THE REGION SHALL BE ACTED UPON BY THE SUPREME COURT, WHICH SHALL ISSUE APPOINTMENTS FOR THE PURPOSE, TO A SPECIFIC BRANCH, CITY OR MUNICIPALITY. x x x

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

SECTION 2. Section 28 of Batas Pambansa Blg. 129 as amended, is hereby amended as follows:

“SEC. 28. Other Metropolitan Courts.—

x x x

Every Metropolitan Trial Judge shall be appointed to a metropolitan area [which shall be his permanent station and his appointment shall state the branch of the court

and the seat thereof to which he shall be originally assigned]. THE SUPREME COURT SHALL DETERMINE, AS PUBLIC INTEREST MAY REQUIRE, THE BRANCH OF THE COURT AND THE SEAT THEREOF WITHIN THE REGION TO WHICH THE APPOINTEE SHALL BE ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL TRANSFERS TO ANOTHER REGION OR TO ANOTHER BRANCH WITHIN THE REGION SHALL BE ACTED UPON BY THE SUPREME COURT, WHICH SHALL ISSUE APPOINTMENTS FOR THE PURPOSE, TO A SPECIFIC BRANCH, CITY OR MUNICIPALITY. [A Metropolitan Trial Judge may be assigned by the Supreme Court to any branch within said metropolitan area as the interest of justice may require, and such assignment shall not be deemed an assignment to another station within the meaning of this section.] HOWEVER, THE SUPREME COURT MAY ASSIGN TEMPORARILY A METROPOLITAN TRIAL JUDGE TO ANOTHER REGION AS PUBLIC INTEREST MAY REQUIRE, PROVIDED THAT SUCH TEMPORARY ASSIGNMENT SHALL NOT LAST LONGER THAN SIX (6) MONTHS WITHOUT THE CONSENT OF THE METROPOLITAN TRIAL JUDGE CONCERNED.”

SECTION 3. Section 31 of Batas Pambansa Blg. 129 as amended, is hereby amended as follows:

“SEC 31. Municipal Circuit Trial Courts.—

“ x x x The municipalities comprising municipal circuits as organized under Administrative Order No. 33, issued on June 13, 1978 by the Supreme Court pursuant to Presidential Decree No. 537, are hereby constituted as municipal circuits for purposes of the establishment of the Municipal Circuit Trial Courts [; and the appointments thereto of Municipal Circuit Trial Judges]: x x x.

[Every Municipal Circuit Trial Judge shall be appointed to a municipal circuit which shall be his official station.]

x x x

“A MUNICIPAL TRIAL JUDGE SHALL BE APPOINTED TO A JUDICIAL REGION TO PRESIDE OVER A MUNICIPAL TRIAL COURT IN CITIES, MUNICIPAL TRIAL COURT OR A MUNICIPAL CIRCUIT TRIAL COURT. THE SUPREME COURT SHALL DETERMINE, AS PUBLIC INTEREST MAY REQUIRE, THE COURT AS WELL AS THE BRANCH OF THE COURT AND THE SEAT THEREOF WITHIN THE REGION TO WHICH THE APPOINTEE SHALL BE ORIGINALLY ASSIGNED. APPLICATIONS FOR LATERAL TRANSFERS TO ANOTHER REGION OR TO ANOTHER BRANCH WITHIN THE REGION SHALL BE ACTED UPON BY THE SUPREME COURT, WHICH SHALL SISSUE APPOINTMENTS FOR THE PURPOSE, TO A SPECIFIC COURT AND BRANCH, CITY OR MUNICIPALITY. HOWEVER, THE SUPREME COURT MAY ASSIGN TEMPORARILY A MUNICIPAL TRIAL JUDGE TO ANY MUNICIPAL COURT IN ANOTHER REGION OR TO ANOTHER BRANCH WITHIN THE REGION, AS PUBLIC INTEREST MAY REQUIRE, PROVIDED THAT SUCH TEMPORARY ASSIGNEMENT SHALL NOT LAST LONGER THAN SIX (6) MONTHS WITHOUT THE CONSENT OF THE MUNICIPAL TRIAL JUDGE CONCERNED.”

SECTION 4. Section 15 of Republic Act 7154 is hereby amended as follows:

“Sec. 15. The amount necessary to carry out the provision of this Act on priority basis as determined by the Supreme Court is hereby authorized to be included in the appropriations of the Supreme Court in the annual General Appropriations Act of the year following its enactment into law and thereafter: Provided, That, to effectively implement this Act, the Supreme Court is hereby vested with the power to prioritize or to

determine which sala or salas shall be established for a given year: Provided, further, That, for reasons of efficiency, economy and accessibility, the Supreme Court is hereby authorized to transfer a sala from one station[as determined herein,] to another [within the same Judicial Region: Provided, finally, That the Supreme court shall not effect the transfer of a sala oftener than once every three (3) years].”

SECTION 4. *Effectivity Clause.* This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two newspapers of national circulation.

Approved,