

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

Sixteenth Congress
First Regular Session

House Bill No. 2186



Introduced by Honorable Roy M. Loyola

EXPLANATORY NOTE

This bill seeks to create separate municipal trial courts for the municipalities of Carmona and General Mariano Alvarez (GMA), both in the province of Cavite.

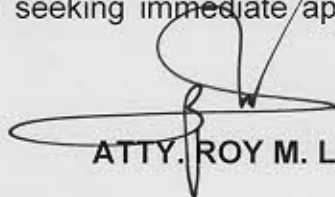
At present, it is the 5th Municipal Circuit Trial Court of Carmona-General Mariano Alvarez, Cavite sitting in Carmona, Cavite which has jurisdiction over case emanating from the municipalities of Carmona and GMA.

No less than our Constitution provides that "free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty" and "all persons shall have the right to speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies. (Article III, Section 11 and 16, The 1987 Constitution of the Philippines).

According to the 2010 Census, the municipality of GMA, Cavite has an estimated population of 138,540. On the other hand, the municipality of Carmona, Cavite has an estimated population of 74,896. On top of the ever increasing population, the municipality of Carmona, Cavite is host to thousands of employees working in more than 200 factories located in 8 industrial complexes. As a result, there is a sudden increase in the number of cases filed in the said court.

Another point to consider is distance of the existing 5th Municipal Circuit Trial Court of Carmona-GMA sitting in Carmona, Cavite from municipality of GMA. Compounding the woes of resident-litigants from GMA are their limited financial resources. Many of these litigants have no means of transportation or money to pay for public transport. It is a great burden for them to go to Carmona. In many cases, they no longer seek redress of their grievances in court and just take the injustice they suffered in silence. In effect, they are being denied access to our courts by reason of their poverty.

In order to ensure and safeguard our constituents in Carmona and GMA, Cavite their constitutional rights to free access to courts and speedy disposition of their cases, I earnestly urge my esteemed colleagues in the House of Representatives to join me in seeking immediate approval of this Bill.

A handwritten signature in black ink, appearing to be 'Roy M. Loyola', written over a horizontal line.

ATTY. ROY M. LOYOLA

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AN ACT CREATING SEPARATE MUNICIPAL TRIAL COURTS FOR THE MUNICIPALITIES OF CARMONA AND GENERAL MARIANO ALVAREZ, BOTH IN THE PROVINCE OF CAVITE, ABOLISHING THEREBY THE EXISTING 5th MUNICIPAL CIRCUIT TRIAL COURT OF CARMONA-GENERAL MARIANO ALVAREZ, CAVITE, AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980"

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

SECTION 1. The 5th Municipal Circuit Trial Court of Carmona-General Mariano Alvarez, Cavite sitting in Carmona, Cavite is hereby abolished. In its place, there shall be created separate municipal trial courts for the municipalities of Carmona and General Mariano Alvarez, both in the province of Cavite.

SECTION 2. All cases pending in the 5th Municipal Circuit Trial Court of Carmona-General Mariano Alvarez, Cavite shall be transferred to the proper municipal trial court created herein and shall be tried and decided therein.

SECTION 3. The Chief Justice is hereby authorized to create new and additional positions, to make changes in assignments of personnel, and to effect such reorganization as may be necessary to fully implement this Act. Provided, the same shall not undermine the security of tenure of the incumbent judge and personnel of the 5th Municipal Circuit Trial Court of Carmona-General Mariano Alvarez.

SECTION 4. The Chief Justice of the Supreme Court, in coordination with the Secretary of the Department of Justice, shall immediately include the funds necessary to fully operationalize the courts created by this Act in the annual General Appropriations Act.

SECTION 5. Batas Pambansa Bilang No. 129, otherwise known as "The Judiciary Act of 1980" as amended and all other laws, rules and regulations which are inconsistent herewith are hereby amended, repealed, and/or modified accordingly.

SECTION 6. 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,