

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

Third Regular Session

COMMITTEE REPORT NO. 2537

Submitted by the Committee on Justice and the Committee on Appropriations on
17 DEC 2012

Re: House Bill No. 6767

Recommending its approval in substitution of House Bill No. 5597

Sponsors: Representatives Niel C. Tupas, Jr., Jocelyn S. Limkaichong and
Jorge "Bolet" Banal

Mr. Speaker:

The Committee on Justice and the Committee on Appropriations, to which
was referred House Bill No. 5597, introduced by Representative Jorge "Bolet"
Banal, entitled:

**"AN ACT
CREATING TWENTY-TWO (22) ADDITIONAL BRANCHES OF
THE METROPOLITAN TRIAL COURT IN THE NATIONAL
CAPITAL JUDICIAL REGION FOR QUEZON CITY, WITH SEATS
THEREAT, FURTHER AMENDING FOR THE PURPOSE BATAS
PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE
JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED,
AND APPROPRIATING FUNDS FOR IT"**

have considered the same and recommend that the attached House Bill No.
6767, entitled :

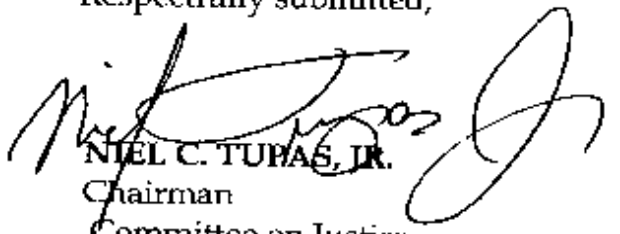
**"AN ACT
CREATING TWENTY-TWO (22) ADDITIONAL BRANCHES OF THE
METROPOLITAN TRIAL COURTS IN THE NATIONAL CAPITAL
JUDICIAL REGION TO BE STATIONED AT QUEZON CITY,
FURTHER AMENDING FOR THE PURPOSE SECTION 27 OF BATAS
PAMBANSA BILANG 129, OTHERWISE KNOWN AS "THE
JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND
APPROPRIATING FUNDS THEREFOR"**

be approved in substitution of House Bill No. 5597, with Representatives Jorge "Bolet" Banal, Niel C. Tupas, Jr., and Jocelyn S. Limkaichong, as authors thereof.



JOCELYN S. LIMKAICHONG
Chairperson
Committee on Appropriations

Respectfully submitted,



NIEL C. TUPAS, JR.
Chairman
Committee on Justice

The Honorable
The Speaker
House of Representatives
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

Third Regular Session

HOUSE BILL NO. 6767

Introduced by Representatives Jorge "Bolet" Banal, Niel C. Tupas, Jr., and
Jocelyn S. Limkaichong

AN ACT

CREATING TWENTY-TWO (22) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURTS IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED AT QUEZON CITY, FURTHER AMENDING FOR THE PURPOSE SECTION 27 OF 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:

1 SECTION 1. Twenty-two (22) additional Metropolitan Trial Court
2 branches for Quezon City, with seats thereat, are hereby created in the
3 National Capital Judicial Region.

4 The Supreme Court shall assign the respective branch numbers for the
5 newly-created branches of Metropolitan Trial Courts in the National Capital
6 Judicial Region.

7 SEC. 2. The Chief Justice of the Supreme Court, in coordination with
8 the Secretary of the Department of Justice, shall immediately include in the
9 Court's program the operationalization of twenty-two additional branches of
10 the Metropolitan Trial Court in Quezon City, the funding of which shall be
11 included in the Annual General Appropriations Act.

1 SEC. 3. Section 27 of Batas Pambansa Bilang 129, otherwise known as
2 "The Judiciary Reorganization Act of 1980" as amended, and all other laws,
3 rules and regulations which are inconsistent with this Act are hereby
4 amended, repealed or modified accordingly.

5 SEC. 4. This Act shall take effect fifteen (15) days after its complete
6 publication in the Official Gazette or in two (2) newspapers of general
7 circulation.

8 Approved,

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
Second Regular Session**

HOUSE BILL NO. 5597

INTRODUCED BY: REP. JORGE "BOLET" BANAL

EXPLANATORY NOTE

It was in 1980 when the Judiciary Reorganization Act (Batas Pambansa Bilang 129) was enacted for the purpose of establishing the number of courts for each judicial region. The basis was the exigencies existing at that time.

Section 14 of BP 129 provides that there shall be a Metropolitan Trial Court (MeTC) in the National Capital Region composed of 82 branches, with 13 branches (Branches XXXI to XLIII) for Quezon City. After 31 years, however, it is apparent that this allocation of seats is no longer efficient. Population has grown considerably and the number of caseloads per branch is beyond manageable. Meanwhile, litigants are forced to face delays in the resolution of their cases.

Thus, there is a need to create additional MeTC branches in order give life to the constitutional guarantee of speedy trial, ensure that judges are able to promptly resolve cases, and improve the administration of justice for the benefit of litigants as well as the general public.

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



REP. JORGE "BOLET" B. BANAL
Third District, Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5597

INTRODUCED BY: REP. JORGE "BOLET" BANAL

AN ACT CREATING TWENTY-TWO (22) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION FOR QUEZON CITY, WITH SEATS THEREAT, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980," AS AMENDED, AND APPROPRIATING FUNDS FOR IT

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

Section 1. Twenty-two (22) additional Metropolitan Trial Court branches for Quezon City, with seats thereat, are hereby created in the National Capital Judicial Region.

Section 2. The Supreme Court shall assign the respective branch numbers for the newly created branches.

Section 3. The Chief Justice of the Supreme Court, in coordination with the Secretary of the Department of Justice, shall include in the Court's program the implementation of this Act, the funding for which shall be included in the annual General Appropriations Act.

Section 4. Section 27 of Batas Pambansa Bilang 129, otherwise known as "The Judiciary Reorganization Act of 1980," as amended, as well as other provisions of BP 128 that may be inconsistent with this Act is hereby deemed amended or repealed accordingly.

Section 5. This Act shall take effect fifteen days (15) upon its publication in two (2) newspapers of general circulation.

Approved,

MINUTES OF THE MEETING OF THE COMMITTEE ON JUSTICE HELD ON 14 AUGUST 2012 AT CONFERENCE ROOM NOS. 9 & 10, R.V. MITRA BLDG, HOUSE OF REPRESENTATIVES, QUEZON CITY

INVITED GUESTS / RESOURCE PERSONS:

DEPUTY COURT ADMINISTRATOR ANTONIO EUGENIO, JR. – OFFICE OF THE COURT ADMINISTRATOR, SUPREME COURT (OCA-SC)
 P/C SUPT. CHRISTOPHER LAXA – PHILIPPINE NATIONAL POLICE (PNP)
 ATTY. ARNALDO DIZON – PRESIDENT, INTEGRATED BAR OF THE PHILIPPINES – TARLAC
 MR. JOHN MANALASTAS – ASSISTANT VICE PRESIDENT, NEWS PRODUCTION – GMA 7
 ATTY. ROY IBAY – SMART/SUN CELLULAR
 ATTY. MICHAEL URETA – PLDT
 ATTY. ALEXANDER GOZON – GLOBE TELECOM

I. Call to Order:

Hon. Niel C. Tupas, Jr., Chairman of the Committee on Justice, called the meeting to order at 10:00 am.

II. Roll Call:

Upon the duly seconded motion of Hon. Lucy Gomez, the roll call was dispensed with.

III. Preliminary Remarks:

After acknowledging the presence of some House members in the meeting, Hon. Tupas informed the body that the first part of the meeting's agenda will deal with House Bills on the Creation of Court Salas and those proposing an Anti-Stalking Act. Thereafter, he said the Justice Committee will adjourn and reconvene to meet in a joint meeting with the Committee on Government Reorganization to deliberate on the measures regarding the Office of the Government Corporate Counsel (OGCC).

IV. Deliberation Proper:

A. Creation of Additional Court Salas:

The following measures seek to create additional court salas, to wit:

- HB No. 182 re: 2 RTC / 2 MTC (San Jose City, Nueva Ecija) by Rep. J. Violago
- HB No. 183 re: 2 RTC (Science City of Muñoz and Rizal - Nueva Ecija)
by Rep. J. Violago
- HB No. 750 re: 1 RTC (San Jose Del Monte City, Bulacan) by Rep. A. Robes
- HB No. 899 re: 1 RTC (Danao City, Cebu) by Rep. R. Durano
- HB No. 1422 re: 1MTC (Sto. Tomas, Davao del Norte) by Rep. A. Lagdameo
- HB No. 1423 re: 1 RTC (Island Garden City of Samal, Davao del Norte)
by Rep. A. Lagdameo
- HB No. 1906 re: 1 RTC (Tagoloan, Misamis Oriental) by Rep. Y. Emano
- HB No. 4968 re: 1 RTC (Meycauayan, Bulacan) by Rep. L. Villarica
- HB No. 5341 re: 3 RTC (Malaybalay and Valencia, Bukidnon) by Rep. F. Flores
- HB No. 5535 re: 2 RTC (Lucena City, Quezon) by Rep. I. Alcala
- HB No. 5583 re: 1 RTC (Ormoc City, Leyte) by Rep. L. Gomez
- HB No. 5597 re: 22 MTC (Quezon City, Metro Manila) by Rep. J. Banal
- HB No. 5837 re: 14 RTC & 7 MTC (Tarlac City, Paniqui, Capas, Camiling, Concepcion, Victoria-La Paz, Sta. Ignacio-San Clemente, Moncada & Gerona - Tarlac) by Reps. E. Cojuangco and S. Yap

Upon observing that many of the authors were not present to sponsor their respective measures, the Chair nonetheless said that he will relax the Committee's policy that only those bills, whose

authors are present, will be taken up since this meeting was the first after the impeachment hearings. He requested Justice Antonio Eugenio, Jr., Deputy Court Administrator of the Supreme Court, to comment on the proposals for the creation of additional court salas.

The Deputy Court Administrator said that legislative measures seeking to create new courts are always welcome and added that the basis of the number of court salas proposed to be created was the recommendation of the Office of the Court Administrator (OCA). Asked by the Chair if the proposal under House Bill No. 5597, authored by Hon. Jorge Banal, for the creation of 22 additional Municipal Trial Court (MTC) branches was recommended by the OCA, Justice Eugenio answered in the affirmative.

Meanwhile, Hon. Susan Yap, one of the authors of HB No. 5837, gave her sponsorship speech where she emphasized the urgent need to create additional court salas in her area because of the huge backlog of cases in the courts' docket. Her statement was backed up by Mr. Arnaldo Dixon, President of the Integrated Bar of the Philippines (IBP) -Tarlac, who said that upon coordination with the judges of Tarlac, there is a backlog of 6,000 cases still pending in the courts.

Upon hearing this, Justice Eugenio commented that the ideal caseload target is 300 cases for the RTCs and 500 cases for the MTCs. Given the huge number of cases in the Tarlac courts, he said the creation of new courts is imperative.

For her part, Hon. Gomez, author of HB No. 5583, said that her bill seeks the creation of an additional RTC branch in Ormoc, Leyte in order to decongest the dockets of the 2 existing RTC branches. She stressed that these 2 branches, Branch 12 and Branch 235, have a caseload of 774 and 769 cases, respectively.

Similarly, Hon. Linabelle Ruth Villarica, author of HB No. 4968, proposed for the creation of an additional RTC branch in Meycauayan, Bulacan citing the 12,330 cases pending in the courts' dockets as the basis for such proposal. She added that while the seat of the proposed new branch will be in Meycauayan, the court will service the judicial needs of 4 other towns in Bulacan.

After the 3 authors made their sponsorship speeches and responded to some queries, Hon. Gomez moved for the omnibus approval of all the bills proposing for the creation of additional court salas which was duly seconded by Hon. David Kho. The motion was carried.

Hon. Yap manifested that an amendment be made in her bill, providing for 1 RTC branch each for Capas and Concepcion, Tarlac.

In reply to the inquiry of Hon. Villarica regarding the budget for the creation of the new court salas, the Chair explained the process involved in considering the funding provisions of bills proposing the same. He however emphasized that usually, it is up to the bill's author to follow up the funding but added that there are sufficient funds for the creation of necessary court salas. He also added that in similar bills approved by the Senate earlier on, the upper chamber introduced an amendment to the funding provision of court sala bills which provides that "funds necessary for the operation of the newly-created court shall be appropriated and released only upon the actual organization of the court and appointment of its personnel."

B. Anti – Stalking Act:

The Committee next deliberated on HB Nos. 3367, 5099 and 6114 respectively authored by Hons. Salvador Escudero III, Diosdado Arroyo and Irwin Tieng, proposing an Anti – Stalking Act.

Before giving the floor to Hon. Tieng, the Chair reminded the guests and resource persons to attend the Committee's meetings when invited to, otherwise, a subpoena may be issued to compel their attendance to the meeting. The Chair gave this stern reminder after he was informed that there was no representative from the National Bureau of Investigation (NBI) to attend the meeting despite being sent an invitation.

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For his part Hon. Tieng manifested that his bill's explanatory note will serve as his sponsorship speech and added that he is open to any amendments that the Committee may propose for his measure.

Citing the Anti-Stalking laws of the United States, the Chair mentioned that the enactment of said laws in that country were fairly recent and was brought about as a result of the death of a celebrity, Rebecca Schaeffer, who was stalked and killed by her assailant. In the Philippines, however, he said there is yet no law on stalking and only a civil action for damages under Article 26 of the Civil Code is what is applicable in the country.

The Chair asked Hon. Tieng if his bill will apply to media men who may, through a series of acts such as repeated texting, e-mails, phone calls, cause emotional stress to the person they are covering. In response, Hon. Tieng said if the court finds that the series of acts cause untoward stress on the person, then the court may issue a protection order against them.

Asked for his comments, Deputy Court Administrator Eugenio opined that if the stalking undertaken by the media is legitimate, will the bill not contravene freedom of the press? A similar sentiment was expressed by Atty. Alexander Gozon of Globe who said the measure may be construed as a restraint on the freedom of expression.

Admitting that they perform the acts mentioned by the Chair, Mr. John Manalastas, assistant vice president of GMA 7's news production, nonetheless asked if the work of media men can be an exception. The Chair assured him in such a case, the rights of media practitioners will be protected.

Atty. Roy Ibay of Smart/Sun Cellular said that they are only responsible for the sending and receiving of the message and do not have any part in the content which passes through the system.

Meanwhile, P/C. Supt. Christopher Laxa of the Philippine National Police expressed the agency's support for the measure and informed the body that they filed cases similar to stalking but were only classified as unjust vexation. He added that the PNP had also entertained 10 cases of cyberstalking.

After the discussions, Hon. David Kho made a motion for the approval of the measures and for the creation of a technical working group that will consolidate the 3 bills. The motion was carried and the Chair announced that the bills were approved in principle, subject to amendment and consolidation by a technical working group to be composed of the authors of the 3 bills, Hon. Kho, representatives of the DOJ, PNP, NBI, and the media sector.

V. Adjournment:

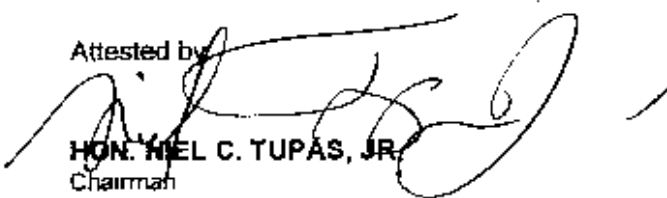
The meeting was adjourned at 11.00 am.

Prepared by:


ATTY. NARCISA H. GUEVARRA

Committee Secretary
Committee on Justice

Attested by:


HON. NIEL C. TUPAS, JR.

Chairman
Committee on Justice