



PHILJA Bulletin



October to December 2009

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From the Chancellor's Desk *Em*

The period from October to December, 2009, covered by this issue, was full of fruitful activities.

There were the Orientation Seminar-Workshops for Newly Appointed Judges and for New Clerks of Court. There were also a number of Special Focus Programs ranging from the Seminar-Workshop for Executive Judges and Vice Executive Judges to that on Comparative Analysis between the Family Code and the Code of Muslim Personal Laws held in Iloilo City and in the Bicol region. The Academy likewise held the Competency Enhancement Trainings for Judges and Court Personnel Handling Child Abuse and Trafficking Cases in Region 8 and in the NCJR.

A planning dialogue was successfully done with the Executive Judges during their National Convention.

The much-awaited Sixth Metrobank Foundation Professorial Lecture was given by Dean Marvic M.V.F. Leonen on "*Law at its Margins: Questions of Identity, Rights of Indigenous Peoples, Ancestral Domains and the Diffusion of Law.*"

Also accomplished during this period were workshops on Agrarian Justice for Negros Occidental, CEDAW and Gender Sensitivity for Selected Judges and Court Personnel in Zamboanga del Norte, Deposit, Insurance, Banking Practices and Bank Conservatorship, Receivership and Liquidation (the second one, in Cebu), Speedy Trial in the Visayas Region and the NCJR (Batch 1), Children in Conflict with the Law, and Personal Security Training for Judges.

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► **Seminar-Workshop for Executive Judges and Vice Executive Judges of Regions IX to XII**

Development Partners: USAID; ABA-ROLI
Date: September 29 to October 1, 2009
Venue: Pryce Hotel, Cagayan de Oro City
Participants: 30 executive and vice executive judges

► **Orientation Seminar-Workshop on Comparative Analysis between the Family Code and the Code of Muslim Personal Laws**

Date: September 29 to October 1, 2009
Venue: Amigo Terrace Hotel, Iloilo City
Participants: 54 comprising judges, PAO lawyers, representatives from IBP, NBI, CHR, DILG, PNP and Philippine Army

Date: December 1 to 3, 2009
Venue: Casablanca Hotel, Legazpi City
Participants: 50 comprising judges, PAO lawyers, representatives from NBI, CHR, DILG, and PNP of the Bicol Region

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

Development Partners: CPU-Net; PLAN International, Inc.
Date: October 6 to 8, 2009
Venue: Leyte Park Resort Hotel, Tacloban City
Participants: 56 comprising selected judges and court personnel, prosecutors, PAO lawyers, and PNP officers of Region VIII

Development Partners: CPU-Net; UNICEF
Date: November 24 to 26, 2009
Venue: Manila Pavillion Hotel, UN Avenue, Manila
Participants: 86 selected judges and court personnel, Court of Appeals lawyers, prosecutors, PAO lawyers, representatives from PGH-CPU and PNP of NCJR

► **Convention and Seminar of the Philippine Judges Association (PJA)**

Date: October 14 to 16, 2009
Venue: Century Park Hotel, Manila
Participants: 538 judges

► **Planning Dialogue with the Executive Judges**

Date: October 15, 2009
Venue: Badjao Ballroom, Century Park Hotel, Manila
Participants: 150 executive judges

► **Sixth Metrobank Foundation Professorial Chair Lecture by Dean Marivic M.V.F. Leonen**

Topic: Law at Its Margins: Questions of Identity, Rights of Indigenous Peoples, Ancestral Domains and the Diffusion of Law

Date: October 21, 2009

Venue: Malcolm Theater, University of the Philippines College of Law, Diliman, Quezon City
Participants: 249 comprising SC, CA and CTA justices, selected judges and clerks of courts of NCJR, SC officials and lawyers, members of the diplomatic corps and the academe, and representatives from the Metrobank, NCIP, development partners, NGOs and media



► ***Eighth Multi-Sectoral Seminar-Workshop
on Agrarian Justice***

*Development Partners: AJFI;
DAR; DOJ; PAO; IDEALS*

Date: November 10 to 12, 2009

*Venue: South Sea Resort Hotel,
Dumaguete City*

*Participants: 47 comprising
selected judges, prosecutors,
PAO lawyers, representatives
from DAR, PNP, CHR, NGOs,
POs and DAR facilitators of the
Province of Negros Oriental*



► ***17th Orientation Seminar-Workshop
for Newly Appointed Clerks of Court***

Date: November 10-13, 2009

Venue: Bayview Park Hotel, Manila

*Participants: 63 newly appointed clerks of court
namely:*

REGIONAL TRIAL COURTS

REGION I

Atty. Arthur C. Agullana, Jr.

RTC, OCC, Batac, Ilocos Norte

Atty. Relen L. Calde

RTC, OCC, Urdaneta, Pangasinan

Atty. Elizabeth Cerezo-Tugade

RTC, Br. 69, Lingayen, Pangasinan

Atty. Raquel D. Estigoy-Andres

RTC, OCC, San Fernando, La Union

Atty. Jerico G. Gay-ya

RTC, Br. 61, Baguio City, Benguet

Atty. Alejandro Epifanio D. Guerrero

RTC, Br. 5, Baguio City, Benguet

Atty. Jocelyn P. Humiwat

RTC, Br. 35, Bontoc, Mountain Province

Atty. Jurgens SJ Milan

RTC, OCC, La Trinidad, Benguet

Atty. Roger L. Nafianog

RTC, Br. 60, Baguio City, Benguet

Atty. Raymond G. Panhon

RTC, Br. 8, La Trinidad, Benguet

Atty. Purissa M. Reyes

RTC, Br. 57, San Carlos City, Pangasinan

Atty. Jocelyn V. Rosario

RTC, Br. 38, Lingayen, Pangasinan

Atty. Zulieca L. Tamayo-De Vera

RTC, Br. 50, Villasis, Pangasinan

Atty. Rodrigo C. Valdez, Jr.

RTC, Br. 66, San Fernando, La Union

REGION II

Atty. Freniza Joy D. Cacatian-Barangan

RTC, Br. 31, Cabarroguis, Quirino

Atty. Sheila C. Gacutan

RTC, Br. 5, Tuguegarao City, Cagayan

Atty. Arvil Philipp A. Nicolas

RTC, Br. 18, Ilagan, Isabela

Atty. Aura Clarissa B. Tabag-Querubin

RTC, Br. 4, Tuguegarao City, Cagayan

Atty. Shirley M. Tagao-Gumiran

RTC, Br. 22, Cabagan, Isabela

REGION III

Atty. Alexander DG. Adriano

RTC, OCC, Cabanatuan City, Nueva Ecija

Atty. Bienvenido B. Almonte, Jr.

RTC, Br. 78, Malolos, Bulacan

Atty. Rosario R. Baluyot

RTC, Br. 5, Dinalupihan, Bataan

Atty. Irma Gay G. Idago-Belino

RTC, Br. 86, Cabanatuan City

Atty. Rowena S. Cunanan

RTC, Br. 42, San Fernando, Pampanga

Atty. Gay T. Escalada-Clavel

RTC, Br. 3, Balanga, Bataan

Atty. Lenie T. Garcia

RTC, Br. 44, San Fernando, Pampanga

Atty. Enrico S. Interior

RTC, Br. 27, Cabanatuan City, Nueva Ecija

Atty. Jean P. Lilagan

RTC, Br. 9, Malolos, Bulacan

Atty. Roberyn Joy C. Mariñas-Navarro

RTC, Br. 60, Angeles City, Pampanga

Atty. Bernadeth N. Sta. Ana-Lazaro

RTC, Br. 8, Malolos, Bulacan

Atty. Maria Helen D. Surla

RTC, Br. 47, San Fernando, Pampanga

Atty. Apollo J. Umadhay

RTC, Br. 48, San Fernando, Pampanga

REGION IV

Atty. Catherin B. Beran-Baraoidan

RTC, OCC, San Pedro, Laguna

(Continued on next page)

Atty. Nadia S. Diumano
RTC, OCC, Antipolo City, Rizal
 Atty. Rizalina A. Endozo
RTC, Br. 10, Balayan, Batangas
 Atty. Robert Ryan H. Esmenda
RTC, OCC, Lipa City, Batangas
 Atty. Ruby P. Ferrer
RTC, Br. 72, Antipolo City, Rizal
 Atty. Grandis Rem T. Manalabe
RTC, OCC, Sta. Cruz, Laguna
 Atty. Ferdinand M. Mingao
RTC, Br. 74, Antipolo City, Rizal
 Atty. Alexander A. Rivera
RTC, Br. 49, Puerto Princesa City, Palawan

REGION V

Atty. Rebecca O. Bagasala
RTC, OCC, Libmanan, Camarines Sur
 Atty. Marjorie E. Benosa-Gador
RTC, Br. 64, Labo, Camarines Norte
 Atty. Antonette C. Beriña-Bance
RTC, Br. 36, Iriga City, Camarines Sur
 Atty. Michelle A. Faurillo-Joven
RTC, Br. 56, Libmanan, Camarines Sur
 Atty. Maria Kristina C. Malanyaon
RTC, Br. 33, Pili, Camarines Sur
 Atty. Armind T. Pintor
RTC, Br. 13, Ligao City, Albay
 Atty. Edwin L. Rana
RTC, OCC, Masbate, Masbate

MUNICIPAL TRIAL COURTS IN CITIES**REGION III**

Ms. Margie M. Dela Rosa
MTCC, Br. 2, Tarlac City
 Ms. Rosemarie B. Fernandez
MTCC, Br. 3, Olongapo City
 Ms. Victorina R. Jacinto
MTCC, Palayan City, Nueva Ecija
 Mr. Teofilo L. Liwanag, Jr.
MTCC, OCC, Olongapo City
 Ms. Emma M. Manglicmot
MTCC, OCC, Tarlac City
 Ms. Anna Marin F. Sison
MTCC, Br. 73, Olongapo City

REGION IV

Mr. Francisco J. Calibuso
MTCC, Br. 1, Cavite City
 Ms. Rochelle D. De Leon-Redondo
MTCC, OCC, Antipolo City
 Mr. Marvin Ignacius L. Llamas
MTCC, OCC, Lucena City, Quezon
 Ms. Ruth Kristine R. Mapaye
MTCC, Br. 2, Lucena City, Quezon

MUNICIPAL TRIAL COURTS**REGION I**

Ms. Leonardo P. Abbugao, Jr.
MTC, Bontoc, Mountain Province

REGION III

Ms. Joni Isabel M. Antonio
MTC, Paniqui, Tarlac
 Ms. Vilma B. De Guzman
MTC, Baliuag, Bulacan
 Ms. Rosemarie R. Palomo
MTC, Caranglan, Nueva Ecija

MUNICIPAL CIRCUIT TRIAL COURTS**REGION I**

Ms. Dina G. Chio
6th MCTC: La Paz-Lagayan-Dangla, Abra

REGION III

Ms. Leila D. Rendon
5th MCTC: Apalit-San Simon, Pampanga

► **18th Orientation Seminar-Workshop
 for Newly Appointed Clerks of Court**

Date: December 8-11, 2009

Venue: Montebello Villa Hotel, Cebu City

*Participants: 30 newly appointed clerks of court
 namely:*

REGIONAL TRIAL COURTS**REGION VI**

Atty. Ross R. Camanay
RTC, Br. 68, Dumangas, Iloilo
 Atty. Felix G. Guarnes, Jr.
RTC, Br. 60, Cadiz City, Negros Occidental
 Atty. Valerie V. Parreño
RTC, Br. 53, Bacolod City, Negros Occidental

REGION VII

Atty. Cheryl F. Bueno
RTC, Br. 56, Mandaue City, Cebu
 Atty. Maria Corazon C. Gadugdug
RTC, Br. 33, Dumaguete City, Negros Oriental
 Atty. Consolacion T. Lape
RTC, Br. 16, Cebu City, Cebu

REGION VIII

Atty. Milreysa S. Dayandayan
RTC, Br. 35, Ormoc City, Leyte
 Atty. Maria Sheila F. Deloso-Baquilod
RTC, Br. 3, Guiuan, Eastern Samar
 Atty. Paul E. Plaza
RTC, OCC, Tacloban City
 Atty. Rino E. Sabarre
RTC, Br. 21, Laoang, Northern Samar
 Atty. Elegia B. Singzon
RTC, Br. 38, Gamay, Northern Samar

REGION X

Atty. Maribeth L. De Juan-Hermoso
 RTC, Br. 5, Butuan City, Agusan Del Norte
 Atty. Julieme B. Gelbolingo
 RTC, Br. 15, Ozamis City, Misamis Occidental
 Atty. Alfredo Z. Gomez
 RTC, Br. 27, Gingoog City, Misamis Oriental
 Atty. Dendo G. Udarbe
 RTC, Br. 2, Butuan City, Agusan Del Norte

REGION XI

Atty. Sherry Joy O. Burdeos
 RTC, OCC, Tagum City, Davao Del Norte
 Atty. Francisco M. Campaner
 RTC, OCC, Davao City, Davao Del Sur
 Atty. Marion Gay C. Mirabueno
 RTC, OCC, General Santos City, South Cotabato

REGION XII

Atty. Kristine M. Camandero
 RTC, Br. 24, Midsayap, North Cotabato

MUNICIPAL TRIAL COURTS IN CITIES**REGION VI**

Ms. Marite E. Peniero
 MTCC, OCC, Iloilo City, Iloilo
 Ms. Cheline T. Sorreño
 MTCC, Victorias City, Negros Occidental

REGION VII

Ms. Angelina B. Peralta
 MTCC, Br. 2, Mandaue City, Cebu
 Ms. Josephine R. Teves
 MTCC, OCC, Cebu City

REGION IX

Ms. Rosemarie R. Salvacion
 MTCC, Br. 2, Dipolog City, Zamboanga Del Norte

MUNICIPAL TRIAL COURT**REGION XI**

Ms. Eugenia G. Uy
 MTC, Tupi, South Cotabato

MUNICIPAL CIRCUIT TRIAL COURTS**REGION VII**

Ms. Eufemia S. Garcia
 18th MCTC: Dagohoy-Danao, Bohol

REGION VIII

Ms. Rowena C. Resulta
 8th MCTC: Victoria-San Antonio, Northern Samar

REGION X

Mr. Manutuis Aldo G. Hijos
 7th MCTC: Loreto-Libjo-Tubajon, Surigao Del Norte
 Ms. Rosita F. Ramos
 6th MCTC: Tagoloan-Villanueva, Misamis Oriental

SHARI'A CIRCUIT COURT**REGION XII**

Mr. Esmael A. Karon
 10th SCC: Lebak, Sultan Kudarat

► **Seminar-Workshop on CEDAW and Gender Sensitivity for Selected Judges, Clerks of Court and Legal Researchers of Zamboanga Del Norte**

Development Partners: CGRJ; Subcommittee on Training and Capacity Building; AHRC
Date: November 18 to 19, 2009
Venue: Camila 2 Hotel, Dipolog City
Participants: 45 selected judges, clerks of courts and legal researchers of Zamboanga Del Norte

► **Pagsasanay ng mga Hukom ukol sa Paggamit ng Wikang Filipino sa Hukuman**

Date: November 21, 2009
Venue: Hiyas ng Bulakan Convention Center, Bulakan Provincial Capitol Ground, City of Malolos
Participants: 26 selected judges and IBP representatives

► **Seminar-Workshop on Deposit Insurance, Banking Practices, and Bank Conservatorship, Receivership, and Liquidation**

Development Partner: PDIC
Date: November 24 to 25, 2009
Venue: Crown Regency Hotel and Towers, Cebu City
Participants: 70 comprising CA justices and lawyers, commercial court and selected RTC judges

► **16th National Convention-Seminar of the Philippine Trial Judges League, Inc. (PTJLI)**

Theme: "Frontlining Judicial Independence and Moral Uprightness in the First Level Courts"
Date: November 26 to 28, 2009
Venue: Century Park Hotel, Manila
Participants: 329 judges

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

Development Partners: OCA; USAID; ABA-ROLI
Date: November 26, 2009
Venue: Manila Room, Marco Polo Plaza Cebu
Participants: 53 selected RTC and MTCC judges from the Visayas Region

Date: December 3, 2009
Venue: Mandarin Oriental Manila, Makati City
Participants: 45 selected RTC judges of the NCJR

(Continued on next page)



► **56th Orientation Seminar-Workshop
for Newly Appointed Judges**

Date: December 1 to 10, 2009

Venue: A.Venue Hotel Suites, Makati City

Participants: 44 newly appointed judges namely:

A. NEW APPOINTMENTS

REGIONAL TRIAL COURTS

NATIONAL CAPITAL JUDICIAL REGION

Hon. Danilo B. Suarez

RTC, Br. 259, Parañaque City

REGION I

Hon. Mia Joy O. Cawed

RTC, Br. 4, Baguio City

Hon. A. Florentino R. Dumlaog, Jr.

RTC, Br. 42, Dagupan City, Pangasinan

Hon. Reynaldo A. Lacasandile

RTC, Br. 20, Vigan City, Ilocos Sur

REGION IV

Hon. Angelo R. Arizala

RTC, Br. 52, Puerto Princesa City, Palawan

Hon. Lily V. Biton

RTC, Br. 77, San Mateo, Rizal

REGION V

Hon. Frank E. Lobrigo

RTC, Br. 3, Legazpi City, Albay

Hon. Maria Theresa G. San Juan-Loquillano

RTC, Br. 10, Legaspi City, Albay

REGION VI

Hon. Florian Gregory D. Abalajon

RTC, Br. 38, Iloilo City

REGION VIII

Hon. James Clinton Richard C. Nuevo

RTC, Br. 12, Ormoc City, Leyte

REGION XI

Hon. Lope L. Calio

RTC, Br. 33, Davao City

Hon. Emilio G. Dayanghirang III

RTC, Br. 32, Lupon, Davao Oriental

Hon. Jordan H. Reyes

RTC, Br. 5, Mati, Davao Oriental

METROPOLITAN TRIAL COURTS

NATIONAL CAPITAL JUDICIAL REGION

Hon. Barbara Aleli Hernandez-Briones

MeTC, Br. 61, Makati City

Hon. Job M. Mangente

MeTC, Br. 54, Navotas City

Hon. J. Ermin Ernest Louie R. Miguel

MeTC, Br. 11, Manila

MUNICIPAL TRIAL COURTS IN CITIES

REGION I

Hon. Imelda P. Cosalan

MTCC, Br. 1, San Fernando, La Union

Hon. Zarah R. Sanchez-Fernandez

MTCC, Br. 2, Dagupan City, Pangasinan

REGION II

Hon. Maita Grace D. Israel

MTCC, Br. 3, Tuguegarao City, Cagayan

REGION III

Hon. Evelyn M. Pascua-Lee

MTCC, Br. 3, City of San Fernando, Pampanga

REGION XI

Hon. Jill Rose S. Jaugan-Lo

MTCC, Br. 4, Davao City

Hon. Leo T. Madrazo

MTCC, Br. 1, Davao City

MUNICIPAL TRIAL COURTS

REGION III

Hon. Roel G. Samonte

MTC, Subic, Zambales

REGION IV

Hon. Adeliza H. Magno-Gingoyon

MTC, Bacoar, Cavite

Hon. Gwyn P. Calina
MTC, Cainta, Rizal

MUNICIPAL CIRCUIT TRIAL COURTS

REGION I

Hon. Homer Jay D. Ragonjan
4th MCTC: Narvacan-Nagbukel-Santa Cruz, Ilocos Sur
Hon. Richard T. Domingo
11th MCTC: Sta. Cruz-Sta. Lucia, Ilocos Sur

REGION III

Hon. Rene E. Reyes
3rd MCTC: Sto. Tomas-Minalin, Pampanga

REGION X

Hon. Dymphna G. Labindao
1st MCTC: San Francisco-Bunawan-Rosario, Agusan Del Sur

B. PROMOTIONS

REGIONAL TRIAL COURTS

NATIONAL CAPITAL JUDICIAL REGION

Hon. Lorenzo R. Bordios-Paculdo
RTC, Br. 126, Caloocan City
Hon. Danilo A. Buemio
RTC, Br. 265, Pasig City
Hon. Antonio M. Olivete
RTC, Br. 267, Taguig City
Hon. Cecilyn B. Villavert
RTC, Br. 89, Quezon City

REGION I

Hon. Benjamin N. Abella
RTC, Br. 54, Alaminos Pangasinan
Hon. Manuel R. Aquino
RTC, Br. 34, Balaoan, La Union
Hon. Carlito A. Corpuz
RTC, Br. 27, San Fernando, La Union
Hon. Robert P. Fangayen
RTC, Br. 39, Lingayen, Pangasinan
Hon. Caridad V. Galvez
RTC, Br. 43, Dagupan City, Pangasinan
Hon. Juvencio S. Gascon
RTC, Br. 26, San Fernando, La Union
Hon. Cleto R. Villacorta III
RTC, Br. 6, Baguio City

REGION III

Hon. Mary Anne P. Padron-Rivera
RTC, Br. 46, City of San Fernando, Pampanga

REGION V

Hon. Marvel C. Clavecilla
RTC, Br. 33, Pili, Camarines Sur

REGION VI

Hon. Victorino O. Maniba, Jr.
RTC, Br. 39, Iloilo City

REGION VII

Hon. Ananson E. Jayme
RTC, Br. 63, Bayawan City, Negros Oriental

► Forum on Children in Conflict with the Law (CICL): Creative Partnership among the Pillars of Justice and NGOs

Development Partners: ACAY; Virlanie Foundation; ERDA; The Embassy of France in the Philippines; Rotary Club of San Francisco Del Monte

Date: December 3, 2009

Venue: Court of Appeals Auditorium, Manila
Participants: 203 selected family court judges, clerks of court and social workers, PAO lawyers, prosecutors, Court of Appeals lawyers, representatives from DSWD, PNP, and NGOs.

► Personal Security Training for Judges

Development Partners: OCA; NBI

Date: December 8-10, 2009

Venue: Taal Vista Hotel, Tagaytay City
Participants: 32 selected first and second level judges



ELECTION LAW

Election offenses; a candidate is liable for election offenses only upon the start of the campaign period.

Congress has laid down the law — a candidate is liable for election offenses only upon the start of the campaign period. This Court has no power to ignore the clear and express mandate of the law that “any person who files his certificate of candidacy within [the filing] period shall only be considered a candidate at the start of the campaign period for which he filed his certificate of candidacy.” Neither can this Court turn a blind eye to the express and clear language of the law that “any unlawful act or omission applicable to a candidate shall take effect only upon the start of the campaign period.”

The forum for examining the wisdom of the law, and enacting remedial measures, is not this Court but the Legislature. This Court has no recourse but to apply a law that is as clear, concise and express as the second sentence, and its immediately succeeding proviso, as written in the third paragraph of Section 15 of RA No. 8436, as amended by RA No. 9369.

(Carpio, *J.*, Rosalinda A. Penera *v.* Commission on Elections and Edgar T. Andanan, G.R. No. 181613, November 25, 2009.)

COMELEC cannot alter dates set by law for voters to register.

Preserving the sanctity of the right of suffrage ensures that the State derives its power from the consent of the governed. The paramount importance of this right is also a function of the State policy of people empowerment articulated in the constitutional declaration that sovereignty resides in the people and all government authority emanates from them, bolstered by the recognition of the vital role of the youth in nation-building and directive to the State to encourage their involvement in public and civic affairs.

It is against this backdrop that Congress mandated a system of continuing voter registration in Section 8 of RA No. 8189 which provides:

SEC. 8. System of Continuing Registration of Voters. – The personal filing of application of **registration of voters shall be conducted daily** in the office of the

Election Officer during regular office hours. **No registration shall, however, be conducted during the period starting 120 days before a regular election and 90 days before a special election.** (*emphasis and italics supplied*)

The clear text of the law thus decrees that voters be allowed to register daily during regular office hours, **except** during the period starting 120 days before a regular election and 90 days before a special election.

By the above provision, Congress itself has determined that the period of 120 days before a regular election and 90 days before a special election is enough time for the COMELEC to make ALL the necessary preparations with respect to the coming elections including: (1) completion of project precincts, which is necessary for the proper allocation of official ballots, election returns and other election forms and paraphernalia; (2) constitution of the Board of Election Inspectors, including the determination of the precincts to which they shall be assigned; (3) finalizing the Computerized Voters List; (4) supervision of the campaign period; and (5) preparation, bidding, printing and distribution of Voter’s Information Sheet. Such determination of Congress is well within the ambit of its legislative power, which this Court is bound to respect. And the **COMELEC’s rule-making power should be exercised in accordance with the prevailing law.**

(Carpio-Morales, *J.* Kabataan Party-List Representative Raymond V. Palatino, Alvin A. Peters, President of the National Union of Students of the Philippines (NUSP), Ma. Cristina Angela Guevarra, Chairperson of the Student Christian Movement of the Philippines (SCMP), Vencer Mari E. Crisostomo, Secretary General of Kabataan Party-List, Vijae O. Alquisola, President of the College of Editors Guild of the Philippines (CEGP), Dianne Kristel M. Asuelo, Secretary General of the Kabataang Artista para sa Tunay na Kalayaan (KARATULA), Kenneth Carlisle Earl Eugenio, Ana Katrina V. Tejero, Victor Louis E. Crisostomo, Jacqueline Alexis S. Merced, and Jade Charmane Rose J. Valenzuela *v.* Commission on Elections, G.R. No.189868, December 15, 2009.)

CIVIL LAW

Guidelines in resolving petition for declaration of nullity of marriage based on the Family Code

The Supreme Court laid down the guidelines in resolving petitions for declaration of nullity of marriage, based on Article 36 of the Family Code, in *Republic v. Court of Appeals*, to wit:

- (1) The burden of proof to show the nullity of the marriage belongs to the plaintiff. Any doubt should be resolved in favor of the existence and continuation of the marriage and against its dissolution and nullity. This is rooted in the fact that both our Constitution and our laws cherish the validity of marriage and unity of the family. Thus, our Constitution devotes an entire Article on the Family, recognizing it "as the foundation of the nation." It decrees marriage as legally "inviolable," thereby protecting it from dissolution at the whim of the parties. Both the family and marriage are to be "protected" by the state.

The Family Code echoes this constitutional edict on marriage and the family and emphasizes their permanence, inviolability and solidarity.

- (2) The root cause of the psychological incapacity must be (a) medically or clinically identified, (b) alleged in the complaint, (c) sufficiently proven by experts and (d) clearly explained in the decision. Article 36 of the Family Code requires that the incapacity must be psychological – not physical, although its manifestations and/or symptoms may be physical. The evidence must convince the court that the parties, or one of them, was mentally or psychically ill to such an extent that the person could not have known the obligations he was assuming, or knowing them, could not have given valid assumption thereof. Although no example of such incapacity need be given here so as not to limit the application of the provision under the principle of *ejusdem generis*, nevertheless such root cause must be identified as a

psychological illness and its incapacitating nature fully explained. Expert evidence may be given by qualified psychiatrists and clinical psychologists.

- (3) The incapacity must be proven to be existing at the "time of the celebration" of the marriage. The evidence must show that the illness was existing when the parties exchanged their "I do's." The manifestation of the illness need not be perceivable at such time, but the illness itself must have attached at such moment, or prior thereto.
- (4) Such incapacity must also be shown to be medically or clinically permanent or incurable. Such incurability may be absolute or even relative only in regard to the other spouse, not necessarily absolutely against everyone of the same sex. Furthermore, such incapacity must be relevant to the assumption of marriage obligations, not necessarily to those not related to marriage, like the exercise of a profession or employment in a job. Hence, a pediatrician may be effective in diagnosing illnesses of children and prescribing medicine to cure them but may not be psychologically capacitated to procreate, bear and raise his/her own children as an essential obligation of marriage.
- (5) Such illness must be grave enough to bring about the disability of the party to assume the essential obligations of marriage. Thus, "mild characterological peculiarities, mood changes, occasional emotional outbursts" cannot be accepted as root causes. The illness must be shown as downright incapacity or inability, not a refusal, neglect or difficulty, much less ill will. In other words, there is a natal or supervening disabling factor in the person, an adverse integral element in the personality structure that effectively incapacitates the person from really accepting and thereby complying with the obligations essential to marriage.

(Continued on next page)

CIVIL LAW (continued)

- (6) The essential marital obligations must be those embraced by Articles 68 up to 71 of the Family Code as regards the husband and wife as well as Articles 220, 221 and 225 of the same Code in regard to parents and their children. Such non-complied marital obligation(s) must also be stated in the petition, proven by evidence and included in the text of the decision.
- (7) Interpretations given by the National Appellate Matrimonial Tribunal of the Catholic Church in the Philippines, while not controlling or decisive, should be given great respect by our courts. x x x.

Being accordingly guided by the aforequoted pronouncements in *Republic v. Court of Appeals*, the Supreme Court scrutinized the totality of evidence presented by petitioner and found that the same was not enough to sustain a finding that respondent was psychologically incapacitated.

Petitioner's evidence, particularly her and her mother's testimonies, merely established that respondent left petitioner soon after their wedding to work in Saudi Arabia; that when respondent returned to the Philippines a year and a half later, he directly went to live with his parents in San Jose, Occidental Mindoro, and not with petitioner in Tondo, Manila; and that respondent also did not contact petitioner at all since leaving for abroad. These testimonies though do not give us much insight into respondent's psychological state.

Tayag's psychological report leaves much to be desired and hardly helps petitioner's cause. It must be noted that Tayag was not able to personally examine respondent. Respondent did not appear for examination despite Tayag's invitation. Tayag, in evaluating respondent's psychological state, had to rely on information provided by petitioner. Hence, we expect Tayag to have been more prudent and thorough in her evaluation of respondent's psychological condition, since her source of information, namely, petitioner, was hardly impartial.

Tayag concluded in her report that respondent was suffering from Narcissistic Personality Disorder, traceable to the latter's experiences during his childhood. Yet, the report is totally bereft of the basis for the said conclusion. Tayag did not particularly describe the "pattern of behavior" that showed that respondent indeed had a Narcissistic

Personality Disorder. Tayag likewise failed to explain how such a personality disorder made respondent psychologically incapacitated to perform his obligations as a husband. We emphasize that the burden falls upon petitioner, not just to prove that respondent suffers from a psychological disorder, but also that such psychological disorder renders him "truly incognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to the marriage." Psychological incapacity must be more than just a "difficulty," a "refusal," or a "neglect" in the performance of some marital obligations.

In this instance, we have been allowed, through the evidence adduced, to peek into petitioner's marital life and, as a result, we perceive a simple case of a married couple being apart too long, becoming strangers to each other, with the husband falling out of love and distancing or detaching himself as much as possible from his wife.

To be tired and give up on one's situation and on one's spouse are not necessarily signs of psychological illness; neither can falling out of love be so labeled. When these happen, the remedy for some is to cut the marital knot to allow the parties to go their separate ways. This simple remedy, however, is not available to us under our laws. Ours is a limited remedy that addresses only a very specific situation – a relationship where no marriage could have validly been concluded because the parties; or where one of them, by reason of a grave and incurable psychological illness existing when the marriage was celebrated, did not appreciate the obligations of marital life and, thus, could not have validly entered into a marriage.

An unsatisfactory marriage is not a null and void marriage. As we stated in *Marcos v. Marcos*.

Article 36 of the Family Code, we stress, is not to be confused with a divorce law that cuts the marital bond at the time the causes therefor manifest themselves. It refers to a serious psychological illness afflicting a party even before the celebration of the marriage. It is a malady so grave and so permanent as to deprive one of awareness of the duties and responsibilities of the matrimonial bond one is about to assume.
x x x.

The Supreme Court have held in the past that mere “irreconcilable differences” and “conflicting personalities” in no wise constitute psychological incapacity.

(Chico-Nazario, *J.*, Veronica Cabacungan Alcazar *v.* Rey C. Alcazar, G.R. No. 174451, October 13, 2009.)

Alienation or encumbrance of conjugal property without the consent of the wife not void under the New Civil Code but only voidable; void under the Family Code.

In *Sps. Alfredo v. Sps. Borrás*, the Supreme Court held that:

The Family Code, which took effect on August 3, 1988, provides that any alienation or encumbrance made by the husband of the conjugal partnership property without the consent of the wife is void. However, when the sale is made before the effectivity of the Family Code, the applicable law is the Civil Code.

Article 173 of the Civil Code provides that the disposition of conjugal property without the wife’s consent is not void but merely voidable.

The Court likewise made the same holding in *Pelayo v. Perez*:

x x x [Under] Article 173, in relation to Article 166, both of the New Civil Code, which was still in effect on January 11, 1988 when the deed in question was executed, the lack of marital consent to the disposition of conjugal property does not make the contract *void ab initio* but merely voidable.

In *Vera-Cruz v. Calderon*, the Court noted the state of jurisprudence and elucidated on the matter, thus:

In the recent case of *Heirs of Ignacia Aguilar-Reyes v. Spouses Mijares*, we reiterated the rule that the husband cannot alienate or encumber any conjugal real property without the consent, express or implied, of the wife, otherwise, the contract is voidable. To wit:

Indeed, in several cases the Court has ruled that such alienation or

encumbrance by the husband is void. The better view, however, is to consider the transaction as merely voidable and not void. **This is consistent with Article 173 of the Civil Code pursuant to which the wife could, during the marriage and within 10 years from the questioned transaction, seek its annulment.**

x x x

Likewise, in the case of *Heirs of Christina Ayuste v. Court of Appeals*, the Court declared that:

There is no ambiguity in the wording of the law. A sale of real property of the conjugal partnership made by the husband without the consent of his wife is voidable. The action for annulment must be brought during the marriage and within ten years from the questioned transaction by the wife. Where the law speaks in clear and categorical language, there is no room for interpretation – there is room only for application.

x x x (*Emphasis ours.*)

(Leonardo-De Castro, *J.*, Heirs of Domingo Hernandez, Sr., namely: Sergia V. Hernandez (Surviving Spouse), Domingo V. Hernandez, Jr., and Maria Leonora Wilma Hernandez *v.* Plaridel Mingoa, Sr., Dolores Camisura, Melanie Mingoa and Quezon City Register of Deeds, G.R. No. 146548, December 18, 2009.)

Contracts; Distinction between Contract of Sale and Contract to Sell.

A distinction between a contract to sell and a contract of sale is helpful in order to determine the true intention of the parties. In a contract of sale, the title to the property passes to the vendee upon the delivery of the thing sold; while in a contract to sell, ownership is, by agreement, reserved for the vendor and is not to pass to the vendee until full payment of the purchase price. In a contract of sale, non-payment of the price is a negative resolutive condition. In a contract to sell, full payment is a positive suspensive condition. In a contract of sale, the vendor loses and cannot recover ownership of the thing sold until and unless the

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CIVIL LAW (continued)

contract of sale is itself resolved and set aside. In a contract to sell, the title remains with the vendor if the vendee does not comply with the condition precedent of making payment at the time specified in the contract. In a contract to sell, the payment of the purchase price is a positive suspensive condition, the failure of which is not a breach, casual or serious, but a situation which prevents the obligation of the vendor to convey title from acquiring an obligatory force.

In the instant case, ownership of the general purpose polystyrene products was retained by SMP, Incorporated (SMP) until after the checks given as payment by Clothepak Manufacturing Philippines (Clothespak) cleared. This was evidenced by a provisional receipt issued by SMP to Clothespak. The agreement between SMP and Clothespak involved a contract to sell defined under Article 1478 of the Civil Code.

On the other hand, the stipulation that the loss or destruction of the products during transit is on the account of Clothespak, as buyer of the products, is of no moment. This does not alter the nature of the contract as a contract to sell. The free on board stipulation on the contract can coexist with the contract to sell. Otherwise stated, the provisions or stipulations in the contract — for the reservation of the ownership of a thing until full payment of the purchase price and for the loss or destruction of the thing would be on account of the buyer — are valid and can exist in conjunction with the other.

(Nachura, J., Bank of the Philippine Islands as successor-in-interest of Far East Bank and Trust Company v. SMP, Inc., G.R. No. 175466, December 23, 2009.)

REMEDIAL LAW

Taking of judicial notice; when mandatory and when discretionary

Sections 1 and 2 of Rule 129 of the Rules of Court declare when the taking of judicial notice is mandatory or discretionary on the courts, thus:

SECTION 1. Judicial notice, when mandatory.

– A court shall take judicial notice, without the introduction of evidence, of the existence and territorial extent of states, their political history, forms of government and symbols

of nationality, the law of nations, the admiralty and maritime courts of the world and their seals, the political constitution and history of the Philippines, the official acts of the legislative, executive and judicial departments of the Philippines, the laws of nature, the measure of time, and the geographical divisions.

SEC. 2. Judicial notice, when discretionary. –

A court may take judicial notice of matters which are of public knowledge, or are capable of unquestionable demonstration or ought to be known to judges because of their judicial functions.

On this point, *State Prosecutors v. Muro* is instructive:

1. The doctrine of judicial notice rests on the wisdom and discretion of the courts. **The power to take judicial notice is to be exercised by courts with caution; care must be taken that the requisite notoriety exists; and every reasonable doubt on the subject should be promptly resolved in the negative.**

Generally speaking, matters of judicial notice have three material requisites: (1) the matter must be one of common and general knowledge; (2) it must be well and authoritatively settled and not doubtful or uncertain; and (3) it must be known to be within the limits of the jurisdiction of the court. **The principal guide in determining what facts may be assumed to be judicially known is that of notoriety. Hence, it can be said that judicial notice is limited to facts evidenced by public records and facts of general notoriety.**

To say that a court will take judicial notice of a fact is merely another way of saying that the usual form of evidence will be dispensed with if knowledge of the fact can be otherwise acquired. This is because the court assumes that the matter is so notorious that it will not be disputed. **But judicial notice is not judicial knowledge. The mere personal knowledge of the judge is not the judicial knowledge of the court, and he is not authorized to make his individual knowledge of a fact,**

REMEDIAL LAW (continued)

not generally or professionally known, the basis of his action. Judicial cognizance is taken only of those matters which are "commonly" known.

Things of "common knowledge," of which courts take judicial notice, may be matters coming to the knowledge of men generally in the course of the ordinary experiences of life, or they may be matters which are generally accepted by mankind as true and are capable of ready and unquestioned demonstration. Thus, facts which are universally known, and which may be found in encyclopedias, dictionaries or other publications, are judicially noticed, provided they are of such universal notoriety and so generally understood that they may be regarded as forming part of the common knowledge of every person.

The Supreme Court reiterated the requisite of notoriety for the taking of judicial notice in the recent case of *Expertravel & Tours, Inc. v. Court of Appeals*, which cited *State Prosecutors*:

Generally speaking, matters of judicial notice have three material requisites: (1) the matter must be one of common and general knowledge; (2) it must be well and authoritatively settled and not doubtful or uncertain; and (3) it must be known to be within the limits of the jurisdiction of the court. The principal guide in determining what facts may be assumed to be judicially known is that of notoriety. Hence, it can be said that judicial notice is limited to facts evidenced by public records and facts of general notoriety. Moreover, a judicially noticed fact must be one not subject to a reasonable dispute in that it is either: (1) generally known within the territorial jurisdiction of the trial court; or (2) capable of accurate and ready determination by resorting to sources whose accuracy cannot reasonably be questionable.

Things of "common knowledge," of which courts take judicial notice, may be matters coming to the knowledge of men generally in the course of the ordinary experiences of life, or they may be matters which are generally accepted by mankind as true and

are capable of ready and unquestioned demonstration. Thus, facts which are universally known, and which may be found in encyclopedias, dictionaries or other publications, are judicially noticed, provided, they are such of universal notoriety and so generally understood that they may be regarded as forming part of the common knowledge of every person. As the common knowledge of man ranges far and wide, a wide variety of particular facts have been judicially noticed as being matters of common knowledge. *But a court cannot take judicial notice of any fact which, in part, is dependent on the existence or non-existence of a fact of which the court has no constructive knowledge.*

From the foregoing provisions of law and the Supreme Court holdings thereon, it is apparent that the matter which the appellate court took judicial notice of does not meet the requisite of notoriety.

(Nachura, J., *Spouses Omar and Moshiera Latip v. Rosalie Palaña Chua*, G.R. No. 177809, October 16, 2009.)

Writ of Preliminary Injunction; Its Nature and Object.

A writ of preliminary injunction is an order granted at any stage of an action or proceeding prior to the judgment or final order, requiring a party or a court, agency or a person to refrain from a particular act or acts. It is merely a provisional remedy, adjunct to the main case subject to the latter's outcome. It is not a cause of action in itself. Being an ancillary or auxiliary remedy, it is available during the pendency of the action which may be resorted to by a litigant to preserve and protect certain rights and interests therein pending rendition, and for purposes of the ultimate effects, of a final judgment in the case.

The writ is provisional because it constitutes a temporary measure availed of during the pendency of the action and it is ancillary because it is a mere incident in and is dependent upon the result of the main action.

It is well-settled that the sole object of a preliminary injunction, whether prohibitory or

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REMEDIAL LAW (continued)

mandatory, is to **preserve the status quo until the merits of the case can be heard**. It is usually granted when it is made to appear that there is a substantial controversy between the parties and one of them is committing an act or threatening the immediate commission of an act that will cause irreparable injury or destroy the *status quo* of the controversy **before a full hearing can be had on the merits of the case**.

Indubitably, in the case at bar, the writ of preliminary injunction was granted by the lower court upon respondent's showing that he and his poultry business would be injured by the closure of the subject road. After trial, however, the lower court found that respondent was not entitled to the easement of right of way prayed for, having failed to prove the essential requisites for such entitlement, hence, the writ was lifted.

The present case having been heard and found dismissible as it was in fact dismissed, the writ of preliminary injunction is deemed lifted, its purpose as a *provisional* remedy having been served, the appeal therefrom notwithstanding.

Unionbank v. Court of Appeals enlightens:

x x x **a dismissal, discontinuance or non-suit of an action in which a restraining order or temporary injunction has been granted operates as a dissolution of the restraining order or temporary injunction," regardless of whether the period for filing a motion for reconsideration of the order dismissing the case or appeal therefrom has expired**. The rationale therefor is that **even in cases where an appeal is taken from a judgment dismissing an action on the merits, the appeal does not suspend the judgment, hence the general rule applies that a temporary injunction terminates automatically on the dismissal of the action**. (*italics and emphasis supplied*)

The lower court's citation of *Lee v. Court of Appeals* is misplaced. In *Lee*, unlike in the present case, the original complaint for specific performance and cancellation of real estate mortgage was **not yet decided on the merits** by the lower court. Thus, the preliminary injunction therein issued subsisted pending appeal of an incident.

There being no indication that the appellate court issued an injunction in respondent's favor, the writ of preliminary injunction issued on December 1, 1999 by the trial court was automatically dissolved upon the dismissal of Civil Case No. 26015.

(Carpio Morales, J., *Purisimo Buyco v. Nelson Baraquia*, G.R. No. 177486, December 21, 2009.)

Writ of execution. Writ of execution must conform to the dispositive portion of decision.

It is a fundamental legal axiom that a writ of execution must conform strictly to the dispositive portion of the decision sought to be executed. A writ of execution may not vary from, or go beyond, the terms of the judgment it seeks to enforce. When a writ of execution does not conform strictly to a decision's dispositive portion, it is null and void.

Admittedly, the tenor of the dispositive portion of the August 7, 1996 RTC decision, as modified by the CA and affirmed by this Court, did not order the transfer of ownership upon payment of the adjudged compensation. Neither did such condition appear in the text of the RTC decision, and of this Court's Decision in G.R. No. 168732.

As aptly pointed out by the CA in its assailed Decision:

[NPC], by its selective quotations from the Decision in G.R. No. 168732, would have us suppose that the High Court, in decreeing that [NPC] pay the full value of the property as just compensation, implied that [NPC] was entitled to the entire land, including the surface area and not just the subterranean portion. No such inference can be drawn from [the] reading of the entirety of the High Court's Decision. On the contrary, a perusal of the subject Decision yields to this Court the unmistakable sense that the High Court intended [NPC] to pay the full value of the subject property as just compensation *without* ordering the transfer of [f] respondents' title to the land. This is patent from the following language of the High Court as quoted by [NPC] itself:

In disregarding this procedure and failing to recognize respondents' ownership of the subterranean portion, petitioner took a risk and exposed itself to greater liability with the passage of time. It must be emphasized that the acquisition of the easement is not without expense. The underground tunnels impose limitations on respondents' use of the property for an indefinite period and deprive them of its ordinary use. Based upon the foregoing, respondents are clearly entitled to the payment of just compensation. *Notwithstanding the fact that [NPC] only occupies the subterranean portion, it is liable to pay not merely an easement but rather the full compensation for land. This is so because in this case, the nature of the easement practically deprives the owners of its normal beneficial use.* Respondents, as the owners of the property thus expropriated, are entitled to a just compensation which should be neither more nor less, whenever it is possible to make the assessment, than the money equivalent of said property.

Clearly, the writ of execution issued by the RTC and affirmed by the CA does not vary, but is, in fact, consistent with the final decision in this case. The assailed writ is, therefore, valid.

(Nachura, J., National Power Corporation v. Omar G. Maruhom, Elias G. Maruhom, Bucay G. Maruhom, Mamod G. Maruhom, Farouk G. Maruhom, Hidjara G. Maruhom, Rocania G. Maruhom, Potrisam G. Maruhom, Lumba G. Maruhom, Sinab G. Maruhom, Acmad G. Maruhom, Solayman G. Maruhom, Mohamad M. Ibrahim, Cairoronesa M. Ibrahim, and Lucman Ibrahim, represented by his heirs Adora B. Ibrahim, Nasser B. Ibrahim, Jamalodin B. Ibrahim, Rajid Nabbel B. Ibrahim, Ameer B. Ibrahim and Sarah Aizah B. Ibrahim, G.R. No. 183297, December 23, 2009.)

From the Chancellor's Desk

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Convention-Seminars were also held for the Philippine Judges Association and the Philippine Trial Judges League.

Similarly, our Philippine Mediation Center Office and its field units continued to provide the parties-litigants the needed assistance in settling their cases through alternative dispute resolution methods and to train and accredit mediators in different parts of the country.

In all these activities, the Academy saw the remarkable performance of its teams and personnel, doing their tasks with dedication and loyalty. Thank you all.

I also wish to thank all our development partners who unfailingly extended to us funding, expertise, sharing of best practices and the bond of friendship – The United States Agency for International Development (USAID), American Bar Association-Rule of Law Initiative (ABA-ROLI), Child Protection Unit Network (CPU-NET), United Nations Children's Fund (UNICEF), Plan International, Inc., Association Compassion Asian Youth (ACAY), Virlanie Foundation, Education Research and Development Assistance (ERDA), The Embassy of France in the Philippines, The Rotary Club of San Francisco del Monte, and The Asia Foundation.

Thank you, too, to the Honorable Chief Justice Reynato S. Puno, and the Supreme Court, for the unstinting support and inspiration given to PHILJA and all its undertakings. The success of a Judicial Academy hinges on its support from the Chief Justice and the Highest Court and PHILJA is truly fortunate in enjoying this crucial ingredient.

Finally, thanks to the Almighty for the blessings and graces needed to serve our people effectively.

Again, congratulations and thank you!

Adolfo S. Azcuna
Chancellor

SUPREME COURT

RESOLUTION of the COURT *En Banc* dated November 17, 2009, on A.M. No. 99-8-09-SC

AMENDED RULES ON WHO SHALL RESOLVE MOTIONS FOR RECONSIDERATION OF DECISIONS OR SIGNED RESOLUTIONS IN CASES ASSIGNED TO THE DIVISIONS OF THE COURT

This Resolution supersedes the Resolution promulgated on February 15, 2000. The new rules on who shall resolve motions for reconsideration of Decisions or signed Resolutions in cases assigned to the Divisions of the Court are as follows:

1. Motions for reconsideration/clarification of a Decision or of a signed Resolution shall be acted upon by the *Ponente* and the other Members of the Division, whether special or regular, who participated in the rendition of the Decision or signed Resolution sought to be reconsidered, irrespective of whether or not such Members are already in other Divisions at the time the motion for reconsideration/clarification is filed or acted upon; for this purpose, they shall be deemed constituted as a Special Division of the Division to which the *Ponente* belonged at the time of promulgation of the Decision or Signed Resolution.
2. If the *Ponente* is disqualified or has inhibited himself/herself from acting on the motion for reconsideration/clarification, he/she shall be replaced by another Justice who shall be chosen by raffle from among the remaining Members of the Division who participated in the rendition of the Decision or signed Resolution and who concurred therein. If only one Member of the Court who participated and concurred in the rendition of the Decision or signed Resolution remains, he/she shall be designated as the *Ponente*.
3. If the *Ponente* retires or is otherwise no longer a Member of the Court, a new *Ponente* for all his/her Decisions or signed

Resolutions that may be subject of motions for reconsideration/clarification shall be designated by raffle from among the remaining Members of the Division who participated and concurred in the Decision or signed Resolution. In Decisions or signed Resolutions of the retired *Ponente* that the new *Ponente* did not participate and concur in, another *Ponente* shall be chosen by raffle from among those who participated and concurred in the Decisions or signed Resolutions.

4. If a Member (not the *Ponente*) retires or is otherwise no longer a Member of the Court, a Justice shall be designated by raffle from the other Divisions to replace him/her in all Decisions or signed Resolutions to which he/she participated in and where such Decisions or signed Resolutions are the subject of further motions, until a new Justice is appointed as replacement for the retired Justice. Upon the appointment of a new Justice, he/she shall replace the designated Justice in such Decisions or signed Resolutions.
5. Any vacancy or vacancies in the Special Division shall be filled by raffle from among the other Members of the Court to constitute a Special Division of five Members.
6. If the *Ponente* and all the Members of the Division that rendered the Decision or signed Resolution are no longer Members of the Court, the case shall be raffled to any Member of the Court and the motion shall be acted upon by him/her with the participation of the other Members of the Division to which he/she belongs. Should the membership of this Division be less than the number required for a Special Division, the vacancy or vacancies shall be filled by raffle from among other Members of the Court.
7. Motions for reconsideration shall be resolved by the Division with the concurrence of at least three of its Members.

RESOLUTION on A.M. No. 99-8-09-SC (continued)

If there are pleadings, motions or incidents subsequent to the denial with finality of the motion for reconsideration, the case shall be acted upon by the Division which rendered the Decision or signed Resolution.

This Resolution shall take effect upon its publication in two newspapers of general circulation in the Philippines.

Let a copy of this Resolution be furnished the Integrated Bar of the Philippines, which is hereby directed to disseminate copies thereof to its Members.

Promulgated this 17th day of November 2009.

(Sgd.) PUNO, CJ, CARPIO, CORONA (on official leave), CARPIO MORALES, CHICO-NAZARIO, VELASCO, JR. (on official leave), NACHURA, LEONARDO-DE CASTRO, BRION, PERALTA (on official leave), BERSAMIN, DEL CASTILLO, ABAD, VILLARAMA, JR., JJ.



ADMINISTRATIVE ORDER NO. 135-2009

ESTABLISHMENT OF A REGIONAL COURT ADMINISTRATION OFFICE (RCAO) IN THE THIRD JUDICIAL REGION (CENTRAL LUZON) AND IN THE ELEVENTH JUDICIAL REGION (SOUTHERN MINDANAO), DIRECTING THE EXECUTION OF ACTIONS TO OPERATIONALIZE THE SAME, AND FOR OTHER RELATED PURPOSES

Pursuant to the *En Banc* Resolution of the Supreme Court in A.M. No. 09-3-22-SC dated April 14, 2009 approving the replication of the RCAO in at least two selected regions other than the Seventh Judicial Region, the establishment of the RCAO in Angeles City, Pampanga and in the City of Davao, to provide administrative and financial management and support services to the first and second level courts in the Third Judicial Region (Central Luzon) and in the 11th Judicial Region (Southern Mindanao), respectively, is hereby directed.

1. **Overall Implementation Management.** The Office of the Court Administrator shall be responsible for the overall management and supervision of the implementation process and shall ensure a smooth, efficient and effective decentralization process that is consistent with the vision of creating the enabling organizational environment for efficiency, effectiveness and integrity.
2. **Implementation Actions.** The Court Administrator shall submit for the approval of the undersigned an action plan and implementation schedule that will ensure that the two new RCAOs are open for business at the soonest time possible. Such plan and schedule shall include among others the following:
 - a) Measures to bring down decentralization of certain operational functions to executive judges, such as procurement and the corresponding redesign of the decentralization of functions, authority and workflows.
 - b) Proposed administrative structure, internal functional configuration and staffing pattern of RCAO considering the scope and level of functions and authority assigned to it.
 - c) Personnel recruitment and deployment plan which will ensure that the lower courts would not be disadvantaged with loss of personnel to the RCAO offices.
 - d) Proposed budget for the RCAOs for the appropriate period to cover the cost of pre-operation and preparation.
 - e) An implementation schedule that presents preparatory activities, decision timelines and operationalization activities.
3. **Creation of the Pilot Oversight Unit.** Consistent with the Court-approved decentralization framework, an oversight

(Continued on next page)

A.O. No. 135-2009 (continued)

unit in the Supreme Court is necessary to supervise regional operations and exercise authority of central level functions within the decentralized framework. Therefore, the pilot Oversight Unit is hereby established with the Court Administrator as head and the chiefs of the OCA-Financial Management Office (OCA-FMO), OCA-Office of Administrative Services (OCA-OAS), the Supreme Court's Fiscal Management and Budget Office (SC-FMBO) and Office of Administrative Services (SC-OAS) as members. The Court Administrator is hereby directed to submit to the undersigned a list of all members and staff that will comprise the oversight unit.

4. **Expense Allowance and Honoraria.** All personnel who may be detailed to the pilot RCAO shall be entitled to a monthly expense allowance not exceeding 20 percent of their current basic monthly salaries. All personnel who may be detailed to the pilot Oversight Unit shall be entitled to expense allowance not exceeding 20 percent of their current basic monthly salaries. All allowances and honoraria authorized under this Order shall be charged to the JRP-GOP (ADB) counterpart or such other funds as may be available for the purpose.
5. **Optimization of the Use of ADB Technical Assistance.** The Court Administrator shall provide regular guidance to and optimize the use of the Technical Assistance (TA) provided by the Asian Development Bank (ADB) and engage in more intensive working relationship among his office, the abovenamed OCA and SC chiefs of offices and the ADB-TA team to ensure that such assistance will be congruent with and meaningfully support the vision and objectives of the decentralization program.

This Order shall take effect upon its approval.

October 8, 2009.

(Sgd.) ANTONIO T. CARPIO
Acting Chief Justice

ADMINISTRATIVE ORDER NO. 169-2009

TO: ALL PRESIDING JUSTICES AND CLERKS OF COURT OF THE COURT OF APPEALS, SANDIGANBAYAN, AND COURT OF TAX APPEALS AND ALL JUDGES AND CLERKS COURT OF THE REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT: ATTACHMENTS AND AMENDMENTS ON SECTIONS 2, 3, 4 AND 8 OF ADMINISTRATIVE ORDER NO. 170-2008

The National Archives of the Philippines (NAP) has invited the attention of this Honorable Court on the usage and issuance of the revised NAP Forms, wherein it specifically informed the Court that **ONLY the revised NAP Form No. 3, instead of the previous NAP Forms Nos. 3-5, will be attached to every request of the lower court under the present OCA Form No. 1 of our new guidelines on the disposal and/or destruction of court records, papers and exhibits.** The basic requirements are crucial before NAP shall finally process the request for the disposal and/or destruction of court records, papers and exhibits of the lower court and issue the corresponding authority for its approval in compliance with Section 18 of Article III and Article 46 of Rule 30 of the Republic Act No. 9470 and its Implementing Rules and Regulations, respectively. Thus, Administrative Order No. 170-2008 dated November 11, 2008 should be amended by replacing the OCA Form No. 1 and NAP Forms No. 3-5 with the revised OCA Form No. 1 and NAP Form No. 3 only, as well as the required amendments on Sections 2, 3, 4 and 8 of said Administrative Order No. 170-2008, which are now stated as follows:

- SEC. 2. After the last day of the retention period, a request for the disposal and/or destruction of court records, papers, and exhibits shall be filed with the Office of the, Court Administrator (OCA), using the prescribed form (OCA Form No. 1). The request shall be acted upon by the Court Administrator within 30 days from receipt hereof;
- SEC. 3. The Court Administrator should seek an authority from the Executive Director, National Archives of the Philippines (NAP) using the

prescribed NAP Form No. 3 together with the preceding completed OCA Form No. 1 in accordance with Section 18 of Article III and Article 46 of Rule 30 of the Republic Act No. 9470 and its Implementing Rules and Regulations, respectively;

SEC. 4. The Court Administrator shall inform the requesting lower court about the approved authority and its attachments obtained from NAP 10 days from notice;

x x x x

SEC. 8. The sale or burning shall be conducted in the presence of the Presiding Justice/ Executive Judge/Presiding Judge, the Clerk of Court and the Representatives from the National Archives of the Philippines (NAP) and Commission on Audit (COA). Thereafter the concerned representatives must be furnished with the approved Certificate of Disposal of Records (NAP Form No 6) and its accompanying Request for Authority to Dispose of Records (NAP Form No. 3), NAP Authority for the Disposal of Records (NAP Form No. 5) and Records Management Analysis Report (NAP Form No. 4);

x x x x

Conformably to the foregoing, all concerned are hereby **DIRECTED** to **ADOPT** the new OCA Form No. 1 and NAP Form No. 3, appended herein as Annexes "A" and "B" respectively, and **USE** the same as **ATTACHMENTS**, for every request filed to this Court through the Office of the Court Administrator on the disposal and/or destruction of court records, papers and exhibits starting January 2010.

This Administrative Order, therefore, amends or otherwise supersedes Administrative No. 170-2008 dated November 11, 2008 **ONLY** insofar as to the latter's OCA Form No. 1 and NAP Form Nos. 3-5 and Sections 2, 3, 4 and 8 thereof as mentioned above.

Strict compliance herewith is hereby enjoined.

December 8, 2009.

(Sgd.) REYNATO S. PUNO
Chief Justice

OCA Form No. 1
Annex "A"
Accomplish in 2 copies

Address _____

**REQUEST FOR THE DISPOSAL AND/OR DESTRUCTION
OF
COURT RECORDS, PAPERS AND EXHIBITS**

Date _____

Hon. _____
Court Administrator
Office of the Court Administrator

Sir:

Respectfully requesting for the disposal and/or destruction of records, papers and/or exhibits in the following cases listed below:

Case Number	Case Title and Court Records/Exhibits/Papers Description	No. of Pages	Date of Entry of Judgment	Reason for Disposal

A duplicate original copy of decision for every case covered by this request has been sent to the Supreme Court Library on _____ (date).

Respectfully yours,

Clerk of Court

RECOMMENDING APPROVAL:

Presiding Justice/Executive Judge/Presiding Judge

NAP Form No. 3
2008
ANNEX "B"
Accomplish in 4 copies

NATIONAL ARCHIVES OF THE PHILIPPINES <i>Pambansang Sinuapan ng Pilipinas</i> REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS	AGENCY NAME: _____ ADDRESS: _____ TELEPHONE NUMBER: _____	
DATE: _____		
ITEM NO.	RECORD SERIES TITLE AND DESCRIPTION	PERIOD COVERED
LOCATION OF RECORDS: _____		VOLUME IN CUBIC METER: _____
PREPARED BY: (Name & Signature) _____		POSITION: _____
CERTIFIED AND APPROVED BY: This is to certify that the above-mentioned records are no longer needed and not involved nor connected in any administrative or judicial cases.		
_____ Name and Signature of Agency Head or Duly Authorized Representative		

OFFICE OF THE COURT ADMINISTRATOR**OCA CIRCULAR NO. 129-2009****TO: ALL JUDGES AND CLERKS OF COURT OF THE FIRST AND SECOND LEVEL COURTS****SUBJECT: EXEMPTION FROM PAYMENT OF TRANSCRIPT OF STENOGRAPHIC NOTES (TSN) OF ALL AGENCIES AND INSTRUMENTALITIES OF THE NATIONAL GOVERNMENT**

WHEREAS, Section 11 of Rule 141 of the Revised Rules of Court requires payment of stenographer's fees as follows:

SEC. 11. Stenographers. – Stenographers shall give certified transcript of notes taken by them to every person requesting the same upon payment to the Clerk of Court of (a) TEN PESOS (P10) for each page of not less 250 words before the appeal is taken and (b) FIVE PESOS (P5) for the same page after the filing of the appeal, provided, however that one-third of the total charges shall accrue to the Judiciary Development Fund (JDF) and the remaining two-thirds to the stenographers concerned.

WHEREAS, Section 22 of Rule 141, as amended, clearly exempts the Commission on Audit (COA) from payment of legal fees, to wit:

SEC. 22. Government exempt. – The Republic of the Philippines, its agencies and instrumentalities are exempt from paying the legal fees provided in the rule. Local governments and government-owned or controlled corporations with or without independent charters are exempt from paying such fees.

However, all court actions, criminal or civil, instituted at the instance of the Provincial, City or Municipal Treasurer or Assessor under Section 280 of the Local Government Code of 1991 shall be exempt from payment of Court and Sheriff's fees. (Page 211 of the Manual for Clerks of Court).

WHEREAS, in the resolution of the Court *En Banc* dated June 30, 2009 in A.M. No. 08-4-9-SC (Re: Request for Transcript of Stenographic Notes [TSN] Free of Charge from Drug Courts). – the Court Resolved, upon the recommendation of the Office of the Court Administrator, to:

- (a) **NOTE** and **GRANT** the letter request of the Commission on Audit for **exemption from payment of fees for copies of transcript of stenographic; (underscoring ours)** and
- (b) **AUTHORIZE** the Office of the Court Administrator to issue a circular reminding all courts of the exemption provided under Section 22, Rule 141, Revised Rules of Court, as amended, and clarifying that exemption from payment of stenographer's fee under Section 11 of the same rule should be granted by courts without the need for each and every agencies and instrumentalities of the national government to request this Court for authority to avail of such exemption.

NOW, THEREFORE, all Judges and Clerks of Court are reminded that the exemption from payment of legal fees of those mentioned in the above quoted Section 22 of Rule 141 as amended, specifically stenographers fees should be recognized and granted by courts without the need for each and every agency and instrumentality of the national government to request the Supreme Court for authority to avail of such exemption.

September 24, 2009

(Sgd.) JOSE P. PEREZ
Court Administrator

**OCA CIRCULAR NO. 135-2009****TO: ALL JUDGES AND CLERKS OF COURT/ ACCOUNTABLE OFFICERS OF THE FIRST AND SECOND LEVEL COURTS****SUBJECT: CLARIFICATION ON THE EXEMPTION OF COOPERATIVES FROM PAYMENT OF COURT AND SHERIFF'S FEES PAYABLE TO THE GOVERNMENT IN ACTIONS BROUGHT UNDER RA No. 6938**

Quoted hereunder are portions of the Resolution of the Supreme Court *En Banc* dated

September 1, 2009 in A.M. No. 03-4-01-0 (Re: Exemption of Cooperatives from Payment of Courts and Sheriff's fees payable to the government in actions brought under RA No. 6938), to wit:

x x x x

Our reading of the express wordings of Article 62, paragraph 6 of RA No. 6938 and Article 61 of RA No. 9520 proceeds from the statutory construction rule that words used in statutes are to be given their usual and commonly understood meanings unless different meanings are plainly intended. In the provision under consideration, the term "all court fees" refers to the totality of "legal fees" imposed under Rule 141 of the Rules of Court as an *incident of instituting* an action in court. These fees include filing or docket fees, appeal fees, fees for issuance of provisional remedies, mediation fees, sheriff's fees, stenographer's fees and commissioner's fees. These legal fees are payable to the *Philippine Government*, not to sheriffs or process servers for their travel expenses. As correctly pointed out by the Office of the Court Administrator (OCA), the One Thousand Pesos (P1,000) service fee being assessed against the petitioners is not in the nature of court and sheriff's fees within the contemplation of the exemption granted to cooperatives under the law and OCA Circular No. 44-2007.

Section 10, Rule 141 of the 1997 Revised Rules of Procedure (Rules) distinguishes between the terms sheriff's fees (*as enumerated in items (a) to 1*) and sheriff's expenses (*as found in the second paragraph of Section 10*). Section 10, Rule 141 of the Rule relating to sheriffs expenses provides:

SEC. 10 Sheriffs, PROCESS SERVERS and other persons serving processes.

x x x x

In addition to the fees hereinabove fixed, the amount of ONE THOUSAND PESOS (P1,000) shall be deposited with the Clerk of Court upon filing of the complaint **to defray the actual travel expenses of the sheriff, process server or other court-authorized persons in the service of summons, subpoena and other court processes that would be issued relative to the trial of the case.** In case the initial deposit of ONE THOUSAND PESOS (P1,000) is not sufficient, then the plaintiff or petitioner shall be required to make an additional deposit. The sheriff, process server or other court authorized person shall submit to the court for its approval a statement of

estimated travel expenses for service of summons and court processes. Once approved, the Clerk of Court shall release the money to said sheriff or process server. After service, a statement of liquidation shall be submitted to the court for approval. After rendition of judgment by the court, any excess from the deposit shall be returned to the party who made the deposit. (*Emphasis supplied*)

x x x x

In this case, Article 62, paragraph 6 of RA No. 6938; Section 6, Article 61 of RA No. 9520; and OCA Circular 44-2007 explicitly state that cooperatives shall only be exempted from payment of all court sheriff's fees payable to the Philippine Government for and in connection with all actions brought under the Cooperative Code, or where such action is brought by the Cooperative Development Authority before the court, to enforce the payment of obligations contracted in favor of the cooperative. The amount required to defray the sheriff's expenses is clearly not covered by the exemption; they are not considered as court and sheriffs fees and nor are they amounts payable to the Philippine Government. Accordingly REMPCO is not exempted from the deposit/payment of sheriffs expenses assessed by small claims court in collection actions filed before these courts.

For strict compliance of all concerned is the dispositive portion of the resolution of the Supreme Court *En Banc* dated September 1, 2009 in the A.M. No. 03-4-01-0 which states that:

WHEREFORE, premises considered, we rule that the REMPCO Multi-Purpose Cooperative is **NOT EXEMPT** from the deposit/payment of sheriff's expenses under Section 10, Rule 141 of the Rules of Court in collection actions filed with the Small Claims Court of Makati City.

October 1, 2009

(Sgd.) JOSE P. PEREZ
Court Administrator



OCA CIRCULAR NO. 137-2009

TO: THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT: EXEMPTION FROM THE PAYMENT OF LEGAL FEES OF THE CLIENTS OF THE NATIONAL COMMITTEE ON LEGAL AID (NCLA) AND OF THE LEGAL AID OFFICES IN THE LOCAL CHAPTERS OF THE INTEGRATED BAR OF THE PHILIPPINES (IBP)

For the information and guidance of all concerned, the Supreme Court *En Banc*, in a Resolution dated August 28, 2009, in A.M. No. 08-11-7-SC (Re: Request of National Committee on Legal Aid to Exempt Legal Aid Clients From Paying Filing, Docket and Other Fees), APPROVED the *Rule on the Exemption from the Payment of Legal Fees of the Clients of the National Committee on Legal Aid and of the Legal Aid Offices in the Local Chapters of the Integrated Bar of the Philippines* [A.M. No. 08-11-7-SC (IRR)], the pertinent provisions thereof are quoted as follows:

ARTICLE I

PURPOSE

SECTION 1. Purpose. – The Rule is issued for the purpose of enforcing the right of free access to courts by the poor guaranteed under Section 11, Article III of the Constitution. It is intended to increase the access to justice by the poor by exempting from the payment of legal fees incidental to instituting an action in court, as an original proceeding or on appeal, qualified indigent clients of the NCLA and of the legal aid offices in local IBP chapters nationwide.

ARTICLE II

DEFINITION OF TERMS

SECTION 1. Definition of Important Terms. – For purposes of this Rule and as used/ therein, the following terms shall be understood to be how they are defined under this Section:

x x x x

- (d) "Legal fees" refers to the legal fees imposed under Rule 141 of the Rules of Court as a necessary

incident of instituting an action in court either as an original proceeding or on appeal. In particular, it includes filing or docket fees, appeal fees, fees for issuance of provisional remedies, mediation fees, sheriff's fees, stenographer's fees (that is fees for transcript of stenographic notes) and commissioner's fees;

x x x x

ARTICLE III

COVERAGE

SECTION 1. Persons Qualified for Exemption from Payment of Legal Fees. – Persons who shall enjoy the benefit of exemption from the payment of legal fees incidental to instituting an action in court as an original proceeding or on appeal, granted under this Rule shall be limited only to clients of the NCLA and the chapter legal aid offices.

The said clients shall refer to those indigents qualified to receive free legal aid service from the NCLA and the chapter legal aid offices. Their qualifications shall be determined based on the tests provided in this Rule.

SEC. 2. Persons Not Covered by the Rule. – The following shall be disqualified from the coverage of this Rule. Nor may they be accepted as clients by the NCLA and the chapter legal aid offices.

- (a) Juridical persons; except in cases covered by *developmental legal aid* or public interest causes involving juridical entities which are non-stock, non-profit organizations, non-governmental organizations and people's organization whose individual members will pass the means test provided in this Rule;
- (b) Persons who do not pass the means and merit tests;
- (c) Parties already represented by a counsel *de parte*;
- (d) Owners or lessors of residential lands or buildings with respect to the filing of collection or unlawful detainer suits against their tenants; and

- (e) Persons who have been clients of the NCLA or chapter legal aid office previously in a case where the NCLA or chapter legal aid office withdrew its representation because of a falsity in the application or in any of the affidavits supporting the said application.

x x x x

ARTICLE IV
TESTS OF INDIGENCY

SECTION 1. Tests for Determining Who may be Clients of the NCLA and the Legal Aid Offices in Local IBP Chapters. – The NCLA or the chapter legal aid committee, as the case may be, shall pass upon requests for legal aid by the combined application of the means and merit tests and the consideration of other relevant factors provided for in the following sections.

SEC. 2. Means Test; Exception.

- (a) This test shall be based on the following criteria: (i) the applicant and that of his immediate family must have a gross monthly income that does not exceed an amount double the monthly minimum wage of an employee in the place where the applicant resides and (ii) the does not own real property with a fair market value as stated in the current tax declaration of more than Three Hundred Thousand Pesos (P300,000).

In this connection, the applicant shall execute an affidavit of indigency (printed at the back of the application form) stating that he and his immediate family do not earn a gross income abovementioned nor own any real property with the fair value aforementioned, supported by an affidavit of a disinterested person attesting to the truth of the applicant's affidavit. The latest income tax return and/or current tax declaration, if any, shall be attached to the applicant's affidavit.

- (b) The means test shall not be applicable to applicants who fall under the developmental legal aid program such as overseas workers, fisherfolk, farmers, laborers, indigenous cultural communities, women, children and other disadvantaged groups.

SEC. 3. Merit Test. – A case shall be considered meritorious if an assessment of the law and evidence at hand discloses that the legal service will be in aid of justice or in the furtherance thereof, taking into consideration the interests of the party and those of society. A case fails this test if, after consideration of the law and evidence presented by the applicant, it appears that it is intended merely to harass or injure the opposite party or to work oppression or wrong.

x x x x

ARTICLE VIII
EFFECTIVITY

SECTION 1. Effectivity. – The Rule shall become effective after 15 days following its publication in a newspaper of general circulation.

The Rule was published in the September 12, 2009 issue of the Philippine Daily Inquirer.

October 7, 2009.

(Sgd.) JOSE P. PEREZ
Court Administrator

<p>PHILJA BULLETIN</p> <p>JUSTICE ADOLFO S. AZCUNA <i>Chancellor, Philippine Judicial Academy</i></p> <p>PROFESSOR SEDFREY M. CANDELARIA <i>Editor in Chief</i></p> <p>ARMIDA M. SALAZAR <i>Assistant Editor</i></p> <p>ATTY. ORLANDO B. CARIÑO JOCELYN D. BONDOC JENIFFER P. SISON CHRISTINE A. FERRER <i>Editorial Staff</i></p> <p>SARAH JANE S. SALAZAR <i>Production and Circulation</i></p> <p>EDMUNDO M. MOREDO LETICIA G. JAVIER <i>Printing Services</i></p>
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3rd Floor, Supreme Court Centennial Building
Padre Faura St. cor. Taft Ave., Manila, Philippines
1000

2010 Upcoming PHILJA Events

- Ceremonial Turn-Over of USAID-ABA ROLI Donation to the Judiciary for the Small Claims Pilot Project
January 8, Quezon City
- Information Dissemination Through a Dialogue between the Barangay Officials and Chief Justice with Other Court Officials
January 23, Sta. Cruz, Laguna
February 3, Malolos City, Bulacan
February 5, Taguig City
February 12, Tarlac City
February 24, Muntinlupa City
March 5, San Fernando City
March 6, Baguio City
March 18, Mati City, Davao Oriental:
- Training of Trainers on the Competency Enhancement Training for Judges and Court Personnel Handling Child Abuse and Trafficking Cases
January 25, Manila
- Continuing Legal Education Program for Court Lawyers
Batch 1: January 26-27, Manila
Batch 2: January 28-29, Manila
- Seminar on Speedy Trial and Disposition of Cases
January 29, Makati City
February 12, Davao City
March 19, Manila
- Knowledge Sharing on the Adjudication of Disputes in an Automated Election System
February 8, Manila
- Competency Enhancement Training for Judges and Court Personnel Handling Child Abuse and Trafficking Cases
February 9-11, Iloilo City
March 16-18, Makati City
- Continuing Legal Education Program for Court Attorneys of the Court of Appeals
February 22-23, Cagayan de Oro City
February 25-26, Cebu City
- Chief Justice Reynato S. Puno Third Distinguished Lecture Series
February 19, Manila
- 19th Pre-Judicature Program
February 22 to March 3, Manila
- Seventh National Convention and Seminar of the PACSWI
February 24-26, Davao City
- Seminar-Workshop on Combating Judicial Corruption and Strengthening the Rule of Law
February 25-27, Tagaytay City
- Launch of the Publication of the Proceedings of the International Conference on the International Criminal Court
February 23, Manila
- Seminar-Workshop on Dangerous Drugs Law for Judges, Prosecutors and Law Enforcers of Regions 1, 2 & 3
March 3-4, Pampanga
- National Convention and General Meeting of the PWJA
March 4-5, Manila
- National Summit on Family Courts
March 12, Manila
- Continuing Legal Education Program for Court Attorneys of the Sandiganbayan and Court of Tax Appeals
March 15-16, Quezon City
- Continuing Legal Education Program for Court Attorneys of the Supreme Court and Court of Appeals (Batch 3)
March 18-19, Manila