



PHILJA Bulletin



January to March 2010

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From the Chancellor's Desk *Ben*

We welcomed 2010 with fresh energy to maintain, if not surpass, our strong performance last year. This first quarter alone, we already launched numerous events, programs, seminars, trainings, and publications. Looking at the Academy's calendar, I am happy that we are up for more noteworthy activities in the coming months.

Aside from our regular and special focus programs, PHILJA also joined the Chief Justice and other Court officials in various parts of the country as a partner in-charge of mediation during the *Enhanced Justice on Wheels* (E-JOW) Program. In fact, word has reached me via email forwarded by a friend from Mr. George Lim of the Singapore Mediation Center that the *"Philippines has done very well in making mediation accessible to the poor."*

February was a busy month. On the 19th, the *Third Chief Justice Reynato S. Puno Distinguished Lecture Series* featuring Her Excellency Rosario Gonzalez-Manalo, Senior Foreign Service Adviser to the Secretary of Foreign Affairs, as the main speaker on the subject of the ASEAN Charter was held at the Supreme Court Session Hall. His Excellency Alistair MacDonald, head of Delegation of the European Commission in the Philippines and Mr. Jeffrey Chan Wah Teck, S.C., Deputy Solicitor-General, Attorney General's Chambers of Singapore graciously served as reactors. Asean Law Association (ALA) Officers and members also attended along with other members of the legal community.

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*"14 Years of Partnership
in Pursuit of Excellence in the Judiciary"*

March 12, 2010 PHILJA Day Celebration

On March 12, 2010, the Philippine Judicial Academy celebrated its 14th founding anniversary at the Old Session Hall of the Supreme Court. The venue was specially significant as it is right across the rooms where PHILJA held office before its transfer to the Centennial Building. Befitting this momentous occasion, a thanksgiving mass officiated by Fr. Demetrio M. Carmona, SDB, and attended by PHILJA officials and employees, set the day-long activities in motion.

In a simple recognition program following the mass, Chancellor Adolfo S. Azcuna reminded everyone to be both proud and humble of all that the Academy has accomplished, and to continue to pursue excellence. Ms. Joan Marie C. Tejada, recipient of the Chancellor's Award, expressed her gratitude to the Academy for recognizing her hard work and commitment. Hailed as PHILJA Employees of the Year, Mr. Joseph Arvin S. Cruz, for Supervisory level, and Mr. Ryan Jay S. Orcullo, for Non-Supervisory level, were given plaques and monetary tokens donated by the Management Committee (ManCom) members. Nominated by their peers and voted upon by the ManCom members, the Employees of the Year were chosen for their excellent performance, above and beyond job expectations, as well as their moral attributes and dedication to work. PHILJA employees who have been with the Academy for at least 10 years were each given a certificate and a pin in appreciation of their loyalty and dedication. They are:

1. Ms. Marita Flora C. Ayllon
2. Mr. Bernie E. Azucena
3. Ms. Susan S. Caparros
4. Mr. Joseph Arvin S. Cruz
5. Atty. Ma. Melissa R. Dimson-Bautista
6. Mr. Eliseo A. Ege
7. Ms. Lyra A. Encinares
8. Mr. Mathew R. Fajardo
9. Mr. Rodrigo G. Javier
10. Ms. Rouschelle G. Mercado
11. Mr. Jose T. Name, Jr.
12. Mr. Lope R. Palermo
13. Mr. Joselito P. Quines
14. Ms. Armida M. Salazar
15. Ms. Nennette G. Zaldivar

In the afternoon, the Photo Exhibit was formally unveiled during the ribbon-cutting ceremony led by Chief Justice Reynato S. Puno, assisted by Chancellor Adolfo S. Azcuna, Vice Chancellor Justo P. Torres, Jr., and Founding Chancellor Emeritus Ameurfina A. Melencio Herrera. The pictures showed PHILJA's

humble beginnings, its various meaningful activities, and its remarkable progress in the delivery of judicial education. The pictures also highlighted the partnerships formed with people and organizations which further bolstered PHILJA's efforts to deliver quality education to justices, judges and court personnel. Partners, both local and foreign, as well as key personalities in PHILJA's history graced the event. The event was made more meaningful when the Chief Justice praised the Academy in his message,

The images of people speak of partnership x x x . The images of programs speak of performance x x x . The images of places speak of progress x x x . We are gathered here on the 14th year of the Philippine Judicial Academy, to make a toast to its triumph x x x for the example of work ethic you have shown inspires us to do as well.



*Chancellor's Awardee
Ms. Joan Marie C. Tejada
with Justice Azcuna*



*Mr. Ryan Jay S. Orcullo, PHILJA
Employee of the Year for Non-
Supervisory Level with PHILJA officials.*



*Mr. Joseph Arvin S. Cruz, PHILJA Employee of the Year for the
Supervisory Level with PHILJA officials*

Portraits of Praise: A Toast to the Academy

Chief Justice Reynato S. Puno

Message delivered at the PHILJA Day Celebration
on March 12, 2010, Old Session Hall

Pictures, they say, never lie. I'd like to think this is the reason the Philippine Judicial Academy chose to tell us the story of its 14 years through an exhibit of photographs. Thus, today we find ourselves surrounded by pictures that paint us a portrait of the institution that is the Philippine Judicial Academy (PHILJA).

We look at these photos, and the first image we see are people. We see personalities such as Founding Chancellor Emeritus Justice Ameurfina Melencio Herrera, who built the Academy as its first chancellor, leading the institution for 13 years. We see former Chief Justices Andres Narvasa, Hilario Davide, Jr. and Artemio Panganiban, who successively saw through the birth, growth, and development of the Academy. Aside from showing images of the past, these photos also paint those of the present, showing us the face of the incumbent Chancellor, Justice Adolfo S. Azcuna, who in a few month's time will be celebrating his one year as head of the Academy, together with the faces of officials, professors, and staff who make up the PHILJA family. We see faces of justices, judges, and court personnel taking the roles of professors and participants alike. We also see faces of nonjudicial personalities, such as those from the government as well as from the private sector, lending their expertise in their respective fields in support of our judicial education program. There are also the faces of partners such as members of the academe and the international community, whose invaluable assistance has made many programs of the PHILJA possible.

Next, we see in these photos programs that lie at the core of the Academy as the premiere training school for justices, judges, court personnel, lawyers, and aspirants to judicial posts. We see the Judicial Career Enhancement Program and Orientation Seminar-Workshops for Executive Judges and Vice Executive Judges and for Newly Appointed Judges and Clerks of Court. We see the Court Personnel Development program, which aims to enhance and update officers and staffs of our courts on skills, values, systems, and procedures for a more effective performance of their duties. We see the Pre-Judicature Program for lawyers who wish to join the Judiciary. We see special programs for lawyers and laypersons alike, programs that address current trends and emerging issues in different areas of law. We see Court-Annexed Mediation, Appellate Court Mediation, and Justice Reforms Initiatives Support (JURIS) programs under the able aegis of the Philippine Mediation Center. These programs have successfully promoted and developed effective alternatives to litigation, both on the trial and on the appellate levels, successfully mediating almost 23,000 cases in the past year alone.

The photos in this exhibit also point us to places where the PHILJA has gone. We see the Academy's corps of professors, officials, and staff travel to different regions within the country to bring our judicial education programs to as many members of the Judiciary and other stakeholders as possible. We see the same people join our mobile court bus in its tour of courts and jails all over Luzon, Visayas, and Mindanao under the Enhanced Justice on Wheels Program (EJOW) of the Supreme Court. Indeed, the mobile court-annexed mediation program and the information drive for barangay officials, two of the six components of the EJOW, have significantly contributed to the success of the EJOW Program. Under this program, 5,361 cases have been successfully mediated and a total of 11,900 barangay officials oriented on the Court's judicial reform programs by the end of 2009.

Members of the Academy have also gone overseas to learn from best practices abroad as part of the Academy's ceaseless search for ways to improve the quality of the judicial education it offers. And, as a testament to how far the Academy has gone, it has also been invited by foreign judiciaries to share its secrets of success in creating and nurturing an effective judicial training program. With such growth in a little over a decade, the Academy has consequently expanded its resources, adding to its Supreme Court Centennial Building office another set of offices in the Supreme Court-Court of Appeals (SC-CA) Building, as well as another home in Tagaytay where the construction of the PHILJA Development Center is nearing completion.

On the surface, these images of personalities, programs, and places are what we see from these photos. But, as another saying goes, pictures say a thousand words. Indeed, literally, there are words underneath the photos before us, beyond the images we initially see.

The images of people speak of partnership. The story of the Academy's success is a story of sharing talent, time, and treasure across sectors to produce and develop an educational arm that is as effective as it is efficient. Truly, in its young life, the Academy has been graced by some of the best and the brightest minds in the legal profession. It has been held together by people whose determination is matched by their diligence. And it has drawn the support of organizations that have with the desire and the resources to contribute to the Academy's success. To date, the Academy has teamed up with over 100 other organizations and institutions.

The images of programs speak of performance. Throughout the years, the Academy has always delivered. From its maiden year in 1996 — in which a then lean PHILJA team successfully prepared curricula, designed instructional modules to achieve the objectives of the PHILJA Charter, and conducted 11 seminar-workshops — to the past year in which 6,655 participants attended its core and special programs, while around 7,000 participated in its seminars and lecture series, the Academy has consistently lived up of its goal to serve the Judiciary through the training of its members. Likewise, the Academy has not limited

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itself to conducting trainings and lectures; it has created such publications as the *Manual for Executive Judges, Fundamentals of Decision Writing for Judges, and Annotation of the Code of Conduct for Court Personnel*, among many others, to make such resources available to all.

Finally, the images of places speak of progress, taking us to heights the Academy has reached since its creation. From such modest beginnings, the PHILJA has truly gone a long way. Of all our judicial institutions, it enjoys the highest esteem based on a survey of lawyers and judges. It has earned accolade from international institutions such as the National Association of State Judicial Educators in the U.S., the Commonwealth Judicial Education Institute in Canada, and the World Bank. But the Academy did not have an easy ride to success. It also had to overcome its own sets of obstacles, but it was able to hurdle them to reach where it is today.

We are gathered here on the 14th year of the Philippine Judicial Academy, to make a toast to its triumph. I personally thank the Academy for its active cooperation in the Supreme Court's programs of reforms. Your participation not only augments the Court's resources, but also raises its hopes, for the example of work ethic you have shown inspires us to do as well.

Thank you and congratulations to the men and women of the PHILJA.

► **Ceremonial Turn-Over of USAID-ABA ROLI Donation to the Judiciary for the Small Claims Pilot Project**

Development Partners: USAID; ABA ROLI

Date: January 8, 2010

Venue: Judges Lounge, Halls of Justice, Quezon City
Participants: 40 comprising members of TWG, selected pilot court judges, and other judges & court personnel

► **Information Dissemination Through a Dialogue Between the Barangay Officials and Chief Justice with other Court Officials**

Date: January 23, 2010

Venue: Pedro Guevarra Memorial High School, Sta. Cruz, Laguna

Participants: 325 barangay officials of Laguna

Date: February 3, 2010

Venue: Hiyas ng Bulacan Convention Center, Provincial Capitol Compound, Malolos City, Bulacan
Participants: 149 barangay officials of Bulacan

Date: February 5, 2010

Venue: Taguig City University Auditorium
Participants: 82 barangay officials of Taguig City

Date: February 12, 2010

Venue: Tarlac Provincial Jail Compound, Brgy. Dolores, Tarlac City

Participants: 236 barangay officials, students, representatives from the PNP and Tarlac Provincial Jail of Taguig City

Date: February 24, 2010

Venue: Muntinlupa City Hall Lobby, Muntinlupa City
Participants: 255 barangay officials, LGU, students, representatives from the IBP and other agencies

Date: March 5, 2010

Venue: La Union Provincial Jail Library, San Fernando City, La Union

Participants: 115 barangay officials and provincial jail employees of La Union

Date: March 6, 2010

Venue: Multi-Purpose Hall, Baguio City Hall, Baguio City

Participants: 179 barangay officials of Baguio City

Date: March 18, 2010

Venue: Baywalk Hotel, Mati City, Davao Oriental

Participants: 191 barangay officials, students and other guests

► **Training of Trainers on the Competency Enhancement Training for Judges and Court Personnel Handling Child Abuse and Trafficking Cases**

Development Partners: CPU-Net; UNICEF

Date: January 25, 2010

Venue: CSB Hotel, Manila

Participants: 32 comprising selected justices, judges, prosecutors, PHILJA personnel, and representative from CPU-PGH

► **Continuing Legal Education Program for Court Lawyers**

Supreme Court and Court of Appeals

Date: January 26-27, 2010

Venue: Bayview Park Hotel, Manila

Participants: 116 court attorneys

Date: January 28-29, 2010

Venue: Bayview Park Hotel, Manila

Participants: 111 court attorneys

Date: March 18-19, 2010

Venue: Bayview Park Hotel, Manila

Participants: 75 court attorneys

Court of Appeals-CDO Station

Date: February 22-23, 2010

Venue: Pearlman Inn, Cagayan de Oro City

Participants: 34 court attorneys

Court of Appeals-Cebu City Station

Date: February 25-26, 2010

Venue: Montebello Villa Hotel, Banilad, Cebu City

Participants: 32 court attorneys

Sandiganbayan and Court of Tax Appeals

Date: March 15-16, 2010

Venue: Imperial Palace Suites, Quezon City

Participants: 63 court attorneys

► **Seminar on Speedy Trial and Disposition of Cases**

Development Partners: OCA; USAID; ABA-ROLI

NCR-Batch 2

Date: January 29, 2010

Venue: Mandarin Oriental Manila, Makati City

Participants: 50 selected first and second level judges of NCJR

Mindanao

Date: February 10, 2010

Venue: Marco Polo Davao Hotel, Davao City

Participants: 46 selected first and second level judges of Regions 9 to 12

Luzon-Batch 1

Date: March 19, 2010

Venue: Traders Hotel Manila, Pasay City

Participants: 72 selected first and second level judges of Regions 4 & 5

► **Knowledge Sharing on the Adjudication of Disputes in an Automated Election System**

Development Partners: USAID; ABA-ROLI; IFES

Date: February 8, 2010

Venue: Le Salon 2, Hyatt Hotel, Ermita, Manila

Participants: 48 representatives from SC, PHILJA, COMELEC, ABA-ROLI, and IFES

► **Competency Enhancement Training for Judges and Court Personnel Handling Child Abuse and Trafficking Cases**

Development Partners: CPU-Network; UNICEF

Date: February 9-11, 2010

Venue: Sarabia Manor Hotel, Iloilo City

Participants: 53 comprising selected RTC judges, court personnel, CA lawyers, prosecutors, PAO lawyers and representatives from the PNP of Region 6

Date: March 16-18, 2010

Venue: The A Venue Hotel Suites, Makati City

Participants: 76 comprising selected judges, court personnel, prosecutors, PAO lawyers and representatives from the PNP of NCJR

► **Chief Justice Reynato S. Puno
Third Distinguished Lecture**

Topic: The ASEAN Charter

Lecturer: H. E. Rosario G. Manalo, Senior Foreign Service Adviser to the Secretary of Foreign Affairs, Philippine Negotiator of the ASEAN Charter and the Terms of Reference (TOR) of the ASEAN Intergovernmental Commission on Human Rights, Career Ambassador of the Philippine Diplomatic Service (ret.)

Development Partners: ALA of the Philippines; PMO

Date: February 19, 2010

Venue: En Banc Session Hall, Supreme Court, Manila



► **19th Pre-Judicature Program**

Date: February 22 to March 5, 2010

Venue: College of St. Benilde Hotel, Malate, Manila

Participants: 62 lawyers

1. Atty. Joan A. Albarece
2. Atty. Rosario Dolores V. Alday
3. Atty. Edgar A. Ambagan
4. Atty. Ma. Victoria T. Antique-Garalza
5. Atty. Wilmar T. Arugay
6. Atty. Mary Hazel SJ Atayza-Marasigan
7. Atty. Rodolfo P. Azucena, Jr.
8. Atty. Anne Beatrice A. Balmaceda
9. Atty. Zandra Tubat Bato
10. Atty. James Daniel O. Bicomong, Jr.
11. Atty. Shirley Joyce O. Bohol
12. Atty. Lyn Eborá Cacha
13. Atty. Heidi M. Caguioa
14. Atty. Emma Liza P. Calma
15. Atty. Joseph Darren C. Centeno
16. Atty. Joselito S. Concepcion
17. Atty. Arlyn B. Concepcion-Soresca
18. Atty. Zenalfie M. Cuenco
19. Atty. Janette Mae J. Dillomes
20. Atty. Sheryll C. Dolendo-Tulabing
21. Atty. Dominica L. Dumangeng-Rosario
22. Atty. Raquel C. Enriquez
23. Atty. Ana Bergonzosa B. Escarlan
(for MCLE Compliance only)
24. Atty. Frederick Mikhail I. Farolan

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25. Atty. Faustina B. Fernandez
26. Atty. Vicente S. Hernandez, Jr.
27. Atty. Ireneo D. Hernandez
28. Atty. Perla Polintang Huerto
29. Atty. Harold Cesar C. Huliganga
30. Atty. Jaime O. Ibañez
31. Atty. Irene C. Ishiwata (for MCLE Compliance only)
32. Atty. Aliakhbar A. Jumrani
33. Atty. Edmond M. Kindipan
34. Atty. Veronica B. King (for MCLE Compliance only)
35. Atty. Ireneo M. Lustre
36. Atty. Edwin A. Macaraeg
37. Atty. Ethel A. Malabanan
38. Atty. Michelle C. Manaig-Calumpang
39. Atty. Shiela Cindy D. Masangque
40. Atty. Nicolas B. Medenilla II
41. Atty. Arthur B. Melicor
42. Atty. George E. Misa
43. Atty. Christina S. Molino
44. Atty. Ma. Susan Eleanor G. Muria
45. Atty. Marie Catherine R. Nolasco
46. Atty. Susan U. Ordinario
47. Atty. Ronald M. Paas
48. Atty. Iderlina P. Pagunuran (for MCLE Compliance only)
49. Atty. Corazon L. Rodriguez-Bondoc
50. Atty. Arlene J. Roura
51. Atty. Rina S. Sacdalan (for MCLE Compliance only)
52. Atty. Jose Theodoro Leonardo C. Santos
53. Atty. Cipriano Alexander B. Soriano
54. Atty. Silvino L. Sumagaysay, Jr.
55. Atty. May Hazel M. Tagupa
56. Atty. Rachele C. Tandoc-Ricabierta
57. Atty. Isah J.E. Tangonan
58. Atty. Mark Kristopher G. Tolentino
59. Atty. Devery Jean Katrina T. Tumilba
60. Atty. Florencio E. Uy
61. Atty. Marietta R. Velasco
62. Atty. Zendy Maderazo Villanueva

► **Launch of the Publication of the Proceedings of the International Conference on the International Criminal Court**

Date: February 23, 2010

Venue: En Banc Session Hall, Supreme Court, Manila



► **7th National Convention and Seminar of the Philippine Association of Court Social Workers, Inc. (PACSWI)**

Theme: Court Social Workers: Moving Forward in the Pursuit of Social Justice and Excellence

Date: February 24-26, 2010

Venue: Regency Inn, Davao City

Participants: 115 court social workers

► **Seminar-Workshop on Combating Judicial Corruption and Strengthening the Rule of Law**

Development Partners: OCA; USAID; ABA-ROLI

Date: February 25-27, 2010

Venue: En Banc Session Hall, Supreme Court, Manila

Participants: 42 OCA and JBC lawyers

► **Seminar-Workshop on Dangerous Drugs Law for Judges, Prosecutors and Law Enforcers**

Development Partner: DDB

Date: March 2-4, 2010

Venue: Oxford Hotel, Angeles City, Pampanga

Participants: 104 comprising selected RTC judges and prosecutors, representatives from PDEA, RAIDSOTG, PASG, PPA, NBI, and BUCUS of Regions 1, 2 & 3

► **National Summit on Family Courts**

Development Partners: CGRJ; PJA

Date: March 4-5, 2010

Venue: Manila Hotel, Manila

Participants: 222 participants comprising members of the Judiciary, SC officials, family court judges, clerks of court, court interpreters, court social workers, and representatives from PJA, DOJ, DSWD, DILG, Legislative, Civil Society, Church, Academe, Media, Development Partners, and CGRJ



► **National Convention and General Meeting of the Philippine Women Judges Association (PWJA)**

Theme: The Role of Lady Magistrates in the Protection of the Environment

Date: March 4-5, 2010

Venue: Manila Hotel, Manila

Participants: 306 lady judges

► **Convention and Seminar of the Judiciary Association of Clerks of the Philippines**

Theme: Enhancing the Integrity of Judicial Clerks in Strengthening the Rule of Law

Date: March 24-26, 2010

Venue: Tagaytay International Convention Center, Tagaytay City

Participants: 601 clerks

► **Seminar-Workshop on the Rule of Procedure for Small Claims Cases NCJR**

Development Partners: OCA; USAID; ABA-ROLI

Date: March 25, 2010; March 26, 2010

Venue: Pan Pacific Hotel, Manila

Participants: 72 and 89 judges and clerks of court

► **JUDICIAL MOVES**

Supreme Court



Hon. Martin S. Villarama, Jr.
Associate Justice, appointed on November 7, 2009



Hon. Jose P. Perez
Associate Justice, appointed on December 26, 2009



Hon. Jose C. Mendoza
Associate Justice, appointed on January 5, 2010



Hon. Jose Midas P. Marquez
Court Administrator, appointed on January 27, 2010



Hon. Jesus Edwin A. Villasor
Deputy Court Administrator, appointed on October 27, 2009



Hon. Raul B. Villanueva
Deputy Court Administrator, appointed on March 8, 2010



Hon. Jenny Lind R. Aldecoa-Delorino
Assistant Court Administrator, appointed on January 18, 2010

(Continued on next page)

Court of Appeals

Hon. Edwin D. Sorongon
Associate Justice, appointed on November 5, 2009

Hon. Ramon A. Cruz
Associate Justice, appointed November 5, 2009

Hon. Agnes R. Carpio
Associate Justice, appointed on November 5, 2009

Hon. Socorro B. Inting
Associate Justice, appointed on November 6, 2009

Hon. Angelita A. Gacutan
Associate Justice, appointed on November 6, 2009

Hon. Eduardo B. Peralta, Jr.
Associate Justice, appointed on February 16, 2010

Hon. Ramon Paul L. Hernando
Associate Justice, appointed on February 16, 2010

Hon. Myra G. Fernandez
Associate Justice, appointed on February 16, 2010

Hon. Nina G. Antonio-Valenzuela
Associate Justice, appointed on February 24, 2010

Sandiganbayan

Hon. Norberto Y. Geraldez
Presiding Justice, appointed on February 28, 2010

Hon. Maria Cristina J. Cornejo
Associate Justice, appointed on March 1, 2010

Court of Tax Appeals

Hon. Cielito Mindaro-Grulla
Associate Justice, appointed on November 27, 2009

Hon. Esperanza Fabon-Victorino
Associate Justice, appointed on November 27, 2009

Hon. Amelia C. Manalastas
Associate Justice, appointed on December 15, 2009

From the Chancellor's Desk

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On the 23rd, PHILJA proceeded with the launch of the publication of the *Proceedings of the International Conference on the International Criminal Court* also at the Supreme Court Session Hall. I thank Ambassador Rubens Anna Fedele of the Italian Embassy and Judge Sang-Hyun Song, President of the International Criminal Court, for their presence and pre-recorded message, respectively.

Aside from having distributed a special publication entitled "*Justitia et Lex: Handbook on Marriage*," PHILJA also mounted a National Summit on Family Courts (*Strengthening the Multi-Sectoral Framework for the Protection of Family, Women and Children*) with the cooperation of the Supreme Court's Committee on Gender Responsiveness in the Judiciary (CGRJ) and the Philippine Judges Association (PJA) on March 12.

On the same day, PHILJA also celebrated its 14th Anniversary as the educational arm of the Court. The day opened with a morning mass and a short program honoring deserving employees while a photo exhibit, chronicling the Academy's journey from a fledgling institution to its present incarnation as a leader and model in judicial education in Asia and in the world, was launched in the afternoon in the presence of distinguished guests including our development partners.

The said occasion also showcased the amazing talents of our very own PHILJA choir which was organized just before the event. Their performance under the helm of Justice Oswaldo Agcaoili was indeed a pleasant revelation.

Allow me to express my gratitude to the PHILJA officials and employees for coming together as a family in celebrating this milestone successfully. There is reason to be proud for no less than the Chief Justice himself called PHILJA the "*crown jewel*" of the Supreme Court.

All the best this 2010!

Adolfo S. Azcuna
Chancellor

CONSTITUTIONAL LAW

Power to promulgate rules exclusive domain of the Supreme Court; Court Rules can no longer be altered by Congress.

Until the 1987 Constitution took effect, our two previous constitutions *textualized* a power sharing scheme between the legislature and this Court in the enactment of judicial rules. Thus, both the 1935 and the 1973 Constitutions vested on the Supreme Court the “power to promulgate rules concerning pleading, practice, and procedure in all courts, and the admission to the practice of law.” However, these constitutions also granted to the legislature the concurrent power to “repeal, alter or supplement” such rules.

The 1987 Constitution textually altered the power-sharing scheme under the previous charters by deleting in Section 5(5) of Article VIII Congress’ subsidiary and corrective power. This glaring and fundamental omission led the Court to observe in *Echegaray v. Secretary of Justice* that this Court’s power to promulgate judicial rules “is no longer shared by this Court with Congress”:

The 1987 Constitution molded an even stronger and more independent judiciary. Among others, it enhanced the rule making power of this Court [under] Section 5(5), Article VIII x x x .

The rule making power of this Court was expanded. This Court for the first time was given the power to promulgate rules concerning the protection and enforcement of constitutional rights. The Court was also granted for the first time the power to disapprove rules of procedure of special courts and quasi-judicial bodies. *But most importantly, the 1987 Constitution took away the power of Congress to repeal, alter, or supplement rules concerning pleading, practice and procedure.* In fine, the power to promulgate rules of pleading, practice and procedure **is no longer shared by this Court with Congress**, more so with the Executive. x x x (*Italicization in the original; boldfacing supplied*)

Any lingering doubt on the import of the textual evolution of Section 5(5) should be put to rest with our recent En Banc ruling denying a request by the Government Service Insurance System (GSIS) for exemption from payment of legal fees based on Section 39 of its Charter, Republic Act No. 8291, exempting GSIS from “all taxes, assessments, fees, charges or dues of all kinds.” Reaffirming *Echegaray’s* construction of Section 5(5), the Court described its exclusive power

to promulgate rules on pleading, practice and procedure as “one of the safeguards of this Court’s institutional independence”:

[T]he payment of legal fees is a vital component of the rules promulgated by this Court concerning pleading, practice and procedure, it cannot be validly annulled, changed or modified by Congress. *As one of the safeguards of this Court’s institutional independence, the power to promulgate rules of pleading, practice and procedure is now the Court’s exclusive domain.* x x x (*Emphasis supplied*)

(Carpio, J., *Baguio Market Vendors Multi-Purpose Cooperative (BAMARVEMPCO), represented by Recto Inso, Operations Manager v. Hon. Iluminada Cabato-Cortes, Executive Judge, Regional Trial Court, Baguio City*, G.R. No. 165922, February 26, 2010.)

ADMINISTRATIVE LAW

Government employee dismissed for cause not deprive of his personal contributions to the GSIS; can still recover it plus 3 percent interest.

There is no inconsistency between Section 11(d) of Commonwealth Act No. 186, as amended, and Section 4 of PD No. 1146, and, subsequently, RA No. 8291. The inevitable conclusion then is that Section 11(d) of Commonwealth Act No. 186, as amended, continues to govern cases of employees dismissed for cause and their claims for the return of their personal contributions.

Finally, it should be remembered that the GSIS laws are in the nature of social legislation, to be liberally construed in favor of the government employees. The money subject of the instant request consists of personal contributions made by the employee, premiums paid in anticipation of benefits expected upon retirement. The occurrence of a contingency, i.e., his dismissal from the service prior to reaching retirement age, should not deprive him of the money that belongs to him from the outset. To allow forfeiture of these personal contributions in favor of the GSIS would condone undue enrichment.

Pursuant to the foregoing discussion, Cesar is entitled to the return of his premiums and voluntary deposits, if any, with interest of three per centum per annum, compounded monthly.

(Nachura, J., *Carmelita Lledo v. Atty. Cesar V. Lledo*, A.M. No. P-95-1167, February 9, 2010.)

(Continued on next page)

Decisions in election contests; what they must contain.

In the Rules of Procedure in Election Contests, A.M. No. 07-4-15-SC, Section 2 of Rule 14 states:

SEC. 2. Form of decision in election protests. After termination of the revision of ballots and before rendering its decision in an election protest that involved such revision, the court shall examine and appreciate the original ballots. The court, in its appreciation of the ballots and in rendering rulings on objections and claims to ballots of the parties, shall observe the following rules:

- (a) On Marked Ballots – The court must specify the entries in the ballots that clearly indicate that the intention of the voter is to identify the ballot. The specific markings in the ballots must be illustrated or indicated;
- (b) On Fake or Spurious Ballots – The court must specify the COMELEC security markings that are not found in the ballots that are considered fake or spurious;
- (c) On Stray Ballots – The court must specify and state in detail why the ballots are considered stray;
- (d) On Pair or Group of Ballots – Written by One or Individual Ballots Written by Two-When ballots are invalidated on the ground of written by one person, the court must clearly and distinctly specify **why** the pair or group of ballots has been *written by only one person*. The specific strokes, figures or letters indicating that the ballots have been written by one person **must** be specified. **A simple ruling that a pair or group of ballots has been written by one person would not suffice. The same is true when ballots are excluded on the ground of having been written by two persons.** The court must likewise take into consideration the entries of the Minutes of Voting and Counting relative to illiterate or disabled voters, if any, who cast their votes through assistors, in determining the validity of the ballots found to be *written by one person*, whether the ballots are in pairs or in groups; and
- (e) On Claimed Ballots – The court must specify the exact basis for admitting or crediting claimed votes to either party. (*Emphasis supplied*)

Notably, the word “must” is used in the above-quoted rule, thus, clearly indicating the mandatory — not merely directory — nature of the requirement of what the decision should contain. The specific rules on the contents of decisions in election contests were formulated so that the decision could, by itself, be taken

as a valuable aid in expeditiously deciding on appeal incidents peripheral to the main case. In the present case, the contents of the decision become particularly relevant and useful in light of the need to decide the case before us with utmost dispatch, based only on the documents submitted before us, considering that the records and election materials are with another tribunal, as a matter of course.

For the limited purpose of determining whether the essential requisite of a clear showing in the decision of the protestant’s victory and the protestee’s defeat is present, we have examined the RTC Decision subject of the present case. It is glaring and unmistakable that the said Decision does not conform to the requirements set forth in Section 2 of the Rules. It does not give the specifics of its findings. The general statement invalidating 67 percent of the total votes cast on the ground that the ballots were written by one person or written by two persons is grossly infirm. The Decision does not specify why the court considered particular groups of ballots to have been written by one person, and other invalidated ballots to have been written by two persons. Worse, the Decision does not state which and how many ballots were written by one person; and which and how many ballots were written by two persons. The entire Decision, even the lengthy part enumerating the exhibits offered by each party, fails to yield the exact number of and which ballots were written by one person, and the exact number of and which ballots were written by two persons. There is also no mention in the decision of whether or not the RTC took into consideration the entries of the Minutes of Voting and Counting relative to illiterate or disabled voters, if any, who cast their votes through assistors. The Decision merely states that “[a] careful and cursory examination of these ballots indubitably shows that these ballots are written either by one or two persons, given the palpable similarity in the handwritings indicated in these ballots earlier declared by Protestant’s revisors as written by one and two persons.” It utterly violates the mandatory requirement that “the court must clearly and distinctly specify why the pair or group of ballots has been written by only one person. The specific figures or letters indicating that the ballots have been written by one person must be specified.”

In the present case, the victory of the protestant and the defeat of the protestee were not clearly established in the Decision because of the RTC’s failure to conform to the prescribed form of the Decision. Because of said infirmity, there is no certainty, it not being mentioned in the Decision, on whether the

ELECTION LAW (continued)

ballots of those who voted through assistants were also invalidated or not, in conjunction with the lack of a specific number of ballots invalidated for being written by one person. The ballots of those who voted through assistants, if any, could validly be written by one person. It being unclear from the Decision whether these ballots, if any, were invalidated, it follows that the victory of the protestant and defeat of the protestee are unclear and not manifest therein.

Consequently, to allow the execution of such a grossly infirm RTC Decision in disregard of established jurisprudence and clear and straightforward rules is arbitrary and whimsical and constitutes grave abuse of discretion amounting to lack or excess of jurisdiction.

(Del Castillo, J., *Leonor Dangan-Corral v. Commission on Elections and Ernesto Enero Fernandez*, G.R. No. 190156, February 12, 2010.)

AGRARIAN LAW

Only designated RTC as special agrarian court has jurisdiction over agrarian cases within the province.

A branch of an RTC designated as a Special Agrarian Court for a province has the original and exclusive jurisdiction over **all petitions** for the determination of just compensation in that province. In *Republic v. Court of Appeals*, the Supreme Court ruled that Special Agrarian Courts have original and exclusive jurisdiction over two categories of cases: (1) **all petitions** for the determination of just compensation to landowners, and (2) the prosecution of all criminal offenses under RA No. 6657.

By "special" jurisdiction, Special Agrarian Courts exercise power in addition to or over and above the ordinary jurisdiction of the RTC, such as taking cognizance of suits involving agricultural lands located outside their regular territorial jurisdiction, so long as they are within the province where they sit as Special Agrarian Courts.

RA No. 6657 requires the designation by the Supreme Court before an RTC Branch can function as a Special Agrarian Court. The Supreme Court has not designated the single *sala* courts of RTC, Branch 64 of Guihulngan City and RTC, Branch 63 of Bayawan City as Special Agrarian Courts. Consequently, they cannot hear just compensation cases just because the lands subject of such cases happen to be within their territorial jurisdiction.

Since RTC, Branch 32 of Dumaguete City is the designated Special Agrarian Court for the province of Negros Oriental, it has jurisdiction over **all** cases for determination of just compensation involving agricultural lands within that province, regardless of whether or not those properties are outside its regular territorial jurisdiction.

(Abad, J. *Landbank of the Philippines v. Corazon M. Villegas*, G.R. No. 180384 and *Landbank of the Philippines v. Heirs of Catalino V. Noel and Procula P. Sy*, G.R. No. 180891, March 26, 2010.)

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CONSTITUTIONAL LAW

Right to a speedy disposition of cases not limited to accused in criminal cases; applies also to parties in civil and administrative cases.

The constitutional right to a “speedy disposition of cases” is not limited to the accused in criminal proceedings but extends to all parties in all cases, including civil and administrative cases, and in all proceedings, including judicial and quasi-judicial hearings. Hence, under the Constitution, any party to a case may demand expeditious action by all officials who are tasked with the administration of justice.

The right to a speedy disposition of a case, like the right to a speedy trial, is deemed violated only when the proceedings are attended by vexatious, capricious, and oppressive delays; or when unjustified postponements of the trial are asked for and secured; or **even without cause or justifiable motive, a long period of time is allowed to elapse without the party having his case tried.** Equally applicable is the balancing test used to determine whether a defendant has been denied his right to a speedy trial, or a speedy disposition of a case for that matter, in which the conduct of both the prosecution and the defendant is weighed, and such factors as the length of the delay, the reasons for such delay, the assertion or failure to assert such right by the accused, and the prejudice caused by the delay. The concept of a speedy disposition is a relative term and must necessarily be a flexible concept.

Hence, the doctrinal rule is that in the determination of whether that right has been violated, the factors that may be considered and balanced are as follows: (1) the length of delay; (2) the reasons for the delay; (3) the assertion or failure to assert such right by the accused; and (4) the prejudice caused by the delay.

(Perez, J., Capt. Wilfredo G. Roquero *v.* The Chancellor of the UP-Manila; the Administrative Disciplinary Tribunal (ADT) of UP-Manila; Atty. Zaldy B. Docena; Eden Perdido; Isabella Lara, in their Capacities as Chairman and Members of the ADT; and Imelda O. Abital, G.R. No. 181851, March 9, 2010.)

ELECTION LAW

HRET has jurisdiction to hear and pass upon qualifications of party-list representatives.

Although it is the party-list organization that is voted for in the elections, it is not the organization that sits as and becomes a member of the House of Representatives. Section 5, Article VI of the Constitution, identifies who the “members” of that House are:

SEC. 5. (1). The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations. (*Emphasis supplied*)

Clearly, the members of the House of Representatives are of two kinds: “members x x x who shall be elected from legislative districts” and “those who x x x shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.” This means that, from the Constitution’s point of view, it is the party-list representatives who are “elected” into office, not their parties or organizations. These representatives are elected, however, through that peculiar party-list system that the Constitution authorized and that Congress by law established where the voters cast their votes for the organizations or parties to which such party-list representatives belong.

Once elected, both the district representatives and the party-list representatives are treated in like manner. They have the same deliberative rights, salaries, and emoluments. They can participate in the making of laws that will directly benefit their legislative districts or sectors. They are also subject to the same term limitation of three years for a maximum of three consecutive terms.

It may not be amiss to point out that the Party-List System Act itself recognizes party-list nominees as “members of the House of Representatives,” thus:

SEC. 2. *Declaration of Policy.* – The State shall promote proportional representation in the election of representatives to the House of Representatives through a party-list system of registered national, regional and sectoral parties or organizations or coalitions thereof, which will enable Filipino citizens belonging to the marginalized and underrepresented sectors, organizations and parties, and who lack well-defined political constituencies but who could contribute to the formulation and enactment of appropriate legislation that will benefit the nation as a whole, to become members of the House of Representatives. Towards this end, the State shall develop and guarantee a full, free and open party system in order to attain the broadest possible representation of party, sectoral or group interests in the House of Representatives by enhancing their chances to compete for and win seats in the

ELECTION LAW (continued)

legislature, and shall provide the simplest scheme possible. (Emphasis supplied)

As this Court also held in *Bantay Republic Act or BA-RA No. 7941 v. Commission on Elections*, a party-list representative is in every sense “an elected member of the House of Representatives.” Although the vote cast in a party-list election is a vote for a party, such vote, in the end, would be a vote for its nominees, who, in appropriate cases, would eventually sit in the House of Representatives.

Both the Constitution and the Party-List System Act set the qualifications and grounds for disqualification of party-list nominees. Section 9 of RA No. 7941, echoing the Constitution, states:

SEC. 9. Qualification of Party-List Nominees. – No person shall be nominated as party-list representative unless he is a natural-born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one year immediately preceding the day of the election, able to read and write, bona fide member of the party or organization which he seeks to represent for at least 90 days preceding the day of the election, and is at least 25 years of age on the day of the election.

In case of a nominee of the youth sector, he must at least be 25 but not more than 30 years of age on the day of the election. Any youth sectoral representative who attains the age of 30 during his term shall be allowed to continue until the expiration of his term.

In the cases before the Court, those who challenged the qualifications of petitioners Abayon and Palparan claim that the two do not belong to the marginalized and underrepresented sectors that they ought to represent. The Party-List System Act provides that a nominee must be a “*bona fide* member of the party or organization which he seeks to represent.”

It is for the HRET to interpret the meaning of this particular qualification of a nominee—the need for him or her to be a *bona fide* member or a representative of his party-list organization—in the context of the facts that characterize petitioners Abayon and Palparan’s relation to *Aangat Tayo* and *Bantay*, respectively, and the marginalized and underrepresented interests that they presumably embody.

Petitioners Abayon and Palparan of course point out that the authority to determine the qualifications of a party-list nominee belongs to the party or organization that nominated him. This is true, initially. The right to examine the fitness of aspiring nominees and, eventually, to choose five from among them after all belongs to the party or organization

that nominates them. But where an allegation is made that the party or organization had chosen and allowed a disqualified nominee to become its party-list representative in the lower House and enjoy the secured tenure that goes with the position, the resolution of the dispute is taken out of its hand.

Parenthetically, although the Party-List System Act does not so state, the COMELEC seems to believe, when it resolved the challenge to petitioner Abayon, that it has the power to do so as an incident of its authority to approve the registration of party-list organizations. But the Court need not resolve this question since it is not raised here and has not been argued by the parties.

What is inevitable is that Section 17, Article VI of the Constitution provides that the HRET shall be the sole judge of all contests relating to, among other things, the qualifications of the members of the House of Representatives. Since, as pointed out above, party-list nominees are “**elected members**” of the House of Representatives no less than the district representatives are, the HRET has jurisdiction to hear and pass upon their qualifications. By analogy with the cases of district representatives, once the party or organization of the party-list nominee has been proclaimed and the nominee has taken his oath and assumed office as member of the House of Representatives, the COMELEC’s jurisdiction over election contests relating to his qualifications ends and the HRET’s own jurisdiction begins.

(Abad, J., Daryl Grace J. Abayon v. The Honorable House of Representatives Electoral Tribunal, Perfecto C. Lucaban, Jr., Ronyl S. De La Cruz and Agustin C. Doroga, G.R. No. 189466 and Congressman Jovito S. Palparan, Jr. v. House of Representatives Electoral Tribunal (HRET), Dr. Reynaldo Lesaca, Jr., Cristina Palabay, Renato M. Reyes, Jr., Erlinda Cadapan, Antonio Flores and Joselito Ustarez, G.R. No. 189506, February 11, 2010.)

CIVIL LAW

Filiation; establishing filiation.

Herrera v. Alba summarizes the laws, rules, and jurisprudence on establishing filiation, discoursing in relevant part as follows:

*Laws, Rules, and Jurisprudence
Establishing Filiation*

(Continued on next page)

CIVIL LAW (continued)

The relevant provisions of the Family Code provide as follows:

ART. 175. Illegitimate children may establish their illegitimate filiation in the same way and on the same evidence as legitimate children.

x x x x

ART. 172. The filiation of legitimate children is established by any of the following:

- (1) The record of birth appearing in the civil register or a final judgment; or
- (2) *An admission of legitimate filiation in a public document or a private handwritten instrument and signed by the parent concerned.*

In the absence of the foregoing evidence, the legitimate filiation shall be proved by:

- (1) The open and continuous possession of the status of a legitimate child; or
- (2) Any other means allowed by the Rules of Court and special laws.

The Rules on Evidence include provisions on pedigree. The relevant sections of Rule 130 provide:

SEC. 39. Act or declaration about pedigree. — The act or declaration of a person deceased, or unable to testify, in respect to the pedigree of another person related to him by birth or marriage, may be received in evidence where it occurred before the controversy, and the relationship between the two persons is shown by evidence other than such act or declaration. The word “pedigree” includes relationship, family genealogy, birth, marriage, death, the dates when and the places where these facts occurred, and the names of the relatives. It embraces also facts of family history intimately connected with pedigree.

SEC. 40. Family reputation or tradition regarding pedigree. — The reputation or tradition existing in a family previous to the controversy, in respect to the pedigree of any one of its members, may be received in evidence if the witness testifying thereon be also a member of the family, either by consanguinity or affinity. Entries in family bibles or other family books or charts, engraving on rings, family portraits and the like, may be received as evidence of pedigree.

This Court’s rulings further specify what incriminating acts are acceptable as evidence to establish filiation. In *Pe Lim v. CA*, a case petitioner often cites, we stated that the issue of paternity still has to be resolved by such

conventional evidence as the relevant incriminating verbal and written acts by the putative father. Under Article 278 of the New Civil Code, voluntary recognition by a parent shall be made in the record of birth, a will, a statement before a court of record, or in any authentic writing. To be effective, the claim of filiation must be made by the putative father himself and the writing must be the writing of the putative father. *A notarial agreement to support a child whose filiation is admitted by the putative father was considered acceptable evidence.* Letters to the mother vowing to be a good father to the child and pictures of the putative father cuddling the child on various occasions, together with the certificate of live birth, proved filiation. However, a student permanent record, a written consent to a father’s operation, or a marriage contract where the putative father gave consent, cannot be taken as authentic writing. Standing alone, neither a certificate of baptism nor family pictures are sufficient to establish filiation. (*Emphasis supplied*)

(Carpio Morales, J., Ben-Hur Nepomuceno *v.* Arhbencil Ann Lopez, represented by her mother Araceli Lopez, G.R. No. 181258, March 18, 2010.)

AGRARIAN LAW

DAR Secretary has exclusive jurisdiction to classify and identify landholdings for coverage under the CARP.

The exclusive jurisdiction to classify and identify landholdings for coverage under the CARP is reposed in the DAR Secretary. The matter of CARP coverage, like the instant case for application for exemption, is strictly part of the administrative implementation of the CARP, a matter well within the competence of the DAR Secretary. As we explained in *Leonardo Tarona, et al. v. Court of Appeals (Ninth Division), et al.*:

The power to determine whether a property is subject to CARP coverage lies with the DAR Secretary pursuant to Section 50 of RA No. 6657. Verily, it is explicitly provided under Section 1, Rule II of the DARAB Revised Rules that matters involving strictly the administrative implementation of the CARP and other agrarian laws and regulations, shall be the exclusive prerogative of and cognizable by the Secretary of the DAR.

(Nachura, J., Alangilan Realty & Development Corporation *v.* Office of the President, represented by Alberto Romulo, as Executive Secretary, and Arthur P. Autea, as Deputy Secretary; and Department of Agrarian Reform, G.R. No. 180471, March 26, 2010.)

LAND REGISTRATION LAW

A certificate of title not equivalent to title.

A certificate of title is not equivalent to title. In *Lee Tek Sheng v. Court of Appeals*, we explained:

By title, the law refers to ownership which is represented by that document [the Original Certificate of Title or the Transfer Certificate of Title]. Petitioner apparently confuses certificate with title. Placing a parcel of land under the mantle of the Torrens system does not mean that ownership thereof can no longer be disputed. **Ownership is different from a certificate of title.** The TCT is only the best proof of ownership of a piece of land. **Besides, the certificate cannot always be considered as conclusive evidence of ownership.** Mere issuance of the certificate of title in the name of any person does not foreclose the possibility that the real property may be under co-ownership with persons not named in the certificate or that the registrant may only be a trustee or that other parties may have acquired interest subsequent to the issuance of the certificate of title. To repeat, registration is not the equivalent of title, but is only the best evidence thereof. Title as a concept of ownership should not be confused with the certificate of title as evidence of such ownership although both are interchangeable. (*Emphasis supplied*)

(Carpio, J., *Spouses Melchor and Saturnina Alde v. Ronald B. Bernal, Olympia B. Bernal, Juanito B. Bernal, and Myrna D. Bernal*, G.R. No. 169336, March 18, 2010.)

CRIMINAL LAW

Arson; arson absorbs homicide if main objective is to burn the building.

[I]n cases where both burning and death occur, in order to determine what crime/crimes was/were perpetrated – whether arson, murder or arson and homicide/murder, it is *de rigueur* to ascertain the main objective of the malefactor: (a) if the **main objective is the burning** of the building or edifice, but death results by reason or on the occasion of arson, the crime is simply *arson*, and the resulting homicide is absorbed; (b) if, on the other hand, the **main objective is to kill** a particular person who may be in a building or edifice, when fire is resorted to as the means to accomplish such goal the crime committed is *murder* only; lastly, (c) if the **objective is, likewise, to kill** a particular person, and in fact the offender has already done so, but fire is resorted to as a means to cover up the killing, then there are two separate and distinct crimes committed – ***homicide/murder and arson***. (*Emphasis and underscoring partly in the original; emphasis partly supplied*)

(Carpio Morales, J., *People of the Philippines v. Ferdinand T. Baluntong*, G.R. No. 182061, March 15, 2010.)

REMEDIAL LAW

Mandamus; its nature; cases where it will lie.

As a rule, *mandamus* will not lie in the absence of any of the following grounds: [a] that the court, officer, board, or person against whom the action is taken unlawfully neglected the performance of an act which the law specifically enjoins as a duty resulting from office, trust, or station; or [b] that such court, officer, board, or person has unlawfully excluded petitioner/relator from the use and enjoyment of a right or office to which he is entitled. On the part of the relator, it is essential to the issuance of a writ of mandamus that he should have a clear legal right to the thing demanded and it must be the imperative duty of respondent to perform the act required.

Recognized further in this jurisdiction is the principle that *mandamus* cannot be used to enforce contractual obligations. Generally, *mandamus* will not lie to enforce purely private contract rights, and will not lie against an individual unless some obligation in the nature of a public or quasi-public duty is imposed. The writ is not appropriate to enforce a private right against an individual. The writ of mandamus lies to enforce the execution of an act, when, otherwise, justice would be obstructed; and, regularly, issues only in cases relating to the public and to the government; hence, it is called a prerogative writ. To preserve its prerogative character, *mandamus* is not used for the redress of private wrongs, but only in matters relating to the public.

Moreover, an important principle followed in the issuance of the writ is that there should be no plain, speedy and adequate remedy in the ordinary course of law other than the remedy of *mandamus* being invoked. In other words, *mandamus* can be issued only in cases where the usual modes of procedure and forms of remedy are powerless to afford relief. Although classified as a legal remedy, *mandamus* is equitable in its nature and its issuance is generally controlled by equitable principles. Indeed, the grant of the writ of mandamus lies in the sound discretion of the court.

(Nachura, J., *Uy Kiao Eng v. Nixon Lee*, G.R. No. 176831, January 15, 2010.)

Right to possession of a purchaser at an extrajudicial foreclosure of a mortgage sale.

Banco Filipino Savings and Mortgage Bank v. Pardo squarely ruled on the right to possession of a purchaser at an extrajudicial foreclosure of a mortgage. This case involved a real estate mortgage as security for a loan obtained from a bank. Upon the mortgagor's default,

(*Continued on next page*)

REMEDIAL LAW (continued)

the bank extrajudicially foreclosed the mortgage. At the auction sale, the bank was the highest bidder. A certificate of sale was duly issued and registered. The bank then applied for the issuance of a writ of possession, which the lower court dismissed. The Court reversed the lower court and held that the purchaser at the auction sale was entitled to a writ of possession pending the lapse of the redemption period upon a simple motion and upon the posting of a bond.

In *Navarra v. Court of Appeals*, the purchaser at an extrajudicial foreclosure sale applied for a writ of possession after the lapse of the one-year redemption period. The Court ruled that the purchaser at an extrajudicial foreclosure sale has a right to the possession of the property even during the one-year redemption period provided the purchaser files an indemnity bond. After the lapse of the said period with no redemption having been made, that right becomes absolute and may be demanded by the purchaser even without the posting of a bond. Possession may then be obtained under a writ which may be applied for *ex parte* pursuant to Section 7 of Act No. 3135, as amended by Act No. 4118, thus:

SEC. 7. In any sale made under the provisions of this Act, the purchaser may petition the Court of First Instance of the province or place where the property or any part thereof is situated, to give him possession thereof during the redemption period, furnishing bond in an amount equivalent to the use of the property for a period of 12 months, to indemnify the debtor in case it be shown that the sale was made without violating the mortgage or without complying with the requirements of this Act. **Such petition shall be made under oath and filed in form of an *ex parte* motion x x x and the court shall, upon approval of the bond, order that a writ of possession issue, addressed to the sheriff of the province in which the property is situated, who shall execute said order immediately. (Emphasis supplied)**

In the present case, the certificate of sale of the foreclosed property was annotated on TCT No. 22990 on 7 June 2002. The redemption period thus lapsed on 7 June 2003, one year from the registration of the sale. When private respondent applied for the issuance of a writ of possession on 18 August 2004, the redemption period had long lapsed. Since the foreclosed property was not redeemed within one year from the registration of the extrajudicial foreclosure sale, private respondent had acquired an absolute right, as purchaser, to the writ of possession. It had become the ministerial duty of the lower court to issue the writ of possession upon mere motion pursuant to Section 7 of Act No. 3135, as amended.

Moreover, once ownership has been consolidated, the issuance of the writ of possession becomes a ministerial duty of the court, upon proper application and proof of title. In the present case, when private respondent applied for the issuance of a writ of possession, it presented a new transfer certificate of title issued in its name dated 8 July 2003. The right of private respondent to the possession of the property was thus founded on its right of ownership. As the purchaser of the property at the foreclosure sale, in whose name title over the property was already issued, the right of private respondent over the property had become absolute, vesting in it the corollary right of possession.

Petitioners are wrong in insisting that they were denied due process of law when they were declared in default despite the fact that they had filed their opposition to the issuance of a writ of possession. The application for the issuance of a writ of possession is in the form of an *ex parte* motion. It issues as a matter of course once the requirements are fulfilled. No discretion is left to the court.

Petitioners cannot oppose or appeal the court's order granting the writ of possession in an *ex parte* proceeding. The remedy of petitioners is to have the sale set aside and the writ of possession cancelled in accordance with Section 8 of Act No. 3135, as amended, to wit:

SEC. 8. The debtor may, in the proceedings in which possession was requested, but not later than 30 days after the purchaser was given possession, petition that the sale be set aside and the writ of possession cancelled, specifying the damages suffered by him, because the mortgage was not violated or the sale was not made in accordance with the provisions hereof. x x x

Any question regarding the validity of the extrajudicial foreclosure sale and the resulting cancellation of the writ may be determined in a subsequent proceeding as outlined in Section 8 of Act No. 3135, as amended. Such question should not be raised as a justification for opposing the issuance of a writ of possession since under Act No. 3135, as amended, the proceeding for this is *ex parte*.

Further, the right to possession of a purchaser at an extrajudicial foreclosure sale is not affected by a pending case questioning the validity of the foreclosure proceeding. The latter is not a bar to the former. Even pending such latter proceeding, the purchaser at a foreclosure sale is entitled to the possession of the foreclosed property.

(Carpio, J., Cua Lai Chu, Claro G. Castro, and Juanita Castro v. Hon. Hilario L. Laqui, Presiding Judge, Regional Trial Court, Branch 218, Quezon City and Philippine Bank of Communication, G.R. No. 169190, February 11, 2010.)

REMEDIAL LAW (continued)

Consolidation of cases; requisite for and advantages of.

In *Teston v. Development Bank of the Philippines*, the Court laid down the requisites for the consolidation of cases, viz:

A court may order several actions pending before it to be tried together where they arise from **the same act, event or transaction, involve the same or like issues, and depend largely or substantially on the same evidence**, provided that the court has jurisdiction over the cases to be consolidated and that a joint trial will not give one party an undue advantage or prejudice the substantial rights of any of the parties. (Emphasis supplied)

The rule allowing consolidation is designed to avoid multiplicity of suits, to guard against oppression or abuse, to prevent delays, to clear congested dockets, and to simplify the work of the trial court – in short, the attainment of justice with the least expense and vexation to the parties-litigants.

Thus, in *Philippine Savings Bank v. Mañalac, Jr.*, the Court disregarded the technical difference between an action and a proceeding, and upheld the consolidation of a petition for the issuance of a writ of possession with an ordinary civil action in order to achieve a more expeditious resolution of the cases.

In the present case, it would be more in keeping with law and equity if all the cases filed against petitioner were consolidated with that having the lowest docket number pending with the Third Division of the Sandiganbayan. The only notable differences in these cases lie in the **date** of the transaction, **the entity transacted with** and **amount involved**. The charge and core element are the same – *estafa* through falsification of documents based on alleged overstatements of claims for miscellaneous and extraordinary expenses. Notably, the main witness is also the same – Hilconeda P. Abril.

It need not be underscored that consolidation of cases, when proper, results in the simplification of proceedings which saves time, the resources of the parties and the courts, and a possible major abbreviation of trial. It contributes to the swift dispensation of justice, and is in accord with the aim of affording the parties a just, speedy and inexpensive determination of their cases before the courts. Above all, consolidation avoids the possibility of rendering conflicting decisions in two or more cases which would otherwise require a single judgment.

(Carpio Morales, J., Jaime S. Domdom v. Hon. Third and Fifth Divisions of the Sandiganbayan, Commission on Audit and the People of the Philippines, G.R. Nos. 182382-83, February 24, 2010.)

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(Continued from page 27)

As one of the safeguards of this Court's institutional independence, the power to promulgate rules of pleading, practice and procedure is now the Court's exclusive domain. That power is no longer shared by this Court with Congress, much less with the Executive.

Congress could not have carved out an exemption for the GSIS from the payment of legal fees without transgressing another equally important institutional safeguard of the Court's independence – fiscal autonomy. Fiscal autonomy recognizes the power and authority of the Court to levy, assess and collect fees, including legal fees. Moreover, legal fees under Rule 141 have two basic components, the Judiciary Development Fund (JDF) and the Special Allowance for the Judiciary Fund (SAJF). The laws which established the JDF and the SAJF expressly declare the identical purpose of these funds to guarantee the independence of the Judiciary as mandated by the Constitution and public policy. Legal fees therefore do not only constitute a vital source of the Court's financial resources but also comprise an essential element of the court's fiscal independence. *Any exemption from the payment of legal fees granted by Congress to government-owned or -controlled corporations and local government units will necessarily reduce the JDF and the SAJF. Undoubtedly, such situation is constitutionally infirm for it impairs the Court's guaranteed fiscal autonomy and erodes its independence.* (Emphasis bold and italics)

Henceforth for strict compliance of all concerned is the dispositive portion of the abovementioned resolution of the Supreme Court *En Banc* dated February 11, 2010 in the AM No. 08-2-01-0 which states that:

WHEREFORE, the petition of the Government Service Insurance System for recognition of its exemption from the payment of legal fees imposed under Section 22 of Rule 141 of the Rules of Court on government-owned or -controlled corporations and local government units is hereby **DENIED**.

February 25, 2010.

(Sgd.) Jose Midas P. Marquez
Court Administrator



RESOLUTION of the COURT En Banc dated February 16, 2010, on A.M. No. 08-8-7-SC

“A.M. No. 08-8-7-SC (Re: Rule of Procedure for Small Claims Cases). – The Court Resolved, upon the recommendation of the Technical Working Group on the Small Claims Courts Pilot Project, to **APPROVE** the –

(a) **Amendment of Section 8 (d), Rule 141 of the Revised Rules of Court, with the addition of the following provision as regards filing fees for frequent filers in small claims cases:**

For small claims cases, only those fees set forth in this Rule, as amended, shall be collected. If more than 10 small claims are filed by one party in the court station within the calendar year, an additional filing of fee of Five Hundred Pesos (P500) shall be paid for every claim filed after the 10th claim, and an additional One Hundred Pesos (P100) or a total of Six Hundred Pesos (P600) for every claim filed after the 20th claim, and another One Hundred Pesos (P100) or a total of Seven Hundred Pesos (P700) for every claim filed after the 30th claim, and another One Hundred Pesos (P100) for every 10th additional case thereafter, progressively and cumulatively, but the total filing fees shall not exceed Twenty Thousand Pesos (P20,000). In no case shall a party pay filing fees of more than Twenty Thousand Pesos (P20,000) per claim in a calendar year.

Each party filing a claim shall declare in the Statement of Claim the number of small claims cases that party filed in the court station within the calendar year.

(b) **Addition of the following statement in the Statement of Claim (Form 1-SCC), particularly between Nos. 6 and 7 thereof:**

6-A. In this court station, how many small claims have you filed within this calendar year prior to this present case? _____
(Sa court station na ito, pang ilang kaso na itong isinampa mo sa loob ng kasalukuyang taon? ____)

(c) **Two (2) Forms on Information for the Plaintiff (Form I-SCC-Info) and Information for the Defendant (Form 3-SCC-Info), to wit:**

**INFORMATION FOR THE PLAINTIFF
(the person filing the claim)
(Kaalaman para sa Naghahabla)**

1. “SMALL CLAIMS RULE” – is a special procedure where money claims for One Hundred Thousand Pesos (P100,000) or less are heard. The process is quick and inexpensive; the procedure is simple and informal.

(TUNTUNIN SA PAGINGIL NG MALILIIT NA HALAGA – natatanging pamamaraan sa pagdinig kung saan ang halagang salapi na sinisingil ay P100,000 o mas mababa. Ang proseso ay simple at hindi pormal.)

2. You are the **plaintiff**. The person you are filing the case against is the **defendant**. (Ikaw ang **Naghahabla**. Ang taong siyang sinampahan ng kaso ang **Hinahabla**.)
3. Before you fill up this Form, read these Instructions to know your rights. Or, you may inquire about your rights and the Small Claims Procedure with the Office of the Clerk of Court (OCC) of the place where you intend to file your claim. (Bago mo sagutin ang form na ito basahin muna ang mga tagubilin upang malaman ang iyong mga karapatan. Maari ka ring magtanong, tungkol sa iyong mga karapatan sa Office of the Clerk of Court [OCC] ng lugar kung saan mo nais maghain ng reklamo ukol sa pagsingil ng maliit na halaga.)
4. If your case falls under the Small Claims Rule, these are the things you can do at home or in the barangay: (Kung ang iyong kaso ay nasasaklaw ng Tuntunin sa Pagsingil ng Maliliit na Halaga, ang mga bagay na ito ang maaari mong gawin sa bahay o sa barangay):
 - a. GATHER ALL DOCUMENTS AND EVIDENCE PERTINENT TO THE CLAIM. (TIPUNIN ANG LAHAT NG MGA DOKUMENTO AT MGA KATIBAYANG SUSUPORTA SA IYONG PAGINGIL.)

Examples are: (Mga Halimbawa nito:)
 - Contract/Agreement Kontrata/Kasunduan)
 - Promissory Note / Receipts / Affidavit of Witness/es / Other Important documents such as Checks/or Picture/s (Katibayan ng Pagkakautang/Resibol/Sinumpaang Salaysay ng mga Saksi/Testigo/ iba pang dokumento tulad ng tseke at larawan.)
 - b. LATEST DEMAND LETTER (IF ANY), ITS PROOF OF SERVICE AND PROOF OF RECEIPT (PINAKAHULING LIHAM NG PANININGIL [KUNG MERON], KATIBAYAN NG PAGPADALA AT PAGKATANGGAP NITO.)
 - c. CERTIFICATE TO FILE ACTION FROM THE BARANGAY, IF NECESSARY (Katunayan ng pagsasampa ng kaso sa hukuman galing sa barangay, kung kinakailangan.)
 - d. SPECIAL POWER OF ATTORNEY IN CASE PLAINTIFF CANNOT ATTEND THE HEARING. (Natatanging gawad-kapangyarihan o “Special Power of Attorney” kung ang naghahabla ay hindi makadalo sa pagdinig.)

RESOLUTION on A.M. No. 08-8-7-SC (continued)

- e. SECRETARY'S CERTIFICATE OR BOARD RESOLUTION AUTHORIZING YOU TO FILE THE CASE, IF YOU ARE REPRESENTING A CORPORATION, PARTNERSHIP, COOPERATIVE OR ASSOCIATION. (*Patunay ng kalihim o resolusyon ng lupon na nagpapahintulot sa iyong kumakatawan sa lupon sa pagsampa ng kaso.*)
- f. If you are unable to pay the filing fees because you have no adequate financial means, you may file the case as an indigent by getting FORM 6-SCC AND ATTACHING THE FOLLOWING DOCUMENTS:
- Affidavit of Indigency
 - Barangay Certificate of Indigency
 - City or Municipal Assessor's Certificate
 - City or Municipal Treasurer's Office Certificate
 - Affidavit of Two Disinterested Persons
- (*Kung hindi mo mabayaran ang filing fees dahil wala kang sapat na kakayahang pinansyal, maari kang magsampa ng kaso bilang isang taong walang sapat na kabuhayan sa pamamagitan ng pagsagot ng Form 6-SCC KALAKIP ANG MGA SUMUSUNOD NA DOKUMENTO:*
- *Sinumpaang Salaysay na Walang Sapat ng Kabuhayan*
 - *Patunay ng Barangay na Walang Sapat na Kabuhayan*
 - *Patunay ng Panglungsod na Tagatasa (assessor)*
 - *Patunay ng Tanggapan ng Panglungsod na Ingat-Yaman*
 - *Sinumpaang Salaysay ng Dalawang Taong Hindi Interesado*
5. Fill up Form 1-SCC. Attach to the Form your supporting documents and affidavits of witnesses. (*Punuan ang Form 1-SCC. Ilakip sa Form ang iyong mga dokumento at sinumpaang salaysay ng mga testigo/saksi.*)
- Make copies of ALL pages of this form and your supporting documents (file the original in court, make a copy for each plaintiff or defendant named in the case and an extra copy for yourself). (*Gumawa ng kopya ng lahat ng pahina ng Form na ito at ng iyong mga dokumento [ihain ang orihinal sa hukuman, gumawa ng kopya para sa barwat Naghahabla o Hinahabla sa kaso at karagdagang kopya para sa iyo.]*)
 - If the original documents consist of records that could not be separated, you can photocopy the pertinent document and have it certified by the Clerk of Court in the OCC as a faithful reproduction of the original. (*Kung ang orihinal na dokumento ay di maihiwalay, maari mong ipakopya ito at ipa-certify sa Clerk of Court ng OCC na ang dokumento ay totoo at tapat na kopya ng orihinal*)
6. Have the form and all your supporting documents, especially the Verification Form, notarized by the Clerk of Court in the OCC. (*Kailangan ang Form at lahat ng kalakip na dokumento, lalong higit ang Form ng Patotoo ay pinatunayan/ninotaryo ng Clerk of Court [OCC] o Branch Clerk of Court.*)
7. Pay the filing fee (except if your motion to sue as an indigent has been granted). (*Magbayad ng bayarin sa pagtala [maliban kung ang iyong kahilingan na makapagsampa ng kaso bilang isang taong walang sapat na kabuhayan ay napagtibay na].*)
8. Get the date and time of your hearing from the court to which your case was assigned. [*Alamin ang araw at oras ng pagdinig sa hukuman kung saan ang iyong kaso ay nakabinbin.*]
9. GO TO THE COURT ON YOUR HEARING DATE. Bring the originals of all certified documentary evidence attached to you Form 1-SCC to prove your case. (*PUMUNTA SA HUKUMAN SA PETA SA ARAW NG PAGDINIG. Dalhin ang mga orihinal ng lahat ng dokumento ng katibayan, higit lalo yaong kalakip sa iyong Form 1-SCC para patunayan ang iyong kaso.*)
10. YOU CANNOT HAVE A LAWYER AT THE HEARING. You may consult a lawyer before or after the hearing but the lawyer cannot appear for or with you at the hearing. (*HUWAG KANG MAGSAMA NG ABOGADO SA PAGDINIG. Maari kang makipag-usap o kumonsulta sa abogado bago o pagkatapos ng pagdinig pero ang abogado ay hindi pinahihintulutang dumalo para sa iyo sa pagdinig.*)
- If you are representing a corporation, partnership, cooperative or association, you must bring your original written authority to appear at the hearing and to enter into an amicable settlement, to submit to alternative modes of dispute resolution, and to enter into stipulations or admissions of facts and of documents. (*Kung iyong kinakatawan ay korporasyon, bakasan, kooperatiba o asosasyon/samahan, kinakailangang magdala ka ng orihinal na gawad-kapangyarihan na dumalo sa pagdinig at para sa mapayapang pag-aayos, sumailalim sa alternatibong paraan ng pag-aayos o gumawa ng pag-amin o makipagkayari sa mga pangyayari at dokumento.*)

(Continued on next page)

RESOLUTION on A.M. No. 08-8-7-SC (continued)

11. You must be aware that upon the filing of this case, the judge may dismiss your claim if she or he finds legal grounds for dismissal such as lack of jurisdiction over the subject matter, improper venue, etc. as enumerated in Section 1 of Rule 16 of the 1997 Rules of Civil Procedure. *(Binibigyan ka ng babala na sa pagsampa ng kaso, maaaring maipawalang-saysay ng hukuman ang iyong kaso kung nakita niya na mayroong legal na batayan para maipawalang-saysay ito, tulad ng kawalan ng kapangyarihan sa bagay ng kaso, hindi wasto ang lugar na pinagsampahan ng kaso, etc. na isinasaad sa Section 1, Rule 16, 1997 Rules of Civil Procedure.)*

**INFORMATION FOR THE DEFENDANT
(the person against whom the case is filed)
(Kaalaman para sa Hinahabla)**

1. "SMALL CLAIMS RULE" – is a special procedure where money claims for One Hundred Thousand Pesos (P100,000) or less are heard. The process is quick and inexpensive; the procedure is simple and informal. *(TUNTUNIN SA PAGINGIL NG MALILIIT NA HALAGA – ay natatanging pamamaraan sa pagdinig kung saan ang halagang salapi na sinisingil ay P100,000 o mas mababa. Ang proseso ay simple at hindi pormal.)*
2. You are the **defendant** – the person against whom the case is filed. The person who is filing the case is the **plaintiff**. *(Ikaw ang Hinahabla. Ang taong siyang nagsasampa ng kaso ay ang Naghahabla.)*
3. Read this form and all pages attached to understand the claim against you and to protect your rights. *(Basahin ang Form na ito at ang lahat ng pahina na kalakip upang maunawaan ang kaso laban sa iyo at upang mapangalagaan ang iyong mga karapatan.)*
4. You must file your Response and attend the hearing on the date indicated in the Notice of Hearing. If you do not go to court, you may lose the case. *(Ikaw ay kinakailangang magsumite ng iyong Sagot at pumunta sa korte sa petsa ng pagdinig na nakasulat sa Abiso sa Pagdinig. Kung hindi ka makakapunta sa korte maari kang matalo sa kaso.)*
5. Make copies of the Response and all its pages and attached documents (file the original in court and serve one copy on each plaintiff and keep an extra copy for yourself) *(Gumawa ng mga kopya ng Sagot at lahat ng mga pahina nito at ilakip ang mga dokumento [ihain ang orihinal sa hukuman at bigyan ng kopya ang Naghahabla at mag-iwan ng kopya para sa iyo].)*
6. **Do I need a lawyer?**
(Kailangan ko ba ang abogado?)

You may consult a lawyer but YOU CANNOT HAVE A LAWYER WITH YOU AT THE HEARING. *(Maaari kang komunsulta sa abogado pero HINDI KA MAAARING MAGSAMA NG ABOGADO SA PAGDINIG.)*

7. **What if I do not speak English well?**
(Paano kung hindi ako makapagsalitag mabuti ng Ingles?)

The judge will speak in Filipino or the local dialect. A court-provided interpreter shall also be available on the hearing day. *(Ang hukom ay magsasalita sa Filipino o sa local na diyalekto. Ang panghukumang tagasalin ay maaaring magamit sa araw ng pagdinig.)*

8. **How do I get ready for court?**
(Paano ako makapaghahanda sa hukuman?)

Fill up the form entitled "Response" and file it in court within 10 calendar days from your receipt of the form. If you have questions regarding the Form, you can inquire with the court that served you the summons and the Response. The telephone number of the court is written on the Summons. *(Punuan ang Form na "Sagot" at ihain ito sa hukuman sa loob ng 10 araw simula sa pagtanggap ng Form. Kung ikaw ay mayroong mga tanong tungkol sa Form, maaari kang magtanong sa korte na nagpadala ng Patawag at ng Sagot. Ang numero ng telepono ng hukuman ay nakasulat sa Patawag.)*

9. **What happens if I do not file the Response and appear at the hearing?**
(Anong mangyayari kung hindi ako naghain ng Sagot at hindi dumalo sa pagdinig?)

The court shall proceed with the hearing and, if you are absent, the court shall make a judgment as may be warranted by the facts. *(Ang korte ay magpapatuloy sa pagdinig at, kung ikaw ay hindi dumalo, ay magpapasiya at magbibigay ng desisyon ayon sa nararapat.)*

10. **What happens at the hearing?**
(Anong mangyayari sa pagdinig?)

If you and the plaintiff will appear at the hearing, the judge will listen to both of you. The judge shall conduct mediation and encourage you and the plaintiff to settle your case. If you do not settle, the judge shall render a decision on the day of hearing itself. You cannot appeal this decision. *(Kung ikaw at ang naghahabla ay dadalo sa pagdinig, ang hukom ay makikinig sa inyong dalawa. Ang hukom ay hihikayat sa inyong magka-ayos at magkasundo at lutasin ang inyong di pagkakaunawaan. Kung hindi kayo magkakasundo, ang hukom ay gagawa ng desisyon sa araw mismo ng pagdinig. Hindi ka na maaaring mag-apela sa desisyon ng korte.)*

RESOLUTION on A.M. No. 08-8-7-SC (continued)

11. Do I have options?
(*Meron ba akong pagpipilian?*)

Yes. If you are the defendant, you can do any of the following: (*Oo. Kung ikaw ang Hinahabla, maaari mong gawin ang alinman sa mga sumusunod.*)

- **Settle your case before the hearing.** If you and the plaintiff agree on how to settle the case, both of you must notify the court. Ask the OCC or Branch Clerk of Court for help. (*Ayusin mo ang usapin bago pa dumating ang pagdinig. Kung ikaw at ang Naghahabla ay nagkaayos kung paano pagkasunduan ang kaso, pareho ninyong ipaalam sa hukuman. Humingi ng tulong sa Office of the Clerk of Court (OCC) o sa Branch Clerk of Court.*)
- **File the Response. Appear at the hearing.** Bring the affidavits of witnesses, receipts and any evidence you need to prove your case. (*Maghain ng Sagot. Dumalo sa pagdinig. Dalhin ang mga sinumpaang salaysay ng mga testigo, mga resibo at anumang katibayang iyong kailangan upang patunayan ang iyong usapin.*)
- **Agree with the plaintiff's claim and pay the money.** Or, if you can not pay the money now, go to the hearing and say you want to make payments by installment. (*Sumang-ayon sa halagang sinisingil ng Naghahabla at bayaran ito. O, kung hindi mabayaran ang sinisingil ngayon, dumalo ka sa pagdinig at sabihin sa korte na gusto mong magbayad ng hulugan.*)
- **Let the case proceed without you.** If you do not settle and do not go to the hearing, the judge may give the plaintiff what he or she is asking for plus court costs. If this happens, the court may order that your money or property be taken to pay the judgment. (*Magpapatuloy ang kaso kahit wala ka. Kung hindi ka nakipag-ayos at hindi ka dumalo sa pagdinig, maaaring ipagkaloob ng hukom ang anumang hinihingi ng Naghahabla, pati na ang gastos sa paghain ng kasong ito. Kung ito ay mangyari, ang korte ay maaring mag-utos na ang iyong pera o ari-arian ay kuhanin para bayaran ang nakasaad sa desisyon ng korte.*)

(c) **Administrative Guidelines for (a) Judges and (b) Executive Judges, Clerks of Courts in multi-sala stations and in single-sala stations and Branch Clerks of Court, to wit:**

ADMINISTRATIVE GUIDELINES

To aid in achieving a uniform and systematic implementation of the Rule by all courts

concerned, the TWG recommends the issuance of Administrative Guidelines specifically addressing the concerns of not only the Judges, but also of the court personnel involved in the application of the Rule on Small Claims.

A. Guidelines for Judges

1. Upon receipt of a case, determine if it is a small claim.
 - 1.1. It must involve a pure money claim the principal amount of which does not exceed One Hundred Thousand Pesos (P100,000).
 - 1.2. If the principal claim exceeds One Hundred Thousand Pesos (P100,000), there must be a waiver of the excess embodied in the Statement of Claim.
 - 1.3. With regard to the BP Blg. 22 cases, the court may only entertain the civil aspect as a small claim if no complaint for the offense has yet been filed before the Office of the Prosecutor. This fact must be stated under oath by the plaintiff in the Statement of Claim, and there should be an express waiver of such criminal action in the Verification and Certification of Non-Forum Shopping.
 - 1.4. If a case is determined by a judge to be not a "small claim" within the meaning of the Rule, but it still falls within the jurisdiction of the First Level Courts, the case should not be dismissed and the judge should instead declare it governed by the appropriate procedure (Regular Procedure or Summary Procedure). The case should then be re-docketed but no re-assignment (by raffle in a multi-sala court) is necessary. This will prevent the forfeiture of the filing fees already paid by the party, and the case can be immediately acted upon by the same court.
2. Determine if there is a ground for outright dismissal.

The submission of a Certificate to File Action from the *barangay* is a prerequisite in Small Claims covered by the *barangay* justice system.

Under Rule 16 par. (j) of the 1997 Rules of Civil Procedure, non-

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RESOLUTION on A.M. No. 08-8-7-SC (continued)

compliance with a condition precedent is a ground for dismissal of a complaint. Chapter VII (Sections 399-422) of RA No. 7160, the Local Government Code, now embodies the rules for mandatory conciliation proceedings before the *barangay* in covered cases. Although the Rule on Small Claims Cases does not expressly refer to such requirement, it is still mandatory as it is required by law. Non-compliance, therefore, with the *barangay* requirement is still a ground for dismissal pursuant to Rule 16 of the regular rules, which apply suppletorily according to Section 25 of the Rule.

3. If there is no ground for outright dismissal, issue summons and notice of hearing.

3.1. The summons and notice of hearing, which are required to be issued "within the same day of receipt of the Statement of Claim" under Section 10, must be issued within 24 hours from such receipt, the phrase "same day" to be construed as "within one day."

3.2. Do not wait for summons to be served before setting the case for hearing.

3.3. The hearing should be set within 30 days from receipt of the case. In case the defendant resides outside the judicial region, the hearing may be set not later than 60 days from date of receipt of the case.

3.4. Failure of the plaintiff to cause service of summons within two months from receipt of Sheriff's Return shall cause the dismissal of the claim for failure to prosecute (Rule 17, Section 3, Rules of Court). This is not a ground to archive the case.

3.5. Any party who appears at any time after the Court's receipt of the case should be notified immediately of the date set for hearing.

3.6. There should be, at least, one hearing day every week devoted to Small Claims, with a minimum of five cases scheduled per hearing day. Cases with the same party-plaintiff may all be set on the same date for facility in the preparation of notices and judgments. The Court should post a notice of its small claims hearing day conspicuously at the

Branch and at the Office of the Clerk of Court.

3.7. Judges must approve an Estimate of Expenses submitted by their Sheriff/Process Server within 24 hours from filing before any release from the STF is allowed.

4. On the date of the hearing

4.1. Make an opening statement (Section 20; see also Form 6A-SCC) explaining to the parties the object of the Rule and the procedure for hearing the case. Ensure that the parties understand the proceedings and actively participate therein.

4.2. Conduct settlement discussion in strict confidentiality. Try to explain to the parties why an amicable settlement will be mutually beneficial.

4.3. The drafting of a compromise agreement should be part of the hearing conducted by the judge. This will ensure that an agreement will be forged within the day of the hearing to pave the way for its approval by way of the required judgment, to be issued also within the same day. It will also reduce the incidence of inclusion of terms which are contrary to law, morals, good customs, public policy and public order.

4.4. Have a template of a Compromise Agreement ready. The parties may be referred to the Branch Clerk of Court or the Clerk-in-Charge for assistance in filling up the template, whether before or after the case is called in open court.

4.5. In all instances, review the terms of the Compromise Agreement submitted by the parties. Do not approve terms which are unconscionable and excessive, especially those relating to interest rates and surcharges. In the latter instance, in your judgment approve the agreement in part, substitute and impose a provision which is reasonable, to replace those you have disapproved for being excessive and unconscionable.

4.6. In case a non-answering defendant appears at the hearing, recognize his appearance only if he is willing

RESOLUTION on A.M. No. 08-8-7-SC (continued)

- to enter into discussions of settlement, but guard against coercing the defendant to enter into one.
- 4.7. If a non-answering defendant appears at the hearing and agrees to discuss a settlement but pleads partial payment, which the plaintiff admits, but no settlement is ultimately reached, render judgment based on the Statement of the Claim. If the plaintiff waives in writing (even in the Minutes of Hearing only) the confidentiality of the settlement discussion, you may consider the admission of partial payments in rendering your decision.
 - 4.8. If at anytime before or at the hearing, a Compromise Agreement is submitted signed by both parties but only one or neither party appears to confirm it, issue an order to the non-appearing party to confirm it within 3 days, otherwise it shall be deemed confirmed. Then issue a judgment based on the agreement.
 - 4.9. If no settlement is reached and the parties do not wish to have another judge hear the case, proceed to the hearing proper in an informal manner and terminate and decide it within the same day.
5. Decision and execution
 - 5.1 Whether based on an amicable settlement or on the merits, judgment must be issued on the same date of the hearing, except when there is a motion by any party under Section 22 to have another judge hear the case.
 - 5.2 Upon issuance of the decision, have copies served on all parties present to avoid mailing them.
 - 5.3 A decision under the Rule is immediately final and executory. It must be recorded in the Book of Judgments on the same date it is rendered.
 - 5.4 There is no appeal and, hence, no period to appeal to wait for.
 - 5.5 On the same day the decision is rendered, the winning party may move for its execution.
- B. Guidelines for Executive Judges, Clerks of Courts (COCs) in Multi Sala Stations and in Single Sala Stations and Branch Clerks of Courts (BCCs)**
1. The Clerks of Court and the Branch Clerks of Court (even non-lawyers) may administer the oath to litigants for the forms to be used under the Rule. No fee shall be collected for this purpose.
 2. The Clerks of Court should not accept mere photocopies of documentary annexes submitted by the parties but should monitor strict compliance with Sections 5 and 11 of the Rule.
 3. The Clerks of Court should have a separate docket for Small Claims Cases with independent numbering. Should a case, originally docketed as a Small Claim, be ordered re-docketed, i.e., it is governed by the Rule on Summary Procedure or regular procedure, this should be recorded in appropriate docket and a new number given to the case. However, the case should not be re-raffled but should immediately be sent back to the original court after re-docketing.
 4. The Clerks of Court should only ask for two copies of the pleadings and all their annexes: one for the court and one for the defendant. If there is more than one defendant, that is the only time the COC may require additional copies, one for each additional defendant.
 5. The Clerks of Court can only certify photocopies of documents if the originals are presented to them by the party who does not want to leave the same with the court. In that instance, the COC can certify that the document is a faithful reproduction of the original exhibited by the party. No fee shall be charged for this certification.
 6. If, despite advice to the contrary, a litigant insists on the filing of a case as a Small Claim, the COC should reiterate the previous advice given in a respectful manner and then docket the case.
 7. Even despite insistence, COCs should not accept a Statement of Claim signed by a lawyer himself is the plaintiff, not even if he signs it as an attorney-in-fact of the named plaintiff.
 8. Requests for advances for transportation expenses from the Sheriff's Trust Fund should be acted upon within 24 hours from

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RESOLUTION on A.M. No. 08-8-7-SC (continued)

- receipt of the approved Statement of Estimated Expenses.
9. The Clerks of Court should ensure that the full names and addresses of the parties are indicated in the Statement of Claim, as well as alternative contact information (such as telephone numbers), when possible.
 10. The Monthly Docket Inventory Report should reflect the date when a case is decided or disposed of *vis-à-vis* the date of filing so that the timeliness of court action may be assessed. The date when summons was issued and the date of hearing should also be indicated. Finally, the execution and satisfaction of judgments rendered under the Rule should also be part of the Monthly Report to determine the Rule's efficacy.
 11. The rule on inhibition in regular cases shall apply to Small Claims Courts.
 12. An additional fee of Five Hundred Pesos (P500) should be assessed any litigant for the 10th small claim filed, and for every fifth additional cases thereafter. The fee is justified by the service availed of which requires extra time and effort on the part of the courts. The volume of cases filed evidences the capacity of the litigant to pay the fees.
 13. On the same day of filing/raffling of the Statement of Claim, the Clerk of Court shall transmit the records of the case to the branch assigned. The Branch Clerk of Court (BCOC) shall forthwith inform the plaintiff of the date of hearing of the case.
 14. Upon receipt of a newly filed/raffled small claim, in case the Presiding Judge is on leave, the BCOC shall immediately refer the case to the Pairing Judge for appropriate action in accordance with existing Rules.
 15. Sheriffs and Process Servers shall serve the summons and notice of hearing within five days from issuance, unless the distance justifies a longer period, but in no case shall service be effected beyond 30 days from date of issuance. Within five days from such service, the Officer's Return shall be filed with the court with a copy furnished to the plaintiff at the given address/es of record.

and

- (d) **Nationwide implementation/roll-out of the Rule on Procedure for Small Claims Cases, as amended, to all first level courts, except the Shari'a Circuit Court, effective 30 days from date hereof.**

Let this Resolution be published in a newspaper of general circulation."

Very truly yours,

(Sgd.) MA. LUISA D. VILLARAMA
Clerk of Court



RESOLUTION of the COURT En Banc dated March 9, 2010, on BAR MATTER No. 1552-A

GUIDELINES ON THE LEGAL APPRENTICESHIP PROGRAM IN THE SUPREME COURT AND OTHER COLLEGIATE APPELLATE COURTS

Acting on the proposal of Associate Justice Arturo D. Brion to allow legal apprenticeship in the Court and in the appellate courts, the Court resolved to **APPROVE** the following Guidelines on the Legal Apprenticeship Program in the Supreme Court and Other Collegiate Appellate Courts:

GUIDELINES ON THE LEGAL APPRENTICESHIP PROGRAM IN THE SUPREME COURT AND OTHER COLLEGIATE APPELLATE COURTS

1. *The Program.* The apprenticeship of fourth year law students shall be referred to as *Legal Apprenticeship Program*. The law students undergoing the legal apprenticeship program shall be addressed as *students-at-law*.
2. *Objectives.* The program aims to acquaint the students-at-law with (a) the review and other processes of the court to which they are assigned; (b) the ethical standards in the administration of justice; and (c) the hands-on-training on legal research and writing.
3. *Duration.* The program shall be conducted during the regular summer school break in April and May under a schedule that would allow the students-at-law to work for at least 160 hours.
4. *Accreditation of Law Schools.* The program shall be open only to incoming fourth year law students

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from the law schools included in the list approved by the Chief Justice or by the Presiding Justice (hereinafter referred to as “accredited law schools”). Request for school accreditation shall commence upon approval of this resolution and shall end on March 31, 2010. For this pilot phase of the program, preference shall be given to Metro Manila-based law schools.

5. *Application Requirements.* Qualified students may file their application: (1) with the Office of the Chief Justice, for Supreme Court applications; (2) with the Presiding Justice, for collegiate appellate court applications; or (3) directly with the intended supervising Justice. All applicants are required to submit a written application for the Legal Apprenticeship Program, a copy of their *curriculum vitae*, a recommendation under/or endorsement from the dean of their law school, and proof that their law school is an accredited law school.
6. *Number of Apprentices per Justice.* Every Justice of the Supreme Court and of the collegiate courts shall be allowed a maximum of two students-at-law from any of the accredited law schools.
7. *Supervision.* The student-at-law shall be under the direct supervision of the participating Justice, and not of the latter’s legal or administrative staff.
8. *Workplace and Working Hours.* Students-at-law shall work at the individual Justice’s office premises only during regular office hours and shall not be allowed access to these premises after office hours, except with the express authority of the supervising Justice and only under conditions the Justice may impose.
9. *Access to Records.* Students-at-law may be granted access to *rollos* and other court records subject to the following rules:
 - a. Students-at-law can be allowed access only to specific *rollos* and other court records under the express written authority of their supervising Justice.
 - b. No *rollos* or any other court records can be brought outside the premises of the supervising Justice’s office;
 - c. Copying or reproduction of files shall be with the express authority of the supervising Justice, and in no case shall the copied materials be brought outside court premises or shown to outside parties;
- d. Drafts and research materials shall be submitted directly to the supervising Justice and shall not be shown or transmitted to outside parties before and after completion of the program.
10. *Access to Court Library.* Students-at-law may borrow books and other materials from the court library under conditions that the library shall impose, and shall be required to submit a library clearance before any report of completion of the program can be issued to their respective law schools. The students-at-law shall replace or pay for the cost of any book or library material that he or she may fail to return to the library.
11. *Code of Conduct.* In the implementation of the program, the supervising Justice and the student-at-law shall respectively observe and be bound by the Code of Conduct for the Court Personnel and the Code of Judicial Conduct for the Philippine Judiciary.
12. *Confidentiality.* The students-at-law shall be bound by the rule on confidentiality applicable to court employees.
13. *Assessment and Monitoring.* The supervising Justice shall monitor and assess the progress of the student-at-law during the program. At the end of the program, the supervising Justice shall prepare and issue a final rating on and assessment of the student-at-law’s performance in accordance with the rating system of his or her law school. The supervising Justice shall submit the final rating to the Office of the Chief Justice or to the Office of the Presiding Justice, as the case may be, with a copy to the student-at-law.
14. *Accountability and Turn over of Records.* The students-at-law shall be accountable for and shall turn over all office records and materials entrusted to their custody during the program – including electronic files in their possession involving their work under the legal apprenticeship program as a condition for the grant of the supervising Justice’s final rating report.
15. *Sanctions and Penalties.* Noncompliance with the security, confidentiality and ethical rules shall be

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under pain of administrative and penal sanctions, as the law may provide and as the Supreme Court may impose. In the appropriate case, the sanctions may include disqualification from taking the Bar examinations. Any Court-imposed sanction shall be without prejudice to the sanctions that the law schools may impose.

16. *Explanation of Guidelines.* These rules and the operations of these guidelines shall be explained to every student-at-law at the start of the program.
17. *Allowances.* Subject to the availability of funds, the student-at-law shall receive a modest allowance during the period of legal apprenticeship, as determined by the Chief Justice or by the Presiding Justice. The Presiding Justice shall endeavor to coordinate with the Chief Justice to achieve uniformity of allowances across the different appellate courts.

This Resolution superseded Memorandum Circular No. 5-2003 dated June 25, 2003, to the extent that it is in conflict with these Guidelines, and shall take effect immediately.

March 9, 2010.

(Sgd.) PUNO, CJ, CARPIO, CORONA, CARPIO MORALES, VELASCO, JR., NACHURA, LEONARDO-DE CASTRO, BRION, PERALTA, BERSAMIN, DEL CASTILLO, ABAD, VILLARAMA, JR., PEREZ, MENDOZA, JJ.



OCA CIRCULAR NO. 03-2010

TO: ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT: SUSPENSION ON THE CONDUCT OF JAIL VISITATION AND INSPECTION

In the Resolution of the Court dated October 14, 2008, in Administrative Matter No. 07-3-02-SC (Re: Guidelines on the Jail Visitation and Inspection) Section 2, thereof, specifically enjoins that the presiding judges and executive judges, accompanied by their staff members shall conduct personally once a month the jail visitation and inspection. Subsequently, however, the Court in its *En Banc* Resolution dated November 17, 2009 in AM No. 09-10-400-RTC (Re: *Request of Judges for the Suspension of the Enforcement of Jail Visitation and Inspection in Accordance with AM No.*

07-3-02-SC) *Resolved*, upon the recommendation of the Office of the Court Administrator, to:

- (a) **Note** the Letter dated February 16, 2009 of Judges Fe Lualhati D. Bustamante, Teresita A. Calanida, Gerardo A. Paguio, Jr., Rosendo B. Bandal, Jr., Roderick A. Maxino, Jesus B. Tinagan, Cesar Manuel U. Cadiz, Jr., Noel P. Catacutan, Arlene Catherine A. Dato, Marie Rose I. Paras, Antonio T. Estoconing and Cenon Voltaire B. Repollo, of the first and second level courts of Dumaguete City, requesting for the suspension of the enforcement of AM No. 07-3-02-SC dated October 14, 2008, requiring judges to conduct a monthly jail visitation; Letter dated March 30, 2009, of Judge Antonio M. Eugenio, Jr., President of the Philippine Judges Association, expressing insights and concerns on some provisions of AM No. 07-3-02-SC dated October 14, 2008 on jail visitation, which needs re-examination; xxx;
- (b) **Authorize** the Court Administrator to **reconstitute** the Committee on Lower Court Reportorial Requirements to re-examine, for possible modifications, the Guidelines on Jail Visitation and Inspection, and to submit a **Report and Recommendation** thereon within 30 days from its initial meeting; and
- (c) **Suspend** the conduct of jail visitation and inspection **pending the results of the re-examination of the provisions of AM No. 07-3-02-SC.** However, *in lieu of actual jail visitation and inspection, the jail warden may be required to submit to the court a monthly report containing the data or information required to be gathered by Sections 3 and 4 of the Guidelines; and the physical and mental health, safety, and well-being of the prisoner may be determined by asking the accused and their lawyers during the trial of the case.* (Emphasis supplied)

For your information and strict compliance on the matter.

January 12, 2010.

(Sgd.) Nimfa C. Vilches
Deputy Court Administrator
Officer-in-Charge, Office of the Court Administrator



OCA CIRCULAR NO. 11-2010

TO: EXECUTIVE/PRESIDING JUDGES, CLERKS OF COURT/OFFICERS-IN-CHARGE/ACCOUNTABLE OFFICERS OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT: CLARIFICATION OF THE GUIDELINES IN THE IMPLEMENTATION OF THE COURT'S RESOLUTION IN ADMINISTRATIVE MATTER NO. 05-3-35-SC PURSUANT TO OCA CIRCULAR NO. 23-2009 DATED MARCH 3, 2009

Pursuant to the Resolutions dated January 31, 2006, and March 11, 2008, the Court *En Banc* **Noted** and **Granted** the Audit Observation Memorandum of the Supreme Court Resident Auditor and **directed** the remittance of interests earned from the Fiduciary Fund and forfeited/confiscated bonds to the Bureau of Treasury in accordance with the General Provisions of the General Appropriations Act.

On March 3, 2009, the Office of the Court Administrator issued OCA Circular No. 23-2009 enumerating the guidelines to be followed by the concerned officers of the lower courts in the manner of treating the interests earned from the Fiduciary Fund and forfeited/confiscated bonds.

Second to the last paragraph of the aforesaid Circular provides:

This Circular shall apply to all interests earned and bonds confiscated/forfeited beginning January 2009.

Considering the numerous inquiry received by this Office relative to the aforementioned provision, the same necessitates clarification which should read as follows:

This circular shall apply to all unwithdrawn/unremitted interests and bonds confiscated/forfeited effective upon the issuance of the Resolution *En Banc* in AM No. 99-8-01-SC, dated September 14, 1999, which took effect on November 1, 1999.

For strict and immediate compliance.

January 25, 2010.

(Sgd.) Nimfa C. Vilches
Deputy Court Administrator
Officer-in-Charge, Office of the Court Administrator

**OCA CIRCULAR NO. 26-2010**

TO: ALL JUDGES, AND CLERKS OF COURT/ACCOUNTABLE OFFICERS OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT: CLARIFICATION ON THE EXEMPTION OF THE GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS) FROM LEGAL FEES IMPOSED BY THE COURT ON GOVERNMENT-OWNED AND -CONTROLLED CORPORATIONS AND LOCAL GOVERNMENT UNITS

Quoted hereunder are relevant portions of the Honorable Court's pronouncement in its *En Banc* Resolution dated February 11, 2010, in Administrative Matter No. 08-2-01-0 (Re: Petition for Recognition of the Exemption of the Government Service Insurance System from Payment of Legal Fees), to wit:

x x x x

The GSIS urges the Court to show deference to Congress by recognizing the exemption of the GSIS under Section 39 of RA No. 8291, from legal fees imposed under Rule 141. Effectively, the GSIS wants this Court to recognize a power of Congress to repeal, amend or modify a rule of procedure promulgated by the Court. However, the Constitution and jurisprudence do not sanction such view.

x x x x

The GSIS cannot successfully invoke the right to social security of government employees in support of its petition. It is a corporate entity whose personality is separate and distinct from that of its individual members. The rights of its member are not its rights; its rights, powers and functions pertain to it solely and are not shared by its members. *Its capacity to sue and bring actions under Section 41(g) of RA No. 8291, the specific power which involves the exemption that it claims in this case, pertains to it and not to its members. Indeed, even the GSIS acknowledges that, in claiming exemption from the payment of legal fees, it is not asking that rules be made to enforce the right to social security of its members but that the Court recognize the alleged right of the GSIS 'to seek relief from the courts of justice sans payment of legal fees.'*

However, the alleged right of the GSIS does not exist. The payment of legal fees does not take away the capacity of the GSIS to sue. It simply operates as a means by which that capacity may be implemented.

Since the payment of legal fees is a vital component of the rules promulgated by this Court concerning pleading, practice and procedure, it cannot be validly annulled, changed or modified by Congress.

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3rd Floor, Supreme Court Centennial Building
Padre Faura St. cor. Taft Ave., Manila, Philippines
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2010 Upcoming PHILJA Events

- Convention-Seminar of the Philippine Association of Court Employees (PACE)
April 6-8, Cagayan de Oro City
- Orientation Seminar-Workshop for Newly Appointed Judges
April 13-22, Manila
- Training on Speedy Trial for Judges (First Level Courts – Regions 1 & 2)
April 15, Baguio City
- Information Dissemination through a Dialogue among Barangay Officials of Abra with the Chief Justice and Other Court Officials (E-JOW)
April 16, Bangued, Abra
- Seminar on Election Laws for RTC Judges Regions 6 to 8
April 19, Cebu City
- Seminar-Workshop on the Rules of Procedure for Small Claims Cases – Region 7
April 21, Cebu City
- Judicial Dispute Resolution (JDR) Trainers Conference Quezon City Judges (Batch 1)
April 21-23, Quezon City
- Seminar on Election Laws for RTC Judges Regions 1 to 3
April 23, Baguio City
- Seminar on Election Laws for RTC Judges Regions 9 to 12
April 27, Davao City
- Seminar on Election Laws for RTC Judges Regions 4 to 5 and Pasig City
May 4, Manila
- Seminar on Election Laws for RTC Judges – NCJR
May 5, Manila
- Inauguration of PHILJA-Tagaytay and Chief Justice Reynato S. Puno Distinguished Lecture Series
May 7, Tagaytay City
- Seminar-Workshop on CEDAW, Gender Sensitivity, and the Courts for Court of Appeals
May 13-14, Manila
- Orientation Seminar-Workshop for Newly Appointed Judges
May 18-27, Manila
- Seminar-Workshop on the Rules of Procedure for Small Claims Cases – Region 8
May 19, Tacloban City
- Training on Speedy Trial for Judges (First Level Courts – Regions 3)
May 21, Clark
- Competency Enhancement Training for Family Court Judges and Court Personnel
May 25-27, Bicol
- Seminar-Workshop on Dangerous Drugs Laws for Judges, Prosecutors and Law Enforcers for NCJR
June 2-4, Tagaytay City
- Judicial Dispute Resolution (JDR) Trainers Conference Quezon City Judges (Batch 2)
June 2-4, Quezon City
- Judicial Career Enhancement Program Region 4 (Batch 1)
June 8-10, Manila or Tagaytay City
- Seminar-Workshop on Comparative Analysis between the Family Code and the Muslim Personal Laws
June 15-17, Laoag City
- Seminar-Workshop on the Rules of Procedure for Small Claims Cases – Region 1
June 16-17, Laoag City
- Seminar-Workshop on the Rules of Procedure for Small Claims Cases – Region 2
June 23, Tuguegarao City