

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4033



Introduced by the Honorable ANIELA BIANCA D. TOLENTINO

EXPLANATORY NOTE

Our country has gone a long way since there was a law increasing the number of Court of Appeals Justices, it was back in 1996. There has been a lot of development in the Philippines since 1996. This representation believes that development should be holistic, it should cover all fronts, including dispute resolution and dispensation of justice.

The economic progress, increase in population, and growth of businesses that the country has experienced for the past years brought the need for a faster disposition of judicial cases, especially in the appellate level. Efficiency in the criminal justice system, public order and safety, and the proper interpretation and implementation of our laws, are all dependent on the fast and efficient performance of courts of justice.

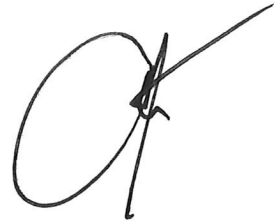
As such, this representation finds it necessary that additional Justices and Divisions of the Court of Appeals be created so that the disposition of cases on the appellate level will be faster.

It should be noted that there are already several laws that have been passed, which increased the number of regional and municipal trial courts. The passage of a law increasing the number of Court of Appeals Justices will complement the increase in number of lower courts. Further, the increase in number of Court of Appeals Justices will complement the economic growth that the Philippines is experiencing.

Further, this proposed legislation will put Court of Appeals stations in Vigan City and Davao City, key areas in the north and south of the Philippines. These locations will make it easier for litigants to appeal their cases, without the need of going to other jurisdictions, far from their homes.

The lack of a sufficient number of appellate courts causes the delay in the resolution of cases. Increasing the number of Court of Appeals of Justices will definitely help in the swift administration of justice in the country.

For the Filipino people, approval of the bill is earnestly sought.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a vertical line and a diagonal stroke.

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**AN ACT CREATING ADDITIONAL DIVISIONS IN THE COURT OF APPEALS,
INCREASING THE NUMBER OF COURT OF APPEALS JUSTICES FROM
SIXTY-NINE (69) TO SEVENTY-EIGHT (78), AMENDING FOR THE PURPOSE
BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS
THE JUDICIARY REORGANIZATION ACT OF 1980, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and 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-seven (77) 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 another 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-six (26) 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.

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 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 and Tenth Judicial Regions; the Twenty-fourth Division shall be in Vigan City for cases coming from the First and Second Judicial Regions; Twenty-fifth and Twenty-sixth Divisions shall be in Davao City for cases coming from the 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 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 a part thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 10. Effectivity. – This Act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.