

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

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 5266



Introduced by Honorable Lucy Torres Gomez

EXPLANATORY NOTE

To date, there exists one branch of the Municipal Trial Court in Cities (MTCC) in Ormoc City, Leyte Province. This lone branch of the MTCC exercises jurisdiction over the city of Ormoc (with a population of 215,031 – 2014 data). The average monthly docket of the said MTCC is close to 600 cases, within the period of January 2016 to January 2017. However, this caseload is expected to increase on account of existing factors, namely:

- A. Increase in population as well as in socio-economic activities due to the surge of new business establishments and employment opportunities in Ormoc City; and
- B. The increase of the threshold amount under The Revised Rules of Procedure for Small Claims Cases would encourage the public to file cases due to cost-saving measures embodied by the provisions of the said rules; and
- C. Full implementation and enforcement of national laws, executive orders issued by the President of the Philippines, and city ordinances

On another point, the addition of another city court would expedite the disposition of inhibited cases of MTCC Ormoc City. At present, inhibited cases are assigned to pairing circuit court judges whose actual court stations are located at municipalities outside of Ormoc City. Apart from the cases in the dockets of their respective courts, said pairing judges have to contend with the inhibited cases. Such state of affairs had led to the delay in the disposition of the inhibited cases.

The 1987 Philippine Constitution guarantees that "All persons shall have the right to a speedy disposition of their cases before all

judicial, quasi-judicial, or administrative bodies" (Sec. 16, Art. III). But with clogging of the court dockets, this constitutional right tend to become more illusory than real. The continuing judicial reforms being implemented by the Supreme Court, although very laudable, could only achieve so much by way of speedy dispute resolution in the face of so many vacant salas, and worse, lack of courts especially in places where they are much needed.

For said reasons, this measure is being filed and its immediate approval is earnestly sought.



LUCY TORRES GOMEZ

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

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 5266

Introduced by Honorable Lucy Torres Gomez

AN ACT
CREATING ONE (1) ADDITIONAL BRANCH OF THE
MUNICIPAL TRIAL COURT IN CITIES (MTCC) IN THE CITY
OF ORMOC, PROVINCE OF LEYTE, AMENDING FOR THE
PURPOSE SECTION 29 OF 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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 29 of Batas Pambansa Blg. 129, otherwise known as “The Judiciary Reorganization Act of 1980”, as amended, is hereby further amended to read as follows:

“SEC. 29. Municipal Trial Court in Cities.

- In every city which does not form part of a metropolitan area, there shall be a Municipal Trial Court with one branch except as hereunder provided:

x x x

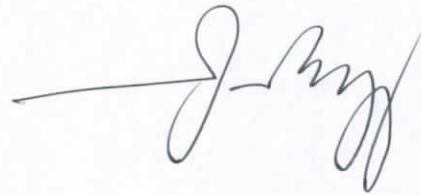
Two branches for the City of Ormoc. Leyte;

x x x.”

SEC. 2. The Chief Justice of the Supreme Court, in coordination with the Secretary of the Department of Justice, shall immediately include in the court's program the operationalization of two branches of the MTCC in the City of Ormoc, Province of Leyte, the funding of which shall be included in the annual General Appropriations Act.

SEC. 3. This Act shall take effect fifteen (15) days after completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

A handwritten signature in black ink, appearing to be "J. M. ...", is written on the right side of the page.