

[BATAS PAMBANSA BLG. 129, August 14, 1981]

AN ACT REORGANIZING THE JUDICIARY, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Batasang Pambansa in session assembled:

PRELIMINARY CHAPTER

SECTION 1. *Title*.—This Act shall be known as "The Judiciary Reorganization Act of 1980."

SEC. 2. *Scope*.—The reorganization herein provided shall include the Court of Appeals, the Courts of First Instance, the Circuit Criminal Courts, the Juvenile and Domestic Relations Courts, the Courts of Agrarian Relations, the City Courts, the Municipal Courts, and the Municipal Circuit Courts.

Chapter I.—THE INTERMEDIATE APPELLATE COURT

SEC. 3. *Organization*.—There is hereby created an Intermediate Appellate Court which shall consist of a Presiding Appellate Justice and forty-nine Associate Appellate Justices who shall be appointed by the President of the Philippines. The Presiding Appellate Justice shall be so designated in his appointment, and the Associate Appellate Justices 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 in 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, to all intents and purposes, be considered as continuous and uninterrupted.

SEC. 4. *Exercise of powers and functions*.—The Intermediate Appellate Court shall exercise its powers, functions, and duties, through ten (10) divisions, each composed of five members. The Court may sit en banc only for the purpose of exercising administrative, ceremonial, or other non-adjudicatory functions.

SEC. 5. *Succession to Office of Presiding Appellate Justice*.—In case of a vacancy in the Office of the Presiding Appellate Justice or in the event of his absence or inability to perform the powers, functions, and duties of his office, the Associate Appellate Justice who is first in precedence shall perform his powers, functions, and duties until such disability is removed, or another Presiding Appellate Justice is appointed and has qualified.

SEC. 6. *Who presides over sessions of a division*.—If the Presiding Appellate Justice is present in any session of a division of the Court, he shall preside. In his absence, the Associate Appellate Justice attending such session who has precedence shall preside.

SEC. 7. *Qualifications*.—The Presiding Appellate Justice and the Associate Appellate Justices shall have the same qualifications as those provided in the Constitution for Justices of the Supreme Court.

SEC. 8. *Grouping of divisions.*—Of the ten (10) divisions of the Court, four (4) divisions, to be known as Civil Cases Divisions, shall take cognizance of appeals in civil cases originating from the Regional Trial Courts; two (2) divisions, to be known as Criminal Cases Divisions, of appeals in criminal cases originating from the Regional Trial Courts; and four (4) divisions, to be known as Special Cases Divisions, of original actions or petitions, petitions for review, and appeals in all other cases, including those from administrative agencies, except as provided in Section 9 hereof.

Except with respect to the Presiding Appellate Justice, the appointment of a member of the Court shall specifically indicate whether it is for the Civil Cases Divisions, the Criminal Cases Divisions, or the Special Cases Divisions of the Court. No member of the Court appointed to any of the three classes of divisions shall be assigned to any of the other classes of divisions, except when authorized by the Supreme Court, upon recommendation of the Intermediate Appellate Court *en banc*, if the exigencies of the service so require, but such transfer shall in no case be for more than six (6) months: *Provided, however,* That this prohibition shall not apply if the transfer occurs by reason of a permanent vacancy in the chairmanship of any division, in which case the Associate Appellate Justice who is next in precedence shall assume the chairmanship.

There shall be no seniority or precedence in rank among the divisions of the Court.

SEC. 9. *Jurisdiction.*—The Intermediate Appellate Court shall exercise:

1. Original jurisdiction to issue writs of *mandamus*, prohibition, *certiorari*, *habeas corpus*, and *quo warranto*, and auxiliary writs or processes, whether or not in aid of its appellate jurisdiction;
2. Exclusive original jurisdiction over actions for annulment of judgments of Regional Trial Courts; and
3. Exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders, or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards, or commissions, except those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, the provisions of this Act, and of subparagraph (1) of the third paragraph and subparagraph (4) of the fourth paragraph of Section 17 of the Judiciary Act of 1948.

The Intermediate Appellate Court shall have the power to try cases and conduct hearings, receive evidence and perform any and all acts necessary to resolve factual issues raised in cases falling within its original and appellate jurisdiction, including the power to grant and conduct new trials or further proceedings.

These provisions shall not apply to decisions and interlocutory orders issued under the Labor Code of the Philippines and by the Central Board of Assessment Appeals.

SEC. 10. *Place of holding sessions.*—The Intermediate Appellate Court shall have its permanent station in the City of Manila. Whenever demanded by public interest, the Supreme Court, upon its own initiative or upon recommendation of the Presiding Appellate Justice, may authorize a division of the Court to hold sessions outside Manila, periodically, or for such periods and at such places as the Supreme Court may determine, for the purpose of hearing and deciding cases.

SEC. 11. *Quorum*.—A majority of the actual members of the Court shall constitute a quorum for its session *en banc*. Three members shall constitute a quorum for the sessions of a division. The affirmative votes of the majority of the members present shall be necessary to pass a resolution of the Court *en banc*. The affirmative votes of three members of a division shall be necessary for the pronouncement of a decision, or final resolution, which shall be reached in consultation before the writing of the opinion by any member of the division.

A motion for reconsideration of its decision or final resolution shall be resolved by the Court within ninety (90) days from the time it is submitted for resolution, and no second motion for reconsideration shall be entertained, unless the action upon the first motion for reconsideration shall have resulted in a reversal or substantial modification of the original decision or final resolution. The second motion for reconsideration shall be resolved by the Court within forty-five (45) days from the time it is submitted for resolution.

SEC. 12. *Internal Rules*.—The Court *en banc* is authorized to promulgate rules or orders governing the constitution of the divisions and the assignment of Appellate Justices thereto, the distribution of cases, and other matters pertaining to the operations of the Court or its divisions. Copies of such rules and orders shall be furnished the Supreme Court, which rules and orders shall be effective fifteen (15) days after receipt thereof, unless directed otherwise by the Supreme Court.

Chapter II.—REGIONAL TRIAL COURTS

SEC. 13. *Creation of Regional Trial Courts*.—There are hereby created thirteen (13) Regional Trial Courts, one for each of the following judicial regions:

The First Judicial Region, consisting of the provinces of Abra, Benguet, Ilocos Norte, Ilocos Sur, La Union, Mountain Province, and Pangasinan, and the cities of Baguio, Dagupan, Laoag, and San Carlos;

The Second Judicial Region, consisting of the provinces of Batanes, Cagayan, Ifugao, Isabela, Kalinga-Apayao, Nueva Vizcaya, and Quirino;

The Third Judicial Region, consisting of the provinces of Bataan, Bulacan (except the municipality of Valenzuela), Nueva Ecija, Pampanga, Tarlac, and Zambales, and the cities of Angeles, Cabanatuan, Olongapo, Palayan, and San Jose;

The National Capital Judicial Region, consisting of the cities of Manila, Quezon, Pasay, and Caloocan, and the municipalities of Navotas, Malabon, San Juan, Mandaluyong, Makati, Pasig, Pateros, Taguig, Marikina, Parañaque, Las Piñas, Muntinlupa, and Valenzuela;

The Fourth Judicial Region, consisting of the provinces of Batangas, Cavite, Laguna, Marinduque, Mindoro Occidental, Mindoro Oriental, Palawan, Quezon, Rizal (except the cities and municipalities embraced within the National Capital Judicial Region), Romblon, and Aurora, and the cities of Batangas, Cavite, Lipa, Lucena, Puerto Princesa, San Pablo, Tagaytay, and Trece Martires;

The Fifth Judicial Region, consisting of the provinces of Albay, Camarines Sur, Camarines Norte, Catanduanes, Masbate, and Sorsogon, and the cities of Legaspi, Naga, and Iriga;

The Sixth Judicial Region, consisting of the provinces of Aklan, Antique, Capiz, Iloilo, and Negros Occidental, and the cities of Bacolod, Bago, Cadiz, Iloilo, La Carlota, Roxas, San Carlos, and Silay, and the sub-province of Guimaras ;

The Seventh Judicial Region, consisting of the provinces of Bohol, Cebu, Negros Oriental, and Siquijor, and the cities of Bais, Canlaon, Cebu, Danao, Dumaguete, Lapu-Lapu, Mandaue, Tagbilaran, and Toledo;

The Eighth Judicial Region, consisting of the provinces of Eastern Samar, Leyte, Northern Samar, Southern Leyte, and Samar, the sub-province of Biliran, and the cities of Calbayog, Ormoc, and Tacloban;

The Ninth Judicial Region, consisting of the provinces of Basilan, Sulu, Tawi-Tawi, Zamboanga del Norte, and Zamboanga del Sur, and the cities of Dapitan, Dipolog, Pagadian, and Zamboanga;

The Tenth Judicial Region, consisting of the provinces of Agusan del Norte, Agusan del Sur, Bukidnon, Camiguin, Misamis Occidental, Misamis Oriental, and Surigao del Norte, and the cities of Butuan, Cagayan de Oro, Gingoog, Ozamis, Oroquieta, Surigao, and Tangub;

The Eleventh Judicial Region, consisting of the provinces of Davao del Norte, Davao Oriental, Davao del Sur, South Cotabato, and Surigao del Sur, and the cities of Davao and General Santos; and

The Twelfth Judicial Region, consisting of the provinces of Lanao del Norte, Lanao del Sur, Maguindanao, North Cotabato, and Sultan Kudarat, and the cities of Cotabato, Iligan, and Marawi.

In case of transfer or redistribution of the provinces, sub-provinces, cities or municipalities comprising the regions established by law for purposes of the administrative field organization of the various departments and agencies of the government, the composition of the judicial regions herein constituted shall be deemed modified accordingly.

SEC. 14. Regional Trial Courts.—

(a) Fifty-seven Regional Trial Judges shall be commissioned for the First Judicial Region. There shall be:

Two branches (Branches I and II) for the province of Abra, with seats at Bangued;

Eight branches (Branches III to X) for the province of Benguet and the city of Baguio, Branches III to VII with seats at Baguio City, and Branches VIII to X at La Trinidad;

Nine branches (Branches XI to XIX) for the province of Ilocos Norte and the city of Laoag, Branches XI to XVI with seats at Laoag City, Branches XVII and XVIII at Batac, and Branch XIX at Banguingui;

Six branches (Branches XX to XXV) for the province of Ilocos Sur, Branches XX and XXI with seats at Vigan, Branch XXII at Narvacan, Branch XXIII at Candon, Branch XXIV at Cabugao, and Branch XXV at Tagudin;

Nine branches (Branches XXVI to XXXIV) for the province of La Union, Branches XXVI to XXX with seats at San Fernando, Branches XXXI and XXXII at Agoo, Branch XXXIII at Bauang, and Branch XXXIV at Balaoan;

Two branches (Branches XXXV and XXXVI) for the province of Mountain Province, with seats at Bontoc; and

Twenty-one branches (Branches XXXVII to LVII) for the province of Pangasinan and the cities of Dagupan and San Carlos, Branches XXXVII to XXXIX with seats at Lingayen, Branches XL to XLIV at Dagupan, Branches XLV to XLIX at Urdaneta, Branch L at Villasis, Branches LI and LII at Tayug, Branch LIII at Rosales, Branches LIV and LV at Alaminos, and Branches LVI and LVII at San Carlos.

(b) Thirty-two Regional Trial Judges shall be commissioned for the Second Judicial Region. There shall be:

Twelve branches (Branches I to XII) for the province of Cagayan, Branches I to V with seats at Tuguegarao, Branches VI to X at Aparri, Branch XI at Tuao, and Branch XII at Sanchez Mira;

One branch (Branch XIII) for the province of Batanes, with seat at Basco;

Two branches (Branches XIV and XV) for the province of Ifugao, Branch XIV with seat at Lagawe, and Branch XV at Potia;

Nine branches (Branches XVI to XXIV) for the province of Isabela, Branches XVI to XVIII with seats at Ilagan, Branches XIX and XX at Cauayan, Branch XXI at Santiago, Branch XXII at Cabagan, Branch XXIII at Roxas, and Branch XXIV at Echague;

Two branches (Branches XXV and XXVI) for the province of Kalinga-Apayao, Branch XXV with seat at Tabuk, and Branch XXVI at Luna;

Four branches (Branches XXVII to XXX) for the province of Nueva Vizcaya, Branches XXVII to XXIX with seats at Bayombong, and Branch XXX at Bambang; and

Two branches (Branches XXXI and XXXII) for the province of Quirino, with seats at Cabarroguis.

(c) Seventy-five Regional Trial Judges shall be commissioned for the Third Judicial Region. There shall be:

Five branches (Branches I to V) for the province of Bataan, Branches I to III with seats at Balanga, Branch IV at Mariveles, and Branch V at Dinalupihan;

Seventeen branches (Branches VI to XXII) for the province of Bulacan (except the municipality of Valenzuela), with seats at Malolos;

Eighteen branches (Branches XXIII to XL) for the province of Nueva Ecija and the cities of Cabanatuan, San Jose and Palayan, Branches XXIII to XXX with seats at Cabanatuan City, Branches XXXI to XXXIII at Guimba, Branches XXXIV to XXXVI at Gapan, Branch XXXVII at Sto. Domingo, Branches XXXVIII and XXXIX at San Jose, and Branch XL at Palayan;