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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1644

Introduced by Honorable Nicasio M. Aliping, Jr.

EXPLANATORY NOTE

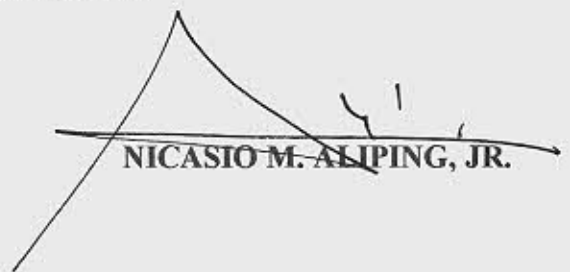
In the Court of Appeals, appealed cases and original actions coming from the First to the Fifth Judicial Regions and the National Capital Region are heard and decided by the first seventeen divisions. Sessions are held in the City of Manila where the divisions are permanently stationed.

This setup places litigants from northern Luzon at a disadvantage in terms of distance and ease of access compared to litigants from the National Capital Region and from the nearby regions in central and southern Luzon. It is inconvenient, more expensive and less expedient for litigants from up north in Luzon to file or follow-up their appeals or original actions down south in Manila.

Summer sessions are however held by the Court of Appeals in the City of Baguio. Sessions are held in Baguio City by at least one division of the Court for a week every month and by not more than seven divisions on rotation basis during the summer months. Even then, the sessions in Baguio City are held only periodically.

This bill seeks to create a division in the Court of Appeals with permanent station in Baguio City to bring the Court closer to and make it more accessible to litigants from northern Luzon, particularly those from the First Judicial Region.

Approval of this bill is therefore recommended.


NICASIO M. ALIPING, JR.

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HOUSE BILL NO. 1644

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AN ACT
CREATING AN ADDITIONAL DIVISION IN THE COURT OF
APPEALS FOR CASES COMING FROM THE FIRST JUDICIAL
REGION, INCREASING THE NUMBER OF COURT OF APPEALS
JUSTICES FROM SIXTY-NINE (69) TO SEVENTY-TWO (72),
AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, AS
AMENDED, OTHERWISE KNOWN AS THE JUCIARY
REORGANIZATION ACT OF 1980, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Section 3, Chapter I of Batas Pambansa Bilang 129, as amended, is
hereby further amended to read, as follows:

“SEC. 3. *Organization.* – There is hereby created a Court of Appeals
which shall consist of a Presiding Justice and **seventy-one (71)** Associate
Justices who shall be appointed by the President of the Philippines. The
Presiding Justice shall be so designated in his appointment, and the Associate
Justices shall have precedence according to the dates of their respective
appointments, or when the appointments of two or more of them shall bear the
same date, according to the order in which their appointments were issued by
the President. Any member who is reappointed to the Court after rendering
service in any other position in the government shall retain the precedence to
which he was entitled under his original appointment, and his service in the
Court shall, for all intents and purposes, be considered as continuous and
uninterrupted.”

SEC. 2. Section 4, Chapter I of Batas Pambansa Bilang 129, as amended, is hereby further amended to read, as follows:

“SEC. 4. *Exercise of Powers and Functions.* – The Court of Appeals shall exercise its powers, functions, and duties through **twenty-four (24)** divisions, each composed of three (3) members. The Court may sit *en banc* for the purpose of exercising administrative, ceremonial or other non-adjudicatory functions.”

SEC. 3. Section 10, Chapter I of Batas Pambansa Bilang 129, as amended, is hereby further amended to read, as follows:

“SEC. 10. *Place of Holding Sessions.* – The Court of Appeals shall have its permanent stations as follows: The first seventeen (17) divisions shall be stationed in the City of Manila for cases coming from the **National Capital Judicial Region and the Second, Third, Fourth and Fifth Judicial Regions**; the Eighteenth, Nineteenth, and Twentieth Divisions shall be in Cebu City for cases coming from the Sixth, Seventh and Eighth Judicial Regions; the Twenty-first, Twenty-second and Twenty-third Divisions shall be in Cagayan de Oro City for cases coming from the Ninth, Tenth, Eleventh and Twelfth Judicial Regions; **the Twenty-fourth Division shall be in Baguio City for cases coming from the First Judicial Region.** Whenever demanded by public interest, or whenever justified by an increase in case load, the Supreme Court, upon its own initiative or upon recommendation of the Presiding Justice of the Court of Appeals, may authorize any division of the Court to hold sessions periodically, or for such periods and at such places as the Supreme Court may determine, for the purpose of hearing and deciding cases. Trials or hearings in the Court of Appeals must be continuous and must be completed within three (3) months unless extended by the Chief Justice of the Supreme Court.”

SEC. 4. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 5. Upon the effectivity of this Act, all pending cases, except those which have been submitted for resolution, shall be referred to the proper division of the Court of Appeals.

SEC. 6. Nothing in this Act shall be construed to allow the transfer, except in cases of temporary assignment, of any member of the Court of Appeals to any place or station without

his or her written consent, or to determine the security of tenure of its members as provided in the Constitution, or alter the seniority in said Court in accordance with existing laws.

SEC. 7. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 8. *Repealing Clause.* – All laws, presidential decrees, letters of instruction, executive orders, rules and regulations, or any part thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,