

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 2306

Introduced by Honorable Godofredo V. Arquiza

EXPLANATORY NOTE

This bill seeks to create Five (5) Additional Metropolitan Trial Courts in the City of Makati by increasing the number of Metropolitan Trial Courts from seven (7) to twelve (12), Amending for the purpose Batas Pambansa Blg. 129, otherwise known as the Judiciary Reorganization Act of 1980, Appropriating Funds therefore and for other purposes.

Section 2, Article VIII of the 1987 Constitution states:

"The Congress shall have the power to define, prescribe and apportion the jurisdiction of the various courts but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section 5 hereof. xxx"

The Judicial Department is one of the principal organs of the government whose main task is the administration and dispensation of Justice. No nation can ever attain political, social and economic progress, stability and peace unless it has a Judiciary that is truly independent, effective, efficient and worthy of public trust and confidence. Hence, the Judiciary plays an indispensable role in achieving these ends.

The Makati Metropolitan Trial Courts have only seven (7) branches, namely, Branch 61-67. In the City of Manila, there are thirty (30) branches and in Quezon City there are thirteen (13) branches.

The monthly report of the civil and criminal cases filed in the Metropolitan Trial Court of Makati for this year 2009 shows the following data:

<u>MONTH</u>	<u>CASES RAFFLED</u>
January 2009	404 ;
February 2009	802;
March 2009	631;
April 2009	366;
May 2009	613;
June 2009	755;
July 2009	732;
August 2009	683;
September 2009	501;
October 2009	699;

The above report was submitted by the Clerk of Makati who deemed it necessary to create additional court salas to expedite the dispensation of justice in Makati City considering that the courts have been clogged by numerous cases every month.

Whereas, the **Regional Trial Courts of Makati** comprise thirty (30) courts, (Branch 56 to Branch 66, and Branch 132 to 150), the **Metropolitan Trial Courts of Makati** only have seven (7) branches.

To date, each branch of the Metropolitan Trial Courts has the following number of cases:

MTC Branch:	PENDING CASES:
Branch 61	1,200 cases
Branch 62	917 cases
Branch 63	1,650 cases
Branch 64	1,020 cases
Branch 65	1,374 cases
Branch 66	1,550 cases

Branch 67 1,500 cases

With the number of existing cases pending and the influx of new cases filed, the existing seven (7) Metropolitan Trial courts could not dispense and dispose of the cases quickly, thus resulting in the clogging of dockets in the court.

Moreover, in view of the rise of the filing of criminal cases of violations of Batas Pambansa Blg. 22, which are covered by the Rule on Summary Procedure and fall under the exclusive jurisdiction of the Metropolitan Trial Courts (A.M. No. 00-11-01-SC dated March 25, 2003 by the Supreme Court), and considering the rapid population growth and increase of business establishments and commercial activities in Makati, there is an alarming upsurge in the civil and criminal cases being filed in the existing branches of the Metropolitan Trial Courts.

The Metropolitan Trial Courts of Makati can deliver effectively, efficiently, swiftly and perform better by the creation of additional courts. Makati City deserve an improved quality of life through fast and efficient administration of justice. There is a therefore need to create additional court salas of Metropolitan Trial Courts to expedite the dispensation of objective justice on the concerned litigants.

With the courts properly functioning, national stability in all its spheres and dimensions can be maintained and legal certainty and the rule of law are assured. This Judicial Reform will answer the need to improve the effective and efficient administration of justice which is indispensable for effective governance.

In view of the foregoing considerations, approval of this bill is earnestly sought.


GODOFREDO V. ARQUIZA

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AN ACT CREATING FIVE (5) ADDITIONAL
METROPOLITAN TRIAL COURTS
IN THE CITY OF MAKATI

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

Section 1. **Short Title.** – This Act shall be known as “An Act Creating Five (5) Additional Metropolitan Trial Court Branches in the City of Makati, Amending for the Purpose Section 27 paragraph 10 of Batas Pambansa Blg. 129 otherwise known as the Judiciary Reorganization Act of 1980 as Amended and Appropriating Funds Therefore.”

Section 2. **Declaration of Policy.** – Section 2, Article VIII of the 1987 Constitution states:

“The Congress shall have the power to define, prescribe and apportion the jurisdiction of the various courts but may not deprive the Supreme Court of its jurisdiction over cases enumerated in Section 5 hereof. xxx”

Consonant with these constitutional principle, the following are the Declared Policies of this Act:

(a) to recognize the number of existing cases pending and the influx of new cases filed in the existing seven (7) Metropolitan Trial Courts in Makati City;

(b) to recognize that the seven (7) Metropolitan Trial Courts in Makati could not dispense and dispose of the cases quickly, which results to the clogging of dockets in the court; and

(c) To help reduce and ease the court dockets in the Metropolitan Trial Courts of Makati City;

In accordance with these policies, this Act aims to:

To create five (5) additional Metropolitan Trial Courts in Makati City.

Section 3. **Amending Section 27 of BP 129 to read as follows:**

“Section 27. Metropolitan Trial Courts of National Capital Region.
– There shall be a Metropolitan Trial Court in the National Capital Region, to be known as the Metropolitan Trial Court of Metro Manila, which shall be composed of (Ninety-Seven (97) **ONE-HUNDRED TWO (102)** branches. There shall be:

xxx

Twelve (12) branches (Branches LXI to LXXII) for Makati with seats thereat;

xxx”

Section 4. **Duty of the Supreme Court** – The Supreme Court shall assign five (5) additional branches of the Metropolitan Trial Court in the City of Makati in accordance with this act.

Section 5. **Government Assistance** - The Chief Justice of the Supreme Court, in coordination with the Secretary of the Department of Justice, shall immediately include in the court's

program the operation of the additional five (5) Metropolitan Trial Courts in the City of Makati, the funding of which shall be included in the Annual General Appropriations Act.

Section 6. The Supreme Court shall issue the necessary rules and regulations for the effective implementation of this Act, and if warranted, the realignment of the seats of existing branches and their territorial jurisdictions.

Section 7. **Effectivity.** - This Act shall take effect within fifteen (15) days after publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,


GODOFREDO V. ARQUIZA