

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4260



Introduced by **HON. RONALD M. COSALAN**

EXPLANATORY NOTE

This bill seeks to amend Sections 3, 4 and 10 of Judiciary Reorganization Act of 1980 (Batas Pambansa Blg. 129, as amended), by creating two (2) additional divisions of the Court of Appeals, which is proposed to be permanently stationed in Baguio City. The existing twenty-three (23) divisions of the Court of Appeals shall continue to be stationed in Manila, Cebu City and Cagayan De Oro City.

The additional divisions are proposed to be authorized to hear and decide cases originating from the First (consisting of the provinces of Abra, Benguet, Ilocos Norte, Ilocos Sur, La Union, Mountain Province, Pangasinan, and the cities of Baguio, Dagupan, Laoag and San Carlos) and Second Judicial Regions (consisting of the provinces of Batanes, Ifugao, Kalinga-Apayao, Nueva Vizcaya and Quirino).

The creation of two additional divisions aims to provide convenience and expediency to court litigants and the general public who are otherwise forced to go to Manila to follow up their cases. It further aims to lessen expenditures on the part of the Government, since transporting volumes of records from the different trial courts in the north to Manila entails a large amount of the budget for the Judiciary. Transmitting documents to Manila can only cause delay in the disposition of cases, which eventually aggravates anxiety on the part of court litigants. Likewise, the bill also seeks to increase the number of Associate Justices of the Court of Appeals from sixty-nine (69) to seventy-five (75). The increase in the number of justices will promote speedier administration of justice and help unclog the court dockets of cases pending before them.

In view of the foregoing, approval of this bill is highly recommended.


HON. RONALD M. COSALAN
Representative
Lone District, Benguet Province (CAR)

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Introduced by HON. RONALD M. COSALAN

AN ACT CREATING TWO ADDITIONAL DIVISIONS IN THE COURT OF APPEALS IN BAGUIO CITY, INCREASING THE NUMBER OF COURT OF APPEALS ASSOCIATE JUSTICES TO SEVENTY-FIVE (75), AMENDING FOR THE PURPOSE THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED AND APPROPRIATING FUNDS THEREFOR.

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

SECTION 1. Section 3, Chapter 1 of Batas Pambansa Blg. 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-FOUR (74) 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."

SECTION 2. Section 4 of Batas Pambansa Blg. 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-FIVE (25) [twenty-three (23)] divisions, each composed of three (3) members. The Court may sit *en banc* for the

purpose of exercising administrative, ceremonial or other nonadjudicatory functions."

SECTION 3. Section 10 of Batas Pambansa Blg. 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 THIRD to the Fifth [First to Fifth] Judicial Regions; THE EIGHTEENTH AND NINETEENTH DIVISIONS SHALL BE IN BAGUIO CITY FOR CASES COMING FROM THE FIRST AND SECOND JUDICIAL REGIONS; the Twentieth, Twenty-first and Twenty-second [Eighteenth, Nineteenth, and Twentieth] divisions shall be in Cebu City for cases coming from the Sixth, Seventh and Eighth Judicial Regions; the Twenty-third, Twenty-fourth and Twenty-fifth [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. 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."

SECTION 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.

SECTION 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.

SECTION 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 undermine the security of tenure of its members as provided in the Constitution, or alter the seniority in said Court in accordance with existing laws.

SECTION 7. 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.

SECTION 8. *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.

SECTION 9. *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.

SECTION 10. *Effectivity*-- This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,