



PHILJA Bulletin



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Executive
in
the
Judiciary

From the Chancellor's Desk

Amidst sharing judicial education resources across the country, conducting traditional programs, keeping judges abreast with computer information technology, furthering rights of women and children, focusing on science and law, and assessing programs and live-link television, the Asia Pacific Judicial Educators Forum (APJEF) took center stage this quarter. The Forum's principal purpose is to provide judicial educators and institutions in the Asia Pacific region the opportunity to exchange information and resources to improve the quality of judicial education in the region.

The APJEF was formally established through the adoption of its Charter. An Executive Committee, headed by the Philippines, now serves as the Forum's governing body. PHILJA has been tasked to provide the Secretariat for the Committee. This development places the Philippines on a lead role in judicial education in this region.

The Centre for Democratic Institutions (CDI) Newsletter of the Australian National University had this to say about the APJEF:

"CDI was proud to participate in the establishment of an important new piece of regional architecture, the Asia Pacific Judicial Educators Forum, which was launched at an inaugural meeting in Manila, hosted by the Philippine Judicial Academy from 11-14 February 2003.

"In his address to the Forum, CDI Director Roland Rich noted the fundamental importance of the Rule of Law to the successful practice of democracy and the crucial role of the judiciary in delivering the Rule of Law. Just as other areas of governance require better international communications in our global village, the judiciaries of our region will benefit greatly from this new Forum. The Forum brings together judicial educators from Australia, Bangladesh, Cambodia, Indonesia, India, Laos, Myanmar, the Pacific Islands, Pakistan, Papua New Guinea, the Philippines, Thailand and Vietnam.

(Continued on page 7)

Table of Contents

From the Chancellor's Desk.....	1	A.O. No. 33-2003- Newly Appointed Executive Judges and Vice-Executive Judges.....	10
PHILJA News.....	2	PHILJA Events.....	20
New Rulings of the Supreme Court.....	6		
Doctrinal Reminders.....	8		
Resolutions, Orders and Circulars		Supplement:	
<i>Supreme Court</i>		1. A.M. No. 02-11-10-SC- Rule on Declaration of Absolute Nullity of Void Marriages and Annulment of Voidable Marriages	
A.C. NO. 62-2002- Submission of Reports on the Status of Temporary Restraining Orders or Writs of Preliminary Injunction Issued on Various Cases.....	9	2. A.M. No. 02-11-11-SC- Rule on Legal Separation	
A.C. NO. 17-2003- Planting of Trees as one of the Conditions for Probation.....	9	3. A.M. No. 02-11-12-SC- Rule on Provisional Orders	

PHASE 1 OF THE 5TH PRE-JUDICATURE PROGRAM

Sixty-seven (67) participants attended Phase 1 of the 5th Pre-Judicature Program of the Academy, as prescribed by Section 10 of Republic Act No. 8557. The program was held on January 13 to 24, 2003, at Garden Plaza Hotel, Manila. The second phase of the Pre-Judicature Program will be held on March 3 to 14, 2003, at the Lotus Garden Hotel, Manila.

27TH ORIENTATION FOR NEWLY-APPOINTED JUDGES

The 27th Orientation Seminar-Workshop for Newly Appointed Judges was held on January 13 to 17, 2003, at PHILJA, Tagaytay City. Among the seventeen (17) Judges, nine (9) were newly appointed, seven (7) promoted, and one (1) laterally transferred. The Academy congratulates the following Judges:

NEWLY APPOINTED – REGIONAL TRIAL COURT

Region 4

Hon. Agapito S. Lu

RTC, Br. 88, Cavite City

Hon. Chito S. Meregillano

RTC, Br. 51, Puerto Princesa City, Palawan

Hon. Corazon Dy-Soluren

RTC, Br. 96, Baler, Aurora

Region 6

Hon. Daniel Antonio Gerardo S. Amular

RTC, Br. 21, Mambusao, Capiz

Region 8

Hon. Jose F. Falcotelo

RTC, Br. 22, Laoang, Northern Samar

Region 12

Hon. Laureano T. Alzate

RTC, Br. 25, Koronadal, South Cotabato

NEWLY APPOINTED – MUNICIPAL TRIAL COURT

Region 12

Hon. Renato B. Gleyo

MTC, Isulan, Sultan Kudarat

NEWLY APPOINTED – MUNICIPAL CIRCUIT TRIAL COURT

Region 6

Hon. Alfonso B. Davidas, Jr.

MCTC, Dumarao-Cuartero, Capiz

Region 8

Hon. Arturo S. Daiz

MCTC, Gamay-Lapinig-Mapanas,

Northern Samar

PROMOTED TO RTC

NCJR

Hon. Maria Cristina J. Cornejo

RTC, Br. 147, Makati City

Hon. Marie Christine A. Jacob

RTC, Br. 100, Quezon City

Region 1

Hon. Iluminada C. Cortes

RTC, Br. 59, Baguio City

Hon. Manuel F. Pastor, Jr.

RTC, Br. 50, Villasis, Pangasinan

Region 6

Hon. Edward B. Contreras

RTC, Br. 17, Roxas City, Capiz

Hon. Evelyn E. Salao

RTC, Br. 25, Iloilo City

Region 8

Hon. Norma M. Cardenas

RTC, Br. 19, Catarman, Northern Samar

LATERAL TRANSFER

NCJR

Hon. Ramon A. Cruz

RTC, Br. 223, Quezon City

MEDIATION FGDs

Two Focus Group Discussions (FGDs) were held at Richmond Hotel, Pasig City – FGD for Court of Appeals Mediation Party Litigants on January 15, 2003, and FGD for Court of Appeals Mediation Lawyers on January 16, 2003. Four (4) litigants and eight (8) lawyers attended the discussions, respectively. The purpose of the FGDs is to extract an accurate evaluation of the process of mediation from the party litigants and lawyers involved in mediation.

Below is a poem written by Mr. Constancio S.J. Chico, a Mediator in Valenzuela City, dedicated to his gallant comrades in peace and harmony.

THE MEDIATOR

Who art thou special person who renders
wholehearted service

Offering golden time, efforts and prowess
To wisely cure bleeding hearts and tortured minds
Hatred and turmoil in the pit of oblivion left behind

Thou art called mediator O exalted one!
 Seeking peace in the breeze flirting with the Sun
 Rays of genuine love flow like Cupid's arrow
 Bringing harmony for a bright tomorrow

Long live thee undaunted great mediator!
 May your wisdom prevailing by God's command
 The noble crusade for peace restored
 Unsung heroes of our beloved Land

Mediators Mabuhay!

10TH REGIONAL JCEP IN CAGAYAN DE ORO

Four hundred forty-six (446) participants attended the 10th Regional Judicial Career Enhancement Program (Level 2) for Judges, Clerks of Court, Branch Clerks of Court, Interpreters, and Docket Clerks of the Regional Trial Courts and First Level Courts of Region VI, held on January 28 to 31, 2003, at Dynasty Hotel, Cagayan de Oro City.

28TH ORIENTATION FOR NEWLY-APPOINTED JUDGES

The 28th Orientation Seminar-Workshop for Newly Appointed Judges was held on February 10 to 14, 2003, at PHILJA, Tagaytay City. In particular, on February 13, the twenty-one (21) foreign delegates of the First Asia Pacific Judicial Educators Forum (APJEF) visited PHILJA Tagaytay to observe the conduct of the on-going orientation seminar-workshop. The Academy heartily congratulates the following Judges:

NEWLY APPOINTED- COURT OF TAX APPEALS
 Hon. Lovell R. Bautista

NEWLY APPOINTED- REGIONAL TRIAL COURT
 NCJR

Hon. Raul B. Villanueva
RTC, Br. 255, Las Piñas City
 Hon. Aida Estrella Macapagal
RTC, Br. 195, Parañaque City
 Hon. Brigido Artemon M. Luna II
RTC, Br. 196, Parañaque City

Region 1

Hon. Tita Rodriguez Villarín
RTC, Br. 46, Urdaneta City, Pangasinan

Region 2

Hon. Celedonio P. Balasbas
RTC, Br. 13, Basco, Batanes

Region 4

Hon. Vedasto B. Marco
RTC, Br. 81, Romblon, Romblon

Region 6

Hon. Orlando C. Velasco
RTC, Br. 63, Bayawan, Negros Oriental

Region 10

Hon. Salome P. Dungog
RTC, Br. 35, Ozamiz City
 Hon. Eduardo S. Casals
RTC, Br. 1, Butuan City
 Hon. Oscar N. Abella
RTC, Br. 42, Medina, Misamis Oriental

Region 12

Hon. Alan L. Flores
RTC, Br. 7, Tubod, Lanao del Norte
 Hon. Arturo M. Paculanang
RTC, Br. 11, Sindangan, Zamboanga del Norte

NEWLY APPOINTED- METROPOLITAN TRIAL COURT

Hon. Yolanda M. Leonardo
MeTC, Br. 9, Manila
 Hon. Manuel R. Recto
MeTC, Br. 13, Manila
 Hon. Germano Francisco D. Legaspi
MeTC, Br. 17, Manila
 Hon. Cristina Javalera-Sulit
MeTC, Br. 18, Manila
 Hon. Thelma Bunyi-Medina
MeTC, Br. 20, Manila
 Hon. Jesusa S. Prado-Maniñas
MeTC, Br. 24, Manila
 Hon. Romeo A. Rabaca
MeTC, Br. 25, Manila
 Hon. Ruben Reynaldo G. Roxas
MeTC, Br. 28, Manila

NEWLY APPOINTED- MUNICIPAL TRIAL COURT IN CITIES

Region 4

Hon. Ma. Consejo M. Gengos-Ignalaga
MTCC, Br. 2, Antipolo City
 Hon. Jaime M. Borja
MTCC, Lipa City, Batangas

Region 9

Hon. Catherine C. Fabian
MTCC, Br. 4, Zamboanga City

NEWLY APPOINTED - MUNICIPAL TRIAL COURT

Region 6

Hon. Armando R. Ricafort
MTC, Siaton, Negros Oriental

NEWLY APPOINTED - MUNICIPAL CIRCUIT TRIAL COURT

Below are the participants of the 28th Orientation Seminar for Newly Appointed Judges

Region 1

Hon. Asuncion Fikingas-Mandia
MCTC, Bagulin-Burgos, La Union

Region 6

Hon. Neciforo C. Enot
MCTC, Valencia-Bacong,
Negros Oriental

Region 12

Hon. Silvestre D. Orejana, Jr.
MCTC, Kauswagan-Poona Piago,
Lanao del Norte

LATERAL TRANSFER

NCJR

Hon. Juanita T. Guerrero
RTC, Br. 204, Muntinlupa City

Region 12

Hon. Baguinda-Ali A. Pacalna
MTCC, Marawi City, Lanao del

Sur

PROMOTED TO RTC

Region 10

Hon. Francisco F. Maclang
RTC, Br. 3, Butuan City

Region 12

Hon. Edilberto G. Absin
RTC, Br. 29, San Miguel,
Zamboanga del Sur



ASIA PACIFIC JUDICIAL
EDUCATORS FORUM

Above are the participants of the Asia Pacific Judicial Educators Forum with Chief Justice Hilario G. Davide, Jr. and Justice Ameurfina A. Melencio Herrera, PHILJA Chancellor

Twenty-one (21) foreign delegates, representing thirteen (13) countries, and forty-three (43) local delegates attended the First Australasian Judicial Educators Forum or AJEF, which was later changed into APJEF or First Asia Pacific Judicial Educators Forum, held on February 11 to 14, 2003, at the New World Renaissance Hotel, Makati City. Three of the delegates are members of the Executive Committee of the International Organization for Judicial Training (IOJT) which was organized in Israel in March 2002.

The Forum, organized by the Philippine Judicial Academy, served as the venue for judicial educators and institutions in the Asia Pacific region to exchange information and resources to improve the quality of judicial education, as well as to

promote and encourage judicial education throughout the region. The participants were able to come up with a charter, the APJEF Charter, which was signed and adopted by the members. An Executive Committee, the APJEF governing body, was also created. Its headquarters will be the Philippines and the Secretariat will be composed of the PHILJA staff. Its officials are as follows:

- Chairperson - Justice Ameurfina A. Melencio Herrera (Philippines)
- Member - Mr. Ernest J. Schmatt (Australia)
- Member - Judge Enoka Fereti Puni (Fiji)
- Member - Justice Nasir Ul Mulk (Pakistan)
- Member - Justice Maharlal B. Shah (India)
- Secretary-General - Fr. Ranhilio C. Aquino (Philippines)

11TH REGIONAL JCEP IN NAGA CITY

Five hundred ten (510) participants attended the 11th *Regional Judicial Career Enhancement Program (Level 2) for Judges, Clerks of Court, Branch Clerks of Court, Interpreters, and Docket Clerks of the Regional Trial Courts and First-Level Courts of Region V*, held on February 25 to 28, 2003, at the Oyster Villa Hotel, Naga City.

BULACAN JUDGES TRAIN FOR COMPUTER LITERACY

Through the initiative of the Bulacan Judges, and in coordination with the Supreme Court Management Information Systems Office (MISO) and the Provincial Government of Bulacan, the Academy conducted the *Seminar on Computer Literacy for Bulacan Regional Trial Court and Municipal Trial Court Judges*, on February 26 to 28, 2003, at PHILJA, Tagaytay City. The training aimed to familiarize the participants with the basic concepts and components of computers, and its uses. In his opening remarks, Justice Antonio M. Martinez, Vice Chancellor of PHILJA, lauded the Bulacan Judges for taking this initiative. At the closing ceremonies, Associate Justice Antonio T. Carpio impressed upon the participants the value of computers in fast-tracking their decisions. Justice Carpio himself uses the computer extensively. Twenty (20) Judges and two (2) Clerks of Court attended the said training.

Below are the participants of the Seminar on Computer Literacy



FAMILY COURTS EVALUATE LLT

To assess the effectiveness and usefulness of the Live-Link Television (LLT) equipment, PHILJA and UNICEF conducted the *Evaluation Workshop on the Use of Live-Link Television*, on February 28, 2003, at the Lotus Garden Hotel, Manila. Eight (8) Family Courts all over the Philippines now house the LLT equipment donated by UNICEF. Thirty (30) participants composed of Judges, Prosecutors, PAO Lawyers, and Court Social Workers attended the workshop. The Family Courts with LLT are as follows:

- Br. 48, Manila, NCJR
- Br. 107, Quezon City, NCJR
- Br. 162, Pasig City, NCJR
- Br. 9, La Trinidad, Benguet, Region 1
- Br. 85, Malolos, Bulacan, Region 3
- Br. 27, Iloilo City, Region 6
- Br. 22, Cebu City, Region 7
- Br. 12, Davao City, Region 11

The participants dwelt on their training needs, suggested the training of prosecutors and PAO lawyers, and the production of a manual on LLT use. They also recommended either the training of court interpreters as LLT facilitators, or, having two different persons for a facilitator and an interpreter. Additionally, they stressed the need for defining more concretely the use of LLT either as a tool of evidence or just as plain equipment. If considered as tool of evidence, then the judge should operate the LLT. If it is a mere equipment, then there should be a technician to operate it.

CIVIL LAW

Compensation; definition of; kinds of compensation; requisites of legal compensation.

Compensation is a mode of extinguishing the concurrent amount the obligations of persons who in their own right and as principals are reciprocally debtors and creditors of each other. Legal compensation takes place by operation of law when all the requisites are present, as opposed to conventional compensation which takes place when the parties agree to compensate their mutual obligations even in the absence of some requisites.

Legal compensation requires the concurrence of the following conditions:

- (1) That each one of the obligors be bound principally, and that he be at the same time a principal creditor of the other;
- (2) That both debts consist in a sum of money, or if the things due are consumable, they be of the same kind, and also of the same quality if the latter has been stated;
- (3) That the two debts be due;
- (4) That they be liquidated and demandable;
- (5) That over neither of them there be any retention or controversy, commenced by third persons and communicated in due time to the debtor.

(*Quisumbing, J.*, PNB Madecor v. Gerardo Uy, G.R. 129598, August 15, 2001)

REMEDIAL LAW

Proceeding in the barangay courts; enough effort must be exerted to conciliate.

It is not incorrect for a judge to remand a case to the barangay if it is evident that the latter failed to exert enough effort required by law to conciliate between the parties and to settle the case before it. Respondent judge cannot be faulted for seeking to promote the objectives of barangay conciliation and for taking to heart the provisions of Supreme Court Circular No. 14-93. His referral of the case back to the barangay cannot be equated with gross ignorance of the law. Neither does it constitute grave abuse of discretion. (*Panganiban, J.*, Bonifacio Law Office v. Judge Reynaldo B. Bellosillo, A.M. MTJ-00-1308, December 16, 2002)

REMEDIAL LAW (continued)

Authority of a replaced judge under Administrative Circular No. 3-94.

Under Administrative Circular No. 3-94, a judge who has been replaced (whether temporarily or permanently) by another judge is authorized to resolve motions for reconsideration or for new trial. But only the new judge can conduct the new trial for it would be incongruous to have more than one judge presiding over a court at the same time. Said Circular must be deemed to apply only to the decision of cases or the resolution of motions for reconsideration or new trial thereof by the judge replaced by another. x x x x it is improper for the replaced judge to hear and later act on the motion for execution pending appeal. (*Mendoza, J.*, Executive Judge Salvador Abad Santos v. Judge Salvador de Guzman, Jr., A.M. 96-1-05 RTC, January 28, 2003)

CONSTITUTIONAL LAW

Natural resource defined; alienation thereof prohibited.

The term "natural resource" includes not only timber, gas, oil coal, minerals, lakes, and submerged lands, but also features which supply a human need and contribute to the health, welfare, and benefit of a community, and are essential to the well-being thereof and proper enjoyment of property devoted to park and recreational purposes. Both the 1935 and 1973 Constitutions prohibited the alienation of all natural resources except agricultural lands of the public domain. The 1987 Constitution readopted this policy. Indeed all lands of the public domain as well as all natural resources enumerated in the Philippine Constitution belong to the State. (*Carpio, J.*, Edna Collado v. CA, G.R. 107764, October 4, 2002)

CRIMINAL LAW

Prescriptive Period of crimes; Filing of Complaint with Barangay Chairman interrupts prescriptive period.

The filing of a complaint with the Office of the Barangay Chairman interrupts the prescriptive period of the crime of slight physical

CRIMINAL LAW (continued)

injuries and starts to run again upon receipt by the complainant of the Certification to File Action issued by the Pangkat Secretary. This is in pursuance of Section 410 (c) of the Local Government Code. (*Sandoval-Gutierrez, J., Abraham Mendoza v. Judge Crisanto Afable, MCTC, San Julian-Sulat, Eastern Samar, A.M. No. MTJ- 02-1402, December 4, 2002*)

ADMINISTRATIVE LAW

Housing and Land Use Regulatory Board (HLURB); its jurisdiction.

Paragraphs (b) and (c) of Section 1, P.D. 1344, clearly shows that the HLURB has jurisdiction over cases commenced by subdivision lot or condominium unit buyers; while paragraph (a) concerns unsound real estate practices. The logical complainants would be the buyers and customers against the sellers (subdivision owners and developers or condominium builders and realtors,) and not vice versa. It has no jurisdiction where the complainant is the subdivision owners against the lot buyer for violation of their contract to sell. (*Quisumbing, J., Amparo Roxas v. CA and Manotok Realty, Inc., G.R. 138955, October 29, 2002*)

LAND REGISTRATION

Confirmation of imperfect title; applicant must overcome the presumption that the land is not part of the public domain.

An applicant for confirmation of imperfect title bears the burden of proving that he meets the requirements of Section 48 of CA 141, as amended. He must overcome the presumption that the land he is applying for is part of the public domain and that he has an interest therein sufficient to warrant registration in his name arising from an imperfect title. An imperfect title may have been derived from old Spanish grants such as a *titulo real* or royal grant, a *concesion especial* or special grant, a *composicion con el estado* or adjustment title, or a *titulo de compra* or title through purchase. (*Carpio, J., Edna Collado, et al. v. CA, G.R. 107764, October 4, 2002*)



Chancellor's Desk, continued from page 1

"Australia was represented by Justice Susan Kenny of the Federal Court, Mr. Ernie Schmatt, Chief Executive of the NSW Judicial Commission and the CDI Director. The newly established National Judicial College of Australia, which like CDI is based at the Australian National University, was also invited. The Pacific Islands were represented by Mr Enoka Fereti Puni of the Pacific Judicial Education Program at the University of the South Pacific in Fiji, Justice John Manglona of the Commonwealth of the Northern Marianas and Justice Don Sawong of the Supreme Court of PNG."

The CDI Newsletter likewise projected Justice Artemio V. Panganiban's APJEF lecture on Judicial Globalization, thus:

"Philippine society is politically active, internationally outward-looking and highly litigious. The Philippine Supreme Court is learned, engaged and prolific. Out of this ferment has come a substantial and significant body of jurisprudence that is of broad international interest. A brilliant insight into the jurisprudence of the Supreme Court can be found in Justice Panganiban's thought provoking paper entitled, 'Judicial Globalization.'

"The paper covers a wide range of issues discussing Supreme Court decisions touching on economic globalization, WTO membership, deregulation and decentralization. It also deals with issues of electoral democracy such as automatic counting and the party list system. The paper then covers issues of human rights and citizenship, including a discussion on capital punishment, the right to privacy and the right to free expression. Justice Panganiban's views on the abolition of the death penalty are similar to the views expressed by Roland Rich in a paper delivered to the 12th Commonwealth Law Conference in 1999 entitled, 'Death Penalty: An Abolitionist Perspective.' Even in our different jurisdictions, we can benefit from each others' insights and scholarship. This applies also to our judiciaries in their consideration of persuasive authorities from foreign jurisdictions."

We express our deep gratitude to the Chief Justice and the Associate Justices, the PHILJA Academic Council and the Corps of Professors, the Program Management Office (PMO), the Public Information Office (PIO), the Printing Office, the various units of the Supreme Court, and the PHILJA team for making the APJEF a success.

CIVIL LAW

Garnishment; garnishee as forced intervenor.

Citing *Tayabas Land Co. v. Shareef*, the Court stated that "garnishment consists of the citation of some stranger to the litigation, who is debtor to one of the parties to the action. By this means, such debtor stranger becomes a forced intervenor, and the court, having acquired jurisdiction over his person by means of the citation, requires him to pay his debt, not to his former creditor, but to the new creditor who is creditor in the main litigation x x x x." Again, in *Perla Campania de Seguros v. Ramolete*, the Court declared, "Through service of the writ of garnishment, the garnishee becomes a "virtual party" to or a "forced intervenor" in the case and the trial court thereby acquires jurisdiction to bind him to compliance with all orders and processes of the trial court with a view to the complete satisfaction of the judgment of the court." (*Quisumbing, J.*, PNB Madecor v. Gerardo Uy, G.R. 129598, August 15, 2001)

REMEDIAL LAW

Three material dates that must be stated in a petition for certiorari brought under Rule 65.

There are three (3) material dates that must be stated in a petition for certiorari brought under Rule 65. First, the date when notice of the judgment or final order or resolution was received; second, the date when a motion for new trial or for reconsideration was filed; and third, the date when notice of the denial thereof was received. As explicitly stated in said rule, failure to comply with any of the requirements shall be sufficient ground for the dismissal of the petition. As stated in *Santos v. Court of Appeals*, the requirement of setting forth the three (3) dates in a petition for certiorari under Rule 65 is for the purpose of determining its timeliness. Such a petition is required to be filed not later than sixty (60) days from notice of the judgment, order or resolution sought to be assailed. (*Quisumbing, J.*, Ramon Isidro P. Lapid, et al. v. Hon. Emmanuel Laurea, CA, et al., G.R. 13960, October 28, 2002)



REMEDIAL LAW (continued)

Motion for postponement; grant or denial thereof

The grant or denial of a motion for postponement is addressed to the sound discretion of the court, which should always be predicated on the consideration that more than the mere convenience of the court or of the parties in the case, the ends of justice and fairness should be served thereby. Postponements and continuances are part and parcel of our procedural system of dispensing justice. When no substantial rights are affected and the intention to delay is not manifest x x x x it is sound judicial discretion to allow the same to the end that the merits of the case may be fully ventilated. Unless grave abuse of discretion is shown, such discretion will not be interfered with either by mandamus or appeal. (*Per Curiam*, Engr. Edgardo Torcende v. Judge Agustin Sardido, A.M. MTJ-99-1238, January 24, 2003)

Power of contempt; its purpose.

The courts must exercise the power of contempt for purposes that are impersonal because that power is intended as a safeguard not for the judges but for the functions they exercise. Thus, judges have been enjoined to exercise their contempt power judiciously, sparingly, with utmost restraint and with the end in view of utilizing the same for correction and preservation of the dignity of the Court, not for retaliation or vindication. (Engr. Edgardo Torcende v. Judge Agustin T. Sardido, A.M. MTJ-99-1238, January 24, 2003)

Preliminary investigation of cases falling under the exclusive jurisdiction of the MTC.

The Rules on Criminal Procedure regarding preliminary investigation of cases falling under the exclusive jurisdiction of the MTC provides that upon the filing of a complaint, the investigating officer, judge or prosecutor shall decide within ten (10) days whether to dismiss the complaint or to proceed with the investigation. After due investigation, the officer has another ten (10) days to determine whether or not there is sufficient ground to hold the respondent for trial. Thereafter, the resolution on the case is submitted to the provincial or city prosecutor for review. (*Panganiban, J.* Merlita Dapadap v. Judge Manuel Ginete, A.M. 99-759-MTJ, January 29, 2003)

REMEDIAL LAW (continued)

Doctrine of exhaustion of administrative remedies; exceptions thereto; question of law and question of fact distinguished.

The doctrine is not absolute. There are instances when it may be dispensed with and judicial action may be validly resorted to immediately. Among these exceptions are (1) when the question raised is purely legal, (2) when the administrative body is in estoppel; (3) when the act complained of is patently illegal; (4) when there is urgent need for judicial intervention; (5) when the claim involved is small; (6) when irreparable damage will be suffered; (7) when there is no other plain, speedy and adequate remedy; (8) when strong public interest is involved; and (9) in quo warranto proceedings.

When the case involves only legal question, the litigant need not exhaust all administrative remedies before such judicial relief can be sought. This is because issues of law cannot be resolved with finality by the administrative officer. Appeal to the Administrative Office would only be an exercise in futility. It is settled that for a question to be one of law, the same must not involve an examination of the probative value of the evidence presented by the litigants when the doubt or difference arises as to what the law is on a certain state of facts. There is a question of fact when the doubt or difference arises as to the truth or the falsehood of alleged facts. (*Sandoval-Gutierrez, J., Gualberto Castro v. Secretary Ricardo Gloria, DECS, G.R. 132174, August 20, 2001*)

CRIMINAL LAW


Bail; when no longer necessary.

Republic Act No. 6036 provides that bail is not generally required for violation of municipal or city ordinances or for criminal offenses when the prescribed penalty is not higher than arresto mayor and/or a fine of P2,000 or both. In the recent case of *Agunday v. Tresvalles*, the Court held that in a charge of simple malicious mischief which is covered by the Rules on Summary Procedure, bail is no longer necessary. (*Callejo J., Eduardo Martinez v. Judge Orlando Paguio, A.M. MTJ 02-1419, December 27, 2002*)


LAND REGISTRATION

Watershed; its definition and nature.

A watershed is an area drained by a river and its tributaries and enclosed by a boundary or divide which separates it from adjacent watersheds. The most important product of a watershed is water which is one of the most important human necessities. Watersheds are not susceptible of occupancy, disposition, conveyance or alienation. (*Carpio, J., Edna Collado, et al. v. CA 107764, October 4, 2002*)



Supreme Court of the Philippines
Philippine Judicial Academy



ANNOUNCEMENT

Pre-Judicature Program (MCLE - Compliant)

As mandated by Section 10, RA 8557 the Philippine Judicial Academy (Supreme Court), will conduct its **6th Pre-Judicature Program, on June 16 to July 11, 2003 at Cebu City.** It is prescribed for lawyers who aspire for appointment as judges for the first-level courts, courts of general jurisdiction, Court of Tax Appeals, Sandiganbayan, or Justices of the Court of Appeals.

Qualifying interview shall determine the eligibility of the participants to be accepted in the program. A Written Comprehensive Examination is part of the course.

The Academic Officials will be in Cebu on May 28 – 30, 2003, to conduct the preliminary interview and screening for qualified applicants for the program, on which occasion, the required payment must also be made.

The Pre-Judicature Program is also accredited for purposes of Mandatory Continuing Legal Education (MCLE).

Interested parties may make their reservations at PHILJA through telefax nos. 552-9518; 552-9517 addressed to Judge Priscila S. Agana, Executive Secretary; or at telefax no. 552-9526. Registration Forms and Personal Data Sheet can be downloaded at www.supremecourt.gov.ph.

ERRATUM

Newly Appointed Judges at the 26th Orientation Seminar-Workshop held on October 21 to 25, 2002 at PHILJA, Tagaytay City, not mentioned in the *October to December 2002 Issue of the PHILJA Bulletin:*

1. Hon. Geraldine Faith Abracia Econg
MTC, Minglanilla, Cebu
2. Hon. Carmelita Sarno-David
MTC, Panabo, Davao del Norte
3. Hon. Maximo A. Perez
RTC, Br. 26, Argao, Cebu
4. Hon. Maria Filomena Singh-Paulite
MeTC, Br. 31, Quezon City

SUPREME COURT**ADMINISTRATIVE CIRCULAR NO. 62-2002**

RE: SUBMISSION OF REPORTS ON THE STATUS OF TEMPORARY RESTRAINING ORDERS OR WRITS OF PRELIMINARY INJUNCTION ISSUED IN VARIOUS CASES

To: ALL TRIAL JUDGES

There are still negative reports on the issuance of temporary restraining orders (TRO) or writs of preliminary injunction especially in cases involving Government projects, claims against the Government, or the validity of laws or ordinances, or in cases arising from loans granted by banking or financial institutions. There are also complaints about delays in the disposition of such cases after a TRO is converted into a writ of preliminary injunction.

It must be emphasized that an improvident issuance of TROs or writs of preliminary injunction or an unreasonable delay in the disposition on the merits of such cases would have serious impact on, *inter alia*, the parties affected thereby, Government projects, the banking industry, and the economy.

NOW, THEREFORE, trial judges shall submit not later than 15 January 2003 a status report on TROs or writs of preliminary injunction issued in various cases, especially those involving Government projects or claims against the Government (national or local, or any government agency or instrumentality) or those arising out of loans granted by banking or financial institutions, such as foreclosure of mortgage or annulment of mortgage, or declaration of nullity of loan agreements; or in incidents related to, or connected with, such cases, such as the issuance of writs of possession.

The report shall indicate the (a) full caption of the case and the docket number; (b) nature of the case; (c) date of filing of the complaint or relevant motion; (d) date the TRO was issued; (e) date the writ of preliminary prohibitory injunction was issued, if any; (f) status of the TRO or writ of preliminary prohibitory injunction (whether it is still in force); (g) actual status of the case (whether on trial stage or deemed submitted for decision or

already decided but on appeal); (h) if the case is already deemed submitted for decision, the date it was deemed submitted; (i) if the case has been pending for more than one (1) year, the reason therefor.

All cases subject of this Administrative Circular which are already deemed submitted for decision must be decided within the period provided in the Constitution. The trial on the merits of the remaining cases should be terminated within eight (8) months from 15 January 2003.

Trial Judges are reminded to strictly comply with Administrative Circular No. 07-99 (Exercise of Utmost Caution, Prudence, and Judiciousness in Issuance of Temporary Restraining Orders and Writs of Preliminary Injunction) and Administrative Circular No. 11-2000 (Re: Ban on the Issuance of Temporary Restraining Orders or Writs of Preliminary Prohibitory or Mandatory Injunction on Cases Involving Government Infrastructure Projects).

The Office of the Court Administrator shall see to it that this Administrative Circular is strictly complied with.

This Administrative Circular takes effect upon its issuance.

Issued this 20th day of November 2002.

(Sgd.) HILARIO G. DAVIDE, JR.
Chief Justice

**ADMINISTRATIVE CIRCULAR NO. 17-2003****PLANTING OF TREES AS ONE OF THE CONDITIONS FOR PROBATION**

WHEREAS, the ultimate goal of the science of penology is to rehabilitate the offender and restore his relationship to society as a useful and law-abiding citizen;

WHEREAS, one of the constructive means to achieve this goal is to suspend the execution of sentence imposed upon an offender and place him under probation subject to certain conditions, such as rendering service to the community;

ADMINISTRATIVE CIRCULAR NO. 17-2003 (continued)

WHEREAS, the acts of planting and nurturing a tree, tending a garden, or caring for a marine sanctuary provide a singular opportunity to reconnect the ties between man and Nature; and recent studies confirm that this reconnection with Nature is also a spiritually restorative exercise, well in line with the goal of rehabilitating the offender;

WHEREAS, restoring natural systems, such as by planting trees, also leads to greater productivity;

WHEREAS, helping to restore the Earth's natural systems is one of the highest forms of community service, for it is encompassed in the constitutional duty of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature (Article II, Section 16, Constitution);

WHEREAS, under Section 10 of the Probation Law (P.D. No. 968, as amended) on Conditions of Probation, the court may impose any other condition related to the rehabilitation of the offender and not duly restrictive of his liberty or incompatible with his freedom of conscience, and hence, the planting of trees may validly be required as one of such conditions;

WHEREFORE, trial judges in territorial jurisdiction where public lands are located or where the offender involved has a land are hereby directed to include the planting of trees by the probationer as among the conditions in the grant of probation under the Probation Law:

For this purpose the Secretary of the Department of Environment and Natural Resources (DENR) is hereby requested to coordinate with the Office of the Court Administrator in designating the public land where probationers may plant trees and in providing the materials (seedlings, etc.) and the expertise to ensure proper planting and care of the plants. The Secretary and the Court Administrator shall issue the appropriate Guidelines in this regard, which shall include a databank of relevant information necessary to monitor compliance with this specific condition for probation.

The Guidelines shall be submitted to the Court before 31 May 2003; once approved, it can take effect on the first day of July 2003. Nonetheless, even before the approval of the Guidelines, trial judges in places where public lands are located may, with the support of the local offices of the DENR, impose in probation cases the condition subject of this Administrative Circular. The present practice of some judges of imposing such a condition is hereby commended.

This Administrative Circular, whose issuance was approved by the Court *En Banc* in A.M. No. 03-03-10-SC, 11 March 2003, shall take effect upon its issuance.

Issued this 12th day of March 2003.

(Sgd.) HILARIO G. DAVIDE, JR.
Chief Justice



ADMINISTRATIVE ORDER NO. 33-2003

In the interest of an effective administration of justice and pursuant to Administrative Order No. 6 of this Court of 30 June 1975, the following trial court judges are hereby APPOINTED Executive Judges and Vice-Executive Judges of their respective stations effective 15 March 2003 and to continue until 31 December 2004, unless their appointments are sooner revoked or otherwise extended by the Court.

REGIONAL TRIAL COURTS NATIONAL CAPITAL REGION

MANILA

Hon. ENRICO A. LANZANAS
Executive Judge
Hon. RODOLFO A. PONFERRADA
1st Vice Executive Judge
Hon. ANTONIO M. EUGENIO, JR.
2nd Vice Executive Judge
Hon. AMOR A. REYES
3rd Vice Executive Judge

QUEZON CITY

Hon. JOSE C. MENDOZA
Executive Judge
Hon. NATIVIDAD G. DIZON
1st Vice Executive Judge
Hon. APOLINARIO D. BRUSELAS, JR.
2nd Vice Executive Judge
Hon. THELMA A. PONFERRADA
3rd Vice Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

PASAY CITY

Hon. VICENTE L. YAP
Executive Judge
Hon. CARIDAD GRECIA CUERDO
1st Vice Executive Judge
Hon. ERNESTO A. REYES
2nd Vice Executive Judge

KALOOKAN CITY

Hon. SILVESTRE H. BELLO, JR.
Executive Judge
Hon. MYRNA DIMARANAN VIDAL
1st Vice Executive Judge
Hon. VICTORIA ISABELA. A. PAREDES
2nd Vice Executive Judge

MAKATI CITY

Hon. SIXTO C. MARELLA, JR.
Executive Judge
Hon. NAPOLEON E. INOTURAN
1st Vice Executive Judge
Hon. NEMESIOS S. FELIX
2nd Vice Executive Judge
Hon. FRANCISCO B. IBA Y
3rd Vice Executive Judge

PASIG CITY

Hon. JOSE R. HERNANDEZ
Executive Judge
Hon. EDWIN A. VILLASOR
1st Vice Executive Judge
Hon. FLORITOS. MACALINO
2nd Vice Executive Judge
Hon. AMELIA C. MANALASTAS
3rd Vice Executive Judge

MALABON

Hon. EMMANUEL D. LAUREA
Executive Judge
Hon. ROSA REYES
Vice Executive Judge

MARIKINA CITY

Hon. REUBEN P. DELA CRUZ
Executive Judge
Hon. OLGA P. ENRIQUEZ
Vice Executive Judge

MANDALUYONG CITY

Hon. JAPAR B. DIMAAMPAO
Executive Judge
Hon. PAULITA A. VILLARANTE
Vice Executive Judge

PARAÑAQUE CITY

Hon. FORTUNITO L. MADRONA
Executive Judge
Hon. RAUL E. DE LEON
Vice Executive Judge

LAS PIÑAS CITY

Hon. MANUEL B. FERNANDEZ, JR.
Executive Judge
Hon. JOSELITO D. J. VIBANDOR
1st Vice Executive Judge
Hon. LEOPOLDO E. BARAQUIA
2nd Vice Executive Judge

MUNTINLUPA CITY

Hon. JUANITA TOMAS GUERRERO
Executive Judge
Hon. PEDRO M. SABUNDAYO, JR.
Vice Executive Judge

VALENZUELA CITY

Hon. FLORO P. ALEJO
Executive Judge
Hon. MARIA NENA J. SANTOS
Vice Executive Judge

FIRST JUDICIAL REGION**ABRA**

BANGUED

Hon. CORPUS B. ALZATE
Executive Judge

BENGUET

BAGUIO CITY

Hon. ANTONIO M. ESTEVES
Executive Judge
Hon. EDILBERTO T. CLARAVALL
Vice Executive Judge

LA TRINIDAD

Hon. BENIGNO M. GALACGAC
Executive Judge
Hon. FRANCIS A. BULIYAT
Vice Executive Judge

ILOCOS NORTE

LAOAG CITY

Hon. RAMON A. PACIS
Executive Judge
Hon. MANUEL L. ARGEL, JR.
Vice Executive Judge

BATAC

Hon. PERLA B. QUERUBIN
Executive Judge

ILOCOS SUR

VIGAN

Hon. DOMINGO LL. ARQUELADA, SR.
Executive Judge

NARVACAN

Hon. ARTURO B. BUENAVISTA
Executive Judge

CANDON

Hon. GAVINO B. BALBIN, JR.
Executive Judge

LA UNION

SAN FERNANDO CITY

Hon. VICTOR M. VILORIA
Executive Judge
Hon. JAIME P. GONZALES
Vice Executive Judge

AGOO

Hon. CLIFTON U. GANAY
Executive Judge

BAUANG

Hon. ROSE MARY M. ALIM
Executive Judge

MT. PROVINCE

BONTOC

Hon. ARTEMIO B. MARRERO
Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

PANGASINAN**LINGAYEN**

Hon. SALVADOR P. VEDAÑA

Executive Judge

Hon. EMILIO V. ANGELES

*Vice Executive Judge***DAGUPAN CITY**

Hon. SILVERIO Q. CASTILLO

*Executive Judge***URDANETA CITY**

Hon. MELITON G. EMUSLAN

Executive Judge

Hon. RODRIGO G. NABOR

*Vice Executive Judge***TAYUG**

Hon. ULYSSES R. BUTUYAN

*Executive Judge***ALAMINOS CITY**

Hon. JULES A. MEJIA

*Executive Judge***SAN CARLOS CITY**

Hon. ANTHONY Q. SISON

*Executive Judge*SECOND JUDICIAL REGION**CAGAYAN****TUGUEGARAO CITY**

Hon. VILMA TUMALIUAN PAUIG

Executive Judge

Hon. ELMO M. ALAMEDA

*Vice Executive Judge***APPARRI**

Hon. VIRGILIO M. ALAMEDA

Executive Judge

Hon. ROLANDO R. VELASCO

*Vice Executive Judge***ISABELA****ILAGAN**

Hon. ISAAC R. DE ALBAN

Executive Judge

Hon. ROMEO B. ARADANAS, SR.

*Vice Executive Judge***CAUAYAN CITY**

Hon. RAUL V. BABARAN

*Executive Judge***SANTIAGO CITY**

Hon. FE ALBANO MADRID

*Executive Judge***NUEVA VIZCAYA****BAYOMBONG**

Hon. GILL VALDEZ

Executive Judge

Hon. JOSE B. ROSALES

*Vice Executive Judge***BAMBANG**

Hon. JOSE GODOFREDO M. NAUI

*Executive Judge***QUIRINO****CABARROGUIS**

Hon. MOISES M. PARDO

*Executive Judge*THIRD JUDICIAL REGION**BATAAN****BALANGA**

Hon. MANUEL M. TAN

Executive Judge

Hon. REMIGIO M. ESCALADA, Jr.

*Vice Executive Judge***BULACAN****MALOLOS**

Hon. GUILLERMOP P. AGLORO

Executive Judge

Hon. TERESITA D. BALDOS

1st Vice Executive Judge

Hon. PETRITA B. DIME

*2nd Vice Executive Judge***NUEVA ECIJA****CABANATUAN CITY**

Hon. RODRIGO S. CASPILLO

Executive Judge

Hon. RAYMUNDO Z. ANNANG

*Vice Executive Judge***GUIMBA**

Hon. BLAS B. CAUSAPIN, JR.

Executive Judge

Hon. ISMAEL P. CASABAR

*Vice Executive Judge***GAPAN CITY**

Hon. ARTURO M. BERNARDO

Executive Judge

Hon. RODOLFO P. BELTRAN

*Vice Executive Judge***STO. DOMINGO**

Hon. SANTIAGO M. ARENAS

Executive Judge

Hon. CHOLITA B. SANTOS

*Vice Executive Judge***SAN JOSE CITY**

Hon. BAYANI V. VARGAS

*Executive Judge***PAMPANGA****CITY OF SAN FERNANDO**

Hon. ADELAIDA A. MEDINA

Executive Judge

Hon. DIVINA LUZ D. AQUINO-SIMBULAN

*Vice Executive Judge***GUAGUA**

Hon. ISAGANIM P. ALAD

Executive Judge

Hon. PAMELA ANN A. MAXIMO

*Vice Executive Judge***MACABEBE**

Hon. JOSEPHINE R. MERCADO

*Executive Judge***ANGELES CITY**

Hon. BERNARDITA G. ERUM

Executive Judge

Hon. MELENCIO W. CLAROS

*Vice Executive Judge***TARLAC****TARLAC CITY**

Hon. BITTY C. VILIRAN

Executive Judge

Hon. ARSENIOP P. ADRIANO

Vice Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

ZAMBALES

IBA

Hon. JOSEFINA D. LUNA

Executive Judge

Hon. NICOLAS E. ELIAZO

Vice Executive Judge

OLONGAPO CITY

Hon. RAMON S. CAGUIOA

Executive Judge

Hon. AVELINO A. LAZO

*Vice Executive Judge*FOURTH JUDICIAL REGION**BATANGAS**

BATANGAS CITY

Hon. MARIO V. LOPEZ

Executive Judge

Hon. TEODORO T. RIEL

Vice Executive Judge

TANAUAN CITY

Hon. VOLTAIRE Y. ROSALES

Executive Judge

BALAYAN

Hon. ELIHU A. YBAÑEZ

Executive Judge

Hon. CRISTINO E. JUDIT

Vice Executive Judge

LIPA CITY

Hon. JANE AURORA C. LANTION

Executive Judge

Hon. AVELINO G. DEMETRIA

*Vice Executive Judge***CA VITE**

CA VITE CITY

Hon. MANUEL A. MAYO

Executive Judge

Hon. MELCHOR QUIRINOC. SADANG

Vice Executive Judge

BACOR

Hon. EDUARDO I. TANGUANCO

Executive Judge

IMUS

Hon. NORBERTO J. QUISUMBING, JR.

Executive Judge

Hon. CESAR A. MANGROBANG

*Vice Executive Judge***LAGUNA**

BIÑAN

Hon. DAMASO A. HERRERA

Executive Judge

STA. CRUZ

Hon. LEONARDO L. LEONIDA

Executive Judge

Hon. FLORENCIO S. ARELLANO

Vice Executive Judge

SAN PABLO CITY

Hon. ZORAYDA H. SALCEDO

Executive Judge

Hon. GREGORIO T. VILLANUEVA

Vice Executive Judge

CALAMBA

Hon. NORBERTO Y. GERALDEZ

Executive Judge

Hon. ANTONIOS. POZAS

Vice Executive Judge

SAN PEDRO

Hon. STELLA CABUCO ANDRES

*Executive Judge***MARINDUQUE**

BOAC

Hon. RODOLFO B. DIMAANO

*Executive Judge***MINDORO ORIENTAL**

CALAPAN CITY

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Executive Judge

PINAMALAYAN

Hon. NORMELITO J. BALLOCANAG

*Executive Judge***MINDORO OCCIDENTAL**

SAN JOSE

Hon. ERNESTO P. PAGAYATAN

*Executive Judge***PALAWAN**

PUERTO PRINCESA CITY

Hon. NELIA Y. FERNANDEZ

Executive Judge

Hon. PERFECTO E. PE

*Vice Executive Judge***QUEZON**

LUCENA CITY

Hon. RAFAEL R. LAGOS

Executive Judge

Hon. NORMA CHIONGLO SIA

Vice Executive Judge

GUMACA

Hon. THELMA PE TRINIDAD-AGUIRRE

*Acting Executive Judge***AURORA**

BALER

Hon. ARMANDO A. YANGA

*Executive Judge***RIZAL**

BINANGONAN

Hon. PATERNO G. TIAMSON

Executive Judge

Hon. AUGUSTO T. GUTIERREZ

Vice Executive Judge

ANTIPOLO CITY

Hon. MAURICIO M. RIVERA

Executive Judge

Hon. RUTH C. SANTOS

Vice Executive Judge

SAN MATEO

Hon. JOSE C. REYES, JR.

Executive Judge

Hon. ELIZABETH B. REYES

Vice Executive Judge

MORONG

Hon. ADELINA C. BARGAS

Executive Judge

Hon. CANDIDO O. DELOS SANTOS

Vice Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

FIFTH JUDICIAL REGION

ALBAY

LEGASPI CITY

Hon. ALFREDO E. KALLOS

Executive Judge

Hon. ROMEO S. DAÑAS

Vice Executive Judge

LIGAO CITY

Hon. EDWIN R. MA-ALAT

Executive Judge

Hon. ROMOLO S. VILLANUEVA

Vice Executive Judge

TABACO CITY

Hon. VIRGINIA G. ALMONTE

Executive Judge

Hon. MAMERTOM. BUBAN, JR.

Vice Executive Judge

CAMARINES SUR

NAGA CITY

Hon. CORAZON A. TORDILLA

Executive Judge

Hon. MARINO O. BADIO, SR.

Vice Executive Judge

LIBMANAN

Hon. LORE VALENCIA BAGALACSA

Executive Judge

PILI

Hon. NILO A. MALANYAON

Executive Judge

Hon. ROSARIO B. TORRECAMPO

Vice Executive Judge

IRIGA CITY

Hon. MULRY P. MENDEZ

Executive Judge

Hon. JOSUE F. ERNACIO

Vice Executive Judge

SAN JOSE

Hon. EUFRONIO K. MARISTELA

Executive Judge

CAMARINES NORTE

DAET

Hon. WINSTON S. RACOMA

Executive Judge

Hon. ROLANDO M. PANGANIBAN

Vice Executive Judge

CATANDUANES

VIRAC

Hon. ROMULO P. ATENCIA

Executive Judge

MASBATE

MASBATE CITY

Hon. MAXIMINO R. ABLES

Executive Judge

Hon. JACINTA B. TAMBAGO

Vice Executive Judge

SORSOGON

SORSOGON CITY

Hon. JOSE L. MADRID

Executive Judge

Hon. HONESTO A. VILLAMOR

Vice Executive Judge

SIXTH JUDICIAL REGION

AKLAN

KALIBO

Hon. MARIETTA HOMENA VALENCIA

Executive Judge

Hon. DEAN R. TELAN

Vice Executive Judge

ANTIQUE

SAN JOSE

Hon. RUDY P. CASTROJAS

Executive Judge

Hon. SYLVIA G. JURAO

Vice Executive Judge

CAPIZ

ROXAS CITY

Hon. CHARLITO F. FANTILANAN

Executive Judge

Hon. MANUEL M. BARRIOS

Vice Executive Judge

MAMBUSAO

Hon. ARMANDO G. OBIENDA

Executive Judge

ILOILO

ILOILO CITY

Hon. JOSE D. AZARRAGA

Executive Judge

Hon. RENE S. HONRADO

1st Vice Executive Judge

Hon. RENE S. HORTILLO

2nd Vice Executive Judge

NEGROS OCCIDENTAL

SILAY CITY

Hon. FELIPE G. BANZON

Executive Judge

BACOLOD CITY

Hon. PEPITA B. GELLADA

Executive Judge

Hon. ROBERTO S. CHIONGSON

1st Vice Executive Judge

Hon. GORGONIO J. YBAÑEZ

2nd Vice Executive Judge

HIMAMAYLAN CITY

Hon. EDGARDO L. CATILO

Executive Judge

SAN CARLOS CITY

Hon. ROBERTO S. A. JAVELLANA

Executive Judge

SEVENTH JUDICIAL REGION

BOHOL

TAGBILARAN CITY

Hon. FERNANDO G. FUENTES III

Executive Judge

Hon. PABLO R. MAGDOZA

1st Vice Executive Judge

Hon. TEOFILO D. BALUMA

2nd Vice Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

CEBU**CEBU CITY**

Hon. PAMPIO A. ABARINTOS

Executive Judge

Hon. ISAIAS P. DICDICAN

1st Vice Executive Judge

Hon. SIMEON A. DUMDUM, JR.

*2nd Vice Executive Judge***LAPU-LAPU CITY**

Hon. BENEDICTO G. COBARDE

Executive Judge

Hon. LEOPOLDO V. CAÑETE

*Vice Executive Judge***MANDAUE CITY**

Hon. MARILYN LAGURA-YAP

Executive Judge

Hon. ULRIC R. CAÑETE

*Vice Executive Judge***TOLEDO CITY**

Hon. GAUDIOSO D. VILLARIN

*Executive Judge***NEGROS ORIENTAL****DUMAGUETE CITY**

Hon. ARACELIS. ALAFRIZ

Executive Judge

Hon. VICTOR C. PATRIMONIO

1st Vice Executive Judge

Hon. IBARRA B. JACULBE, JR.

*2nd Vice Executive Judge*EIGHTH JUDICIAL REGION**EASTERN SAMAR****BORONGAN**

Hon. ROLANDO M. LACDO-O

*Acting Executive Judge***LEYTE****TACLOBAN CITY**

Hon. LEONILO B. APITA

Executive Judge

Hon. SALVADOR Y. APURILLO

*Vice Executive Judge***ORMOC CITY**

Hon. FRANCISCO C. GEDORIO, JR.

*Executive Judge***CARIGARA**

Hon. LOURDES G. BLANCO

*Executive Judge***NORTHERN SAMAR****CATARMAN**

Hon. NORMA MEGENIO CARDENAS

*Executive Judge***LAOANG**

Hon. JOSE F. FALCOTELO

*Acting Executive Judge***SOUTHERN LEYTE****MAASIN CITY**

Hon. BETHANY G. KAPILI

*Executive Judge***SAMAR****CATBALOGAN**

Hon. SINFORIANO A. MONSANTO

*Executive Judge***CALBAYOG CITY**

Hon. ROBERTO A. NAVIDAD

*Executive Judge*NINTH JUDICIAL REGION**BASILAN****ISABELA**

Hon. DANILO M. BUCOY

*Executive Judge***ZAMBOANGA DEL NORTE****DIPOLOG CITY**

Hon. WILFREDO C. MARTINEZ

Executive Judge

Hon. PRIMITIVOS. ABARQUEZ, JR.

*Vice Executive Judge***ZAMBOANGA DEL SUR****ZAMBOANGA CITY**

Hon. JESUS C. CARBON, JR.

Executive Judge

Hon. ERNESTOR R. GUTIERREZ

*Vice Executive Judge***PAGADIAN CITY**

Hon. FRANKLYN A. VILLEGAS

Executive Judge

Hon. HARUN B. ISMAEL

*Vice Executive Judge*TENTH JUDICIAL REGION**AGUSAN DEL NORTE****BUTUAN CITY**

Hon. VICTOR A. TOMANENG

Executive Judge

Hon. ROSARITO F. DABALOS

*Vice Executive Judge***BUKIDNON****MALAYBALAY CITY**

Hon. ROLANDO S. VENADAS, SR.

Executive Judge

Hon. AGUSTIN Q. JAVELLANA

*Vice Executive Judge***MISAMIS OCCIDENTAL****OROQUIETA CITY**

Hon. HENRY B. DAMASING

Executive Judge

Hon. MA. NIMFA PENACO-SITACA

*Vice Executive Judge***OZAMIS CITY**

Hon. SALOME P. DUNOG

*Executive Judge***MISAMIS ORIENTAL****CAGAYAN DE ORO CITY**

Hon. EDGARDO T. LLOREN

Executive Judge

Hon. LEONARDO N. DEMECILLO

1st Vice Executive Judge

Hon. JOSE L. ESCOBIDO

*2nd Vice Executive Judge***MEDINA**

Hon. JOAQUIN M. MURILLO

*Executive Judge***GINGOOG CITY**

Hon. EDITHO C. LUCAGBO

Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

SURIGAO DEL NORTE

SURIGAO CITY

Hon. FLORIPINAS C. BUYSER
*Executive Judge*ELEVENTH JUDICIAL REGION**DAVAO DEL NORTE**

TAGUM CITY

Hon. OSCAR G. TIROL
*Executive Judge*Hon. LUCILO C. RALLOS
Vice Executive Judge

PANABO CITY

Hon. JESUS L. GRAGEDA
*Executive Judge***DAVAO ORIENTAL**

MATI

Hon. DIOSDADO A. YAMAS
*Executive Judge***DAVAO DEL SUR**

DAVAO CITY

Hon. PAUL T. ARCANGEL
*Executive Judge*Hon. RENATO A. FUENTES
*1st Vice Executive Judge*Hon. EMMANUEL C. CARPIO
2nd Vice Executive Judge

DIGOS CITY

Hon. HILARIO I. MAPAYO
*Executive Judge***SOUTH COTABATO**

GENERAL SANTOS CITY

Hon. MARIVIC TRABAJO DARAY
Acting Executive Judge

KORONADAL CITY

Hon. OSCAR E. DINOPOL
*Executive Judge***SURIGAO DEL SUR**

TANDAG

Hon. ERMELINDO G. ANDAL
*Executive Judge*TWELFTH JUDICIAL REGION**LANAO DEL NORTE**

ILIGAN CITY

Hon. VALERIO M. SALAZAR
*Executive Judge*Hon. MAXIMO B. RATUNIL
*Vice Executive Judge***LANAO DEL SUR**

MARA WI CITY

Hon. AMER R. IBRAHIM
*Executive Judge*Hon. YUSOPH K. PANGADAPUN
Vice Executive Judge

MALABANG

Hon. MOSLEMEN T. MACARAMBON
*Executive Judge***MAGUINDANAO**

COTABATO CITY

Hon. RENO E. CONCHA
*Executive Judge***NORTH COTABATO**

KABACAN

Hon. FRANCISCO G. RABANG, JR.
Executive Judge

KIDAPA WAN CITY

Hon. ROGELIO R. NARISMA
Executive Judge

MIDSAYAP

Hon. LILY LYDIA A. LAQUINDANUM
*Executive Judge***METROPOLITAN TRIAL COURTS**

MANILA

Hon. ALEJANDRO G. BIJASA
*Executive Judge*Hon. MYRA G. FERNANDEZ
*1st Vice Executive Judge*Hon. HIPOLITO J. DELA VEGA
*2nd Vice Executive Judge*Hon. NINA ANTONIO VALENZUELA
3rd Vice Executive Judge

QUEZON CITY

Hon. RALPH S. LEE
*Executive Judge*Hon. CESARO. UNTALAN
*1st Vice Executive Judge*Hon. HENRI JEAN-PAUL B. INTING
2nd Vice Executive Judge

PASAY CITY

Hon. PEDRO B. CORALES
Executive Judge

Hon. ZENAIDA G. LAGUILLES

KALOOKAN CITY

Hon. ELEONOR KWONG
*Executive Judge*Hon. ESTEBAN V. GONZAGA
Vice Executive Judge

MALABON

Hon. EDISON F. QUINTIN
Executive Judge

SAN JUAN

Hon. ELVIRA DE CASTRO PANGANIBAN
Executive Judge

MANDALUYONG CITY

Hon. LIZABETH GUTIERREZ TORRES
Executive Judge

MAKATI CITY

Hon. SELMA P. ALARAS
*Executive Judge*Hon. EVELYN ARCA YA CHUA
Vice Executive Judge

PASIG CITY

Hon. JOSE P. MORALLOS
*Executive Judge*Hon. EUGENIO C. MENDINUETO
Vice Executive Judge

MARIKINA CITY

Hon. ALEX E. RUIZ
Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

PARAÑAQUE CITY

Hon. JANSEN R. RODRIGUEZ
Executive Judge

VALENZUELA CITY

Hon. CECILYN BURGOS VILLAVERT
Executive Judge

MUNICIPAL TRIAL COURTS

BAGUIO CITY

Hon. BENJAMIN C. BUENA
Executive Judge
Hon. DANILO R. CAMACHO
Vice Executive Judge

DAGUPAN CITY

Hon. GEORGE M. MEJIA
Executive Judge
Hon. FLORANTE S. GABAT
Vice Executive Judge

LAOAG CITY

Hon. NIDA B. ALEJANDRO
Acting Executive Judge

SAN FERNANDO CITY, LA UNION

Hon. EUGENIO A. DACUMOS
Executive Judge

SANTIAGO CITY

Hon. RUBEN R. PLATA
Executive Judge

TUGUEGARA CITY

Hon. PABLO AGUSTIN
Executive Judge
Hon. JIMMY R. BUTACAN
Vice Executive Judge

ANGELES CITY

Hon. IRENE ZENAIDA SANCHEZ BUAN
Executive Judge
Hon. JOCELYN SOLIS REYES
Vice Executive Judge

CABANATUAN CITY

Hon. INOCENCIO B. SAGUN, JR.
Executive Judge

OLONGAPO CITY

Hon. REYNALDO M. LAIGO
Executive Judge
Hon. EDUARDO D. ALFONSO
Vice Executive Judge

SAN JOSE CITY

Hon. JUANITA C. TIENZO
Executive Judge

SAN FERNANDO CITY

Hon. JOSELITOS S. SALVADOR
Executive Judge

TARLAC CITY

Hon. MARVIN B. MANGINO
Executive Judge

ANTIPOLO CITY

Hon. MA. CONSEJO GENGOS-IGNALAGA
Executive Judge

BATANGAS CITY

Hon. MINERVA MALALUAN EXCHAURE
Executive Judge

CAVITE CITY

Hon. AMALIA S. CUAPIACO
Executive Judge

LUCENA CITY

Hon. ROMEO L. VILLANUEVA
Executive Judge

IRIGA CITY

Hon. ROGELIO L. DACARRA
Executive Judge

LEGASPI CITY

Hon. JOSE NOEL RUBIO
Executive Judge
Hon. ARLINDO G. RESARI
Vice Executive Judge

NAGA CITY

Hon. ZENAIDA M. BRAGAIS
Executive Judge

SORSOGON CITY

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Executive Judge

BACOLOD CITY

Hon. MA. LORNA P. DEMONTEVERDE
Executive Judge
Hon. NAPOLEON S. DIAMANTE
Vice Executive Judge

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Vice Executive Judge

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Vice Executive Judge

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Executive Judge
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Vice Executive Judge

TAGBILARAN CITY

Hon. SISINIOC. VIRTUDAZO
Executive Judge

TACLOBAN CITY

Hon. WENCESLAO B. VANILLA
Executive Judge

DIPOLOG CITY

Hon. FELIPE M. ABALOS
Executive Judge

PAGADIAN CITY

Hon. ANICETO B. GALON, JR.
Executive Judge

ZAMBOANGA CITY

Hon. EFREN S. MARIANO
Executive Judge

ADMINISTRATIVE ORDER NO. 33-2003 (continued)

Hon. GUILLJIED. LIM
Vice Executive Judge

BUTUAN CITY

Hon. JAMES V. GO
Executive Judge

CAGAYAN DE ORO CITY

Hon. ISABELO SABANAL
Executive Judge

Hon. ELEUTERIA BADOLES ALGODON
Vice Executive Judge

OZAMIS CITY

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Executive Judge

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Vice Executive Judge

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Executive Judge

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Acting Executive Judge

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Hon. DAYDEWS D. VILLAMOR
Executive Judge

Hon. RUFINOS. FERRARIS
Vice Executive Judge

GENERAL SANTOS CITY

Hon. OSCAR NOEL, JR.
Executive Judge

ILIGAN CITY

Hon. AMISAN BAGUL AMANODIN-UMPA
Executive Judge

In SINGLE-SALA STATIONS, the Presiding Judges are ex-officio Executive Judges, unless in the interest of the service their salas are merged with multi-sala stations for purposes of supervision. Whenever the ex-officio Executive Judge is absent or otherwise incapacitated to discharge the functions of his office, the Executive Judge of the nearest station in the region shall temporarily act as Executive Judge until the return of the ex-officio Executive Judge or the detail by this Court of another judge who will then be Acting Executive Judge.

In MULTI-SALA STATIONS with two (2) branches, when the Executive Judge is absent or otherwise incapacitated, the remaining judge in the station shall act as Executive Judge. If both judges are absent or otherwise incapacitated to discharge the duties of Executive Judge, the Executive Judge of the nearest station in the region shall temporarily act as Executive Judge until the return of the Executive Judge or the detail by this Court of another judge who will then be Acting Executive Judge.

In MULTI-SALA STATIONS with three (3) or more branches, when the Executive Judge is absent or otherwise incapacitated to discharge his duties as such and no Vice Executive Judge has been appointed, or if one has been appointed but is likewise absent or otherwise incapacitated, the judge who is the most senior among the permanent Judges in the station, or if there be none, the most senior in tenure in the judiciary, shall temporarily act as Executive Judge. If there be two (2) or more judges of equal seniority in the station, the judge who is the most senior in age shall act as Executive Judge.

The imposition upon an Executive Judge or Vice Executive Judge of an administrative penalty of at least a reprimand in any case shall automatically operate to divest him of the position.

Any question as to who may discharge the duties of an Executive Judge not otherwise covered herein shall be referred to the Court for resolution.

The Office of the Court Administrator shall implement this Administrative Order.

Let copies of this Administrative Order be furnished the Office of the Chief Justice; the offices of the Associate Justices; the Presiding Justice of the Court of Appeals; the Presiding Justice of the Sandiganbayan; the Philippine Judicial Academy; the Clerk of Court of the Supreme Court; the Court Administrator; the Deputy Court Administrators; the Assistant Court Administrators; the Public Information Office; the Management Information Systems Office; the Program Management Office, Financial Management Office and Office of Administrative Services of the Office of the Court Administrator; and the Records Control Division.

The Clerk of Court of the Court *en banc* shall forthwith cause the publication of this Administrative Order in a newspaper of general circulation in the Philippines.

Promulgated this 13th day of March 2003.

(Sgd.) HILARIO G. DAVIDE, JR.
Chief Justice

(Sgd.) JOSUE N. BELLOSILLO
Chairman, Second Division

(Sgd.) REYNATO S. PUNO
Chairman, Third Division

3rd Floor of the Supreme Court Building
Taft Avenue, Manila

PRESIDING JUDGE

2003 Upcoming PHILJA Events

<i>Date</i>	<i>Seminars / Activities</i>	<i>Venue</i>
April 22-25	Regional Judicial Career Enhancement Program (JCEP) Seminar for Region IV	DAP, Tagaytay City
April 28-29	Screening of Applicants for the Pre-Judicature Program	Cebu City
May 7-9	Convention Seminar of the Sheriffs Confederation of the Philippines (SCOPHIL)	Cebu City
May 15-16 (tentative)	PACE National Convention and Seminar	T B A
May 21-23	Seminar of Court Librarians	Tacloban City
June 16-July 11	6th Pre-Judicature Program	Cebu City

Chancellor, Philippine Judicial Academy
Justice Ameurfina A. Melencio Herrera

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