



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



Sixteenth Congress
Second Regular Session

HOUSE BILL NO. 4862

Introduced by Honorable Peter "Sr. Pedro" M. Unabia

EXPLANATORY NOTE

This bill seeks to establish one additional branch of the Regional Trial Court (RTC) to be designated by the Supreme Court as additional special drug court in Cagayan de Oro City.

Section 2 of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002," declares in part that *"It is the policy of the State to safeguard the integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation. xxx"*

Further, Section 90 of the same Act provides:

"Section 90. Jurisdiction. – The Supreme Court shall designate special courts from among the existing Regional Trial Courts in each judicial region to exclusively try and hear cases involving violation of this Act. The number of courts designated in each judicial region shall be based on the population and the number of cases pending in their respective jurisdiction.

xxx

xxx

xxx"

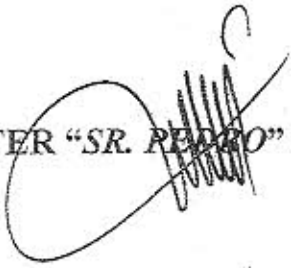
Presently, Cagayan de Oro City has fourteen branches of Regional Trial Courts, two of which are designated as special drug courts, three are for special family courts and nine courts for other civil, criminal and special proceedings cases. In 2013, the cases filed in the Regional Trial Court of Cagayan de Oro City are as follows: 521- drug related cases, 723 cases for family courts and 1,639 cases for all other regular courts.

With the continuous deluge of cases in the two existing drug courts, the disposition of court cases in Cagayan de Oro City has become very slow. Thus, the administration of justice, being one of the primordial concerns and functions of the government is oftentimes compromised. The backlog of cases has caused concern not only for the members of the bar but also for the people of the city. It would be a denial of due process to let the present situation continue.

The passage of this bill is necessary to provide impetus to Section 16 of Article II (*Bill of Rights*) of the Constitution which declares that, "*All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial or administrative bodies.*"

The court should serve the best interest of the public and respond to the growing demands for the immediate resolution of the cases which presently clog the dockets and slow down the dispensation of justice in Cagayan de Oro City. Hence, the creation of an additional branch of the Regional Trial Court in the Tenth Judicial Region to be designated as a special drug court is of utmost importance not only for the people of Cagayan de Oro City but for the whole Province of Misamis Oriental.

In view of the foregoing considerations and in order to immediately stop one of today's most serious ills that destroy so many lives and continuously wreck so many families, approval of this bill is earnestly recommended.



PETER "SR. PEDRO" M. UNABIA



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HOUSE BILL NO. 4862

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AN ACT

CREATING ONE (1) ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE TENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF CAGAYAN DE ORO, PROVINCE OF MISAMIS ORIENTAL, FURTHER AMENDING FOR THE PURPOSE *BATAS PAMBANSA BLG. 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. One (1) additional Regional Trial Court branch for Cagayan de Oro City, Misamis Oriental, with seat thereat, is hereby created in the Tenth Judicial Region.

SEC. 2. The Supreme Court shall assign the branch number for the newly created branch.

SEC. 3. The Chief Justice of the Supreme Court, in coordination with the Secretary of Justice, shall immediately include in the Court's program the

implementation of this Act. The funding shall likewise be included in the General Appropriations Act. The funds necessary for the operation of the court herein created shall be appropriated and released only upon the actual organization of the court and the appointment of its personnel.

SEC. 4. Section 14 (k) of Batas Pambansa Blg. 129, otherwise known as the "*Judiciary Reorganization Act of 1980*" as amended, as well as other provisions that may be inconsistent herewith, are hereby deemed repealed, modified or further amended.

SEC. 5. This Act shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation.

Approved,