

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

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 7895



Introduced by Representatives PAOLO Z. DUTERTE

EXPLANATORY NOTE

The country is relatively behind in terms of its justice system despite its constitutional mandate to guarantee its citizen's speedy disposition of cases before any judicial, quasi-judicial or administrative bodies. A number of initiatives have been made to declog court dockets, the most recent of which is Republic Act No. 11576 or the *Judiciary Reorganization Act of 2021* which expanded the jurisdiction of first-level courts in hopes to eventually declog second-level courts, particularly the Regional Trial Courts.

Despite the said initiatives, the Court of Appeals' court dockets remained unattended, wherein its number of divisions in the country remain to be three (3), namely, in Manila City, Cebu City, and Cagayan de Oro City. The said number of divisions is notwithstanding the unchanging jurisdiction of the said court – appellate jurisdiction on all cases not falling within the original and exclusive jurisdiction of the Supreme Court—as the Batas Pambansa Bilang 129 or the *Judicial Reorganization Act of 1980* remains operative.

Given that a multitude of cases are still brought to the Court of Appeals, access to the said courts becomes another pertinent issue. Only one (1) division is allocated in each island group of Luzon, Visayas, and Mindanao. Hence, in pursuit of increasing access to the said courts and declogging court dockets of the Court of Appeals' divisions, this bill seeks to establish another Court of Appeals division in Mindanao, to be stationed in the City of Davao. The said proposed measure also grants the appointment and streamlines the salaries, allowances and other emoluments of the Court of Appeals Justices to be assigned in the said division.


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AN ACT
CREATING AN ADDITIONAL DIVISION OF COURT OF APPEALS TO BE
STATIONED IN THE CITY OF DAVAO, AMENDING FOR THE PURPOSE
BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS
THE JUDICIAL 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. *Creation of Court of Appeals in the City of Davao.* – A division of Court of Appeals is hereby created in the City of Davao, to be known as the Court of Appeals in Davao City, with jurisdiction over cases originating from the eleventh (11th) and twelfth (12th) Judicial Regions.

SEC. 2. *Composition.* – The Court of Appeals in Davao City shall compose of three (3) members, who shall be appointed by the President of the Philippines upon the recommendation of the Judicial and Bar Council.

SEC. 3. *Qualifications.* – The Justices of the Court of Appeals in Davao City shall be natural-born citizens of the Philippines and shall possess the same qualifications as those required of the Justices of the Court of Appeals under the existing laws.

SEC. 4. *Salaries and Allowances.* – The Presiding Justice and Associate Justices of the Court of Appeals in Davao City shall receive the same salaries, allowances, and other emoluments as those of the Justices of the Court of Appeals.

SEC. 5. *Jurisdiction.* – The Davao City Court of Appeals shall have the appellate jurisdiction over all the cases and appeals from the eleventh (11th) and twelfth (12th) Judicial Regions.

SEC. 6. *Venue of Sessions.* – The Court of Appeals in Davao City shall hold its sessions in the City of Davao, except in cases of force majeure or other emergency situations, where it may hold sessions in any other place within its jurisdiction.

SEC. 7. *Appropriations.* – The funds necessary for the operation of the Court of Appeals in Davao City is hereby authorized to be included in the the General Appropriations Act for the year following the approval of this Act. Thereafter, the amount necessary for the continuous operations of the said Court of Appeals' division shall be included in the annual appropriations.

SEC. 8. *Transitory Provisions.* – The Justices of the Court of Appeals in Davao City shall be appointed by the President of the Philippines within ninety (90) days from the approval of this Act. All pending cases on appeal originating from the 11th and 12th Judicial Regions, except those which have been submitted for resolution, shall be referred to the Court of Appeals in Davao City.

SEC. 9. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, executive orders, issuances, rules and regulations, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

Approved,