

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH (18TH) CONGRESS
First Regular Session



House Bill No. 1048

Introduced by:

RUDY S. CAOAGDAN
Province of Cotabato Second District Representative

EXPLANATORY NOTE

This bill is being introduced to create Drug Courts which will have exclusive jurisdiction over all drug offenses defined under Republic Act No. 9165, known as An Act Instituting the Comprehensive Dangerous Drugs Act of 2002, Repealing Republic act No. 6425, otherwise known as the Dangerous Drugs Act of 1972, as amended, providing funds therefor, and for other purposes.

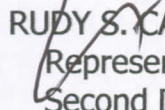
War against drugs is one of the centerpiece programs of President Rodrigo Roa Duterte. Immediately upon his assumption as President of the Republic of the Philippines, the campaign against drugs was intensified resulting to numerous filing of drug cases before the Regional Trial Courts. To expedite the resolution of these drug cases, the Regional Trial Courts were then given timeline by the Supreme Court. These courts have no recourse but to give drug cases preference in their calendar/schedule over other cases such as criminal, civil, special civil actions, special proceedings, miscellaneous and other cases. This resulted in the delay in the disposal of these other cases.

By not giving attention to this delay caused by the numerous drug cases being filed before the Regional Trial Courts and the preference given to them, litigants for

other cases would continue to be deprived of their right to speedy disposition of their cases which right is embraced in the due process clause of the 1987 Philippine Constitution.

In passing this bill, the speedy disposal of drug cases as well as cases which are criminal and civil in nature, special civil actions, special proceedings, miscellaneous and other cases will be guaranteed and dockets of the Regional Trial Courts will be reduced.

Prescinding, there is a need to create Drug Courts. The approval of this measure is respectfully sought.


RUDY S. CAOAGDAN
Representative
Second District
Province of Cotabato

An Act Establishing Drug Courts, Granting Them Exclusive Original Jurisdiction Over Drug Cases Under Republic Act No. 9165, as amended, Amending Batas Pambansa Bilang 129, As Amended, Otherwise Known As The Judiciary Reorganization Act Of 1980, Appropriating Funds Therefor And For Other Purposes.

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

Section 1. Title. This Act shall be known as the "Drug Courts Act".

Section 2. Declaration of Policy. It is the policy of the State to provide a system of expediting the resolution of cases filed in courts. This is in pursuit of the policy of giving value to the dignity of every human person by not prolonging his agony in enforcing and defending his rights.

Section 3. Establishment of Drug Courts. There shall be established a Drug Court in every legislative district of a province and two (2) Drug Courts for every chartered city. In the case of Metropolitan Manila, each component city shall have a Drug Court. The Drug Court shall be equal to the Regional Trial Court under Batas Pambansa Bilang 129, as amended.

Section 4. Qualification of Drug Court Judges. Drug Court judges shall have the same qualifications with that of a Regional Trial Court judges under Batas Pambansa Blg. 129, as amended, except that Drug Court judges shall undergo specialized training in handling drug cases.

Section 5. Jurisdiction of Drug Courts. Drug Courts shall have primary and exclusive jurisdiction over all drug offenses under Republic Act No. 9165.

Section 6. Special Rules of Procedure. The Supreme Court shall promulgate rules regarding the transfer of drug cases pending before the Regional Trial Courts to the Drug Courts. Drug Courts shall observe the same procedure provided in the Rules of Court.

Section 7. Appeals. Appeals from decisions, resolutions and orders from Drug Courts shall be done under the same procedure with that of the Regional Trial Courts.

Section 8. Appropriations. Funding for this Act shall be included in the General Appropriations Act of the year following its enactment and so forth.

Section 9. Implementing Rules and Regulations. The Supreme Court in coordination with the Dangerous Drugs Board shall formulate the rules and regulations for the implementation of this Act.

Section 10. Separability Clause. Provisions of this Act not declared as unconstitutional shall remain effective.

Section 11. Repealing Clause. All other laws, decrees, executive orders, rules and regulations inconsistent with this Act are repealed or amended.

Section 12. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.