

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



FIFTEENTH CONGRESS

Second Regular Session

House Bill No. **5761**

Introduced by: **REPRESENTATIVE JESUS N. SACDALAN**

EXPLANATORY NOTE

The “right to speedy trial” is one of the human rights guaranteed by the Philippine Constitution. Section 16, Article III 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”.

Under the Judiciary Act of 1980, (Batas Pambansa Blg. 129) passed on August 14, 1981 allocated three (3) Regional Courts for the Province of North Cotabato, namely: Branch XVI with seat at Kabacan, Branch XVII with seat at Kidapawan and Branch XVIII with seat at Midsayap.

Twenty seven (27) years after its passage, the one Regional Trial Court in Midsayap, North Cotabato could no longer cope with the voluminous cases filed due to the increasing population. Records in the RTC Clerk of Court showed that as of October 2011, there are 699 pending cases in the RTC, and out of these number, 175 have been pending from 5-10 years and more. Most of these pending cases are criminal cases. There is a dictum in the administration of justice that “justice delayed is justice denied”.

Thus, in order to increase the disposition, improve the administration of justice and to afford and ensure the right of persons affected to a speedy trial, the number of Regional Trial Court must necessarily be increased.

With this end in view, the approval of this bill is earnestly sought.


JESUS N. SACDALAN
First District, North Cotabato

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HOUSE BILL No. **5761**

Introduced by **REPRESENTATIVE JESUS N. SACDALAN**

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE TWELFTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF MIDSAYAP, PROVINCE OF NORTH COTABATO, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980,: AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

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

Section 1. There is hereby created one (1) additional Regional Trial Court branch for the province of North Cotabato with seat at the Municipality of Midsayap;

Section 2. The Supreme Court shall assign the corresponding branch number for this newly created additional Regional Trial Court Branch;

Section 3 . A Regional Trial Judge shall be appointed by the Supreme for this newly created RTC branch;

Section 4. 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 implementation of this Act, and the funding shall be included in the Annual General Appropriations Act;

Section 5. Section 14, (m) of Batas Pambansa Bilang 129, otherwise known as "The Judiciary Reorganization Act of 1980", as amended , as well as other provisions that may be inconsistent with this Act, is hereby deemed repealed, modified and/or amended.

Section 6. *Effectivity.*- This Act shall take effect fifteen (15) days after completion of its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.