

DECLARING THE REORGANIZATION OF THE JUDICIARY PURSUANT TO BATAS PAMBANSA BLG. 129 CREATING THE INTERMEDIATE APPELLATE COURT; THE REGIONAL TRIAL COURTS, THE METROPOLITAN TRIAL CO...

EXECUTIVE ORDER NO. 864, January 17, 1983

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WHEREAS, a staffing pattern for the new courts has been submitted by the Supreme Court in accordance with Section 43 of B.P. Blg. 129;

WHEREAS, the reorganization of the judiciary pursuant to the said law can now be implemented with the issuance of appointments of the Appellate Justices, and Judges of the new courts;

WHEREAS, there is need to issue guidelines for the transfer of pending cases, records, personnel, equipment, property, and appropriations to the new courts;

NOW, THEREFORE, I, FERDINAND E. MARCOS, pursuant to the powers in me vested by law, do hereby declare the completion of the reorganization of the judiciary as provided in Batas Pambansa Blg. 129 and issue the following orders/directives:

SECTION 1. The Court of Appeals, Courts of First Instance, Juvenile and Domestic Relations Courts, Circuit Criminal Courts, Courts of Agrarian Relations, and all City, Municipal Courts, and Municipal Circuit Courts shall be deemed automatically abolished upon the constitution and organization of the Intermediate Appellate Court, Regional Trial Courts, Metropolitan Trial Court, Municipal Trial Courts and Municipal Circuit Trial Courts as of 12:00 o'clock midnight, of January 17, 1983.

SEC. 2. The annual basic compensation of the appellate justices and judges of said courts shall be:

Presiding Appellate Justice

P75,000. p.a.

Associate Appellate Justice

71,364. p.a.

Regional Trial Judge

61,464. p.a.

Metropolitan Trial Judge

50,376. p.a.

Municipal Trial Judge (in cities)

43,392. p.a.

Municipal Circuit Trial Judge/ Municipal Trial Judge (in provinces)

37,380. p.a.

SEC. 3. The staffing pattern for the officers and complementary personnel of the Intermediate Appellate Court, Regional Trial Courts, Metropolitan Trial Courts in Metro Manila, Municipal Trial Courts (in cities), Municipal Circuit Trial Courts and Municipal Trial Courts (in provinces), shall be as provided in Annex "A" of this Executive Order.

SEC. 4. In accordance with Section 18 of B.P. Blg. 129, the Supreme Court shall define the territory of the Regional Trial Court and shall designate the city or municipality where each Municipal Trial Court shall hold sessions, pursuant to Section 31 of the same law.

The Supreme Court shall likewise include all the newly created municipalities without a municipal trial court in the existing municipal circuits as organized pursuant to P.D. No. 537, without prejudice to further reorganization as authorized in said Section 31.

SEC. 5. Pursuant to Section 44 of B.P. Blg. 129, the cases pending in the old courts shall be transferred by the Supreme Court to the appropriate courts constituted under this Act, together with the pertinent functions, records, equipment, and property, including the necessary personnel who shall continue on a temporary basis until reappointed or replaced by competent authority.

SEC. 6. The amount appropriated in the budget of the Judiciary shall be used for the implementation of the reorganization laws as herein decreed. Any deficiency in appropriation shall be covered by the use of income derived from court fees collected in 1983. The Minister of the Budget is directed to effect the implementation of the provisions of Section 46 of B.P. Blg. 129 relative to the grant of gratuity to all members of the judiciary and subordinate employees who shall be separated from office by reason of the reorganization.

SEC. 7. In the implementation of B.P. Blg. 129, no incumbent officer or employee in the abolished courts who is retained by appointment/designation to a corresponding or appropriate position in the new courts shall receive as annual salary or compensation an amount less than that he is actually receiving at the time of the abolition of the old courts. The amount which may be necessary to augment the salary rate or compensation provided in the staffing pattern of the new courts shall be paid out of any savings of the judiciary.

SEC. 8. This Executive Order, which takes effect as provided in Section 1, shall be published in at least five newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 17th day of January in the Year of our Lord, nineteen hundred and eighty-three.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) MANUEL M. LAZARO

Presidential Assistant for Legal Affairs

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