

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9117**



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, ERWIN T. TULFO, EDVIC G. YAP, AND ERIC GO YAP**

**AN ACT PROVIDING FOR THE MODERNIZATION OF THE JUDICIARY,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article VII, Section 1 of the 1987 Philippine Constitution provides that the judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law. Judicial power includes the duty of the courts to settle actual controversies involving rights which are legally demandable and enforceable, and to determine the existence of grave abuse of discretion amounting to a lack of excess of jurisdiction on the part of any branch or instrumentality of the Government.

The proper functioning of the judiciary is imperative in its constitutional mandate of upholding the law of the land. Amidst the emerging demands and conditions of Filipino society, it is crucial to establish a strong and independent judiciary, and strengthen the processes that foster the people's confidence in the neutrality, fairness, and very service of the branch.

This bill recognizes the need to improve court measures, facilities, equipment, as well as the need for additional funding for the continued provision of enhanced legal assistance and programs. Hence, it heeds the call to address the pressing need for the modernization of the judiciary to ensure a more accessible, efficient, and effective protection of human rights and administration of justice for all citizens.

The need to bolster the capacity of the judicial department through infrastructure development which will equip the judiciary with upgraded facilities and maintenance; technological advancement which will provide modern information technology, computers, and computer systems; and human resources development and protection which will enhance the skills of judicial personnel and secure their professional growth, is paramount.

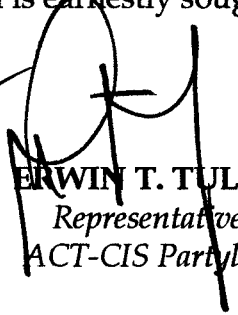
In view of the foregoing, the urgent passing of this bill is earnestly sought.



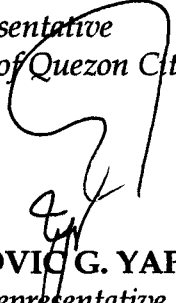
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Judiciary Modernization Act of 2023”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to implement a modernization program for the Judiciary which has, for its end view, its improvement into a more efficient, reliable, competent, technologically adaptive, and modern judicial department that grants ease of access and security of transactions in the institution, litigation, and resolution of civil, criminal, and special proceedings in order to promote better enforcement of obligations with a swifter and more accurate determination of genuine conflicts in the interpretation of the law as well as a more responsive exercise of extraordinary judicial powers vested by the Constitution to the Judiciary.

SEC. 3. *Components of the Judiciary Modernization Program.* – The Judiciary Modernization Program shall consist of the following components:

(a) Infrastructure Development and Facility Modernization – The objectives of this component are:

1. Acquisition, titling, and management of land and other real estate by the national government dedicated exclusively for the construction of structures wherein each branch of the Regional Trial Court, Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts are to be individually situated, eliminating the need for shared salas, courtrooms, and other physical spaces between independent branches;
2. Upgrading, modernizing, and streamlining of facilities dedicated to the support and execution of judicial functions such as – but not limited to – offices of the court staff, offices of the clerks of court, offices of the sheriff, offices of the judicial marshals, and private chambers of judges and executive judges; and
3. Development, procurement, and management of secure, reliable, and cost-efficient information technology systems that promote ease of transaction, allow for automation, and ensure integration of existing systems for case management and document retrieval essential to or related to the conduct of judicial functions.

(b) Equipment Upgrading, Acquisition, and Maintenance – The objectives of this component are:

1. Provision to all courts of the most reliable and technologically modern internet and telephone connectivity to allow for attendance in remote hearings by parties who are determined to participate in court proceedings by the rules set forth by the Supreme Court;

2. Acquisition and provision of modern computer or computer systems to allow for faster execution of judicial functions to all relevant personnel of the Judiciary; and
3. Acquisition of data and information technology systems necessary to allow submission of documents through means of internet connectivity; *Provided*, that the data and information technology systems ensure the integrity of data upon submission and reliability of ascertaining the fact of receipt by all parties concerned in the transaction; and

(c) Personnel Development, Welfare, and Protection – The objectives of this component are the hiring of additional qualified personnel, the continuous education of all qualified employees, and the assurance of security for all members of the Judiciary whose lives and physical well-being are at risk by malefactors seeking to unjustly harm personnel in the course of performing their duties.

SEC. 4. *Congressional Judiciary Modernization Oversight Committee.* – There is hereby created the Judiciary Modernization Oversight Committee, hereinafter referred to as the “Committee”, to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the House of Representatives and six (6) members from the Senate with the Chairpersons of the Committee on Justice of both Houses as Joint Chairpersons. The five (5) other members from each chamber shall be designated by the Speaker of the House and the Senate President, respectively, with the minority having at least two (2) representatives from both Chambers.

SEC. 5. *Submission of the Judiciary Modernization Program.* – Within ninety (90) days from the effectivity of this Act, the Court Administrator, upon approval by the Chief Justice, and with notice to the Department of Justice (DOJ), after consultation with the executive judges, presiding justices, the Department of Budget and Management

(DBM), and the Department of Finance (DOF), shall submit the Judiciary Modernization Program to the Committee for its consideration, which shall indicate the following:

- (a) The number of personnel, inventory, valuation, and useful life of facilities and equipment currently in use and owned by the Judiciary in the exercise of their functions;
- (b) The modernization projects and activities under the program to be undertaken and the corresponding component and objectives to which the projects are directed to fulfill;
- (c) The order of priority, the schedule of implementation, and the corresponding phases of implementation of the modernization projects and activities; and
- (d) The estimated cost of each modernization project or activity to be undertaken.

SEC. 6. Means of Procurement. – All other laws governing government procurement notwithstanding, the Judiciary shall procure the necessary property taking into consideration the following policies and principles:

- (a) The Judiciary shall give preference to domestic entities that are qualified to participate in the procurement activities to be undertaken under this Act;
- (b) The Office of the Court Administrator (OCA) shall determine the specific minimum standards for items, equipment, and technology, and information systems to be submitted for approval of the Chief Justice. The OCA shall be mandated to ensure that the minimum standards set are responsive to the needs of the Judiciary and shall ensure the usability of all procured items for a period of more than ten (10) years;

- (c) The Court Administrator, in the implementation of any and all of the provisions of this Act, with the approval of the Chief Justice, may enter into multi-year contracts and other contractual arrangements: *Provided*, That none of the multi-year contracts and other contractual arrangements shall be the most favorable arrangement for the government;
- (d) Congress shall, upon the issuance of a multi-year obligation authority by the DBM and a certification by the President, make the corresponding appropriation for the ensuing fiscal year. The OCA, upon approval of the Chief Justice, shall issue implementing guidelines that ensure consistency with the Judiciary Modernization Program and existing guidelines in the contracting of multi-year projects; and
- (e) The OCA shall submit to the Judiciary Modernization Oversight Committee created under this Act, the Secretary of Finance, and the Secretary of Budget and Management, copies of all multi-year contracts and other agreements to enable Congress to appropriate funds. The funds appropriated for the Judiciary Modernization Program shall be treated by the Court Administrator as a distinct and separate budget item from the regular appropriation of the Judiciary.

SEC. 7. *Fund Augmentation from the Provincial, City, and Municipal Governments for Halls of Justice and Other Structures Dedicated to the Execution of the Duty of the Judiciary.* – It shall be mandatory for the provincial, city, and municipal governments to automatically allocate at least five percent (5%) of its annual appropriations earmarked for local development projects, sourced from its internal revenue allocation, as its annual fund augmentation to support priority projects and activities of Halls of Justices and other structures dedicated to the execution of the duty of the Judiciary embodied in their territorial jurisdiction.

SEC. 8. *Period of Implementation.* – The Judiciary Modernization Program shall be implemented over a period of ten (10) years. The payment for amortization of

outstanding multi-year contract obligations incurred under this Act may extend beyond such period.

SEC. 9. *Review.* – Within five (5) years after the effectivity of this Act, the Committee shall conduct a review or evaluation of the accomplishments and effect of the Judiciary Modernization Program for the purpose of determining remedial legislation.

SEC. 10. *Implementing Rules and Regulations.* – The OCA, upon approval of the Chief of Justice, shall promulgate the necessary rules and regulations within one hundred twenty (120) days from the approval of this Act for its effective implementation.

SEC. 11. *Separability Clause.* – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 12. *Repealing Clause.* – All laws, executive orders, rules, and regulations inconsistent with or contrary to this Act are hereby deemed accordingly repealed or modified.

SEC. 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,