

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. **7615**



Introduced by **Representative RAYMOND ADRIAN E. SALCEDA**

**AN ACT
ESTABLISHING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT
IN THE FIFTH JUDICIAL REGION TO BE STATIONED IN THE
MUNICIPALITY OF POLANGUI, PROVINCE OF ALBAY, AMENDING FOR
THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS
THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED,
AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The Philippine judiciary continues to face a staggering caseload that undermines the timely and effective delivery of justice. As of the latest available data from the Office of the Court Administrator, the Regional Trial Courts nationwide carry a significant backlog of pending cases, with trial courts in the Bicol Region being no exception. This congestion is particularly acute in judicial stations that serve large and geographically dispersed populations without a commensurate number of court branches.

The Municipality of Polangui, in the Province of Albay, had a population of 89,176 based on the 2020 Census of Population conducted by the Philippine Statistics Authority. It is the most populous municipality in the Second District of Albay and among the most populous in the entire province. Polangui is composed of forty-four (44) barangays spread over a land area of approximately 145.30 square kilometers. It is a hub of economic, educational, and agricultural activity in northwestern Albay, serving as a gateway to the Camarines Sur border.

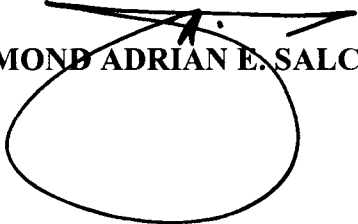
At present, Polangui falls within the territorial jurisdiction of the Regional Trial Court, Branch 13, stationed in Ligao City, which also covers Ligao City itself and the Municipalities of Pio Duran, Libon, and Oas. The combined population of this judicial territory exceeds 300,000 persons. Litigants and parties from Polangui must travel to Ligao City to attend court proceedings, which entails significant cost and inconvenience, particularly for indigent and elderly residents and those in remote barangays. The Municipality of Polangui also hosts a Municipal Circuit Trial Court (MCTC, Branch 5) covering Polangui, Libon, and Oas, but there is no Regional Trial Court branch stationed within the municipality.

The establishment of an additional branch of the Regional Trial Court in Polangui, Albay is intended to: (a) decongest the caseload of existing RTC branches in the Fifth Judicial Region; (b) bring the courts of general jurisdiction closer to the people of Polangui and neighboring municipalities; (c) reduce travel time, transportation costs, and lost income for litigants, witnesses, and their families; and (d) promote the speedy disposition of cases in furtherance of the constitutional right of all persons to the speedy disposition of their cases.

The creation of a new RTC branch in Polangui is consistent with the mandate of Batas Pambansa Bilang 129 (the Judiciary Reorganization Act of 1980), as amended by Republic Act No. 7691, which authorizes Congress to create additional branches of the Regional Trial Court as the interest of justice and the caseload of the courts may require. It is likewise consistent with the policy articulated in the 1987 Constitution that the State shall provide adequate legal assistance and free access to courts for the underprivileged (Article III, Section 11 and Article VIII, Section 5).

This measure will not undermine the security of tenure of sitting judges, as it creates a new and additional branch rather than reorganizing or abolishing existing ones, in conformity with Article VIII, Section 2 of the 1987 Constitution.

In view of the foregoing, the immediate approval of this measure is earnestly sought.


RAYMOND ADRIAN E. SALCEDA

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

SECTION 1. *Creation of an Additional Branch of the Regional Trial Court.* – There is hereby created an additional branch of the Regional Trial Court in the Fifth Judicial Region to be stationed in the Municipality of Polangui, Province of Albay. The branch number of the new court shall be determined by the Supreme Court in accordance with its numbering system for Regional Trial Courts.

SEC. 2. *Territorial Jurisdiction.* – The territorial jurisdiction of the newly created branch shall cover the Municipality of Polangui and such other municipalities or areas in the Province of Albay as the Supreme Court may designate, taking into consideration the caseload, geographical conditions, transportation facilities, and the interest of justice: *Provided*, That the Supreme Court may, in the interest of justice and for the effective administration of the courts, modify or adjust the territorial jurisdiction herein established.

SEC. 3. *Judges and Personnel.* – The new branch shall have one (1) Presiding Judge who shall be appointed by the President of the Philippines in accordance with Article VIII of the 1987 Constitution and existing laws. The Presiding Judge shall receive the same compensation, emoluments, allowances, and privileges as those received by Presiding Judges of other branches of the Regional Trial Court.

The Supreme Court shall appoint the necessary court personnel for the newly created branch, who shall receive the same compensation, emoluments, allowances, and privileges as those received by personnel of other branches of the Regional Trial Court of similar classification.

SEC. 4. *Transfer of Cases.* – Upon the effectivity of this Act and the commencement of operations of the newly created branch, the Supreme Court may order the transfer of pending cases from existing branches of the Regional Trial Court in the Fifth Judicial Region to the new branch, in accordance with applicable rules and procedures, to ensure the equitable distribution of caseloads and the speedy disposition of cases: *Provided*, That no such transfer shall be made if it would result in a change of venue prejudicial to the rights of any party: *Provided, further*, That the

Supreme Court shall take into account the stage of proceedings, the convenience of the parties and witnesses, and the interest of justice in ordering any such transfer.

SEC. 5. *Courtroom and Office Facilities.* – The Department of Public Works and Highways, in coordination with the Supreme Court, the Municipal Government of Polangui, and the Provincial Government of Albay, shall undertake the construction or renovation of suitable courtroom and office facilities for the newly created branch of the Regional Trial Court. Until such facilities are completed, the Supreme Court may designate a temporary seat for the new branch within the Municipality of Polangui or in such other place in the Province of Albay as may be appropriate.

The Municipal Government of Polangui is hereby authorized and encouraged to donate a suitable lot or existing building for the establishment of the courtroom and office facilities of the newly created branch.

SEC. 6. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Supreme Court and the Judiciary. Thereafter, such sums as may be necessary for the continued operation and maintenance of the newly created branch shall be included in the annual General Appropriations Act.

SEC. 7. *Implementing Rules and Regulations.* – The Supreme Court shall issue such orders, circulars, rules, and regulations as may be necessary for the effective implementation of this Act, including but not limited to: (a) the determination of the branch number; (b) the delineation of the territorial jurisdiction; (c) the transfer and distribution of pending cases; (d) the organizational structure and staffing pattern; and (e) the timetable for the commencement of operations of the newly created branch.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,