

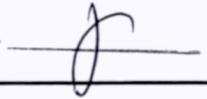
SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

S.B. No. 1681

'18 FEB -7 P3:49

Introduced by Senator **SONNY ANGARA**

RECEIVED BY: 

AN ACT
AMENDING BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS "AN
ACT REORGANIZING THE JUDICIARY, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES" TO CREATE THE POSITIONS FOR JUDGES-AT-
LARGE

Article III, Section 16 of the Philippine Constitution provides that "All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies."

However, a 2013 study by the National Statistical Coordination Board (NSCB) revealed that, from 2005 to 2010, lower courts had an annual average caseload of 1,059,484 cases. This translated to over 4,000 cases per working day¹. Clearly, such workload is impossible for the courts and its workers to handle, leading to a blatant affront on every person's constitutional right to the speedy disposition of their cases.

One of the primary factors for this congestion is the lack of judges. Another is the deployment of regular judges as assisting or acting judges. The second has been proven to be an unproductive and inefficient solution since those who are deployed often have to divide their attention between their own salas and the vacant or congested courts to which they've been assigned.

2018 data from the Senate Legislative Budget Research and Monitoring Office (LBRMO) showed that out of the 37,230 total positions in the Supreme Court of the Philippines and the lower courts, 12,076 are unfilled—or roughly a third.

A 2012 Senate Finance Committee Hearing also discovered that there were 591 trial courts (or about 26% of the total) which were considered vacant, even though these were funded. The Committee further found out that the funds for these vacant

¹ http://nap.psa.gov.ph/beyondthenumbers/2013/06132013_jrga_courts.asp

courts were considered "savings," then realigned and disbursed as additional compensation for sitting judges and personnel.²

Therefore, this bill intends to amend Batas Pambansa Bilang 129 by providing for the positions of Judges-at-Large. Specifically, the bill proposes the creation of Regional and Municipal Trial Judges-at-Large who shall have no permanent salas and can be detailed by the Supreme Court as Acting or Assisting Judges to any RTC or MTC. The bill also provides that these Judges-at-Large shall have the same qualifications, salaries, privileges, allowances, emoluments, benefits, and rank as their counterpart judges, but with additional "displacement allowances" to cover their housing, food, transportation and other necessary expenses incurred during their detail to courts outside their places of residence.

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



SONNY ANGARA

² <http://opinion.inquirer.net/36810/three-reforms-to-speed-up-justice#ixzz569PV9Wvn>

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LARGE

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

1 **SECTION 1.** Section 14, Chapter II of B.P Blg. 129 is hereby amended to include
2 sub-paragraph (n), which will be read as follows:

3 “(N) FIFTY (50) POSITIONS OF REGIONAL TRIAL JUDGES-AT-
4 LARGE ARE CREATED. SAID JUDGES-AT-LARGE SHALL HAVE
5 NO PERMANENT SALAS AND CAN BE DETAILED BY THE
6 SUPREME COURT AS ACTING OR ASSISTING JUDGES TO ANY
7 REGIONAL TRIAL COURT IN THE PHILIPPINES, AS PUBLIC
8 INTEREST MAY REQUIRE. SAID JUDGES-AT-LARGE ARE
9 ENTITLED TO THE SALARIES, PRIVILEGES, ALLOWANCES,
10 EMOLUMENTS, BENEFITS, RANK AND TITLE OF A REGIONAL
11 TRIAL JUDGE.”

12

1 **SEC. 2.** Section 15, Chapter II of B.P. Blg. 129 is hereby amended to read as
2 follows:

3 “Sec. 15. Qualifications. – No person shall be appointed Regional Trial
4 Judge **OR REGIONAL TRIAL JUDGE-AT-LARGE** unless he is natural
5 born citizen of the Philippines, at least thirty-five years of age, and for
6 at least ten years, has been engaged in the practice of law in the
7 Philippines or has held a public office in the Philippines requiring
8 admission to the practice of law as an indispensable requisite.”

9 **SEC. 3.** Section 25, Chapter III of B.P. Blg. 129 is hereby amended to read as
10 follows:

11 “Sec. 25. Establishment of Metropolitan Trial Courts, Municipal Trial
12 Courts, [and] Municipal Circuit Trial Courts **AND MUNICIPAL TRIAL**
13 **JUDGES-AT-LARGE.** – There shall be created a Metropolitan Trial
14 Court in each metropolitan area established by law, a Municipal Trial
15 Court in each of the other cities or municipalities, and a Municipal
16 Circuit Trial Court in each circuit comprising such cities and/or
17 municipalities as are grouped together pursuant to law.

18 **FIFTY (50) POSITIONS OF MUNICIPAL TRIAL JUDGES-AT-LARGE**
19 **ARE CREATED. SAID JUDGES-AT-LARGE SHALL HAVE NO**
20 **PERMANENT SALARIES AND CAN BE DETAILED BY THE SUPREME**
21 **COURT AS ACTING OR ASSISTING JUDGES TO ANY FIRST**
22 **LEVEL COURT IN THE PHILIPPINES, AS A PUBLIC INTEREST**
23 **MAY REQUIRE. SAID JUDGES-AT-LARGE ARE ENTITLED TO THE**
24 **SALARIES AND ALL PRIVILEGES, ALLOWANCE, EMOLUMENTS,**
25 **BENEFITS, RANK AND TITLE OF A JUDGE OF A MUNICIPAL**
26 **TRIAL COURT IN CITIES.”**

27 **SEC. 4.** Section 26, Chapter III of B.P. Blg. 129 is hereby amended to read as
28 follows:

29 “Sec. 26. Qualifications. – No person shall be appointed judge of a
30 Metropolitan Trial Court, Municipal Trial Court, or Municipal Circuit Trial
31 Court **OR A MUNICIPAL TRIAL JUDGE-AT-LARGE** unless he is a

1 natural-born citizen of the Philippines, at least thirty years of age, and
2 for at least five years, has been engaged in the practice of law in the
3 Philippines or has held a public office in the Philippines requiring
4 admission to the practice of law as an indispensable requisite.”

5 **SEC. 5.** Section 41, Chapter IV of B.P Blg. 129 is hereby amended to read as
6 follows:

7 “Sec. 41. Salaries. – Intermediate Appellate Justices, Regional Trial
8 Judges, **REGIONAL TRIAL JUDGES-AT-LARGE**, Metropolitan Trial
9 Judges, [and] Municipal Circuit Trial Judges **AND MUNICIPAL TRIAL**
10 **JUDGES-AT-LARGE** shall receive such compensation and allowances
11 as may be authorized by the President along the guidelines set forth in
12 Letter of Implementation No. 93 pursuant to Presidential Decree No.
13 985, as amended by Presidential Decree No. 1597.”

14 **SEC. 6.** Section 42, Chapter IV of B.P. Blg. 129, is hereby amended to read as
15 follows:

16 “Sec. 42. Longevity pay **AND DISPLACEMENT ALLOWANCE.** – A
17 monthly longevity pay equivalent to 5% of the monthly basic pay shall
18 be paid to the Justices and Judges of the courts herein created for
19 each five years of continuous, efficient, and meritorious service
20 rendered in the judiciary: *Provided*, That in no case shall the total
21 salary of each Justice or Judge concerned, after this longevity pay is
22 added, exceed the salary of the Justice or Judge next in rank.

23 **REGIONAL TRIAL JUDGES-AT-LARGE AND MUNICIPAL TRIAL**
24 **JUDGES-AT-LARGE SHALL RECEIVE DISPLACEMENT**
25 **ALLOWANCES, WHICH SHALL COVER THEIR HOUSING, FOOD,**
26 **TRANSPORTATION, AND OTHER NECESSARY EXPENSES**
27 **INCURRED DURING THEIR DETAIL TO COURTS WHICH ARE**
28 **OUTSIDE THEIR PLACES OF RESIDENCE. THE DISPLACEMENT**
29 **ALLOWANCES SHALL BE DETERMINED BY THE SUPREME**
30 **COURT UPON THE RECOMMENDATION OF THE COURT**
31 **ADMINISTRATOR AND THE PLANTILLA COMMITTEE.”**

1 **SEC. 7. *Repealing Clause.*** – All laws, rules, regulations, orders, memoranda or
2 circulars inconsistent with this Act are hereby repealed or modified accordingly.

3 **SEC. 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after the
4 publication in the Official Gazette or in any two (2) national newspapers of general
5 circulation.

Approved,