

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 2457



Introduced by Congressman Manuel C. Ortega

EXPLANATORY NOTE

The Municipal Trial Court (MTC) of San Fernando, La Union located in the City of San Fernando consists of Branches 1 and 2. Branch 1 has a permanent presiding judge who acts concurrently as Executive Judge; another magistrate has been designated to preside over Branch 2 in an acting capacity.

The Philippines, for better or for worse, has the reputation of having one of the highest population growth rates in the world. Much like that of the rest of the country, the population of the City of San Fernando, the capital of La Union province and the administrative seat of the Ilocos region (Region I), has been on an upward spiral over the past years. As the region's financial, industrial, commercial and educational hub, San Fernando is host not only to a growing number of permanent residents but also to thousands of transient workers and students, as well as visitors come to enjoy La Union's famous beaches and other tourist destinations. While it remains one of the region's most peaceful communities, the population surge has impacted on the caseloads of both the Regional Trial Court (RTC) and Municipal Trial Court (MTC) in the City of San Fernando.

Based on their Monthly Report of Cases for July 2004, the two branches of MTC San Fernando registered caseloads far in excess of their capacity to resolve them within the 90-day time frame set under the Rules of Court. Branch 1 had 602 pending ordinary civil and other cases at the beginning of July alone, another 28 new cases over which it has original jurisdiction filed or raffled. Branch 1 also began July with 523 pending criminal cases to which 22 new cases were filed or raffled. All told, Branch 1 had 590 ordinary civil and other cases and 508 criminal cases pending before it at the end of the month.

Branch 2 opened July with 835 pending ordinary civil and other cases; in the course of the month it received 30 new or re-opened cases for a total of 848 pending cases at month's end. It started July with 688 pending criminal cases plus an additional 26 new cases filed, revived or re-opened, for a total of 705 pending criminal cases.

The figures for July 2004 are reflective of the average caseloads of MTC San Fernando Branches 1 and 2 for the preceding months of 2004 and prior years. To resolve, say 300 cases alone in a month and a half would be asking a branch of that trial court virtually the impossible.

It is instructive to note that under Republic Act No. 7691 amending Batas Pambansa Bilang 129, otherwise known as "The Judiciary Reorganization Act of 1980", the jurisdiction of Metropolitan Trials Courts, Municipal Trial Courts and Municipal Circuit Trial Courts in civil and criminal cases has been expanded. The provisions of RA 7691 further strain the capacity of the Municipal Trial Court of San Fernando to resolve cases brought before it within the 90-day period prescribed by the Rules of Court.

Consistent with the legal maxim that *justice delayed is justice denied*, the early approval of this measure is urgently sought.



MANUEL C. ORTEGA
Representative
First District of La Union

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AN ACT

AMENDING SECTION 30 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980" BY INCREASING THE BRANCHES OF THE MUNICIPAL TRIAL COURT IN SAN FERNANDO, LA UNION

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

1 SECTION 1. Section 30 of Batas Pambansa Bilang 129 is hereby
2 amended to read as follows:

3 "Sec. 30. *Municipal Trial Courts.* - In each of the municipalities that
4 are not comprised within a metropolitan area and a municipal circuit there shall
5 be a Municipal Trial Court which shall have one branch, except as hereunder
6 provided:

7 [Two] FOUR branches for San Fernando, La Union;"

8 Four branches for Tuguegarao;

9 Three branches for Lallo, and two branches for Aparri, both of Cagayan;

10 Two branches for Santiago, Isabela;

11 Two branches each for Malolos, Meycauayan and Bulacan, all of
12 Bulacan province;

1 Four branches for San Fernando and two branches for Guagua, both of
2 Pampanga;

3 Two branches for Tarlac, Tarlac;

4 Two branches for San Pedro, Laguna; and

5 Two branches each for Antipolo and Binagonan, both in Rizal.”

6 SEC. 2. The said additional Municipal Trial Court branches shall be
7 known as “Municipal Trial Court of San Fernando, La Union Branch III and
8 Branch IV, to be located in the City of San Fernando, Province of La Union.

9 SEC. 3. The Chief Justice of the Supreme Court, in coordination with
10 the Secretary of the Department of Justice, shall immediately include in its
11 program and issue such rules and regulations for the operationalization of the
12 Municipal Trial Court of San Fernando, La Union Branches III and IV, the
13 funding of which shall be included in the annual General Appropriations Act.

14 SEC. 4. This Act shall take effect upon its approval.

Approved,