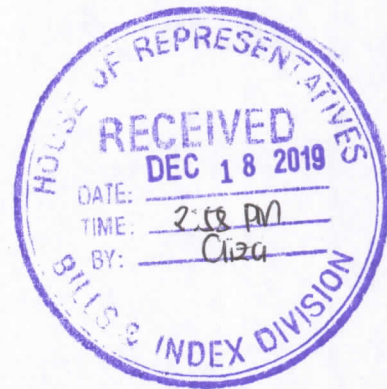


Republic of Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 5868



Introduced by: **Rep. Jericho Jonas B. Nograles**

EXPLANATORY NOTES

This bill seeks to create two (2) additional division of the Court of Appeals in Davao City which will handle cases coming from the Eleventh and Twelfth Judicial Regions:

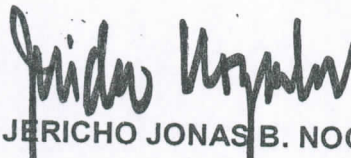
Section 16, Article III of the Constitution provides:

"Section 16. All persons shall the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies."

Pursuant to Republic Act No., the Twenty-first, Twenty-second and Twenty-third Division of the Court of Appeals in Cagayan de Oro were created to handle cases from the Ninth, Tenth, and Twelfth Judicial Regions, all from Mindanao. These divisions exercises jurisdiction over cases originally filed thereof; over actions for annulment of judgments of Regional Trial Courts (RTCs); and over-all final judgements, decisions, resolutions, orders or awards of RTCs and quasi-judicial agencies, instrumentalities, board or commissions. These divisions of the Court of Appeals stationed in Cagayan de Oro are heavily clogged with cases despite the diligent efforts of the justices assigned to disposed judiciously and expeditiously of their work.

The proposed creation of additional divisions of the Court of Appeals in Davao City is utmost importance not only for the people of Davao City but also the provinces constituting the Eleventh and Twelfth Judicial Regions. Additional division of the Court of Appeals in Davao City would greatly help unload the divisions stationed in Cagayan de Oro City of cases, hence, reducing backlogs. Further, the litigants from the Eleventh and Twelfth Judicial Regions will no longer need to appeal their cases in Cagayan de Oro City which is far from their residences.

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


JERICHO JONAS B. NOGRALES

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

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 5868

Introduced by: **Rep. Jericho Jonas B. Nograles**

AN ACT CREATING TWO (2) ADDITIONAL DIVISIONS OF THE COURT OF APPEALS IN DAVAO CITY WHICH WILL HANDLE CASES COMING FROM THE ELEVENTH AND TWELFTH JUDICIAL REGIONS, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980," AND APPROPRIATING FUNDS THEREFOR.

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

Section 1. Section 3 of the Batas Pambansa Blg. 129, as amended is hereby further amended as follows:

"Sec. 3. Organization. - There is hereby created a Court of Appeals which shall consist of a Presiding Justice and [~~sixty-eight (68)~~] **SEVENTY-FOUR (74)** 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 Justice 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 on which their appointments were issued by the President. Any member who is reappointed to the Court after rendering service in any other 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 Batasan 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-three (23)~~] **TWENTY-FIVE (25)** 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 station as follows: The first seventeen (17) shall be stationed in the City of Manila for cases coming from the First to the Fifth Judicial Regions; the Eighteenth, Nineteenth, and Twentieth Division shall be in Cebu City for cases coming from the Sixth, Seventh, and Eighth Judicial Region; the Twenty-second and Twenty-third Divisions shall be in Cagayan de Oro City for cases coming from the Ninth [.] **AND Tenth [Eleventh and Twelfth]** Judicial Regions; **AND THE TWENTY-FOURTH AND TWETY FIFTH 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 such 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. 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.