The Panganiban Court

Seated from left: Justice Antonio T. Carpio, Justice Consuelo Ynares-Santiago, Senior Justice Reynato S. Puno, Chief Justice Artemio V. Panganiban, Justice Leonardo A. Quisumbing, Justice Angelina Sandoval-Gutierrez, and Justice Ma. Alicia Austria-Martinez


The Puno Court

Seated from left: Justice Ma. Alicia Austria-Martinez, Justice Angelina Sandoval-Gutierrez, Senior Justice Leonardo A. Quisumbing, Chief Justice Reynato S. Puno, Justice Consuelo Ynares-Santiago, Justice Antonio T. Carpio, and Justice Renato C. Corona

This is a publication of the Supreme Court Public Information Office. Prior permission is not required to reproduce its contents, in whole or in part.

An electronic copy of this publication may be downloaded from www.supremecourt.gov.ph.
Pursuant to Article VIII, § 16 of the 1987 Constitution, requiring the Supreme Court to submit an annual report on the operation and activities of the Judiciary within 30 days from the opening of each regular session of Congress, we are now publishing the **2006 Supreme Court Annual Report**.

The Annual Report contains the realities that the Supreme Court and the entire Judiciary face. There are felt necessities and there are times of belt-tightening. But the jugular role that the Judiciary plays in the democratic system permits no time for wailing nor for self-delusion—the work is present before the members of the Judiciary and there is no other way but through.

As we all work for an independent, efficient, and effective delivery of justice in our country, we also work with material and tangible resources that may at times seem so limited. But judicial policies transcend finite wantings. The efficient administration of justice implies modern financial management giving the possibility to forecast and follow-up, to take real responsibility for human resources, and to take care of the quality and expediency of the Judiciary’s public service.

We have given focus on the development and training of our judges who, by no amount of argumentation, are the best resources a judicial system has. We also support the programmes that promote the independence of the Judiciary and judges. The use of modern technologies in the management of justice as a tool for improvement is also concretized. But more importantly, the commitment of the entire Judiciary must be offered without the need for compromise with anyone—that there shall be justice in the land and such justice shall be for everyone. Hence, there should be the further strengthening of the institutions and the liberalization of access to the courts.

As the Judiciary joins the country for another year of journeying under the clouds of sovereignty—a greater role for the Judiciary is being felt. The Judiciary’s exercise of a more active role in the enforcement of constitutional rights and the bountiful bias of the framers of the institution of the Supreme Court and the Judiciary under the 1987 Constitution all embody the promise for a greater success in the great experiment called Democracy.

Let us continue our quest for a just and humane society.

May the Judiciary triumphantly continue to serve the plea of the people—the ultimate sovereign and rulers of the country.

**MESSAGE**

**from the Chief Justice**
Table of Contents
The year 2006 was a banner year for judicial independence. Living up to its role as the last bulwark of democracy, the Supreme Court had decided landmark cases upholding civil liberties and the rule of law.

It was also the year when the Philippine Judiciary took the world stage anew when it held the Global Forum on Liberty and Prosperity attended by over 400 delegates from around the world, including 12 chief magistrates. It was also the year of two Chief Justices following the mandatory retirement of Chief Justice Artemio V. Panganiban on December 7 and the appointment of Chief Justice Reynato S. Puno also on December 7 as the nation’s 22nd Chief Justice.

JUDICIAL REVIEW

Because 12 of the 15-man Tribunal, including Chief Justice Panganiban, had been appointees of President Arroyo, there were speculations that the High Court would be influenced by Malacañang in rendering its decisions. These speculations, however, turned out to be no more than that.

In Bayan v. Ermita, the Court declared as null and void the Arroyo administration’s “Calibrated Preemptive Response” policy regarding rallies even as it upheld regulations on the right to rally, including the permit requirement, under the Public Assembly Act of 1985 (BP 880).

Likewise in Senate v. Ermita, the Court upheld the right of Congress to compel the appearance of executive officials in congressional inquiries in aid of legislation by partially voiding Executive Order No. 464. However, the Court declared “valid on its face” the requirement in EO 464 for executive officials to secure the President’s consent before appearing during the question hour.

In David v. Arroyo, the Court declared as unconstitutional arrests without warrant during rallies, arbitrary cancellation of permits to rally, imposition of standards on media and any form of prior restraint on the press, and takeover of privately owned public utilities or businesses affected with public interest pursuant to Presidential Proclamation 1017 declaring a state of national emergency.

Executive Order No. 420, which adopts a unified ID system for the government, was also upheld in KMU v. The Director General by the Court, which ruled that EO 420 does not establish a national ID system but makes the existing sectoral card systems of government entities less costly, more efficient, reliable, and user-friendly to the public.

All four landmark cases generally rendered in defense of liberty had been promulgated during the Court’s 2006 summer session in Baguio City, arguably the most fruitful summer session to date.

In defense of the rule of law, the Court, in Lambino v.
Comelec, dismissed the People’s Initiative petition which had sought to amend the 1987 Constitution by shifting to a parliamentary form of government, and eventually ruled against it with finality. Affirming the Commission on Elections’ August 31, 2006 resolution denying due course to a petition to amend the Constitution through a people’s initiative, the Court said that it “cannot betray its primordial duty to defend and protect the Constitution. The Constitution, which embodies the people’s sovereign will, is the bible of this Court. This Court exists to defend and protect the Constitution. To allow this constitutionally infirm initiative, propelled by deceptively gathered signatures, to alter basic principles in the Constitution is to allow a desecration of the Constitution.” The Court ruled, among others, that the Lambino Group’s initiative is a revision and not an amendment, which was in violation of Art. XVII, sec. 2 of the Constitution limiting the scope of a people’s initiative to “Amendment to this Constitution.”

The Court, in Sabio v. Gordon, also declared that sec. 4(b) of EO 1, which exempts PCGG member and staff from the Congress’ power of inquiry, was repealed by the 1987 Constitution and upheld the authority of the Senate or any of its Committees to conduct legislative inquiries. The Court ruled that the asailed provision violates the principle of accountability of public officers.

ADJUDICATION AND ADMINISTRATION

The 4,332 cases decided by the Supreme Court in 2005 increased to 5,302 in 2006. The Court of Appeals was able to dispose of 14,347; the Sandiganbayan, 638 cases; and the Court of Tax Appeals, 327.

The second-level courts (Regional Trial Courts and Shari’a District Courts) and first-level courts (Metropolitan Trial Courts, Municipal Trial Courts in Cities, and Municipal Trial Courts, Municipal Circuit Trial Courts, and the Shari’a Circuit Courts) all resolved a total of 289,623 cases.

Of the 2,258 judicial positions, 1,689 positions had been filled leaving only 569 vacancies for a 25.2% vacancy rate.

NEW RULES

The Supreme Court, in the exercise of its rule-making power, came up with a number of significant rules. These include the Rule on Administrative Procedure in Sexual Harassment Cases, Guidelines on Proper Decorum in the Judiciary, Guidelines in the Collection of Confiscated Bonds and Execution of Orders or Forfeiture vis-à-vis Bonds Not Covered by the Guidelines on Corporate Surety Bonds, and Use of Non-Sexist Language in All Official Documents, Communications, and Issuances, among others.

Also promulgated were the rules Providing the Guidelines for the Operation of Mobile Courts Under the Justice on Wheels Project, Career Development and Management Plan for the Judiciary, and the Amendment of Rule 139-B which mandates the Integrated Bar of the Philippines to forward to the Supreme Court for appropriate disposition all complaints filed against incumbent and retired justices and judges.

JUDICIAL REFORMS CONTINUE

During his term, Chief Justice Panganiban continued and revitalized the Action Program for Judicial Reform, focusing on what he called the Judiciary’s ACID problems – limited access to justice by the poor, corruption, incompetence, and delay in the delivery of quality judgments.

The Chief Justice had also sought to revitalize the Bench and the Bar, promote professionalism among judicial employees, develop infrastructure projects, and modernize the facilities of the Judiciary. Through his efforts, the Court was able to get a “no-strings” grant of PhP300 million from the Japanese government for the construction of the Philippine Judicial Academy Development Center in Tagaytay City. The Committee on Zero Backlog, a committee he created upon assuming office, had also made progress in monitoring the flow of cases and in prioritizing the resolution of old ones.

LIBERTY AND PROSPERITY

Early on in his term, Chief Justice Panganiban adopted “liberty and prosperity” as his judicial philosophy. In litigations involving civil liberties, Chief Justice Panganiban said that “the scales should weigh heavily against the government and in favor of the people - particularly the poor, the oppressed, the marginalized, the dispossessed, and the weak.” On the other hand, he said that “in conflicts affecting prosperity, development, and the economy, deference must be accorded to the political branches of the government.”

Chief Justice Panganiban’s twin beacons of “liberty and prosperity” became the theme of the National Academic Forum on Liberty and Prosperity held on July 20 at the San Beda College Graduate School of Law in Manila. This was followed by a two-day National Forum on Liberty and Prosperity held on August 24 and 25 at the Manila Hotel. Outputs from these fora led to the successful staging of the three-day Global Forum on Liberty and Prosperity held from October 18 to 20 at the Makati Shangri-La Hotel.

The Global Forum yielded the Joint Declaration on Liberty and Prosperity wherein the delegates from 33 countries, led by 12 chief magistrates including Chief Justice Panganiban, committed to safeguard the rights and liberties of their citizens and promote their economic well-being. In the Joint Declaration, members of judiciaries worldwide vowed to safeguard the rights and liberties of their citizens and promote their economic well-being, these being inseparable key objectives of the rule of law. Likewise, the Joint Declaration also called on the judges to remain steadfast in their primary role of deciding legal controversies.

COURTING THE PUBLIC

Chief Justice Panganiban embarked on a knowledge-sharing and lecture tour in key cities in the United States and Europe.

In his lectures, he announced to the world his judicial philosophy of “liberty and prosperity.” He also shared that
the Court would focus on what he called the Judiciary’s ACID problems.

Chamber-to-Chamber Dialogues with both local and foreign business sectors continued to acquaint the latter with the Judiciary’s role in economic governance, as well as to clarify to them the Judiciary’s various activities and projects. Judge-to-Judge Dialogues were also held nationwide to hear the concerns of trial court judges.

The Court’s Public Information Office pursued an effective information, education, and communication (IEC) campaign through its daily news bulletins (CourtNews Flash) and regular publications (Benchmark and CourtNews). Periodic press conferences and regular media briefings were also conducted to explain and clarify significant Court decisions and pronouncements. The PIO also took over management of the Supreme Court website (www.supremecourt.gov.ph) and conducted court tours for diverse groups.

CHANGING OF THE GUARD

In his 11 months in office, Chief Justice Panganiban also prioritized the welfare of judicial employees through his policy of granting the maximum financial benefits allowed by law and within his discretion as head of the Judiciary. In turn, he asked three things from Judiciary officials and employees: DHL – dedication to duty, honesty in every way, and loyalty to the Judiciary and the SC. On the other hand, he implored justices and judges to possess the 4 Ins of an ideal and excellent magistrate: independence, integrity, industry, and intelligence.

By the end of the year, it was time to pass on the torch to Chief Justice Puno, who, in turn, vowed to uphold judicial independence, constitutionalism, and the rule of law as the 22nd Chief Justice of the Supreme Court of the Philippines.

The most senior of the 14 Associate Justices, Chief Justice Puno had reiterated that his being an appointee of the President will not in any way influence his decision-making. In his first statement as Chief Justice, he vowed to “espouse no ideology but constitutionalism; to uphold no theology but the rule of law.” He stressed that he accepted the appointment “with a clear awareness of the defining role of the Judiciary as our people confront turning points after turning points in life. The Judiciary may not have the power of the sword, may not have the power of the purse, but it has the power to interpret the Constitution, and the unerring lessons of history tell us that rightly wielded, that power can make a difference for good.”

GLOBAL FORUM ON LIBERTY AND PROSPERITY IN MANILA. Philippine Chief Justice Artemio V. Panganiban (seated, center) poses for posterity with four members of the Philippine Supreme Court and the heads of delegations to the Global Forum on Liberty and Prosperity held from October 18 to 20, 2006 at the Makati Shangri-La Hotel in Makati City. (Seated from left) New Zealand Justice Edward T. Durie, Egyptian Deputy Chief Justice Adel Omar Sherif, Canadian Chief Justice Beverley McLachlin, Chief Justice Anton Ivanov of the Supreme Arbitration Court of Russia, Chief Justice F. Philip Carbullido of Guam, Justice Angelina Sandoval-Gutierrez, (then) Senior Associate Justice Reynato S. Puno, Chief Justice Panganiban, Justice Leonardo A. Quisumbing, Justice Conchita Carpio Morales, Nepali Chief Justice Delip Kumar Paudel, Russian Federation Chief Justice Vyacheslav M. Lebedev, President Milan Karabin of the Slovak Republic Supreme Court, Justice Susan C. Kenny of the Federal Court of Australia, and Counsellor Natasha Bassingthwaighte of the Law Society of Namibia. (Standing) Judge Zholdybayev Sabit of the Kazakhstan Economic Court of the Commonwealth of Independent States, Justice John A. Mangiona of the Supreme Court of the Commonwealth of Mariana Islands, Mr. Peter D. Maynard of the Peter D. Maynard Counsel & Attorneys in Bahamas, Justice Choo Han Teck of the Supreme Court of Singapore, Justice Tsghering Wangchuk of the Royal Court of Justice, Justice Li Ke of the Supreme People’s Court of China, Justice Fatos Lulo of the Supreme Court of Albania, International Bar Association President Fernando Pombo, Dean Nak In Sung of the Seoul National University College of Law, Sri Lankan Business Federation Chair Tissa Jayaweera, Judge Arar Najib Moh’d Khrais of the Supreme Court of Jordan, Chair Arman Mkrtumyan of the Armenia’s Chambers of Civil Issues of the Court of Cassation, Ukrainian Supreme Court Chair Viktor Gorodovenko, Judge Sobchok Sukharomna of the Supreme Court of Thailand, Professor Choong Yeow Chooy of the University of Malaysia Faculty of Law, and Law Lecturer Sudheer Shresta of the Kusum Law Firm in Nepal.
The Calendar Year 2008 Budget Proposal is crafted during the first year of my leadership. As in the past, we will strive to ensure the delivery of efficient service, preserve and enhance the independence of the Judiciary as well as the economic conditions of its personnel and members. Through intensification and improvement in collections, the Judiciary will strengthen its financial position. It is also intensively reviewing its organizational and operating procedures to improve responsiveness and efficiency. And within available resources, it is strengthening the focus on fair and swift dispensation of justice while sustaining improvements in infrastructure, human resource development, and safety.

The CY 2008 Supreme Court and Lower Courts budget proposal for regular activities amounts to Php11,252,446,000.00 or Php3,582,696.00 (47%) more than the CY 2007 approved regular budget of Php7,669,750,000.00. Inclusive of Retirement and Life Insurance Premium, Terminal Leave and Retirement Benefits, Locally-Funded and Foreign-Assisted Projects, total budget proposal is Php12,783,973,000.00 or 41% over the CY 2007 budget of Php9,081,643,000.00.

IN THOUSAND PESOS:

<table>
<thead>
<tr>
<th>Particulars</th>
<th>CY 2006 Actual</th>
<th>CY 2007 Approved</th>
<th>C Pr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>6,286,888</td>
<td>6,779,305</td>
<td></td>
</tr>
<tr>
<td>M O O E</td>
<td>812,086</td>
<td>880,945</td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>0</td>
<td>9,500</td>
<td></td>
</tr>
<tr>
<td><strong>Total Regular Appropriation</strong></td>
<td><strong>7,098,974</strong></td>
<td><strong>7,669,750</strong></td>
<td>1</td>
</tr>
<tr>
<td>Add: Retirement &amp; Life Insurance</td>
<td>383,935</td>
<td>447,972</td>
<td></td>
</tr>
<tr>
<td>Term. Leave &amp; Ret. Gratuity</td>
<td>456,608</td>
<td>468,048</td>
<td></td>
</tr>
</tbody>
</table>

The total increase of P3,582,696.00 over CY 2007 regular budget is broken down as follows:

**PERSONAL SERVICES**

a. Adjustments in salaries of SCPLC plantilla positions

b. 10% across-the-board salary increase per EO 611

c. Upgrading of SC positions as per En Banc resolution dated November 2 yet captured and adjusted in the PSI such as Chiefs of Office(Dir. IV), Ch Officer (Division Chief), and adjusted in the PSI such as Chiefs of Office(Supervising Judicial Staff Officer (Asst. Chief of Division)
f. Lump-sum for proposed new (198)/upgrading positions of the Regional Court Administrators, the Program Management Office and the six Wheels

g. Longevity Pay and Step Increment will increase and personnel to be entitled while others to five (5) and three (3) years continuous service

h. Attached personnel benefits such as PhilHealth Allowance, Productivity, PERA, and Additions

i. Representation and Transportation Allowance prescribed in RA 9401

j. Honoraria for Consultancy Services

k. The 100% full implementation of the SAJ of monthly annuities per RA 910.

l. Laundry & Subsistence Allowance, is pegged at personnel with rates per Magna Carta for I

Sub-Total of Increases in Personal Services

MAINTENANCE AND OTHER OPERATING EXPENSES

It is very remarkable that MOOE has Expenditures and will account for a 200% increase due to recurring expenses brought about by Foreign-Assisted Project through a World Bank
g. Grants, Subsidies and Contributions in the form of financial aid, public or private, to include also membership to accredited international bodies.

h. Increase in Extraordinary and Miscellaneous is in accordance with the current number of officials like Justices, Judges and other officials enumerated in the report.

i. Aside from the training and seminars accredited by the Civil and Administrative Training Office (CATO) of the Supreme Court proper, there are also other seminars and courses attended by Court employees conducted by private organizations like AMLEO and OCA, which are units under the Supreme Court administration. The Court creates an accreditation system to fit all positions in the Judiciary. For Justices and selected employees, the Court sends participants to international conferences.

j. Advertising expenses is inherent not only to Judicial and Bar Council (JBC) activities but also to other units of the Supreme Court. A decision to give the JBC a separate accounting system will reduce consumption and knowledge.

k. Fidelity Bonds and Insurance Premium would ensure proper coverage of persons, equipment and HOJ buildings.

l. Consistent with a MOA executed between the NBI and the Court, the Supreme Court Intelligence Fund is proposed to be set up as a new fund surveillance activities and will help protect the Judicial and Bar Council (JBC) and the fields of special concern, security and safety.

m. Printing and Binding, Professional and Other Services register to MOOE. In addition to existing consultancy and professional contracts, the Court has to continue to buy supplies and parts.
The State of the 2006

Budget Overview
As a consequence of Congress’ failure to pass the proposed Php1.053 trillion 2006 budget, the 2005 budget was reenacted, so all agencies of government—the Judiciary included—had to work with the same budget they had the previous year. In 2005, the approved budget of the Judiciary totaled Php7,523,732,000, a 6.3% increase from the 2004 approved budget of Php7,073,775,000. In 2006, the Judiciary received the same amount, which was 0.83% of the government’s Php907.59 billion budget.1

A total of Php6.75 billion of the Judiciary’s 2006 budget went to the Supreme Court (the funds of the SC include the Presidential Electoral Tribunal, or PET) and the lower courts. This was a Php341.37-million increase from the approved Php6.41 billion 2004 budget.2
A total of 29,917 people, including judges and non-judicial staff, are employed by the Supreme Court and the lower courts— the Metropolitan Trial Courts (MeTCs), Municipal Trial Courts in Cities (MTCCs), Municipal Trial Courts (MTCs), Municipal Circuit Trial Courts (MCTCs), Shari’a Circuit Courts (SCC), Regional Trial Courts (RTC), and Shari’a District Courts (SDC). Personal Services accounted for 87.36% of the SC budget, with a total allotment of Php5.89 billion; Maintenance and Other Operating Expenses, Php849.31 million; Capital Outlay, Php3.16 million.

### VACANCY RATES

At the end of 2005, only 1,592 of the 2,258 judicial positions in our courts were filled up, despite the passage of legislation in 2004 providing additional financial benefits for judges. To address the 29.59% vacancy rate, the Judicial and Bar Council agreed to expand its functions by mounting an active search campaign to recruit qualified applicants to enable them to nominate the legal profession’s best and brightest to judicial positions.¹ ²

This aggressive approach resulted in a decrease in the total number of vacancies in the Judiciary. At the end of last year, the vacancy rate was lowered to 25.2%, as there were 569 vacancies in the 2,258 judicial positions available, with an additional 176 pending appointments in Malacanang at the end of 2006. Had these appointments been acted on, the vacancy rate would have fallen even further to 393, or 17.4%.²

---

**PERSONNEL AND BUDGET BREAKDOWN**

<table>
<thead>
<tr>
<th>COURT</th>
<th>2004 BUDGET (PhP)</th>
<th>2005 / 2006 BUDGET (PhP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SC, PET, &amp; Lower Courts</td>
<td>6,410,476,000</td>
<td>6,751,845,000</td>
</tr>
<tr>
<td>Court of Appeals</td>
<td>470,497,000</td>
<td>514,940,000</td>
</tr>
<tr>
<td>Sandiganbayan</td>
<td>155,962,000</td>
<td>197,406,000</td>
</tr>
<tr>
<td>Court of Tax Appeals</td>
<td>36,840,000</td>
<td>59,341,000</td>
</tr>
</tbody>
</table>

---

¹. Malacanang
². Malacanang
Status of Vacancies in the Judiciary as of December 31, 2006

1 2006 Judicial and Bar Council Annual Report

<table>
<thead>
<tr>
<th>SC</th>
<th>CA</th>
<th>RTC</th>
<th>MeTC</th>
<th>MTCC</th>
<th>MTC</th>
<th>MCTC</th>
<th>SDC</th>
<th>SCC</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>149</td>
<td>15</td>
<td>34</td>
<td>124</td>
<td>218</td>
<td>5</td>
<td>22</td>
<td>569</td>
</tr>
</tbody>
</table>

ADJUDICATION: CASELOAD AND DISPOSITION

Notwithstanding the absence of judges, the lack of courtrooms nationwide, and heavy caseloads, there has been a steady decrease in the overall number of pending cases since 2004.

LOWER COURTS

At the end of 2005, our lower courts had 744,251 pending cases. By December 31, 2006, that number stood at 716,040. There was also a decrease in the influx of new cases, with 346,776 new cases filed in 2006, compared to 376,889 filed the previous year. All in all, in 2006 our first- and second-level courts had 1,153,314 cases in their dockets, a number that includes cases that were revived or reopened, and cases transferred from other courts. 1 Of this number, RTCs handled 545,608 cases, while our first-level courts handled 607,706 cases.

1 Summary Report of Cases from January to December 2006

Court Management Office, Office of the Court Administrator
The nation’s third-level courts, not unlike our lower courts, have also faced a deluge of cases. In 2006, the Court of Appeals handled 34,505 cases; the Sandiganbayan, 3,152; while the Court of Tax Appeals, 1,151.

The Supreme Court
The Court received a total of 11,810 new cases in 2006. Of this number, the High Tribunal disposed of 5,302 cases, for a case disposal rate of 44.9%.
Supreme Court
AnnuAl report 2006

Judicial Reform Activities

Because of the 11-month duration of his term as head magistrate, Chief Justice Artemio V. Panganiban chose to focus the Court’s reform activities in 2006 on the ACID problems that plague the Judiciary, namely, limited Access to Justice, Corruption, Incompetence, and Delay in the delivery of quality judgments. Upon his appointment as Chief Magistrate on December 7, 2006, Chief Justice Reynato S. Puno pledged his full support to continuing efforts in achieving a well-functioning judicial system dedicated to upholding the Rule of Law to protect individual rights and provide redress from injustice under a system that ensures access, as well as the impartial and speedy resolution of cases.

Access to Justice

Access to Justice for the Poor Project
At the frontline of reform activities is the Access to Justice for the Poor Project, with funding support from the European Commission. This project seeks to increase access to justice by the poor and vulnerable sectors in selected provinces with the help of increased knowledge about their basic rights and the judicial system. It seeks to create an enabling and supportive environment through the Judiciary and law enforcement institutions as well as an amended overall legal framework, which ensures that the rights of the poor, especially that of women and children, are upheld.

Due to possible constitutional issues involving project provisions that vested the Court with administrative control or supervision over other government agencies, the Department of Social Welfare and Development was instituted as the project’s executing agency in lieu of the Supreme Court. Nonetheless, the Supreme Court has taken charge of one of the Project’s components: “Institutionalizing the Decentralized Information Function of the Judiciary and the Training of Municipal Judges and Court Personnel.”

From October to December 2006, there were project orientations for all the Project’s stakeholders, including the judges and clerks of court of 36 first-level courts of the provinces of Oriental Mindoro, Camarines Sur, Capiz, Lanao del Norte, and Sultan Kudarat, in preparation for the Project’s implementation.
**Development Plan for the Criminal Justice System**

This project aims to create a framework for the criminal justice system’s medium-term development from 2007 to 2010. It seeks to develop a plan based on the integral rationalization of the five pillars of the criminal justice system. The rationalization of the criminal justice pillars will be based on an integrative framework, which sets the major policies, programs, practices, and other participatory mechanisms that will delineate, clarify accountabilities, and define the institutional relationships of the five pillars.

This project began on June 1, 2006 with the Supreme Court as Executing Agency, in coordination with the Center for Policy and Executive Development (CPED) and the University of the Philippines-National College of Public Administration and Governance (UP-NCPAG) as the implementing partner. As of December 15, 2006, CPED and UP-NCPAG have submitted a final report in preparation for the Project’s implementation.

**Public Education on the Rules of Law Advancement and Support Project**

In line with promoting access to justice, the Supreme Court through its Program Management Office (PMO), continues to undertake the Public Education on the Rule of Law Advancement and Support Project or PERLAS, which involves the development of two publications, namely, Teaching Exemplars for Classroom Use for elementary and high school students, and the Student Handbook for high school students. These books, or exemplars, are meant to augment existing teaching modules and reinforce students’ understanding of the principle of the Rule of Law. The project aims, among others, to raise awareness within the community that everyone has a stake and responsibility in the promotion of the Rule of Law.

With the help of the implementing body, the Lawyer’s League for Liberty (LIBERTAS), the project has produced a total of 100 exemplars, or 10 exemplars per grade level, as created by writers from the Department of Education (DepEd) and the private sector. On September 4, 2006, the Supreme Court met The Asia Foundation, United Nations Children’s Fund (UNICEF), Commission on Human Rights, DepEd, and the Office of the Presidential Adviser on the Peace Process to explore possibilities of harmonizing the teaching exemplars on anti-corruption, human rights, peace and education, and the rule of law. UNICEF, DepEd, and LIBERTAS have likewise committed to share funds for the project.

**Justice on Wheels**

The Justice on Wheels Project aims to literally bring the courts to the people via an air-conditioned bus that houses a small courtroom and offices of the first- or second- level court judge assigned via a rotation scheme, and is staffed by court personnel and a mediator. The project’s first year of implementation resulted in the successful hearing of 754 cases and release of 300 detainees in Metro Manila. A second mobile court was deployed in Bohol on October 13, 2006, while a third mobile court is intended for deployment in Agusan del Sur in the CARAGA Region.

**Corruption**

**Codes of Conduct**

To help address the issue of corruption within the Judiciary, the Court has developed a Comprehensive Manual on the Code of Ethics as part of the Judicial Reform Support Project (JRSP) under the PMO. In 2006, the Court conducted 39 orientation seminars on the New Code of Judicial Conduct and the Code of Conduct for Court Personnel. A total of 11,846 justices, judges, and court personnel have been oriented on its provisions.

**E-Payment**

In order to avoid situations involving extended custody of money, the Court has also begun the process of adopting an E-Payment system wherein docket fees may be paid online. The software necessary for this has been completed by the Management Information Systems Office (MISO) and has been accepted by users in pilot courts in Manila, Makati City, and Calamba, Laguna. The E-Payment system has likewise been launched in the RTC and MeTC Offices of the Clerk of Court in Quezon City and Makati City in May 2006.

**Incompetence**

**Human Resource Development**

In its efforts to eliminate incompetence within the Judiciary, the Court, through the Office of Administrative Services (OAS) and the PMO, has undertaken the Philippine-Australian Human Resource Development Program with the Australian Agency for International Development. This program entails both short-term and long-term human resource solutions, namely, training and diploma courses, the latter of which is to be held in Australia.

At the end of 2006, the Program has completed short-term human resource activities towards strengthening the Judiciary’s human resource management development, performance monitoring and evaluation of the Action Program for Judicial Reform (APJR), managing change in the Judiciary, and a management development course for
court administrators. Ongoing long-term activities include courses in court management development, strategic human resource management, capability building in the management of court operations, and capability building in E-Law.

**Improved Legal Research and Skills Enhancement**

An integral part of the Judiciary’s JRSP, the E-Library continues to serve as the Judiciary’s primary legal research tool, giving members instant online access to the nation’s laws, jurisprudence, and the Court’s various issuances. The digitization of decisions from 1901 to 1995, as well as updates of recent jurisprudence, continues to take place even as the SC Library Services continues to distribute CD copies of the E-Library on a quarterly basis, ensuring that the members of the Judiciary are kept informed of the latest laws and jurisprudence.

On February 20, 2006, the E-Library was made available to law students throughout the country allowing them access to the facility through the libraries of selected participating law schools. The law schools participating in the event are Arellano University, Pasay City; Saint Louis University, Baguio City; Aquinas University, Legaspi City; University of San Carlos, Cebu City; Silliman University, Dumaguete City; Mindanao State University, Marawi City; Xavier University, Cagayan de Oro City; and Ateneo de Davao University, Davao City. These law schools were provided one access code for every 100 law students who can access the E-Library in their school’s law library.

The Court also fought against incompetence through the continuing efforts of the PHILJA and the Mandatory Continuing Legal Education Office (MCLEO), which conducted 119 academic training programs and 1,971 lectures and programs in 2006, respectively.

**e-Learning Project**

In line with its thrust to provide continuing professional judicial education through distance learning, in addition to its regular academic offerings, the PHILJA has developed several e-Learning modules to offer another mode of distance learning to its existing pool of video, audio, and print modules. Under the e-Learning project, participants access the training modules online via the website philjaelearning.org, using a unique username and password. While taking the module, the participants may refer to a provided manual guide, as well as be assisted by a mentor or module facilitator, who will respond to any clarifications or substantive queries via email.

A total of 184 judges and court attorneys participated in the e-Learning courses held by the PHILJA in 2006, which included a module on Philippine Laws in International Trade, and an orientation on maximizing the e-Learning project, aimed at briefing the participants of the advantages of online judicial education.

**Delay**

**Delay in the Resolution of Cases and Case Congestion**

Two years after the enactment of RA 9285, the Alternative Dispute Resolution (ADR) Act, the Supreme Court continues its efforts in mediation as a means to address case congestion and delay.

To speed up the disposition of court cases, the Court has more effectively monitored cases, and continued implementing alternative modes of dispute resolution not only in the lower courts but also in the Court of Appeals. For the year 2006, 8,159 out of 13,053 cases mediated in the lower courts were settled via CAM, with a success rate of 63%, while the Appeals Court Mediation had a success rate of 42.29% with 118 cases settled out of 279 cases placed under mediation.

By virtue of Administrative Order No. 06-7-13-SC, the Supreme Court declared the whole month of October as Settlement Period in 10 mediation areas including Metro Manila, Cebu, Davao, Leyte, SOCSARGEN, Cagayan de Oro, La Union, Pampanga, Bacolod, and Benguet/Baguio. During this period, 1,556 pending cases were settled out of a total of 2,435 cases mediated, with a success rate of 64%.

**Court Administration and Management Information System (CAMIS)**

Focusing on the development and implementation of an online system of gathering statistical data directly from 2,152 trial courts nationwide, the CAMIS project has already demonstrated its significant impact on the administration of justice.

The CAMIS Project automates the manual collection and summary of statistical data, as well as the analyzing and reporting of information used in making decisions.

Through CAMIS, lower court reports are completed and entered into a database via the internet. It aims to improve management of the courts and ultimately pave the way for the decongestion of court dockets through a transparent, flexible, publicly accessible, and comprehensive user-friendly database of all cases under the jurisdiction of the lower courts, including the tracking of their current status.
In May 2006, CAMIS was implemented in the RTC of Manila, six branches of the RTCs and MeTCs of Makati City, and the MTCC in Calamba City. For the year 2006, the Statistical Reports Division of the Case Management Office under the Office of the Court Administrator (OCA) encoded through CAMIS 24,935 monthly reports of cases, received and evaluated 4,059 docket inventories of cases, sent 155 memoranda to judges/clerks of court, and received and acted upon 250 communications from them.

On June 28, 2006, Acting Chief Justice Reynato S. Puno approved the planned activities for the data cleanup of courts in the pilot area of Quezon City. In line with this, the OCA's Court Management Office, in coordination with the PMO, trained over 189 personnel from the 45 RTCs and 13 MeTCs of Quezon City to use the CAMIS.net software.

In the last quarter of 2006, 55 trial courts and 528 court personnel from the RTCs and METCs of the Cities of Pasig, Marikina, Mandaluyong, and the Municipalities of Taguig, Pateros, and San Juan have been scheduled for orientation on change management, provided assistance in data cleanup, assessed in terms of the availability of hardware and internet facilities, given users' training, and finally installed with the CAMIS.net software, as well as provided with troubleshooting assistance.

Case Flow Management System
The Case Flow Management System is a computerized system of managing cases. It uses a computer program to enable trial courts to monitor their respective cases from the time of filing to the time of disposition. This would lead to more expeditious resolution of cases through effective monitoring and strict observance of time limits in the conduct of case events.

Since its pilot run in the lower courts of Pasay City in 2005, a management and information system for the project has been established to serve various functions, such as the tracking of cases, scheduling of events, reminding of deadlines, and providing timely and reliable information. For this purpose, a manual containing the rules, guidelines, and forms for CFM implementation in line with existing laws, rules of procedure, and SC circulars, has also been formulated.

The CFM also aids early settlement or disposal of cases either through diversion to ADR methods or through formal litigation. Aside from reducing litigation costs, it provides efficient use of court time, physical facilities, and human and other resources.

The project, implemented by the PHILJA, OCA, Management Information Systems Office, and PMO, and funded by The Asia Foundation, has concluded its software development phase on November 30, 2006 and was immediately pilot tested in the first week of December 2006.

Justice Reform Initiative Support Project
The Justice Reform Initiative Support (JURIS) Project has three major components, namely, (1) Mediation Support, (2) Judicial Education, and (3) Reform Advocacy Support.

The project covers both court-annexed mediation and alternatives to court adjudication. This component addresses mediation mechanisms as a vehicle for declogging the courts while providing effective and inexpensive dispute resolution mechanisms. To provide a venue for introducing and testing court-annexed mediation, 14 model Alternative Dispute Resolution (ADR) courts will be established in Angeles City, Pampanga, and Bacolod City, Negros Occidental over a five-year period.

Joining the Supreme Court in the JURIS project are the OCA, PHILJA, PMO, and the Alternative Law Groups, with the Canadian Institute of Development Agency (CIDA) as the development partner.

The Supreme Court-approved guidelines on mediation provides that all civil cases, settlement of estates, as well as those covered by the Rule on Summary Procedure, except those by which law may not be compromised; those cognizable by the Lupong Tagapamayapa under the Katarungang Pambansa Law; and the civil aspect of anti-bouncing checks law violations may be brought to mediation.

Under JURIS project in 2006, 129 Judges comprising the first- and second-level courts of the provinces of Benguet, La Union, Misamis Oriental,Negros Occidental, and Pampanga were trained, using peer-to-peer knowledge sharing, in Judicial Dispute Resolution. Likewise, 87 mediators were trained for Court Annex Mediation in Baguio and Cebu City under the JURIS project in the first half of the year.

Bar Reforms
The 2006 Bar Exams saw the second year of implementation of structural, administrative, design, and methodological reforms as provided in Bar Matter 1611, Re: Resolution on Reforms in the Bar Examinations, promulgated on June 8, 2004. These include the adoption of multiple-choice questions; the requirement of submission by law deans of a certification that a candidate has no derogatory record in school and, if any, the details and status thereof; as well as the implementation of the “five-strike” rule, which limits to five the number of times a candidate may take the bar exams, reputed to be the most grueling government-administered test.

Other reforms provided for under Bar Matter 1611 that were implemented in 2006 are the institution of disciplinary
measures for those involved in attempts to violate or vitiate the integrity and confidentiality of the Bar examination process, improper conduct during the Bar examinations, and the improper conduct of “Bar examinations;” personal preparation by the examiners by handwriting or using a typewriter, of 50 main questions, excluding subdivisions, and their submission to the Chairperson in a sealed envelope at least 45 days before the schedule examination on any particular subject; fixing at June 30 of the immediately preceding year as the cut-off date for laws and Supreme Court decisions and resolutions to be included in the bar examinations; and the consideration of suggested answers to Bar exams questions prepared by the UP Law Center and submitted to the Chairperson.

A record 6,367 applicants took the 2006 Bar examinations, headed by Justice Angelina Sandoval-Gutierrez as Chairperson of the 2006 Committee on Bar Examinations. Five applications were denied leaving 6,345 admitted to take the 2006 Bar exams. Seventeen applicants withdrew from the examinations. Even then, the number of examinees registered a record high in the exams’ 105-year history.

Likewise, the Supreme Court, through the Office of the Bar Confidant, conducted the 10th Special Shari’a Bar Examinations, chaired by Former CA Justice Omar U. Amin, on May 21 and 28, 2006 at the Court of Appeals Main Auditorium. Out of the 136 petitioners, of whom only 119 finished the examinations, only 36 successful candidates were sworn in as new Shari’a lawyers by Clerk of Court En Banc Ma. Luisa D. Villarama during a special En Banc session on November 28, 2006.

Transparency and Accountability

Public Information Office

Officially established on January 1999, through Supreme Court resolution AM No. 98-12-08-SC, the SC Public Information Office is primarily tasked to disseminate, as promptly and as widely as possible, news about the Supreme Court, its projects, and its decisions and provide the public with judicial information in a manner that the general public can easily understand through print, broadcast, and even the internet. Its primary objective is to bring the courts closer to the people.

In 2006, the PIO produced and disseminated 273 news bulletins, backgrounder, stationers and media advisories - all subsumed under the heading CourtNews Flash - to help the media accurately report about the Court’s actions or judicial activities. Likewise, the PIO issued 89BalitangKorteSuprema(BKS)reports,whicharepressreleases,written succinctly in Filipino and shorn of legalese, specifically geared for broadcast over radio, the medium most accessible to the masses.

The PIO also conducted 72 court tours for a total of 2,139 visitors, mostly composed of students from various schools and universities, as well as foreign visitors, as part of a legal education program for non-lawyers.

The office is responsible for two regular monthly publications distributed to the Court’s internal and external publics: Benchmark, an internal publication focused on addressing the concerns and interests of the Judiciary, and CourtNews, a full-color four-page newsletter intended for the Court’s diverse external publics, such as the chambers of commerce, nongovernmental organizations, the provincial press, and foreign embassies.

The PIO also produced the books In Defense of Liberty, featuring the decisions of the Court on EO 464, the Calibrated Preemptive Response and BP 880, and PP 1017, and In Defense of the Rule of Law, featuring the decisions of the Court on EO 1 and the People’s Initiative.

Judiciary Websites

To make the Supreme Court and its various offices more accessible to the public, promote transparency in various court processes and activities, and provide the Judiciary with immediate feedback mechanisms, the Court, through the PIO and MISO, has expanded the www.supremecourt.gov.ph domain. At the end of 2006, the domain consisted of the Supreme Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, Judicial and Bar Council, Philippine Judicial Academy, eLearning, E-Library, JRN21, and APJR websites.

The content management of the primary website was placed under the control of the PIO per memorandum of Chief Justice Artemio V. Panganiban on January 27, 2006, to integrate into one site, the High Court’s publicly accessible jurisprudence database, as well as its news, publications,
and multimedia archives, which were previously found in the separate SC and PIO websites. Likewise, the management of the E-Library has been turned over the SC Library Services in the third quarter of 2006.

Knowledge Sharing

International Cooperation

For 2006, the Supreme Court through its Committee on Knowledge Sharing and Regional Cooperation actively participated in knowledge-sharing activities around the globe.

The 1st Round Table Discussion of the Asia Pacific Judicial Reform Forum (APJRF) in March 2006 resulted in the approval of linkages between the E-Library to the Electronic Libraries of the Supreme Courts of other countries; assistance by the Philippine Supreme Court to countries such as Timor Leste, for judicial reforms, Thailand and China for Justice on Wheels, and Moscow on Information Communication Technology; the development of a Judicial Reform Handbook; as well as the setting up of a Video Conference Facility in the National Bureau of Penitentiary in taking the testimonies of convicts, among others, as per En Banc Resolution AM No. 06-1-10-SC, dated March 21, 2006. Justices Angelina Sandoval-Gutierrez, Antonio T. Carpio, Justice Conchita Carpio Morales, and Adolfo S. Azcuna, led the Philippine Delegation to the APJRF in Sydney, Australia.

The Supreme Court through the PMO also participated in the Peer-To-Peer Knowledge Exchange with the Russian Federation Supreme Court, High Arbitration Court, and Constitutional Court in July 2006. Justice Carpio represented the Supreme Court in the exchange which resulted in the commitment between the Philippines and Russia to sign a Cooperation Agreement in 2007.

Justice Azcuna led the Philippine delegation in the International Judicial Conference in Islamabad, Pakistan in August 2006. This likewise resulted in a commitment to sign a Cooperation Agreement between the Supreme Courts of the Philippines and Pakistan in 2007. This agreement will forge areas of mutual interest such as, but not limited to, knowledge-sharing and exchange programs on judicial education, more particularly on the Shari’a Justice System, as well as modernization and automation as a judicial tool for efficiency and transparency, particularly on caseflow management and Gender Mainstreaming.

The RTD on Green Benches was conducted on July 21, 2006, by the PHILJA, supported by the United Nations Development Programme-Global Environment Facility, in collaboration with the United States Agency for International Development (USAID), Haribon Foundation, and the Asian Environmental Compliance and Enforcement Network (AECEN). This roundtable discussion was an offshoot of the Asian Justices Workshop on the Environment held on April 26 to 27, 2006, in Bangkok, Thailand, which was organized by the SC of Thailand and supported by the USAID, AECEN, and US-AEP.

SC Justices, judicial experts, and representatives of government agencies, non-government organizations, and international donor agencies collaborated in this RTD with the aim of improving environmental adjudication that would pave the way towards the creation or designation of environmental courts or “green benches.”

The PHILJA also conducted, in 2006, two RTDs on the “Anti-Trafficking in Persons Act of 2003” (RA 9208) and “Violence against Women and their Children Act of 2004” (RA 9262) to familiarize Family Court judges with the elements of trafficking, recognizing women and child abuse cases, and appropriateness in the issuance of Protection Orders (PO), as well as provide a venue for justices of the Court of Appeals to share insights on the basic concepts of child exploitation, trafficking in persons, battered woman syndrome, and the issuance of POs.

Knowledge Sharing and Lecture Circuit on the Judicial Philosophy of Liberty and Prosperity

Taking advantage of the Court’s recesses to accept invitations from abroad to talk on judicial reform and his vision for the Philippine Judiciary, Chief Justice Artemio V. Panganiban led a Philippine delegation on a Knowledge Sharing and Lecture Circuit on the Judicial Philosophy of Liberty and Prosperity in United States, Spain, France, Egypt, and the United Kingdom. During the circuit, the chief magistrate brought to the attention of the international community the comprehensive projects and achievements of the Supreme Court’s Action Program for Judicial Reform (APJR), focusing on the four ACID problems that plague the Philippine Judiciary.

This Knowledge Sharing series resulted in the signing of a Cooperation Agreement between the General Council of
the Judiciary of the Kingdom of Spain and the Supreme Court of the Philippines in June 2006, as well as a commitment between the Philippine Supreme Court and the Supreme Court of the Netherlands in July 2006 to sign a Cooperation Agreement in 2007. These agreements include pledges of mutual cooperation and assistance concerning reforms in judicial education and appointments to the Judiciary.

Fora on Liberty and Prosperity

Bringing together representatives from various sectors of society, the Supreme Court held two key fora in 2006 to discuss the judicial philosophy of safeguarding liberty while nurturing prosperity. The National Forum on Liberty and Prosperity, held in August 2006, and the Global Forum on Liberty and Prosperity, held in October, resulted in several significant resolutions aimed towards a more efficient and progressive Judiciary.

The National Forum was attended by over 200 delegates nationwide, from all three branches of government, as well as sectors of civil society. It resulted in resolutions that called for a national campaign to inform the marginalized sector and cultural minorities of their fundamental rights and liberties as citizens, the restructuring of the formal justice system to interface with informal and indigenous justice systems, and the adoption of the language of the law to that of the common people through translation of court decisions and proceedings into Filipino to enhance their access to justice, among others.

More than 400 local and foreign delegates consisting of jurists, lawyers, diplomats, academicians, economists, legislators, policymakers, executive officials, and members of non-governmental organizations attended the Global Forum. The high point of the Forum was the presentation of the Joint Declaration on Liberty and Prosperity, wherein delegates pledged to encourage within their respective spheres of jurisdiction or influence the promotion of “the liberty and prosperity of their citizens” and “ensure a judicial system that remains independent, competent, efficient, and effective.”

Judge-to-Judge Dialogues

A series of Dialogues were held from June to November 2006 in Manila, Laoag City, and the province of Aklan to provide an opportunity for justices of different jurisdictions and justices and judges in the Philippine Judiciary to exchange perspectives and lessons on their roles and functions in addressing the problems, challenges, and solutions in case administration. The Dialogues were conducted by the OCA and PMO, with assistance from the American Bar Association - Asia Law Initiative.

Infrastructure and Facilities

Halls of Justice

As of December 31, 2006, 284 buildings in 254 locations nationwide were constructed or renovated under the Justice System Infrastructure Program (JUSIP). Under the program, courthouses or Halls of Justice (HoJs) shall be rehabilitated or constructed for the use and occupancy of the lower courts and the National Prosecution Services, Public Attorneys Office, Parole and Probation Administration, and the Registries of Deeds.

In 2006, several Local Government Units (LGU) and other agencies also turned over 28 buildings to the Supreme Court. The Supreme Court approved a distinctive façade for all HoJs in the country. The façade will feature the beautiful columns similar to those of the SC Building along Padre Faura Street. Likewise, the Supreme Court entered into five Memoranda of Agreement with various LGUs regarding the maintenance and improvement of courthouses not built under the JUSIP.

Equipment for Trial Courts in the ARMM

The Rule of Law Effectiveness (ROLE) has donated a comprehensive set of court equipment and legal materials for each of the 14 branches of the RTC in the ARMM. These equipment include basic office furniture for the staff and judge’s chambers of each branch, lawyer’s tables and benches for the courtroom, office machines such as computers with printer, fax machines, stenographer’s machine, typewriters, filing cabinets, safes and storage facilities for evidence, as well as audio-recording devices. Legal books and other materials for legal research were also included in the donation given in ceremonies held on November 29, 2006.

Computerization and Information Technology Projects

As part of the modernization of the Philippine Judiciary, computer sets were distributed to the Supreme Court and lower courts. In 2006, 1,770 sets of computers were purchased by the Court ensuring that there is at least
Supreme Court | Annual Report 2006

One computer and printer set installed in every court nationwide. Likewise, the Court, as one of its computerization efforts, has approved under AM No. 05-10-23-SC the installation of Digital Subscriber Lines (DSL) Internet connections in the lower courts, starting with all courts in Metro Manila as pilot courts. The effort aims to enable the courts to access the E-Library system and other important websites related to legal research, as well as to facilitate electronic communications between the various courts comprising the Judiciary. From April to December 2006, 169 PLDT DSL connections were installed in various courts in Metro Manila.

In March 2006, the Supreme Court through the MISO and PMO, with technical assistance from the Rule of Law Effectiveness (ROLE), has launched the Sandiganbayan Case Management Information System (CMIS), designed to facilitate case processing in the anti-graft court. It is presently running in all divisions, being used by personnel directly involved in case processing, namely, the stenographers’ pool, sheriff’s office, docket section, court divisions, and the Justices. The system digitally captures case information and case-related documents for the electronic access of authorized Sandiganbayan personnel. CMIS also has the facility to schedule and monitor case events, as well as provides templates for the preparation of case-related documents such as orders and resolutions.

Beginning November 8, 2006, the Court, through the MISO, SC Fiscal Management and Budget Office, and Fiscal Management Office under the OCA, has also implemented
Chief Justice Artemio V. Panganiban
December 21, 2005 - December 6, 2006

Chief Justice Panganiban is the 21st Chief Justice of the Philippines, becoming its first primus inter pares in the 21st Century.

With “liberty and prosperity” as his North Star, he has accelerated the implementation of more than a hundred wide-ranging projects under the Action Program for Judicial Reform launched by his immediate predecessor, retired Chief Justice Hilario G. Davide, Jr., capped by an international conference in Manila of chief justices and jurists late last year. His stewardship of the Judicial Branch of Government has been distinguished with the promulgation by the Supreme Court of several landmark decisions championing political and civil rights. His judicial philosophy and vision for the Judiciary are amply articulated in the books – one for each year of his magistracy – that he had written.

Prior to his appointment to the Supreme Court in 1995, Chief Justice Panganiban has also chalked up an impressive achievements in law practice, the academe, business, and even media when he became president of the Philippine Daily Inquirer. He was likewise active in the promotion of tourism and commerce. He has served as president, director, or officer of diverse civic and business organizations at various times. He also holds the distinction of being the only Filipino named by the late Pope John Paul II to the Pontifical Council for the Laity.

An activist even in his youth, he founded and headed the National Union of Students of the Philippines (NUSP), the largest organization of students in the country up to the present, even as he was the youngest and first sophomore student to be elected as president of the central student council of the Far Eastern University from where he earned in law degree in 1960, cum laude, and proceeded to place 6th in the Bar Examinations held that same year. He has reciprocated the honor by having conferred the first FEU alumnus to be appointed Chief Justice of the Philippines.

He is married to Elenita Carpio, until recently Associate Dean of the Asian Institute of Management. Their union has been blessed with five highly accomplished children.

Chief Justice Reynato S. Puno
December 7, 2006 - present

Chief Justice Puno is the 22nd Chief Justice of the Philippines. He is also the concurrent chair of the SC First Division and ex officio chair of the Judicial and Bar Council (JBC) and the Presidential Electoral Tribunal (PET).

His appointment as chief magistrate by President Gloria Macapagal-Arroyo on December 6, 2006 was a moment that many had anticipated from the time he was sworn in as then the youngest SC Justice at 53 on June 28, 1993.

Prior to his appointment to the High Court, he served, among others, as Associate Justice of the Intermediate Appellate Court and the Court of Appeals (CA), Deputy Minister of Justice, Assistant Solicitor General, and City Judge of Quezon City. He holds the distinction of being the youngest appointee to the CA at the age 40.

As then Senior Associate Justice, he chaired the Court’s Second Division and the Senate Electoral Tribunal. He was a consultant of the JBC which he now heads as ex-officio Chair. Likewise, he had chaired the Court Systems Journal and the Supreme Court Committee, which digests the Court’s decisions for distribution to members of the Judiciary. He likewise chaired the High Court’s Committee on Revision of the Rules of Court that drafted the Rule on Violence against Women and their Children, Rule on Legal Separation, Rule on Declaration of Nullity of Void Marriages and Annulment of Voidable Marriages, Rule on Adoption, and Rules of Criminal Procedure, among many others.

Chief Justice Puno obtained his Bachelor of Science in Jurisprudence and Bachelor of Laws degrees from the University of the Philippines in 1962. He served as editor-in-chief of The Philippine Collegian. He pursued his post-graduate studies in the United States on full scholarship. He obtained his Master of Comparative Laws at the Southern Methodist University, Dallas, Texas, with high distinction and as valedictorian of his class, his Master of Laws at the University of California, Berkeley, California and finished all the academic requirements of the degree of Doctor of Juridical Science at the University of Illinois, Champaign, Urbana, Illinois. In 2005, he became the first Filipino recipient of the Distinguished Global Alumnus Award given by the Dedman School of Law, Southern Methodist University, Dallas, Texas. He has been conferred honorary doctorate degrees by five of our universities and the Hannam University, South Korea.

Among other honors, he was chosen as one of the Ten Outstanding Young Men of the Philippines in 1977, Araw ng Maynila Awardee as Outstanding Jurist in 1987, and Outstanding Alumnus, UP College of Law in 1996, and Ulirang Ama Awardee in 2005.

Apart from his judicial responsibilities, Chief Justice Puno is actively involved in civic and church activities. He is a lay preacher of the United Methodist Church and incumbent Chairman of the Administrative Council of the Puno Memorial United Methodist Church. He is past Chairman of the Administrative Board of the Knox United Methodist Church, the biggest and oldest Methodist Church in the Philippines.

A native of Manila, Chief Justice Puno was married to the late SC Clerk of Court Luzviminda D. Puno with whom he has three children Reynato, Jr., Emmanuel, and Ruth.
Senior Associate
Justice Leonardo A. Quisumbing

Justice Quisumbing concurrently serves as chair of the SC Second Division and the Senate Electoral Tribunal. He is a consultant to the Judicial and Bar Council.

Justice Quisumbing took up his LL. B. studies at the University of the Philippines and then earned his LL. M. degree from Cornell University in New York. During his student days, he was a college scholar, president of the UP Student Council, editor-in-chief of The Philippine Collegian, president of the Student Councils Association of the Philippines, and member of the National Debating Team to Australia that won the Wilmot Cup. He capped his many achievements by placing 12th in the 1966 Bar Examinations. His writing stint started at the A. L. Quezon University where he edited The Quezonian and where he graduated magna cum laude, A.B. Journalism. He has been awarded four honorary doctorate degrees in law, public administration, and humane letters.

He taught and practiced law for almost 15 years, then served the government in various posts for over 21 years. Prior to his appointment to the Supreme Court in 1998, he was Secretary of Labor and Employment. Before that, he served as Undersecretary of the Department of National Defense during President Corazon C. Aquino’s administration and then Senior Deputy Executive Secretary to President Fidel V. Ramos. Before his court appointment, he also held the rank of Commodore of the Philippine Coast Guard, 106th Auxiliary Squadron.

Justice Quisumbing took special training in Management of Public Agencies at Cornell Graduate School, Research at Georgetown University, Communications at Michigan State University, and Public Sector Negotiations at Harvard University.

His published works include Constitutional Control of the Election Process; Compensation in Land Reform Cases; Comparative Public Law Study; Asean Comparative Law (Vol. IV ed., Corporation Law) in the EEC and Asean; Two Regional Experiences; Law on Taxation in the Philippines; Labor Law and Jurisprudence (1992-1998); and Access to Justice, a lecture delivered before the 1993 ASEAN Law Association Conference in Singapore.

A native of Masbate, Masbate, Justice Quisumbing is married to Commission on Human Rights Chairperson Dr. Purificacion V. Quisumbing. They have two children, Josefa Lourdes and Cecilia Rachel.

Justice Consuelo Ynares-Santiago

Justice Ynares-Santiago is the concurrent chair of the SC Third Division and the House of Representatives Electoral Tribunal (HRET). She is also a consultant to the Judicial and Bar Council.

Justice Ynares-Santiago served for 17 years as a trial judge and nine years as Court of Appeals Justice. Her appointment to the Supreme Court on April 6, 1999 is eloquent proof of her outstanding and dedicated service, integrity, and competence.

She is a staunch advocate of children’s and women’s rights. She has attended and spoken in several local and international fora, including the Asian Justices Forum on the Environment (2007) in Manila, the 15th Annual International Judicial Conference (2007) in Michigan, USA, the Third Regional Seminar of Asian Constitutional Court Judges (2005) in Ulan Bator, Mongolia, 19th LAWASIA Conference (2005), in Queensland, Australia, the Judicial Administration and Reform Course (2002) in Sydney, Australia, the Judicial Colloquium on the Application of International Human Rights Law at the Domestic Level (1999) in Vienna, Austria, and the 15th Annual Global Conference of the International Women’s Forum (1999) in Washington D.C. She served as Bar Examiner for Labor Law and Social Legislation in 1996, and Taxation in 1998. She is the recipient of several distinctions and awards in recognition of her multifarious contributions. She has also merited recognition as exemplary mother, being a Gintong Ina Awardee and recipient of the Ularang Ina Sectoral Award for Law and Judiciary.

A native of Binangonan, Rizal, where she was born on October 5, 1939, she received the Pambayang Gawad Palosebo, the highest municipal award given to outstanding citizens of Binangonan, Rizal who have excelled in their professions and are role models for the youth. She is married to the late Atty. Francisco B. Santiago with whom she has four accomplished children: Pura Angelica, a lawyer; Jonas Francisco and Regina Carmela; both physicians; and Jennylind Allison, a Hotel and Restaurant Management graduate.

Justice Ynares-Santiago earned her Bachelor of Laws degree from the University of the Philippines in 1962.

Justice Angelina Sandoval-Gutierrez

Justice Sandoval-Gutierrez holds the dual distinction of being the first recipient of the prestigious Cayetano Arellano Award as an Outstanding Regional Trial Court Judge of the Philippines and the first winner in the annual Best Written Decision/Judicial Essay Contest among RTC women judges sponsored by the Philippine Women Judges Association. She was chosen as Bar Examiner in Criminal Law twice in 1994 and 1998. In 2006, she chaired the Bar Examinations Committee. She is also an Ularang Ina Awardee, her three children being all lawyers.

Justice Gutierrez reached the peak of her career through the judicial ladder ascending from the Metropolitan Trial Court to the Regional Trial Court, Manila, then to the Court of Appeals, and ultimately to the Supreme Court.

Justice Gutierrez hails from Alitagtag, Batangas. She earned her Bachelor of Laws degree from the University of Santo Tomas and is the latter’s first alumna elevated to the Supreme Court. She attended judicial and legal courses in various universities in the U.S., such as Harvard Law School, Academy of American and International Law at the University of Texas, National Judicial College at the University of Nevada, and University of Southern California.

Presently, she is a member of the Senate Electoral Tribunal and chair of several Supreme Court committees.
Justice Antonio T. Carpio

Born in Davao City, Philippines, Justice Carpio was sworn in as member of the Supreme Court on October 26, 2001. Justice Carpio obtained his law degree from the College of Law of the University of the Philippines (UP) where he graduated valedictorian and cum laude in 1975. He placed sixth in the 1975 Bar Examinations. He finished his Bachelor of Arts, with honors, at the Ateneo de Manila University and his Bachelor of Laws at the Ateneo Law School where he ranked 5th in the class of 1974. He thereafter pursued his MBA at the Ateneo Professional Schools. In 1982, he obtained his Master of Laws degree as a scholar from Harvard Law School, with concentration on foreign investment policies and the regulation of corporations and financial institutions.

Prior to his appointment to the Supreme Court, he held various positions in the Executive Department - Presidential Spokesman, Chief Presidential Legal Counsel, Acting Executive Secretary, and Presidential Chief of Staff. He was at one time connected with the Tax Division of SGV & Co. and the Commercial Bank of Manila.

He was given his Bachelor of Arts, honors, at the Ateneo de Manila University and his Bachelor of Laws at the Ateneo Law School where he ranked 5th in the class of 1974. He thereafter pursued his MBA at the Ateneo Professional Schools. In 1982, he obtained his Master of Laws degree as a scholar from Harvard Law School, with concentration on foreign investment policies and the regulation of corporations and financial institutions.

Prior to his appointment to the Supreme Court, he held various positions in the Executive Department - Presidential Spokesman, Chief Presidential Legal Counsel, Acting Executive Secretary, and Presidential Chief of Staff. He taught Corporation Law and other commercial law subjects at the Ateneo Law School for 17 years and wrote a regular column on tax and commercial law topics for several years. He was President of the Ateneo Alumni Association in 1991-1992. He was conferred the Philippine Legion of Honor Award (rank of officer) in 1998 and was named one of the Outstanding Manilans of 2005.

He is a member of the House of Representatives Electoral Tribunal.

Justice Ma. Alicia Austria-Martinez

Justice Austria-Martinez’s appointment to the Supreme Court on April 12, 2002 caps her 40th year of service in the government. Among the government positions previously held by her are Presiding Justice of the Court of Appeals, Executive Judge of Regional Trial Court, Pasig City, and CA Division Clerk of Court.

Born in Manila, Justice Martinez earned her Bachelor of Laws degree in 1962 from the University of the Philippines. She has also obtained a Master’s degree in National Security Administration in 1980 from the National Defense College of the Philippines where she eventually became the chairperson of the Panel of Examiners for Oral Defense in 1987, 1988, and 1991.

She was examiner in Commercial Law and Remedial Law in the 1994 and 2000 Bar Exams, respectively. She is currently a member of the Senate Electoral Tribunal.

Justice Renato C. Corona

A former Chief Presidential Legal Counsel, Justice Corona was appointed to the Supreme Court on April 9, 2002. Prior to his government service, Justice Corona distinguished himself in banking and finance. He was at one time connected with the Tax Division of SGV & Co. and the Commercial Bank of Manila.

He finished his Bachelor of Arts, with honors, at the Ateneo de Manila University and his Bachelor of Laws at the Ateneo Law School where he ranked 5th in the class of 1974. He thereafter pursued his MBA at the Ateneo Professional Schools. In 1982, he obtained his Master of Laws degree as a scholar from Harvard Law School, with concentration on foreign investment policies and the regulation of corporations and financial institutions.

Prior to his appointment to the Supreme Court, he held various positions in the Executive Department - Presidential Spokesman, Chief Presidential Legal Counsel, Acting Executive Secretary, and Presidential Chief of Staff. He taught Corporation Law and other commercial law subjects at the Ateneo Law School for 17 years and wrote a regular column on tax and commercial law topics for several years. He was President of the Ateneo Alumni Association in 1991-1992. He was conferred the Philippine Legion of Honor Award (rank of officer) in 1998 and was named one of the Outstanding Manilans of 2005.

He is a member of the House of Representatives Electoral Tribunal.
Justice Conchita Carpio Morales

Four Presidents oversaw the rise of Justice Carpio Morales in the Judiciary. In 1983, then President Ferdinand E. Marcos appointed her Judge of the Pili, Camarines Sur Regional Trial Court, Branch 32. During the term of President Corazon C. Aquino, she was appointed in 1986 to the Pasay City RTC, Branch 110. In 1994, then President Fidel V. Ramos appointed her to the Court of Appeals. She was appointed to the Supreme Court on August 26, 2002 by President Gloria Macapagal Arroyo.

Justice Carpio Morales went into private law practice after passing the Bar and then worked at the Department of Justice – where she held the position of Special Assistant to then Justice Secretary Vicente Abad Santos and later on Senior State Counsel - before joining the Judiciary.

Born in Paoay, Ilocos Norte, she earned her Bachelor of Laws and Economics degrees from the University of the Philippines.

Justice Romeo J. Callejo, Sr.

Before his appointment to the Supreme Court in September 2002, Justice Callejo had served the Judiciary for 16 years. As RTC Judge, he twice received the Outstanding Judge Award and was also a recipient of the Cayetano Arellano Award for Judicial Excellence. As CA Justice, he was Chairman of the Committee on Ethics and was a member of the Committee on the Revision on the Internal Rules. He chaired the Philippine Judicial Academy’s Department of Criminal Law, and, before his elevation to the Supreme Court, was a professor and bar reviewer at the Ateneo de Manila University, Far Eastern University, Arellano University, San Beda College.

Born in Sta. Lucia, Ilocos Sur, he earned his Associate in Arts and Bachelor of Laws degrees from San Beda College where he graduated as class Silver Medalist.

He was the 2005 Bar Examinations Committee Chairman.

Justice Adolfo S. Azcuna

Justice Azcuna holds the distinction of having helped draft two of the country’s Constitution. This native of Katipunan, Zamboanga del Norte was a delegate to the 1971 Constitutional Convention and was among the 8 members of the 1986 Constitutional Commission who drafted the 1987 Constitution.

He earned his Bachelor of Laws degree from the Ateneo de Manila, cum laude. After placing 4th in the 1962 Bar Exams, he began his public service as assistant private secretary of then Court of Appeals Presiding Justice Jose P. Bengzon. He headed the staff of Justice Bengzon when the latter was later appointed to the Supreme Court in 1964.

Justice Azcuna did post-graduate studies on International Law at Salzburg University in Austria in 1977. He practiced law with the Bengzon Law Office and, later, with the Azcuna Yorac Sarmiento Arroyo and Chua Law Offices. He was appointed to the SC on October 17, 2002.

During the term of President Corazon C. Aquino, he served as Presidential Legal Counsel and was a member of President Aquino’s cabinet as Press Secretary and as Presidential Spokesperson. He also served as Chairperson of the Philippine National Bank.

Justice Azcuna is the chairman of the 2007 Bar Examinations Committee.
Justice Dante O. Tinga

Before his appointment to the Supreme Court on July 3, 2003, Justice Tinga served as Dean of the College of Law at the Polytechnic University of the Philippines (2001-2003) and the UE College of Law (1988-1992). He also served in Congress as Representative of the lone district of Taguig-Pateros for three consecutive terms from 1987 to 1998 where he was chosen by the Congress beat reporters as outstanding Congressman every year.

Prior to his public career, he engaged in extensive private law practice, first as senior attorney at the Araneta Mendoza & Papa Law Offices, and later as senior partner at the Santiago Tinga & Associates, as managing partner at the Pimentel Cuenco Fuentes Tinga Law Firm, and as managing partner of the Tinga & Corvera Law Firm.

Born in Taguig, Rizal (now the City of Taguig in Metro Manila), Justice Tinga finished his law course in 1960 at the University of the East College of Law at the top of his class, graduating magna cum laude. He passed the bar examination in the same year, placing 15th in a field of more than 4,000 examinees with a grade of 87.7%. He obtained his Master of Laws degree in regulation, and international business transactions.

Justice Minita V. Chico-Nazario

Justice Chico-Nazario holds the distinction of being the first woman justice in the Sandiganbayan and its first woman Presiding Justice. She is also the first Sandiganbayan Presiding Justice to be appointed to the Supreme Court.

Her appointment to the High Court on February 10, 2004 is a homecoming of sorts, since she has started out as the social secretary of the late SC Justice Juan Liwag after graduating from the University of the Philippines College of Law in 1962.

Justice Nazario served as Division Clerk of Court at the Sandiganbayan’s First Division (1981-1987) and was later appointed Regional Trial Court Judge of Biñan, Laguna (1987-1993). In 1993, she became the first woman justice of the anti-graft court.

She also held other government positions including Legal Researcher, Special Deputy Clerk of Court of the Court of First Instance, Judicial Supervisor of the Department of Justice, Supreme Court Judicial Assistant, and SC Senior Judicial Assistant. Likewise, she was a professor of law at the Perpetual Help University in Las Piñas City (1994-1997).

Justice Nazario has to her credit more than 40 years of uninterrupted service in government prior to her SC appointment.

Born in San Miguel, Bulacan, Justice Nazario is the current president of the Philippine Women Judges Association. She was the Criminal Law Bar Examiner for the year 2000. Among other honors, she was named Ulirang Ina Awardee (For Law and Judiciary) in 2000 and Most Outstanding Kapampangan in the Field of Law in 2002.

Justice Cancio C. Garcia

Justice Garcia was the Presiding Justice of the Court of Appeals when elevated to the Supreme Court on October 6, 2004.

His elevation to the High Court fittingly caps 43 years of continuous and devoted government service which started at the executive branch when he joined the Legal Office of the Office of the President as legal assistant. In 1972, he was appointed Assistant Solicitor at the Office of the Solicitor General. He subsequently served as City Court judge of Caloocan City and then as RTC Judge of the cities of Caloocan and Angeles. His tenure in the Judiciary was briefly interrupted when he was appointed Assistant Executive Secretary for Legal Affairs early in the term of then President Corazon C. Aquino. In December 1990, Justice Garcia was appointed Associate Justice of the Court of Appeals, and, on April 9, 2003, as Presiding Justice of that court.

He co-authored A Study of the Philippine Constitution which was published in 1975. Currently, he chairs the Court’s Committee on Security.

He earned his Bachelor of Laws degree from the University of the Philippines. He belonged to UP Law Batch ’61, and was a member of the Order of Purple Feather, the UP Law Honor Society. Justice Garcia is married to Emeteria Reyes of Bauan, Batangas. They are the proud parents of Rizza, Adette, Via, and Rigo.

Justice Presbitero J. Velasco, Jr.

Justice Velasco is fourth Court Administrator to be appointed Supreme Court Associate Justice.

Named Court of Appeals Justice in 1998, Justice Velasco was eighth in the disposition of cases when he elevated to the position of Court Administrator in 2001. He also served as Undersecretary of the Department of Justice, Commissioner of the Housing and Land Use Regulatory Board and the Commission on Settlement of Land Disputes, and Chairman of the Board of Pardons and Parole.

Prior to joining the public sector as a regular member of the Judicial and Bar Council in 1993, Justice Velasco was a private law practitioner for 20 years. He served the Integrated Bar of the Philippines as its National President in 1987, as Commissioner of the IBP Committee on Bar Discipline, and as Honorary Chairman and Past National Co-Chairman of the IBP National Committee on Legal Aid.

After finishing his Bachelor of Arts degree in Political Science from the University of the Philippines in only three years, Justice Velasco pursued his Bachelor of Laws degree from the National University in one year where he earned a grade of 1.79 and placed sixth in the Bar exams with a Bar rating of 89.85% in the same year.
Supreme Court Annual Report 2006

Officials of the Supreme Court

The Office of the Clerk of Court (OCC) En Banc is the nucleus or the centerpoint of the whole administrative machinery of the Court. It assists the Court in its delicate task of adjudicating with finality all justiciable disputes, public and private. One of its primary tasks is the preparation of the agenda of the Court En Banc in their weekly sessions. This office is headed by the Clerk of Court whose main responsibilities include the implementation of the policies formulated and the work programs set by the Court, through the Chief Justice; general supervision over personnel and administrative matters; and recommendation of courses of action on various matters ranging from personnel to non-judicial concerns. In addition, the Clerk of Court is the custodian of the Court’s funds, revenues, properties, and premises and is usually the liaison officer in all official matters and in relation to other government agencies.

Since the Court sits also in Divisions of five members each, three Offices of the Division Clerk of Court have been constituted to perform the administrative functions of the adjudicatory power of the Court.

Office of the Clerk of Court

Atty. Ma. Luisa D. Villarama
Clerk of Court En Banc

Atty. Enriqueta E. Vidal
Clerk of Court First Division

Atty. Ludichi Yasay-Nunag
Clerk of Court Second Division

Atty. Lucita A. Soriano
Clerk of Court Third Division

Office of Administrative Services

The Office of Administrative Services (OAS) plans, recommends, and implements personnel management and development programs and administrative service functions of the entire Supreme Court, including the Presidential Electoral Tribunal (PET), Judicial and Bar Council (JBC), Philippine Judicial Academy (PHILJA), the Maintenance Sections of the Halls of Justice, the PHILJA Development Center, Inc., and the Mandatory Continuing Legal Education Office (MCLEO).

Atty. Eden T. Candelaria
Chief

Atty. Ma. Carina M. Cunanan
Assistant Chief

Atty. Ruby Esteban-Garcia
Assistant Chief

Fiscal Management and Budget Office

The Fiscal Management and Budget Office takes charge of the fiscal, budget, accounting and cashiering activities of the Court. This includes planning the budget and accounting work methods and procedures, preparing the estimates of the expenditures of the Judiciary, managing Court expenditures, and submitting budget estimates and financial reports. It is tasked with all financial transactions of the Supreme Court including those of the JBC, the Office of the Court Administrator (OCA), all the Halls of Justice,
Office of the Chief Attorney

The Office of the Chief Attorney is the legal research office of the Supreme Court. It renders adjudicative support functions, such as planning, coordinating, and reviewing research and case studies. From time to time, it performs tasks specially assigned by the Chief Justice, the Associate Justices, and the Clerks of Court.

Ms. Petrita C. Arguelles
Officer-in-Charge
January 12, 2006 - August 8, 2006

Attorney Edna E. Dillo
Chief

Office of the Reporter

The Office of the Reporter is charged with the publication of the *Philippine Reports*, containing the decisions of the Supreme Court. It also prepares synopses, syllabi, and topical indices for the *Philippine Reports*, *Monthly Decisions*, and *Monthly Digests*.

Atty. Ma. Piedad F. Campaña
Chief

Management Information Systems Office

The Management and Information Systems Office is the information technology arm of the Supreme Court. It is tasked with providing technical expertise on the formulation of system design studies and application system development as well as support services on hardware maintenance. Its goal is to support and guide the Court in establishing a state-of-the-art information technology infrastructure to further its modernization program. It consults the Committee on Computerization on policies and implementation of new technology or the improvement of systems already used either in the Supreme Court or in lower courts.

Ms. Petrita C. Arguelles
Officer-in-Charge
January 12, 2006 - August 8, 2006

Mr. Joseph Raymond P. Mendoza
Chief
August 9, 2006 - June 1, 2007

Atty. Mercedes G. Mostajo
Assistant Chief

Atty. Proceso E. Fernandez
Assistant Chief

Engr. Garry Erwin N. De Gracia
Assistant Chief

Office of the Bar Confidant

The Office of the Bar Confidant manages the conduct of the annual Bar examinations, takes custody of the bar records and personal records of lawyers; assists the Court in disciplining lawyers; directs and supervises the investigation of complaints against bar candidates; monitors, updates, and maintains Court statistical data pertaining to the Bar examinations and related matters; and updates the list of the members of the Bar.

Atty. Ma. Cristina B. Layusa
Chief

Attorney Edna B. Camba
Assistant Chief

Attorney Ma. Cristina B. Layusa
Chief

August 9, 2006 - June 1, 2007
The Judicial Records Office (JRO) manages and superintends activities in connection with judicial processes from the filing of cases to the promulgation of decisions, entry of judgment, and remand of records of cases disposed of. It controls the receipt, processing, reporting, and distribution of pleadings filed before the Court. It takes custody of rollos and records of cases, including transcripts and exhibits. It prepares and keeps data or statistics on judicial proceedings.

The Supreme Court Library Services is continuously being developed towards maintaining the highest standard of collection and services for the mission/vision of the Supreme Court and the whole Judiciary and for judicial reform. It has maintained and further improved its standards of being a Model Centennial Law Library. With the launching of the SC E-Library last November 19, 2004, it is now the sole government online digital law library in the Philippines.

The Medical and Dental Services attends to the medical and dental needs of Supreme Court justices, judges, officials and employees as well as of its component bodies such as the JBC and PHILJA. They also provide medical services during official activities, such as the Bar examinations and out-of-town seminars. The main form of service is by way of consultation and treatment. Medications are dispensed free whenever appropriate. Other services rendered are pre-employment and annual physical examinations, laboratory testing, psychological testing, and physical therapy.

The Printing Services addresses the printing requirements and needs of the Supreme Court, the Court of Appeals, the Sandiganbayan, and the lower courts, including attached institutions such as the PHILJA, the JBC, and the MCLEO.
The Public Information Office (PIO)’s primary task is to disseminate, as promptly and as widely as possible, news about the Supreme Court and its decisions and provide the public with judicial information in a manner that they can easily comprehend. The primary objective of the PIO is to bring the Court closer to the people. It is not a public relations outfit but an information-based office which cultivates the Court’s good relations with the media.

Atty. Ismael G. Khan, Jr.
Assistant Court Administrator
and Chief
(July 1, 1999 - Jan. 6, 2007)

Program Management Office

The Program Management Office (PMO) was created by the Supreme Court to coordinate and manage the implementation of the technical and administrative aspects of the judicial reform program. Its activities focus on project development, resource mobilization, advocacy for reform, procurement and contract management, project implementation and monitoring, financial management, and administrative management.

Ms. Evelyn Toledo-Dumdum
Judicial Reform Program Administrator

Offices under the Office of the Chief Justice

Mandatory Continuing Legal Education Office

In the resolution in Bar Matter No. 850 promulgated on August 22, 2000, the Court adopted the “Rules on Mandatory Continuing Legal Education for Members of the Integrated Bar of the Philippines” (“MCLE Rules”) in order that lawyers in the country may be kept abreast with law and jurisprudence, maintain the ethics of the profession, and enhance the standards of the practice of law. For this purpose, the Court promulgated Administrative Order No. 113-2003 creating a Mandatory Continuing Legal Education Office to carry out the objectives of the mandatory continuing legal education program. The MCLEO also sets the schedule of MCLE fees in consultation with the IBP Board of Governors and with the approval of the Supreme Court.

Justice Carolina
C. Griño-Aquino
Chairperson

Atty. Ma. Luisa L. Laurea
Executive Director

Society for Judicial Excellence

The Committee on Judicial Excellence is in charge of the annual Judicial Excellence Awards for outstanding members of the Judiciary. In choosing the awardees, the Committee on Judicial Excellence, through the Board of Judges, considers the nominees' efficiency and effectiveness in carrying out their duties and responsibilities; their initiatives, innovativeness, and resourcefulness in meeting the exigencies of the service; public perception in terms of honesty, impartiality, diligence, avoiding impropriety, and appearance of impropriety in all activities, and upholding judicial integrity and independence; their noteworthy contributions to the administration of justice; and leadership in the Judiciary and the community.

Atty. Ma. Luisa L. Laurea
Executive Director
Pursuant to Article VIII, section 6 of the 1987 Constitution, the Supreme Court exercises administrative supervision over all lower courts. To properly discharge this constitutional mandate, the Court is assisted by the Office of the Court Administrator (OCA), which was created under PD 828, as amended by PD 842, and further strengthened in a Resolution of the Supreme Court dated October 24, 1996.

The OCA is tasked with the supervision and administration of the lower courts all over the country and all of their personnel. It likewise reports and recommends to the Supreme Court all actions that affect lower court management, personnel and financial administration, and administrative discipline. Christopher O. Lock heads the OCA.

The OCA is assisted by five line offices: the Office of the Administrative Services, the Court Management Office, the Financial Management Office, the Legal Office, and the Office on Halls of Justice.

**Office of the Court Administrator**

**Deputy and Assistant Court Administrators**

- **Zenaida N. Elepaño**
  - Deputy Court Administrator

- **Jose P. Perez**
  - Deputy Court Administrator

- **Reuben P. dela Cruz**
  - Deputy Court Administrator (July 12, 2006 to present)
  - Assistant Court Administrator (Jan. 3, 2005 to July 11, 2006)

- **Antonio H. Dujua**
  - Assistant Court Administrator

- **Christopher O. Lock**
  - Court Administrator (May 3, 2006 - present)
  - Deputy Court Administrator (Sept. 11, 2001 - May 2, 2006)

- **Nimfa C. Vilches**
  - Assistant Court Administrator

**OCA Chiefs of Office**

- **Atty. Thelma C. Bahia**
  - Chief, OCA Court Management Office

- **Atty. Caridad A. Pabello**
  - Chief, OCA Office of Administrative Services

- **Atty. Wilhelminda D. Geronga**
  - Chief, OCA Legal Office

- **Atty. Lilian Barribal - Co**
  - Chief, OCA Fiscal Management

- **Atty. Peter John U. Javier**
  - Officer-in-Charge, Office on Halls of Justice
Presidential Electoral Tribunal

The Presidential Electoral Tribunal (PET) is the sole judge of all contests relating to the election, returns, and qualification of the President and Vice-President. It is composed of the Chief Justice of the Supreme Court as Chairman and the 14 Associate Justices as Members. Officially supervising and administering the activities of the PET is Clerk of Court Atty. Ma. Luisa D. Villarama.

Pending before the PET is a vice-presidential protest filed by Loren Legarda questioning the election and proclamation of Noli de Castro as Vice-President of the Philippines in the May 10, 2004 national elections (PET Case 003). Legarda contested election returns involving 9,007 precincts and ballots involving 124,404 precincts. She indicated as her pilot areas the provinces of Cebu, Pampanga, and Maguindanao, involving a total of 14,959 ballot boxes.

In 2006, with regard to the first aspect of PET Case 003 pertaining to the correction of manifest errors on the election returns, certificates of canvass, and statements of votes, protestant Legarda had already finished presenting her evidence and had already submitted her Offer of Evidence and Memorandum, while protestee de Castro failed to adduce his evidence within the prescribed period for him to do so.

The PET, however, dismissed the second aspect of PET Case 003 concerning the revision of ballots due to protestant Legarda’s failure to make additional cash deposits for the continuation of the revision of the Pampanga ballots.

Judicial and Bar Council

The creation of the Judicial and Bar Council (JBC), which is under the administrative supervision of the Supreme Court, was an innovation in the 1987 Philippine Constitution. Its principal mandate is to recommend to the President at least three nominees for every vacant judicial position as well as vacant positions of Ombudsman and Deputy Ombudsman.

The JBC performs its sacrosanct task of ensuring that the nominees possess not only the minimum constitutional qualifications but also the essential attributes of “proven competence, integrity, probity, and independence.” This is in consideration of the basic principle that the quality of the Judiciary hinges on the quality of the members composing it, the assurance of such quality being necessarily intertwined with the selection process.

The JBC stewardship in 2006 was shared by Chief Justice Artemio V. Panganiban (from December 21, 2005 until his retirement on December 7, 2006) and Chief Justice Reynato S. Puno (from December 7, 2006 up to present) as JBC ex officio Chair.

In 2006, 1,689 of the 2,258 judicial positions had been filled leaving only 569 vacancies for a 25.2% vacancy rate.

Public interviews of 171 candidates for the positions of two Supreme Court Associate Justices, 10 Court of Appeals Associate Justices, Overall Deputy Ombudsman, Deputy Ombudsman for Mindanao, and Deputy Ombudsman for the Military. It also conducted provincial interviews and psychological/psychiatric examinations of 194 applicants for judicial positions in five
The Philippine Judicial Academy was created by the Supreme Court under Administrative Order No. 35-96 on March 16, 1996, and finally mandated by RA 8557 on February 26, 1998. This Republic Act institutionalized PHILJA as a “training school for justices, judges, court personnel, lawyers, and aspirants to judicial posts.” It is headed by retired Supreme Court Justice Ameurfina A. Melencio-Herrera as Chancellor.

In 2006, the PHILJA conducted 119 seminar-workshops including the training of 199 newly appointed judges, 66 more than those of last year’s. Eight hundred twenty-seven judges and 5,214 court personnel attended a total of 39 Orientation Seminar-Workshops on the Code of Judicial Conduct and the Code of Conduct for Court Personnel.

The PHILJA also implemented adult-learning principles and utilized experiential skills-based approaches and incorporated social context and gender issues in its orientation and capacity enhancement programs. In partnership with the Ateneo Human Rights Center and the United Nation Development Fund for Women (UNIFEM), the Academy conducted a two-day Seminar-Workshops on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Gender Sensitivity, and the Courts in its efforts to promote sensitivity as to gender issues among court officials and personnel. It also sponsored a Training of Trainers on the Capacity Enhancement Training for Family Court Judges and Personnel Handling Child Abuse Cases to increase awareness of and sensitivity in handling cases of child abuse.

Aware of the benefits of technology in the dissemination and implementation of its programs, PHILJA, in collaboration with the Government of the United Kingdom and the Child Protection Unit Network, launched six video training modules on Improving Judicial Proceedings Involving Child Sexual Abuse and Exploitation Cases. These were of valuable assistance in the Capacity Enhancement Workshops for Family Court judges and personnel. The Impact Evaluation conducted six months later showed the effective application by the participants of the skills they gained as well as a change in attitude and approach. Moreover, the modules were utilized, both here and abroad, as teaching tools for various Mandatory Continuing Legal Education and UNIFEM-sponsored training activities and in seminar-workshops for prosecutors.

The Academy also continued to avail of the benefits of video conference in simultaneously bringing together large numbers of judicial participants from different sites. A live multiple site video conferencing seminar on RA 9344, “Juvenile Justice and Welfare Act of 2006,” was also conducted for Manila, Davao, Cebu, and Pampanga Family Court Judges and Branch Clerks of Court, Public Prosecutors, Public Defenders and Court Social Workers, all under the Family Court jurisdiction.

In addition, the PHILJA participated actively in the conduct of the Roundtable Discussion and in the Academic, National, and Global Forums on Liberty and Prosperity. The Joint Declaration by the delegates from different parts of the world that the “safeguarding of the rights and liberties of citizens and the promotion of their economic well-being are inseparable key objectives of the Rule of Law” was a fitting finale to the international gathering.

The consistently high ratings given to its programs by participants - an average 97.26% in Profitability and affirmative evaluations as educational experiences - validate the Academy’s committed efforts to continue the realization of its mission and vision as the education arm of the Supreme Court.
Gr. No. 149802, Yuchengco v. Sandiganbayan;
Gr. No. 150320, Yuchengco v. Sandiganbayan;
Gr. No. 150367, Republic v. Sandiganbayan;
Gr. No. 153207, Yuchengco v. Republic; and Gr.
No. 153459, Republic v. Estate of Ferdinand E.
Marcos, January 20, 2006

The Supreme Court granted the petition of the Republic of the Philippines for the reconveyance to it of 111,415 shares of stock of Philippine Telecommunication Investment Corporation (PTIC) registered in the name of Prime Holdings Inc. (PHI) and the corresponding shares in the Philippine Long Distance Telephone Co. (PLDT) for being part of the Marcoses’ ill-gotten wealth. The Court thus reversed the Sandiganbayan’s dismissal of the Government’s complaint for reconveyance for lack of merit. The Sandiganbayan had ruled that the Government failed to prove its case since “almost all the documents offered by the Republic are photocopies.”

The Court, however, held that the government had established by the required ‘preponderance of evidence’ the Marcoses’ ownership of PHI. It found that the Sandiganbayan failed to appreciate the testimonies of Marcos crony Jose Yao Campos, Jr., PHI incorporator and former PHI President Rolando C. Gapud, and former PHI Corporate Secretary Atty. Francisco De Guzman showing that President Marcos is the beneficial owner of PHI.

On August 8, 2006, the Court denied with finality the motion for reconsideration and motion to set oral argument filed by private respondents PHI, the Estate of Ramon U. Cojuangco, and Imelda O. Cojuangco; and the motion for reconsideration filed by Alfonso T. Yuchengco and Y Realty Corporation.

Gr. No. 166429, Republic v. Judge Gingoyon,
February 1, 2006 (Signed Resolution)

The Court denied with finality the Government’s motion for partial reconsideration of its December 19, 2005 resolution ordering the latter to pay PIATCO over Php3 billion before it can take over the facilities of NAIA. It said that the directive requiring payment is in accordance with RA 8974 which requires prior payment to the owner before the Government may acquire possession over the property to be expropriated and that the amount to be initially paid is that which is provisionally determined as just compensation.

The Court likewise denied the motions for intervention filed by Takenaka Corporation, Asahikosan Corporation, and Rep. Salacnib Baterina. The two corporations claimed “significant liens” on the terminal allegedly because of unpaid bills from their contract with PIATCO and by virtue of a judgment rendered in their favor by a London court against PIATCO. The Court, however, held that whatever claims or purported liens Takenaka and Asahikosan against PIATCO or over the NAIA 3 have not been judicially established and that not being parties to the present action, they have not presented any claim which could be acted upon it. As for Rep. Baternina’s motion for intervention, the Court noted that it is premised on his being a taxpayer while the amount to be paid was derived from the money deposited by the Manila International Airport Authority, an agency which enjoys corporate autonomy and possesses a legal personality separate and distinct from those of the National Government and agencies thereof whose budgets have to be approved by Congress.

Gr. No. 163935, NASECORE v. ERC,
February 2, 2006

The Supreme Court junked the Manila Electric Company
Meralco’s increase in generation charge from Php3.1886 per kilowatthour (kWh) to Php3.3213 per kWh for lack of the requisite publication of Meralco’s amended application for the said increase.

The Court said that the amended application of Meralco for the increase of its generation charge is covered by Rule 3, section 4(e) of the Implementing Rules and Regulations (IRR) of RA 9136, “The Electric Power Industry Reforms Act of 2001 (EP IRA),” which requires the publication of any application or petition and a formal hearing on such.

The Court stressed that due process requires that consumers both be notified of and apprised of the contents of any application that would result in compounding their economic burden. In the present case, the Court said that the consumers have the right to be informed of the bases of Meralco’s amended application for the increase of its generation charge in order to effectively contest the same.

GR No. 147932, De Ocampo v. The Honorable Secretary of Justice, January 25, 2006

The Supreme Court affirmed a resolution of the Department of Justice finding probable cause to charge a teacher with homicide and violation of RA 7610, “The Special Protection of Children Against Abuse, Exploitation and Discrimination Act,” for the death of her pupil. The teacher had banged the head of the said pupil against that of another pupil.

GR No. 164953, Lumanlaw v. Peralta, February 13, 2006

The Supreme Court ordered the release from the Manila City Jail of a detainee who has not yet been arraigned despite being imprisoned for almost two years, the same being in violation of his constitutionally guaranteed right to a speedy trial.

GR No. 138381, GSIS v. COA; GR No. 141625, GSIS v. Pineda, February 9, 2006

The Supreme Court ordered the Government Service Insurance System (GSIS) Board of Trustees to refund to its retirees all deductions it made from their retirement benefits representing disallowances by the Commission on Audit (COA). It said that COA disallowances cannot be deducted from amounts properly disallowed by the COA for retirement benefits as the same are explicitly exempted from such deductions under RA 8291, which expanded the coverage and benefits of the GSIS. The Court also ordered the Board to require from the GSIS an accounting of the amounts refunded and those yet to be refunded to respondent retirees.

The Court, however, also said that the deductions made by the GSIS representing amounts properly disallowed by the COA which were covered by valid authorizations by the respondents may be excluded from the refund.

GR No. 168267, House of Representatives v. Loanzon, February 16, 2006

The Supreme Court upheld the appointment of Emmanuel Albano as House of Representatives Deputy Secretary General, Public Information Relations and Information Department (PRID).

The Court held that the position of Deputy Secretary General of the House of Representatives belongs to the career service which under the Civil Service Law is characterized, among other things, by entrance based on merit and fitness to be determined as far as practicable by competitive examinations, or based on highly technical qualifications and security of tenure. The holder of the position can only enjoy security of tenure if the holder possesses the qualifications and eligibility prescribed for it.


The Supreme Court unanimously voided the inclusion of the Subic Bay Freeport Zone in Article 2, section 3.1 of Executive Order No. 156, which prohibits the importation of used motor vehicles into the country. It however declared valid the prohibition insofar as it applies to the customs territory or the Philippine territory outside the presently secured fenced-in former Subic Naval Base area.

“The proscription on the importation of used motor vehicles should be operative only outside the Freeport and the inclusion of said zone within the ambit of the prohibition is an invalid modification of RA 7227 (“Bases Conversion and Development Act of 1992”). Indeed, when the application of an administrative issuance modifies existing laws or exceeds the intended scope, the issuance becomes void, not only for being ultra vires, but also for being unreasonable,” the Court said. RA 7227 allows the free flow of goods and capital within the Freeport in order to attract investors to invest their capital in a business climate with the least government intervention.

GR No. 157977, Rodriguez v. The Honorable Presiding Judge of the Regional Trial Court of Manila, February 27, 2006

The Court held that a prospective extraditee is entitled to notice and hearing before the cancellation of the latter’s bail. The Court held that bail may be granted to a possible extraditee upon a clear and convincing showing that (1) the prospective extraditee will not be a flight risk or a danger to the community, and (2) there exist special, humanitarian, and compelling circumstances.

GR No. 149266, Espino v. Legarda, March 17, 2006

The Court held that a Certification to File Action (CFA) issued under the Katarungang Pambanal Law need not be formally offered in evidence where there was failure to deny the same under oath in their Answer.
GR No. 164774, Star Paper Corporation v. Simbol, April 12, 2006

The Supreme Court declared invalid a company’s policy requiring employees to resign in the event they get married to a co-worker, declaring the said policy to be “an invalid exercise of management prerogative.”

GR No. 1697798, Kilusang Mayo Uno v. Director General, April 19, 2006

The Court upheld EO 420 directing the adoption of a unified ID system for the government, ruling that it does not establish a national ID system but makes the existing sectoral card systems of government entities less costly, more efficient, reliable, and user-friendly to the public.

GR Nos. 169777, Senate v. Ermita; GR No. 169659, Bayan Muna v. Ermita; GR No. 169660, Chavez v. Ermita; GR No. 169667, Alternative Law Groups, Inc.; GR No. 169834, PDP-Laban v. Ermita; and GR No. 171246, Cadiz v. Ermita, April 20, 2006

The Supreme Court upheld the right of Congress to compel the appearance of executive officials in congressional inquiries in aid of legislation by partially voiding EO 464. However, the Court declared “valid on its face” the requirement in EO 464 for executive officials to secure the President’s consent before appearing during the question hour.

In making a distinction between congressional investigations in aid of legislation and investigation during the question hour, the Court said that the former should be untrammeled because it is co-extensive with the power to legislate of Congress. On the other hand, investigations relating to the question hour do not relate to specific legislations but are directed merely to congressional oversight over the implementation of laws.

The Court also held that only the President can invoke executive privilege. She may also authorize the Executive Secretary to invoke the privilege on her behalf, in which case the Executive Secretary must state that the act is “By order of the President,” which means that he personally consulted with the President, it added.

GR No. 169838, Bayan v. Eduardo Ermita; GR No. 169848, Jess Del Prado v. Eduardo Ermita; and GR No. 169881, KMU v. The Honorable Executive Secretary, April 25, 2006

The Supreme Court declared as null and void the “Calibrated Preemptive Response” (CPR) policy of the Government regarding rallies even as it upheld regulations on the right to rally, including the permit requirement, under “The Public Assembly Act of 1985” (BP 880).

However, noting the “pathetic and regrettable” compliance by local governments with the requirement under BP 880 for the establishment of freedom parks in every city and municipality where rallies can be held without a permit, the Court also gave local governments a deadline of 30 days from finality of its decision within which to establish or designate such freedom parks.

Regarding situations where applications for rally permits are left unacted upon by the mayor’s office, the Court said that “as a necessary consequence and as part of maximum tolerance, rallyists who can show the police an application duly filed on a given date can, after two days from said date, rally in accordance with their application without the need to show a permit, the grant of the permit being then presumed under the law, and it will be the burden of the authorities to show that there has been a denial of the application, in which case the rally may be peacefully dispersed following the procedure of maximum tolerance prescribed by the law.”

The Supreme Court also ruled that the denial of permits to rally without providing for an alternative forum, in the form of freedom parks, would be a denial of the constitutional right of the freedom of assembly.

GR No. 158793, Mirasol v. Department of Public Works and Highways, June 8, 2006

The Supreme Court declared constitutional AO 1, issued by the then Department of Public Works and Communications on February 19, 1968, that bans the use of bicycles, tricycles, pedicabs, motorcycles, or any non-motorized vehicle on limited access highways. The Court explained that since the tollway is not an ordinary road, the same “necessitates the imposition of guidelines in the manner of its use and operation.”

On the other hand, the Court declared unconstitutional and in violation of “The Limited Access Highway Act” (RA 2000) Department Orders 74 and 215 released by the Department of PublicWorks and Highways (DPWH) as well as the Revised Rules and Regulations on Limited Access Facilities of the Toll Regulatory Board (TRB). Department Orders 74 and 215, dated April 5, 1993 and June 25, 1998, respectively, declared the North and South Luzon (DO 74), and the Manila-Cavite Toll Expressways (DO 215) as limited access facilities. The Court explained that at the time DPWH issued these orders, it no longer had authority to regulate activities related to transportation. In contrast, AO 1 was issued in 1968 by the then Department of Public Works and Communications when it had the authority to regulate limited access facilities.

Likewise, the Court upheld the decision of the Makati City Regional Trial Court, Branch 147 declaring DO 123, which limits access to the above expressways to only 400cc motorcycles, as unconstitutional for want of authority of the DPWH to promulgate the said order.

GR No. 142299, Bicolandia Drug Corporation v. CIR, June 22, 2006; GR No. 148512, CIR v. Central Luzon Drug Corporation, June 26, 2006

In these two cases, the Court held that the 20% discount given by drugstores to senior citizens in their purchase of medicines shall be applied as tax credit and may be deducted from the tax liability of the private establishments concerned pursuant to RA 7432, or the Senior Citizens
in the Department of Foreign Affairs.

The Court held that MIAA is a government instrumentality and not a government-owned or controlled corporation as defined under section 2(10) and (13) of the Introductory Provisions of the Administrative Code. Citing section 133(o) of the Local Government Code (LGC), the Court said that MIAA, as a government instrumentality, “is not subject to *[t]axes, fees or charges of any kind* by local governments.”

The Court added that the only exception is when MIAA leases its real property to a “taxable person” as provided in section 234(a) of the LGC, in which case the specific real property leased becomes subject to real estate tax. “Thus, only portions of the Airport Lands and Buildings leased to taxable persons like private parties are subject to real estate tax by the City of Parañaque,” the Court said.

The Court ruled that the prescriptive period of Romualdez’s offenses began to run from the discovery of the offense in 1987 when the PCCG filed the cases. The Court noted that the prescriptive period for offenses punishable under RA 3019 was only 10 years prior to its amendment to 15 years by BP Blg. 195 in 1982 and that section 2 of RA 3326, “Act to Establish Periods of Prescription for Violations Penalized by Special Acts and Municipal Ordinances and to Provide When Prescription Shall Begin To Run,” states that “prescription shall begin to run from the day of the commission of the violation of the law, and if the same be not known at the time, from the discovery thereof and the institution of judicial proceedings for its investigation and punishment.”

“The applicable 10-and-15-year prescriptive periods in the instant case, were not interrupted by any event from the time they began to run on May 8, 1987. As a consequence, the alleged offenses committed by [Romualdez] for the years 1962-1982 prescribed in 10 years from May 8, 1986 or on May 8, 1997. On the other hand, the alleged offenses committed by the petitioner for the years 1983-1985 prescribed in 15 years from May 8, 1987 or on May 8, 2002,” the Court said.

Thus the Court ruled that Romualdez’s alleged offenses had already prescribed when the Office of the Special Prosecutor initiated the preliminary investigation in 2004 by requiring the former to submit counter-affidavit. “Indeed, the State has lost its right to prosecute Romualdez for the offenses pending before the Sandiganbayan and the Regional Trial Court of Manila,” the Court said.

The Court held that the silence in section 2 of RA 3326 as to whether the absence of the offender from the Philippines bars the running of the prescriptive period can only be interpreted to mean that section 2 did not intend such an interruption of the prescription unlike the explicit mandate of Article 91 of the Revised Penal Code. Under section 2, the prescriptive period shall be interrupted “when proceedings are instituted against the guilty person.” However, the Court noted that there is no such proceeding instituted against Romualdez to warrant the tolling of the prescriptive periods of the offenses charged against him.

The Court held that those who retain or re-acquire Philippine citizenship under RA 9225, “The Citizenship Retention and Re-Acquisition Act of 2003,” may exercise the right to vote under the system of absentee voting in RA 9189, “The Overseas Absentee Voting Act of 2003,” in effect exempting them from the residency requirements prescribed under Article V, section 1 of the Constitution.

The Court said that “there is no provision in the dual citizenship law, RA 9225, requiring ‘duals’ to actually establish residence and physically stay in the Philippines first before they can exercise their right to vote. On the contrary, RA 9225, in implicit acknowledgment that ‘duals’ are most likely non-residents, grants under its section 5(1)
the same right of suffrage as that granted an absentee voter under RA 9189. It cannot be overemphasized that RA 9189 aims, in essence, to enfranchise as many as possible all Overseas Filipinos who, save for the residency requirements exacted of an ordinary voter under ordinary conditions, are qualified to vote.”

GR No. 167693, People v. Cabalquinto, September 19, 2006

The Court directed that names of women and child victims in sexual abuse cases be withheld in Supreme Court decisions “to respect the dignity and protect the privacy of women and child victims.” Instead, fictitious initials will be used. Likewise, personal circumstances of the victim-survivors or any other information tending to establish or compromise their identities, as well as those of their immediate family or household members, shall not be disclosed. The Court said its ruling effectuates the provisions of RA 7610, “The Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act,” and its implementing rules; RA 9262, or “The Anti-Violence Against Women and Their Children Act of 2004,” and its implementing rules; and the Court’s own “Rule on Violence Against Women and their Children.”

GR No. 174340, In the Matter of the Petition for Issuance of Habeas Corpus of Camilo L. Sabio; GR No. 174318, Gordon v. PCGG; GR No. 174177, Philcomsat Holdings Corp. v. Senate Committee on Gov’t Corp. and Public Enterprises, October 17, 2006

The Court ruled that section 4(b) of EO 1 which exempts PCGG members and staff from the Congress’ power of inquiry is “directly repugnant” to Article VI, section 21 of the Constitution granting Congress the power to conduct inquiries in aid of legislation.

The Court also held that section 4(b) is inconsistent with the principle of public accountability under Article XI, section 1 of the Constitution since it places the PCGG members and staff beyond the reach of courts, Congress, and other administrative bodies. It likewise held section 4(b) as contrary to Article II, section 28 (policy of full public disclosure of all government transactions involving public interest) and Article III, section 7 (right of the people to information on matters of public concern).

The Court ruled that by virtue of Article XVII, section 3 of the Constitution, which states that only those laws and issuances existing at the time of its effectivity not inconsistent with its provision were to remain operative, sec. 4(b) of EO 1 has been repealed.

It likewise upheld the authority of the Senate and any of its Committees to conduct legislative inquiries and all powers necessary and proper for its effective discharge, including the power of contempt.

The Court also dismissed the petition of Philcomsat Holdings Corporation and its directors and officers alleging that the Senate inquiry violates their right to privacy and self-incrimination. The Court said that the subject of the Senate inquiry concerns the discharge of their duties as officers and directors of the corporation and as such, “they have no reasonable expectation of privacy over matters involving their offices where the government has interest. Certainly, such matters are of public concern and over which the people have the right to information.”

GR No. 174153, Lambino v. Comelec; GR No. 174299, Binay v. Comelec, October 25, 2006

The Supreme Court, voting 8-7, dismissed the petition for a People’s Initiative to amend the 1987 Constitution by shifting the present Bicameral-Presidential system to a Unicameral-Parliamentary form of government. The Court affirmed the Commission on Elections’ August 31, 2006 resolution denying due course to an initiative petition to amend the Constitution by petitioners Raul Lambino et al.

The Court said that Lambino Group’s Initiative is a revision and not an amendment, thus violating Article XVII, section 2 of the Constitution limiting the scope of a people’s initiative to “Amendment to this Constitution.”

The Court also ruled that the Lambino Group’s Initiative failed to comply with the requirement of Article XVII, section 2 of the Constitution that the initiative must be “directly proposed by the people through initiative upon a petition.” It noted that the Lambino group submitted to the Court a copy of the paper that the people signed as their initiative petition only after the September 26 oral arguments when they subsequently filed their memorandum. It stressed that the signature sheet did not show to the people the draft of the proposed changes before they are asked to sign the signature sheet. “Clearly, the signature sheet is not the ‘petition’ that the framers of the Constitution envisioned when they formulated the initiative clause in Section 2, Article XVII of the Constitution,” it held.

The Court further ruled that the initiative violated section 5(b) of RA 6735 which requires that the petition for an initiative on the 1987 Constitution must have at least 12 per centum of the total number of registered voters as signatories. It noted that the over six million signatories did not sign the petition nor the amended petition filed with the Comelec.

On November 21, 2006, the Court maintaining its 8-7 vote, denied with finality the motions for reconsideration of its October 25, 2006 decision, saying that the basic issues raised by the motions had already been duly passed upon and that no substantial arguments were presented to warrant the reversal of its decision. Ten justices, however, reiterated their earlier opinions that RA 6735 is sufficient and adequate as an enabling law to amend the Constitution through a people’s initiative.

On December 12, 2006, the Court, in its first En Banc session under Chief Justice Reynato S. Puno, unanimously ruled to deny the motion to file a second motion for reconsideration filed by petitioner Erico B. Aumentado “considering that a second motion for reconsideration is
The Court also clarified that the prohibition against the death penalty did not result in the reclassification of those crimes previously defined as “heinous.” It underscored the fact that the amendatory effects of the law pertain only to the application of the death penalty and not to the classification of felonies.

While the Court conceded that it had no choice but to adhere to Article 22 of the Revised Penal Code and extend the retroactive benefits of the enactment of RA 9346 to persons previously convicted of capital offenses (except habitual criminals), it stressed that “this decision does not make operative the release of such convicts” as there are other remedies under the law which could be utilized to secure the reasonable release of such prisoners.

---

GR No. 164858, Lanot v. Comelec, November 16, 2006

The Supreme Court unanimously voted to dismiss the petition to set aside the petition questioning Eusebio’s proclamation by the Commission on Elections (Comelec) as winner in the 2004 Pasig mayoralty polls and seeking his disqualification for allegedly engaging in an election campaign in various forms on various occasions outside the designated campaign period in violation of section 80 of the Omnibus Election Code (OEC).

It held that the complained of acts were committed before Eusebio “became” a candidate, i.e., the date Eusebio is deemed to have filed his certificate of candidacy for purposes other than printing of the ballots. “Acts committed by Eusebio prior to his being a ‘candidate’ on March 23, 2004, even if constituting election campaigning or partisan political activities, are not punishable under section 80 of the Omnibus Election Code. Such acts are protected as part of freedom of expression of a citizen or partisan political activities, are not punishable under section 80 of the Omnibus Election Code.” Acts committed by Eusebio on or after March 24, 2004, or during the campaign period, were not covered by sec. 80 of the Omnibus Election Code which punishes only acts outside the campaign period,” said the Court.

---

The Court ruled that the prohibition against the death penalty did not result in the reclassification of those crimes previously defined as “heinous.” It underscored the fact that the amendatory effects of the law pertain only to the application of the death penalty and not to the classification of felonies.

While the Court conceded that it had no choice but to adhere to Article 22 of the Revised Penal Code and extend the retroactive benefits of the enactment of RA 9346 to persons previously convicted of capital offenses (except habitual criminals), it stressed that “this decision does not make operative the release of such convicts” as there are other remedies under the law which could be utilized to secure the reasonable release of such prisoners.

---


The Supreme Court upheld the ERC’s March 20, 2003 Decision and May 30, 2003 Order allowing Meralco to increase its rates by Php0.0168 per kilowatt-hour (kWh). Meralco argued before the ERC that the rate increase was to augment its growing operation and maintenance expenses, which include leased properties on customer premises, construction work in progress, and building plants for future use.

Consistent with its concern for the poor, the Court also directed the ERC to seek the assistance of the Commission on Audit in conducting a complete audit of Meralco’s books, records, and accounts to see to it that the rate increases are reasonable and justified. “Stated otherwise, the provisional rate increases will continue to be subject to its being reasonable and just until after the ERC has taken the appropriate action on the COA report,” said the Court.
Supreme Court AnnuAl report 2006

Significant Rules, Guidelines, Circulars,

RULE ON ADMINISTRATIVE PROCEDURE IN SEXUAL HARASSMENT CASES AND GUIDELINES ON PROPER DECORUM IN THE JUDICIARY
AM No. 03-3-13-SC, March 7, 2006

Pursuant to “The Anti-Sexual Harassment Act of 1995” (RA 7877), as implemented by the Rule on Administrative Procedure in Sexual Harassment Cases and Guidelines on Proper Work Decorum, the Court has directed the Executive Judges of the first- and second-level multiple sala courts to submit to the Office of the Chief Justice the list of members of their respective Committees on Decorum and Investigation (CODIs). The SC Clerk of Court was required to do likewise for the SC CODI.

The CODIs have jurisdiction over all complaints for sexual harassment committed by officials and employees of the judiciary except those against judges of regular and special courts and justices of the Court of Appeals, the Sandiganbayan, and the Court of Tax Appeals. Proceedings against magistrates for sexual harassment shall “fundamentally adhere” to Rule 140, sec. 3 of the Rules of Court.

GUIDELINES IN THE COLLECTION OF CONFISCATED BONDS AND EXECUTION OF ORDERS OR FORFEITURE VIS-A-VIS BONDS NOT COVERED BY AM NO. 04-7-02-SC (GUIDELINES ON CORPORATE SURETY BONDS)
Memorandum Circular No. 06-2006, June 20, 2006

These Guidelines, effective immediately, address the matter of outstanding obligations of surety companies that are accredited as well as those no longer accredited under AM No. 04-7-02-SC, which took effect on August 16, 2004.

RE: 2004 RULES ON NOTARIAL PRACTICE
AM No. 02-8-13-SC, August 15, 2006

The Court approved the Memorandum of Agreement between the Office of the Court Administrator and the Office of the Solicitor General relative to the printing and distribution of Notarial Books. The Court also authorized Clerks of Court of Regional Trial Courts to notarize private documents subject to the payment of the prescribed notarial fees, which shall be for the account of the judiciary, and the execution of a certification in the notarized documents that there are no notaries public within the territorial jurisdiction of the concerned RTC.

RE: PHILJA RESOLUTION NO. 06-22, RE: REVISED GUIDELINES FOR THE IMPLEMENTATION OF AN ENHANCED PRE-TRIAL PROCEEDING UNDER THE JURIS PROJECT
AM No. 04-1-12-SC PHILJA, August 29, 2006

Under the revised guidelines, a raffle replaces the pairing system for resumption of judicial proceedings after Judicial Dispute Resolution (JDR) has not succeeded, and the judge conducting the JDR will be called the JDR Judge instead of pre-trial judge when pre-trial proper is resumed after the JDR.

Cases are also allowed a settlement period of 30 days for first-level courts and 60 days for Regional Trial Courts, extendible only upon discretion of the JDR judge. Likewise, settlements reached regarding the civil aspect of criminal cases, wherein the period of payment exceeds one year, may be archived upon motion of the prosecution with concurrence of the private complainant and approval of the judge. Additionally, the civil aspect of theft under Art. 308 of the Revised Penal Code as part of the cases involved is now included for referral to mediation.

RE: AMENDMENT OF RULE 139-B
BM No. 1645, September 5, 2006

Under this amendment to Rule 139-B, sec. 1, par. 2, effective October 2, 2006, the Integrated Bar of the Philippines (IBP) shall forward to the Supreme Court (SC) for appropriate disposition all administrative complaints filed against incumbent and retired justices and judges, whether or not they are charged singly or with other respondents, and whether or not for acts unrelated to the discharge of their official functions. All similar complaints against lawyers still in government service shall also first be referred to the SC for appropriate action.

PROVIDING THE GUIDELINES FOR THE OPERATION OF MOBILE COURTS UNDER THE JUSTICE ON WHEELS PROJECT
Administrative Order No. 72-2006, September 5, 2006

Under the said Guidelines, outside the National Capital Judicial Region, the Justice on Wheels mobile courts shall be deployed initially in localities in the Visayas and Mindanao where the first-level courts are vacant. Upon approval by the Chief Justice of the deployment of a mobile court, the Court Administrator shall direct the Executive Judge in the
judicial region of deployment to coordinate with the local government unit and the Philippine National Police for the purpose of forging a memorandum of agreement on the deployment of the mobile court. The mobile court, as an extension of the regular court or as additional courtroom, shall take cognizance of cases within the jurisdiction and competence of the first-level court in its area of deployment. The Rules of Court, issuances of the Supreme Court on the improvement of access to justice and the speedy disposition of cases, including those on the protection of women and children and on court-annexed mediation and such rules of procedure for mobile courts, as the Court may adopt, shall be applied by the mobile court. A mobile court shall be presided by a first-level court judge in the area where it is assigned or by an assisting judge both designated by the Executive Judge for the purpose.


Administrative Circular No. 81-2006, September 19, 2006

Considering that the generation of sex-disaggregated data will be the basis of the conduct of gender-related interventions in the Philippine Judiciary, the Court directed the aforesaid offices to gather and generate sex-disaggregated data on a yearly basis and to submit these data on the second week of January of the following year to the Committee on Gender Responsiveness in the Judiciary, which is the repository of sex-disaggregated data in the Judiciary.

RE: AMENDMENT OF SECTION 4, RULE 1 OF THE INTERIM RULES OF PROCEDURE GOVERNING INTRA-CORPORATE CONTROVERSIES BY CLARIFYING THAT DECISIONS ISSUED PURSUANT TO SAID RULE ARE IMMEDIATELY EXECUTORY EXCEPT THE AWARDS FOR MORAL DAMAGES, EXEMPLARY DAMAGES, AND ATTORNEY’S FEES, IF ANY.
AM No. 01-2-04-SC, September 19, 2006

These amendments took effect on October 16, 2006.

RE: CIVIL SERVICE COMMISSION MEMORANDUM CIRCULAR NO. 12, S. 2005 (USE OF NON-SEXIST LANGUAGE IN ALL OFFICIAL NON-SECTARIAN DOCUMENTS, COMMUNICATIONS AND ISSUANCES)
Administrative Circular No. 82-2006, September 19, 2006

The aforesaid CSC Memorandum Circular was furnished to all justices, judges, and employees of the Judiciary for their information and guidance.

RE: REQUEST FOR CLARIFICATION WHETHER IT IS STILL NECESSARY FOR JUSTICES AND JUDGES TO SECURE AN OMBUDSMAN CLEARANCE FOR PURPOSES OF THEIR

APPLICATION FOR RETIREMENT
AM No. 06-10-18-SC, October 17, 2006

Relying on the ruling of Maceda v. Vasquez, 221 SCRA 464 (1993), that by virtue of its constitutional power of administrative supervision over all courts and court personnel, it is only the Supreme Court that can oversee judges and court personnel’s compliance with all laws, and take the proper administrative action against them if they commit any violation thereof, it was held that Justices, it was clarified that Justices of the Supreme Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and judges are not required to secure the Ombudsman Clearance for the purposes of their application for retirement.

RE: AMENDMENT OF SECTION 21(I), RULE 141 OF THE RULES OF COURT (AM NO. 04-2-04-SC, AUGUST 16, 2004) BY CLARIFYING THE MANNER OF PAYMENT OF THE INCREASED FEES FOR CORPORATE REHABILITATION PETITIONS, TAKING INTO ACCOUNT THE COURT’S ISSUANCE IN AMENDMENT ON THE CLARIFICATION ON THE LEGAL FEES TO BE COLLECTED IN CASES OF CORPORATE REHABILITATION (AM NO. 00-8-10-SC, DECEMBER 10, 2002)
AM No. 04-2-04-SC, September 19, 2006

Under the amendments, which took effect on October 16, 2006, if the fees amount to less than Php100,000, it shall be paid upon the filing of the petition. However, if the fees exceed Php100,000, it may be paid on a staggered basis, Php100,000 to be paid upon filing and the balance to be paid as follows: 25 percent upon the issuance of an order giving due course to the petition, 25 percent upon the approval of the rehabilitation plan, and 50 percent to be included as part of the preferred payables to be settled in the rehabilitation plan.

RE: CAREER DEVELOPMENT AND MANAGEMENT PLAN FOR THE JUDICIARY
AM No. 06-04-09-SC

The Court approved “The Career Development and Management Plan for Non-Adjudicative and Support
The Standing and Ad Hoc Committees of the Supreme Court made significant contributions in making 2006 a fruitful year for the Court. Among their major contributions are the following:

### Standing Committees

**Committee on Public Information**

In March 2006, a Special Task Force under the Committee on Public Information (CPI) developed standardized brochures on the *Action Program for Judicial Reform* and its projects. The following brochures were produced: Caseflow Management System (CFS), Court Administration Management Information System (CAMIS), Electronic Library, Gender and Development, Halls of Justice, and Justice on Wheels (JOW). Five thousand copies of these brochures were printed and distributed to court stakeholders during the *National and Global Forums on Liberty and Prosperity*, among other Judiciary events and activities.

In November 2006, the CPI facilitated the signing of a Memorandum of Agreement (MOA) between the European Commission and the Department of Social Welfare and Development regarding the inter-agency *Access to Justice for the Poor Project*.

**Committee on Computerization and Library**

In 2006, the Supreme Court Committee on Computerization, chaired by Chief Justice Artemio V. Panganiban, and the Committee on Library, chaired by Justice Antonio T. Carpio, merged with the latter named as Chairperson and with members from both committees, per Memorandum Order No. 23-2006, dated February 7, 2006.

Through the Committee’s efforts, a Memorandum of Agreement (MOA) between the Supreme Court and the Landbank of the Philippines for the implementation of the *E-Payment System* was signed on March 22, 2006 pursuant to Administrative Memorandum No. 05-8-15-SC, dated February 15, 2006.

The *E-Payment System* allows the Judiciary to electronically assess and collect legal fees to ensure correct assessment and maximum efficiency in collection. In the initial six-month pilot implementation, the system allowed electronic assessment, cashiering, and payment facilities in the courts of Quezon City and Makati City. Besides this, Landbank also assisted the Office of the Court Administrator in setting up the appropriate security features as well as information and communication technology infrastructure. A memorandum of agreement was also signed between the Department of Foreign Affairs and the SC to digitize treaties, exclusive agreements, and other international agreements. These digitized copies will be uploaded to the Supreme Court E-Library.

The Committee also provided accessibility to the E-library in selected law schools nationwide. The E-library is a fully-searchable web-based digital library containing decisions of the SC, laws passed by Congress, and other legal materials that helps judges, court attorneys, and law students in their legal research and provides them with up-to-date jurisprudence. The schools that have access to the E-library include Arellano University in Pasay City, St. Louis University in Baguio City, Aquinas University in Albay, University of San Carlos in Cebu City, Siliman University in Dumaguete City, Mindanao State University in Marawi, Xavier University in Cagayan de Oro, and Ateneo de Davao.

To aid in the maximization of the Court’s resource allocation for computerization of the courts, the Committee introduced the Open Source Systems Software. Unlike licensed software sold by companies, the latter has very little or non-existent intellectual property restrictions.

Finally, the Committee also replaced the names as well as other identifying information of women and children who are victims of crimes covered under Republic Act 9262, “The Anti-Violence Against Women and their Children Act of 2004,” in electronic copies of the E-library.

**Committee on Advanced Syllabi**

From January to December 2006, the Committee on Advanced Syllabi printed a total of 36,000 copies of the monthly case digests as compared to last year’s 33,000 copies. The Committee also printed 5,950 copies of the quarterly *Court Systems Journal*.

**Committee on Gender Responsiveness in the Judiciary**

In its continuing efforts to create a gender-fair Judiciary, the Committee on Gender Responsiveness in the Judiciary (CGRJ) initiated two training seminars in partnership with the United Nations Development Fund for Women (UNIFEM) through the Ateneo Human Rights Group in 2006.
The training seminars participated in by a total of 70 lawyers and legal researchers from the Judiciary, emphasized the application of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in deciding cases involving women’s issues.

In March that same year, the Committee launched an exhibit in celebration of Women’s Month with the theme KKK: Kababaihan, Katarungan, Karapatan, ‘May K ka ba?’. Among the activities was an inter-agency celebration at the Amoranto Stadium, Quezon City participated in by a total of 74 delegates from the Court.

Finally, the Committee launched its Online Gender Corner in the Supreme Court website. It contained information on the activities of the CGRJ, sex-disaggregated data from SC offices, and laws on women.

Committee on Protocol
Tasked primarily with providing protocol work for the Court’s social and ceremonial functions, the Protocol Committee was formed in 2002. The Committee’s functions also include courtesy calls, airport courtesies, diplomatic functions, receptions for visiting dignitaries, and dialogues and meetings between members of the Court and members of the diplomatic community.

For the year 2006, members of the Protocol Committee underwent a short course on foreign languages. This was held from September 2006 to January 2007. In addition, the Committee provided protocol assistance to the National and the Global Forums on Liberty and Prosperity.

Committee on Executive-Legislative Relations
Organized primarily to improve the relations of the Judiciary with the two other branches of government and to act as liaison with the other departments relative to the constitutionally-mandated fiscal autonomy of the Judiciary, the Committee on Executive-Legislative Relations (LERCOM) has recently expanded its tasks to include other judicial concerns vis-à-vis the Executive branch and, most especially, Congress.

One of the most significant accomplishments of the LERCOM for 2006 was its passage of the CY 2007 budget of the Supreme Court of the Philippines and Lower Courts (SCPLC) under RA 9401 or the General Appropriations Act of 2007. In line with this, the technical working group of the LERCOM attended various meetings with the officials of the Department of Budget and Management (DBM) and raised SCPLC’s concerns on the budgetary figures recommended by the budget department.

Committee on Security
In 2006, the Committee on Security was reorganized with Justice Cancio C. Garcia Chairperson and Court Administrator Presbitero J. Velasco, Jr. as Vice Chairperson, per Memorandum Order 2-2006, dated January 2, 2006.

In coordination with the US Agency for International Development (USAid), through the Rule of Law Effectiveness (ROLE) Project, the Committee approved the Memorandum of Agreement between the Supreme Court and the National Bureau of Investigation (NBI) for the purpose of more efficient security measures for justices and judges. In the approved MOA, a provision for three representatives from the United States Marshals will aid the Court in assessing the Judiciary’s security arrangements and provide the necessary technical assistance for the implementation of the needed security measures.

The Supreme Court Health and Welfare Plan Committee
The Supreme Court Health and Welfare Plan (SCHWP) is a medical assistance scheme for justices, judges, officials, and employees of the Supreme Court and lower courts. Its standard benefits include annual hospitalization (Php50,000), out-patient medical care (Php20,000), burial assistance (Php20,000), for serious ailments (Php20,000).
For 2006, a total of 3,545 claims were processed and evaluated by the various screening committees. Ninety-three percent of said claims, or 3,299, were approved. The total amount of approved claims amounted to Php34,442,596.92.

**Supreme Court Program on Awards and Incentives for Service Excellence**

For 2006, the Supreme Court Program on Awards and Incentives for Service Excellence (SC PRAISE) gave out 11 Service Awards to compulsory retirees for 2006. Among the recipients was Chief Justice Artemio V. Panganiban, who retired in December 7, 2006.

The Committee also awarded a total of 189 loyalty service pins to employees. It gave 7 gold with pearl service pins for 35 years of service, 8 gold pins for 30 years of service, a total of 39 silver pins for 20 and 25 years of service, and 135 bronze pins for 10 and 15 years of service. Awards were also given by the Committee to the Model Employees of 2006 namely Susana E. Agulto (Supervisory Level) and Fortunato E. Futalan (Non-Supervisory Level). A special award was also given to Gloria T. Cambel for Perfect Attendance.

**Personnel Development Committee**

For 2006, the Personnel Development Committee recommended the approval of the participation of a total of 55 participants including some justices and key officials of the Judiciary for both short- and long-term trainings funded by the Australian Government through the Philippine Australian Human Resource Development Facility (PAHRDAF).

Among these seminars include the four-month Human Resources Development course “Towards a Strengthened Human Resource Management Development of the Judiciary.” The course aimed to promote the career development and improve the knowledge and skills of judicial employees as well as prepare them for higher responsibilities. The seminar resulted in the proposed Career Development Plan for the Judiciary.

Another seminar, the Management Development Course for Court Administrators participated by officials of the Office of the Court Administrator, was given to help the Supreme Court contribute to poverty alleviation and sustainable development.

**Bids and Awards Committees for the Judicial Reform Support Project**

By the end of 2006, a total of 36 resolutions were issued by the Bids and Awards Committee for the Judicial Reform Support Project (BAC-JRSP) for the construction and/or renovation of the mobile courts and the Halls of Justice in Manila, Pampanga, and Cebu. Some of the approved resolutions comprised the procurement of equipment for the computerization of the courts, specifically for the pilot implementation of the E-Payment System.

**Committee on Revision of the Rules of Court**

For 2006, the Committee spent several meetings planning and eventually forming several sub-committees to study, discuss, deliberate, and later on, submit recommendations to the Committee on Revision of the Rules of Court on queries addressed to the En Banc. Its sub-committees formed in 2006 are as follows: Arbitration, Discipline, Evidence, Family Courts, Foreign Judgments, and Special Rules.

**Committee on Foreign Travel**

The Committee acted upon several applications for foreign travels by justices, judges, and court personnel. The requests include foreign travels on official business or official time and those at the exclusive expense of the traveling official or employee of the Judiciary. The applications were all acted upon within a reasonable time.

**Committee on Bids**

Aside from conducting regular biddings for various regular supplies, projects, and services, for 2006, the Committee procured several Biometrics Machines (ID Teck), which are now being used by SC employees, replacing the old Chronolog Machines and via direct contracting, Anti-Virus Softwares.

**Bids and Awards Committee for Halls of Justice**

The Halls of Justice-Bids and Awards Committee (HOJ-BAC) was constituted to take charge of the procurement needs of the Halls of Justice nationwide. In 2006, the HOJ-BAC undertook the procurement for repair, renovation, and rehabilitation projects in 41 HOJs nationwide.

The HOJ-BAC also conducted the public bidding for security services in Clusters I, II, IV, V, VII, VIII, XI, XII, and XIII (NCR) and janitorial services in Cluster I, II, IV, V, VII, VIII, IX, XI, and XIII (NCR). In order to ensure the participation of local contractors, the HOJ-BAC held public biddings in the cities of Zamboanga and Iloilo.

**Committee on Disposal of Forfeited Real Property Bonds**

This Committee was reconstituted in 2006.

**Other Standing Committees**

As of December 2006, the other Standing Committees of the Supreme Court include the Change Management Committee; Executive Committee for Judicial Reform Program; Selection and Promotion Board Committee; Sub-Committee on E-Commerce; Sub-Committee on Rule on Juveniles Charged with Violation of the Comprehensive Dangerous Drugs Act; Raffle Committee for En Banc Cases; Project Steering Committee (PSC) and the Project Task Force (PTF); Raffle Committee for Division Cases; Committee on Legal Education and Bar Matters; Management Committee and Component Working Committees for the Judicial Reform Support Project; and the Committee on Foreign-Assisted Projects Under the APJIR.

**Ad Hoc Committees**

**Bids and Awards Committee for Infrastructure Projects**

For 2006, a major renovation of the Supreme Court,
as approved by the Bids and Awards Committee for Infrastructure Projects, was the conversion of the 4th Floor Multipurpose Building into a new office for Clerk of Court 3rd Division. Also, three new public restrooms were constructed, two of which specifically made for the physically incapacitated. Also, 11 restrooms in two SC buildings were repaired and renovated.

**Bids and Awards Committee for Office Uniforms for the Supreme Court and the Presidential Electoral Tribunal**

In January of 2006, the Bids and Awards Committee for Office Uniforms for the Supreme Court (SC) and the Presidential Electoral Tribunal (PET), implemented the wearing of prescribed uniforms.

**Procurement Planning Committee**

As of December 31, 2006, the Procurement Planning Committee had spent a total of Php256,251,115.58, for the procurement of supplies needed by the offices of Supreme Court as well as those of the lower courts.

**Shuttle Bus Committee**

Despite an increase in fuel prices, the Court’s shuttle buses continued to ferry court employees to and from its fixed routes, namely, Bulacan, Las Piñas, Cainta, Valenzuela, Novaliches, Fairview, Laguna, Cavite and Marikina. The buses also served the transportation needs of the various offices, groups, and organizations of the High Court for their training/workshops.

**Committee on Justice on Wheels**

From the beginning of its operation in 2004, the mobile court system or the Justice on Wheels (JOW) has been deployed to different component cities of Metro Manila, i.e., Manila, Quezon City, Pasig City, Kalookan, Makati, Muntinlupa, and Antipolo City of the Province of Rizal and the National Training for the Boys in Tanay, Rizal and has released some 300 minors from detention. The JOW mobile court has and continues to travel to city jails and youth centers and hears cases thereat. Two mobile courts have been assembled for deployment.

**Other Ad Hoc Committees**

Other Ad Hoc Committees include the Bids and Awards Committee for Consultancy Projects; Bids and Awards Committee for the Office Uniforms for the Lower Courts; Ad Hoc Committee to Formulate Guidelines on the Rates of Allowances for Local and Foreign Travels of Officials and Employees of the Judiciary; Sub-Committee for the Study, Drafting, and Formulation of the Rules Governing the Appointment of Notaries Public and the Performance and Exercise of their Functions; Task Force: Information Systems Strategic Plan for the Judiciary; and Task Force to Review Status of Pending Cases.

**New Standing and Ad Hoc Committees for 2006**

Among the new committees created in 2006 were the Committee for Administrative Concerns; Advisory Committee for the Disbursement of the Judiciary Development Fund; Task Force on the E-Payment System; Committee on Zero Backlog of Cases; Drug Prevention Committee for First- and Second-Level Courts; Task Force for a Health and Welfare Program for Lower Court Judges; CAMIS Roll-out Implementation Team; Task Force for the Judiciary Information and Communication Technology Literacy Program; MISO Task Force for the MISO Reorganization; Caseflow Management Task Force; Committee on Linguistic Concerns; and the Task Force on...
Significant Forums, Conferences, Seminars, and Workshops

National Academic Forum on Liberty and Prosperity
The Supreme Court spearheaded the National Academic Forum on Liberty and Prosperity at the San Beda Graduate School of Law on July 20, 2006. Members of various graduate schools of law, governance, and policy studies convened to discuss the judicial philosophy of Chief Justice Artemio V. Panganiban of protecting liberty while nurturing prosperity.

Dr. Purificacion V. Quisumbing, chairperson of the Commission on Human Rights and the Department of Ethics and Judicial Conduct of the Philippine Judicial Academy (PHILJA), moderated the forum.

Key public officials, legal luminaries, and noted political commentators from all three branches of the government took part in the two-day National Forum on Liberty and Prosperity on August 24 and 25, 2006 at the Manila Hotel, to examine a new dimension to the functions of the justice system and the legal profession in “safeguarding liberty and nurturing prosperity.”

Participants to the forum, which also included representatives from the civil society, the media, the business sector, and the academe, exchanged ideas and opinions on Chief Justice Artemio V. Panganiban’s judicial philosophy during the panel discussions. Among the notable initiatives proposed in the resulting resolutions of the discussions were the passage of a law mandating pro bono cases, the translation of court decisions into Filipino, and the expansion of the scope of review in petitions for habeas corpus to include errors of law.

Panelists included Senator Edgardo Angara and Congressman Francis G. Escudero for the Legislative branch, National Economic Development Authority Director General Romulo L. Neri for the Executive branch, and Senior SC Justice Reynato S. Puno, and retired SC Justice Jose C. Vitug for the Judiciary.

Global Forum on Liberty and Prosperity
Over 400 delegates — including lawyers, diplomats, academicians, economists, legislators, policymakers, executive officials, non-governmental organizations, developmental partners, and 12 chief magistrates — from 33 countries took part in the Philippine Supreme Court-hosted Global Forum on Liberty and Prosperity held on October 18 to 21, 2006, at the Makati Shangri-La Hotel.

The participants to the three-day forum converged in five plenary sessions to examine “Liberty and Prosperity” as a philosophy and as policy imperatives, to consider the challenges confronting its fulfillment, to forge international understanding of the principles of “Liberty and Prosperity,” and to adopt a declaration promoting the said twin beacons.

Through the resulting Joint Declaration on Liberty and Prosperity issued at the conclusion of the event, the forum participants vowed to safeguard the rights and liberties of their citizens and promote their economic well-being, these being inseparable key objectives of the rule of law.
The foreign chief justices who graced the forum were: Chairman Arman Mkrtumyan, Chambers of Civil Issues of the Court of Cassation; President Saliou Aboudou of the Supreme Court of Benin; Chief Justice Beverley McLachlin, Supreme Court, Canada; Chief Justice Lance Sidney George Finch, Supreme Court of British Columbia, Canada; President Guy Canivet, Cour de Cassation, France; Chief Justice F. Philip Carbulldo, Supreme Court, Guam; Chief Justice Mr. Dilip Kumar Paudel, Supreme Court, Nepal; Chief Justice Vyacheslav Mikhailovich Lebedev, Supreme Court of the Russian Federation; Chief of Justice Anton Ivanov, Supreme Arbitration Court of Russia, President Milan Karabin, Supreme Court, Slovak Republic, and Chairman Viktor Gorodovenko, Supreme Court of Ukraine.

Fourth Conference of Asian Constitutional Court Judges
Senior Associate Justice Reynato S. Puno and 25 foreign magistrates and delegates from nine Asian countries led the Fourth Conference of Asian Constitutional Court Judges held at the Diamond Hotel in Manila from November 29 to 30. The theme of the forum was “Constitutional Jurisdiction between State, Culture and Religion – Striking the Right Balance.” The delegates discussed their respective country’s experiences and best practices on the relation between state, culture, and religion. They also exchanged opinions as regards the conflict of interests between basic rights and the balancing of different constitutional values.

Associate Justice Consuelo Ynares-Santiago formally opened the assembly of Asian jurists together with Klaus Preschle, Country Representative of the German political foundation Konrad-Adenauer-Stiftung. Chief Justice Artemio V. Panganiban was the keynote speaker.

Participating countries included Cambodia, China, Indonesia, Korea, Lithuania, Malaysia, Thailand, Vietnam, and the Philippines.

Judicial and Bar Council Workshop
The Judicial and Bar Council (JBC), together with the Program Management Office (PMO) and the American Bar Association-Asia Law Initiative (ABA-ALI), conducted a Strategic Operations Planning Office on March 10 and 11, at the Pan Pacific Hotel Manila. The workshop was aimed at strengthening the function of the JBC in determining nominees to the Bench by preparing a plan to operationalize the reform measures provided in AM No. 03-11-16-SC, strengthening the role and capacity of the Council, and reviewing the rules of the JBC in order to reduce the vacancy rates in the Judiciary.

JBC Dialogue with Various Regional Sectors
The JBC started conducting regional dialogues to encourage various societal sectors to participate in the search and recruitment of possible members of the Bench. These dialogues were also aimed at providing a venue for the various sector representatives to gain information on the Council’s search, screening, and selection processes, and for interaction and exchange of insights with the Council in order to explore new arenas for improvement in these processes.

The first regional dialogue (Region I) was held in San Juan, La Union, on July 13, 2006; the second (Region VII) in Tagbilaran City, Bohol, on September 5, 2006; the third (Region X) in Cagayan de Oro City, on October 4, 2006; and the fourth (Region IV) in Tagaytay City, on December 14, 2006.

Seminar on the Judiciary and the Action Program for Judicial Reform (APJR) for the Media
The Seminar on the Judiciary and APJR for the Media, held on April 24, at the Baguio Country Club during the Court’s summer session, brought together the justices and the officials of the Supreme Court and members of the Justice and Court Reporters Association (JUCRA), the Justice Reporters Organization (JUROR), and the Baguio media.

The event was undertaken to give the members of the media an overview of the Philippine Judiciary and its role in our system of government, as well as to update them on the different projects of the Court, such as the Justice on Wheels project, and the E-Library.

The members of the media were also given a lecture on the various considerations in Judiciary-Media Relations such as the rule on sub judice cases and confidentiality.

Judge-to-Judge Dialogue on Docket Management
A Judge-to-Judge Dialogue on Docket Management between the Office of the Court Administrator and selected judges from the first- and second-level courts in the National Capital Region was held on June 1, 2006, at the Manila Pavilion Hotel. Organized by the PMO and the ABA-ALI, the event was organized in recognition of the need to arrive at effective solutions to the perennial problem of case congestion.

Among the matters discussed in the dialogue were the importance of time management in relation to docket management, the large number of vacancies in the courts, the various initiatives of the JBC that led to a significant number of judicial appointments in recent years, and the importance of information technology innovations as effective tool in managing court dockets.

Court Administrator Christopher O. Lock and Deputy Court Administrator Zenaida N. Elepaño subsequently facilitated
PHILJA Core Programs

In 2006, the PHILJA conducted one Pre-Judicature Program with 30 participants. It also conducted five Orientation Seminar-Workshops for Newly Appointed Judges, in which 119 judges participated, and two Orientation Seminar-Workshops for Newly Appointed Clerks of Court, with a total number of 70 participants. The PHILJA also organized its Continuing Legal Education program for court attorneys which involved 548 participants from the SC, the CA, the Sandiganbayan, and the Court of Tax Appeals.

Multi-Sectoral Seminar-Workshop on Agrarian Justice

The PHILJA conducted two Multi-Sectoral Seminar-Workshop on Agrarian Justice: one in Dumaguete City on July 9 to 12, 2006, attended by 70 participants, and one in Davao on October 17 to 19, 2006, attended by 50 participants. These seminar-workshops were conducted in partnership with the Agrarian Justice Foundation and in cooperation with the Department of Agrarian Reform and Department of Justice. Participants to the said workshops included judges, prosecutors, PAO lawyers, non-governmental organizations, people’s organizations, and representatives from local government units.

CEDAW and Gender Sensitivity

As part of the Supreme Court’s campaign towards a more gender-responsive Judiciary, the PHILJA spearheaded two workshops aimed to increase awareness and deepen the understanding of court personnel of women’s human rights under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to enhance the court personnel’s knowledge on how CEDAW can be applied in Court issuances, and to develop awareness and skill in using gender-fair language.

The Symposium and Workshop on Gender Sensitivity for Supreme Court Lawyers was held on March 28, 2006, at the SC Old Session Hall. The one-day symposium was conducted as part of the Committee on Gender Responsiveness in the Judiciary’s activities for Women’s Month.

On the other hand, selected lawyers from various SC offices, the Court of Appeals (CA), Sandiganbayan, and the Court of Tax Appeals participated in a seminar-workshop on CEDAW, Gender Sensitivity, and the Courts on October 5 to 6, 2006, at the Justices’ Lounge of the CA. The two-day seminar-workshop was organized by the Philippine Judicial Academy, in partnership with the SC Committee on Gender Responsiveness in the Judiciary (CGRJ) - Sub-Committee on Training and Capacity Building, the Ateneo Human Rights Center (AHRC), and the United Nations Development Fund for Women (UNIFEM).

The National Conference on Court-Annexed/Referred Alternative Dispute Resolution Mechanisms

The first National Conference on Court Annexed/Referred ADR Mechanisms, organized by the PHILJA, in partnership with the United States Agency for International Development (USAID) and in cooperation with The Asia Foundation (TAF), was held on November 27 and 28, 2006 at the Century Park Hotel, Manila.

The two-day Conference, which adopted Ayusin ang Gusot, Habaan ang Pasensya as its theme, was aimed at providing appropriate, reasonable, and ethical dispute resolution mechanisms in accordance with the vision of the Judiciary. The program highlighted the oathtaking of 71 Appellate Court Mediators, as administered by Chief Justice Panganiban, the presentation of the Integrated Training Curriculum or the Resource Handbook for the Mediation Training Program of PHILJA, the presentation of the Center for Public Resources Management’s study of the Organizational and Financial Study of the Philippine Mediation Center and its Units, and the presentation of the Communication Program for Mediators.

E-Library Orientation and Training Workshop

The Supreme Court Committee on Computerization and Library conducted a series of orientations and training workshops on the use of the E-Library on legal research in March and in July 2006 at the Centennial Training Room.

The said workshops were attended by the chiefs of offices and lawyers of the Court as well as personnel from the Office of the Court Administrator, the Philippine Judicial Academy, and other offices. Participants to the said workshops were given an overview as to how to access the E-Library and the different methods of searching the materials in the digital library.

Employee Development and Training

The Training Division of the Office of Administrative Services conducted a total of 13 training workshops in 2006. These programs included Employee Effectiveness Training Course, two batches of Security Refresher and Reorientation Training, teambuilding activities for the SC Library Services, the PMO, and the Court of Tax Appeals officials and employees, the Stress Management Seminar.
The Supreme Court penalized a number of its officials and employees for falling short of the stringent standards required of public servants.

The Court gave no space for uncourtly conduct and speech as it suspended a male lawyer for two years and his spouse for two months for using “very disrespectful, insulting, and humiliating” language, such as “abhorrent nullity,” “legal monstrosity,” “horrendous mistake,” “horrible error,” “boner,” and “an insult to the judiciary and an anachronism in the judicial process” in their Motion for Reconsideration of a resolution issued by a judge (AC No. 5921, Lacurom v. Jacoba and Velasco-Jacoba, March 10, 2006). It also fined a clerk for making offensive and foul remarks, such as “fuck you” and a dirty finger sign in public, in retaliation against her erstwhile friend. (AM No. P-06-2171, Nacionales vs. Madlangbayan, June 15, 2006)

Exceeding the boundaries of propriety and regularity, a judge was reprimanded for improper conduct for discussing the merits of a pending case pending before his sala with a party without the latter’s counsel and the adverse party. “It is improper for respondent to meet with the complainant and his wife to discuss the merits of the case without the presence of the accused and his counsel no matter how noble his intentions may have been,” the Court said. (AM No. MTJ-05-1605, Abesa vs. Nacional, June 8, 2006)

A judge was reprimanded for abusing his authority when he ordered the arrest of his former clerk of court on the basis of a mere intent to sue the latter for unjust vexation. The clerk of court, on the other hand, was fined for conduct unbecoming a public officer when he mimicked and ridiculed the judge in front of other people by aping the judge in a squeaky, comical voice whenever the latter greets court employees. (AM No. P-05-1950, Bravo v. Morales; AM No. MTJ-1612, Morales v. Bravo, August 30, 2006)

A judge was admonished for allowing surety agents to freely enter his chambers and discuss their business with him, and either unwittingly or unwittingly, permit these agents to give instructions or orders to members of his staff to prepare the release orders. His staff members were suspended for neglect of duty. (AM No. 04-6-332-RTC, Report on the Investigation Conducted on the Alleged Spurious Bailbonds and Release Orders Issued by the Regional Trial Court, Branch 27, Sta. Cruz, Laguna, April 5, 2006)

For “imprudently” substituting his own judgment for that of the Court, a judge was fined for indirect contempt after he granted the motions for reconsideration and re-

determination of probably cause and downgrading the charges of double murder and multiple frustrated murder against a former town mayor and his two sons, and a chief of police. (GR No. 172390, Limbona v. Lee, November 20, 2006)

Aside from disqualification from reappointment as notaries public for two years, two lawyers were recently suspended for one year and their commissions as notaries public revoked for dereliction of duty and inexcusable negligence, particularly incorrect entries in their respective notarial registers. “The notary public is personally accountable for all entries in his notarial register. Respondents cannot be relieved of responsibility for the violation of the aforesaid sections by passing the buck to their secretaries, a reprehensible practice which to this day persists despite our open condemnation,” the Court said. (AC No. 5377, Lingan vs. Calubaquib and Baliga, June 15, 2006)

A lawyer was suspended for three months for making “reckless” statements about an alleged “pay off” in the Judiciary. Two court lawyers from the Court of Appeals, for their part, were admonished for engaging in unauthorized private practice of law and filing a petition for commission as notary public while employed in the Judiciary. (AM No. CA-05-19-P, Muring, Jr. v. Gatcho, August 31, 2006). A lawyer was suspended for representing conflicting interests by representing a subsequent client against a former client in a matter related to the subject of the previous litigation. (AC No. 6554, Ilusorio-Bildner vs. Lokin, Jr., and the Board of Governors of the IBP, June 5, 2006).
Suspension for a total of four years: This was the penalty imposed by the Court on a lawyer for committing two offenses — immoral conduct (bigamy) and deliberately subscribing and notarizing 14 legal documents on different dates from 1988 to 1997 despite the expiration of his notarial commission on December 31, 1987. (AC No. 6010, St. Louis University Laboratory High School Faculty and Staff v. dela Cruz, August 28, 2006)

Disbarred was a lawyer who was under the influence of liquor when he shot a taxi driver over a minor traffic accident. (AC No. 6792, Soriano v. Dizon, January 25, 2006)

A lawyer was suspended for one year for gross negligence in handling two civil cases. He not only failed to file the pre-trial brief of his clients within the required period but worse, did not submit the brief when he filed a motion for reconsideration of the order of dismissal several months later. In another case, he failed to file the necessary pleadings causing its dismissal, which was later reconsidered. He also omitted to apprise his clients of the status of the two cases and even assured them that he was diligently attending to said cases. (AC No. 4676, Sps. Soriano v. Reyes, May 4, 2006)

Two lawyers were suspended for misconduct after they misappropriated their client’s vehicle for alleged payment for their services. (AC No. 6128, Hsieh v. Quimpo and Quimpo, December 19, 2006)

Another lawyer was suspended for one month for making a false declaration in a public document when she attested it was acknowledged before her on January 9, 2001, when in truth it was notarized in 2002. (AC Nos. 5907 and 5942, Modejar vs. Rubia, July 21, 2006)

A lawyer was suspended for two years for failing to turn over Php255,000 of his client’s money. He was also ordered to restitute the amount. (AC No. 7057, Almendarez, Jr. v. Langit, July 25, 2006).

Suspended for six months was a lawyer who refused to pay his Php100,000 loan. He issued promissory notes but reneged on them; executed a simulated Deed of Absolute Sale; broke his promise to redeem the property from the mortgagee; and issued several checks which were all dishonored due to closed account. (AC No. 6955, Yuson v. Vitan, July 27, 2006)

The Court suspended for two years a lawyer after he was found guilty of intentional falsehood, misusing judicial processes, and collaborating with persons not licensed to practice law. (AC No. 7056, Plus Builders, Inc. and Garcia v. Revilla, Jr., September 13, 2006)

A lawyer who neglected to protect his client’s interest and for attempting to delay and obstruct the investigation being conducted against him was suspended for six months. (AC No. 7062, Sambajon v. Suing, September 26, 2006)

Because of falsehood, a lawyer of the Judge Advocate General’s Service was suspended from the practice of law but not from the military service. (AC No. 6198, Maligaya v. Doronilla, Jr., September 15, 2006)

Motions for reconsideration of resolutions of the Integrated Bar of the Philippines (IBP) in disciplinary cases may be filed by aggrieved parties. “Certainly, prudence dictates that the IBP be given the opportunity to correct its mistakes, if any, by way of motions for reconsideration before this Court takes cognizance of the case. This is to further insure that the grievance procedure will be allowed to duly run its course–a form of filtering process, particularly respecting matters within the competence of the IBP, before we step in,” said the Court. It thus laid down the following guidelines to be observed by the IBP in disciplinary cases against lawyers:

1. The IBP must first afford a chance to either party to file a motion for reconsideration of the IBP resolution containing its findings and recommendations within fifteen (15) days from notice of receipt by the parties thereon;
2. If a motion for reconsideration has been timely filed by an aggrieved party, the IBP must first resolve the same prior to elevating to the Court the subject resolution together with the whole record of the case;
3. If no motion for reconsideration has been filed within the period provided for, the IBP is directed to transmit to the Court, for final action, the subject resolution together with the whole record of the case;
4. A party desiring to appeal from the resolution of the IBP may file a petition for review before the Court within fifteen (15) days from notice of said resolution sought to be reviewed; and
5. For records of cases already transmitted to the Court where there exist pending motions for reconsideration filed in due time before the IBP, the latter is directed to withdraw from this Court the subject resolutions together with the whole records of the cases, within 30 days from notice, and, thereafter, to act on said motions with reasonable dispatch. (AC No. 7055, Ramientes v. Reyala, July 31, 2006)
Reiterating that it has already ruled that “prescription does not lie in administrative proceedings against lawyers,” the Court struck down as void and of no legal effect Section 1 of Rule VIII of the CBD-IBP Rules of Procedure which provides: “A complaint for disbarment, suspension or discipline of attorneys prescribes in two (2) years from the date of the professional misconduct.” (AC No. 5565, Frias v. Bautista-Lozada, May 4, 2006)

A now-retired judge was fined for disobedience after he failed to promptly comply with the directives of the Office of the Court Administrator (OCA) and the SC requiring him to explain his failure to properly supervise the attendance of his personnel. Six of his court personnel were also penalized for failing to log in their attendance in the logbook (AM No. P-04-1838, Re: Audit Report on Attendance of Court Personnel of RTC, Branch 32, Manila, August 31, 2006)

Stressing that illness, moral obligation to family and relatives, performance of household chores, traffic, and health or physical condition are not sufficient reasons to excuse habitual tardiness, two employees were suspended; three, reprimanded; while eight were warned for incurring habitual tardiness in the second semester of 2005. (AM No. 2006-11-SC, Re: SC Employees Incurring Habitual Tardiness in the 2nd Semester of 2005, September 13, 2006)

In a landmark ruling on religious freedom penned by now Chief Justice Reynato S. Puno, the Court ordered the dismissal of the administrative charge of “disgraceful and immoral conduct” against a court interpreter who has been living with a man not her husband for the past 25 years and had a son by him. She had claimed in her defense that her conjugal arrangement is in conformity with and has the approval of the Jehovah’s Witnesses, the congregation to which she and her mate belong, per their Declaration of Pledging Faithfulness executed in 1991 and recorded in the Watch Tower Central Office. Only couples who have been baptized and are in good standing may execute The Declaration, which allows members of the congregation who have been abandoned by their spouses to enter into marital relations. The Court found “in this particular case and under these distinct circumstances” the court interpreter’s conjugal arrangement cannot be penalized as she made out a case for exemption from the law based on her fundamental right to freedom of religion... [T]he state interest sought to be upheld must be so compelling that its violation will erode the very fabric of the state that will also protect the freedom.” The Court found that evidence presented by the Solicitor General “fails to demonstrate ‘the gravest abuses, endangering paramount interests’ which could limit or override respondent’s fundamental rights to religious freedom. Neither did the government exert any effort to show that the means it seeks to achieve its legitimate state objective is the least intrusive means.” (AM No. P-02-1651, Estrada vs. Escritor, June 22, 2006)

A clerk of court was dismissed for dishonesty, grave misconduct, falsification, and forgery. (AM No. P-06-2205, Palabrica v. Faelnar, August 3, 2006)

A clerk of court and a cash clerk were dismissed for neglect of duty, dishonesty, and grave misconduct after they failed to account for more than Php8 million judiciary funds. (AM No. P-01-1499, OCA v. Dureza-Aldevera and Elegino, September 26, 2006)

The Court suspended for one year a “moonlighting” stenographer for facilitating payments to landowners for expropriated lands in Occidental Mindoro for a fee. “While ‘moonlighting’ is not normally considered a serious
# Data on Administrative Complaints on Court Officers

<table>
<thead>
<tr>
<th></th>
<th>SC Justices</th>
<th>CA Justices</th>
<th>Sandiganbayan Justices</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cases Filed</strong></td>
<td>11</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>Cases Decided</strong></td>
<td>11</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>Complaint Dismissed</strong></td>
<td>11</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td><strong>Admonished</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Benefits Forfeited</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Dismissed from Service</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Fined</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Reprimanded</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Suspended</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

*SC Justices are impeachable officers.*

## LOWER COURT JUDGES

<table>
<thead>
<tr>
<th></th>
<th>RTC Judges</th>
<th>MeTC, MTCC, MTC, &amp; MCTC Judges</th>
<th>SDC Judges</th>
<th>SCC Judges</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cases Filed</strong></td>
<td>138</td>
<td>54</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Complaint Dismissed</strong></td>
<td>224</td>
<td>116</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

## PENALTY

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Admonished</strong></td>
<td>7</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Benefits Forfeited</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Censured</strong></td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Dismissed from Service</strong></td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Fined</strong></td>
<td>31</td>
<td>15</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Reprimanded</strong></td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Suspended</strong></td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>45</td>
<td>26</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

## COURT PERSONNEL

<table>
<thead>
<tr>
<th></th>
<th>SC Personnel</th>
<th>CA Personnel</th>
<th>Sandiganbayan Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cases Filed</strong></td>
<td>21</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td><strong>Cases Decided</strong></td>
<td>14</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td><strong>Complaint Dismissed</strong></td>
<td>1</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td><strong>Admonished</strong></td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td><strong>Benefits Forfeited</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Dismissed from Service</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Fined</strong></td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Reprimanded</strong></td>
<td>4</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Suspended</strong></td>
<td>3</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>Warned</strong></td>
<td>15</td>
<td>–</td>
<td>0</td>
</tr>
<tr>
<td><strong>Dropped from the roll</strong></td>
<td>5</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>
### LAWYERS

#### Number of Lawyers Disciplined by the SC in 2005

<table>
<thead>
<tr>
<th>PENALTY IMPOSED</th>
<th>SDC Personnel</th>
<th>SCC Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disbarred</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Suspended</td>
<td>44</td>
<td>0</td>
</tr>
<tr>
<td>Suspended Notarial Commission</td>
<td>-</td>
<td>0</td>
</tr>
<tr>
<td>Reprimanded</td>
<td>17</td>
<td>0</td>
</tr>
<tr>
<td>Admonished</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Censured</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Warned</td>
<td>--</td>
<td>0</td>
</tr>
<tr>
<td>Fined</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>Ordered Arrested</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>89</td>
<td>0</td>
</tr>
</tbody>
</table>

**Source:** Office of the Bar Confidant

### COURT PERSONNEL

#### (RTC, MeTC, MTCC, MTC, & MCTC)

<table>
<thead>
<tr>
<th>Court Personnel</th>
<th>Cases Filed</th>
<th>Complaint Dismissed</th>
<th>PENALTY</th>
<th>Dismissed from Service</th>
<th>Fined</th>
<th>Reprimanded</th>
<th>Suspended</th>
<th>T O T A L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases Filed</td>
<td>179</td>
<td>160</td>
<td></td>
<td>20</td>
<td>42</td>
<td>25</td>
<td>31</td>
<td>137</td>
</tr>
</tbody>
</table>

**Source:** Docket and Clearance Division, Legal Office, OCA and the Complaints and Investigation Division, OAS

### COURT PERSONNEL

#### SdC Personnel

<table>
<thead>
<tr>
<th>Cases Filed</th>
<th>Complaint Dismissed</th>
<th>Dismissed from Service</th>
<th>Fined</th>
<th>Reprimanded</th>
<th>Suspended</th>
<th><strong>TOTAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

#### SCC Personnel

<table>
<thead>
<tr>
<th>Cases Filed</th>
<th>Complaint Dismissed</th>
<th>Dismissed from Service</th>
<th>Fined</th>
<th>Reprimanded</th>
<th>Suspended</th>
<th><strong>TOTAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Source:** Office of the Bar Confidant

### COURT PERSONNEL

#### SdC Personnel

<table>
<thead>
<tr>
<th>Cases Filed</th>
<th>Cases Decided</th>
<th>Complaint Dismissed</th>
<th>Dismissed from Service</th>
<th>Reprimanded</th>
<th>Suspended</th>
<th>Fined</th>
<th><strong>TOTAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

#### SCC Personnel

<table>
<thead>
<tr>
<th>Cases Filed</th>
<th>Cases Decided</th>
<th>Complaint Dismissed</th>
<th>Dismissed from Service</th>
<th>Reprimanded</th>
<th>Suspended</th>
<th>Fined</th>
<th><strong>TOTAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Source:** Docket and Clearance Division, Legal Office, OCA and the Complaints and Investigation Division, OAS
Employee Welfare and Benefits

Special Allowance for the Judiciary (SAJ)

The SAJ was created in 2003 by RA 9227, “An Act Granting Special Allowance for Justices, Judges, and those Holding Ranks Equivalent to Justices of the Court of Appeals and the Regional Trial Court.” It granted justices, judges, and other judiciary officials having similar rank special allowances equivalent to 100 percent of the individual basic monthly salaries under the Salary Standardization Law. Its implementation was spread uniformly over the span of four years in amounts equivalent to 25 percent of the basic salaries covered for each installment. While the release of the SAJ was previously made intermittently, Chief Justice Artemio V. Panganiban approved the payment of the SAJ on a regular monthly basis on January 30, 2006. Its payment on a regular basis benefits the intended recipients by eliminating speculations, anxieties, and follow-up inquiries.

The SAJ Fund is sourced from legal fees originally prescribed, imposed, and collected under Rule 141 of the Rules of Court prior to the promulgation of the amendments under PD 1949, “Judiciary Development Fund Decree,” and increases in current fees and new fees which may be imposed by the Supreme Court after the effectiveness of RA 9227.

RA 9227 also provides that the surplus from the collections in excess of the amount needed to fund the special allowances granted to justices, judges, and all other positions in the Judiciary with the equivalent rank of justices of the Court of Appeals and judges of the Regional Trial Court may be used by the Chief Justice of the Supreme Court to grant additional allowances exclusively to other court personnel not covered by the benefits granted under the said law.

Additional Cost of Living Allowance from the Judiciary Development Fund (JDF)

To ensure greater transparency and accountability in the disbursement of the JDF, Chief Justice Panganiban formed a committee composed of all major stakeholders to advise him on such fund. The Advisory Committee for the Disbursement of the JDF, as created by Memorandum Order No. 06-2006, was mandated to “advise the Chief Justice on when and how to disburse the Fund, specifically that referring to the eighty percent (80%) allocated for the Judiciary officials and personnel.” The memo took effect on January 4, 2006.

In September 2006, the SC set aside the amount of Php50,000,000 from the JDF for the procurement of office equipment and facilities for newly created and vacant trial courts nationwide in anticipation of the recruitment of at least 300 judges.

The JDF is derived from the increase in legal fees since 1984, as well as from other sources such as the increase in the legal fees prescribed in the Amendments to Rule 141 of the Rules of Court, Bar examination fees, confiscated bail bonds, income from publications of the Supreme Court Printing Press, and rentals of facilities in the Halls of Justice. In accordance with section 1 of PD 1949, the JDF is used to augment the allowances of the Judiciary’s members and personnel as well as to finance the acquisition, maintenance and repair of office equipment and facilities.

Employees receive their share of the JDF in proportion to their basic monthly salaries. Entitled to receive this benefit are those who have rendered at least six months of service in the Judiciary. The JDF allocation for employees of the same salary grade is the same across all courts. It is being given to the members and personnel of the Judiciary in proportion to their basic salaries with those receiving a basic monthly salary of less than Php7,000 given the biggest share.

Personal Economic Relief Assistance (PERA) and Additional Compensation

These amount to Php500 each, or a total of Php1000 per month, received by each employee upon assumption
of duty.

Productivity Incentive Benefit
This is based on the productivity and performance of every employee as evaluated by the heads of their respective offices. Employees who have had a performance rating of at least “satisfactory” and have rendered actual government service for at least one year are entitled to receive this benefit.

Emergency Economic Assistance (EEA)
Chief Justice Panganiban, through Memorandum Order No. 45-2006, granted an EEA worth one-half month pay or Php5,000, whichever is higher, from the savings generated in 2005 as certified by the Fiscal Management and Budget Office of the Supreme Court (FMBO-SC). The benefits received were uniform from the Supreme Court down to the first-level courts.

Year-end Bonus and Cash Gift
Every December, Judiciary employees receive a bonus equivalent to the actual base monthly salary as of October 31 of each year, and a cash gift of Php5,000. Those who have been in service from January 1 to October 31, and those who have rendered at least four months of service inclusive of leaves of absence with pay receive this benefit.

Loyalty Award
The Loyalty Award is given to employees who have rendered an initial 10 years of service in the Judiciary and every five years thereafter.

Shuttle Bus Service
As part of the SC’s program to help extend additional economic benefits, 10 shuttle buses help court personnel save transportation expenses. Each bus has a fixed route: Bulacan, Las Piñas, Cainta, Valenzuela, Novaliches, Fairview, Laguna, Cavite, and Marikina.

Laptop Computer Acquisition Program
The Office of the Court Administrator launched this program to provide justices, trial court judges, and SC lawyers the opportunity to acquire a computer notebook on an interest-free loan, payable in 36 monthly installments, to aid them in research, especially since the decisions and circulars of the SC have become accessible through the E-Library.

Qualified applicants must have rendered at least three years of continuous service in the Judiciary (except those holding co-terminous positions); be able to serve the Judiciary for three more years, have a minimum of Php3,000 net take home pay; be not more than 59 years old on the date of application; have no pending administrative and criminal case; have a minimum of 30 days leave credits; and must sign a promissory note with at least two qualified co-makers.

Medical and Dental Services
In 2006, the SC Clinic performed a total of 22,475 various medical services, of which 62.08% were medical consultations/treatment, 16.48% were physical therapy services, 13.16% were laboratory testing, 3.86% were routine blood pressure testing, and 1.19% were Echo Cardio Graph (ECG) services.

Cardio vascular diseases accounted for 20% of the cases attended to by the Medical staff in 2006 while upper respiratory tract infection and metabolic conditions accounted for 16% and 10%, respectively.

Psychological testing in 2006 totaled 255 subjects, the volume of which comprised new applicants or appointees to various positions in the SC. The Clinic also conducted 186 pre-employment physical examinations and 143 neuropsychiatric evaluations.

The SC Clinic also performed various dental services for court personnel in 2006, registering a total of 3,744 patients. Services varied from gingivitis/gum treatment (29.02%), permanent filling (17.13%), and simple extraction (11.74%), to temporary fillings (6.99%), oral consultation (6.16%), and dental X-rays (2.85%).

The Clinic staff also performed other forms of medical services such as nine ambulance conductions, 11 home/office visits, and 18 days of physical therapy.
The Philippine Judicial System

The Philippine Judiciary is a hierarchical organization consisting of four levels.

First Level

Occupying the first level of the hierarchy are the first-level courts comprised of the Metropolitan Trial Courts (MeTCs), which are created in each metropolitan area established by law; the Municipal Trial Courts in Cities (MTCCs), in every city which does not form part of the metropolitan area; the Municipal Trial Courts (MTCs) established in each of the other cities or municipalities; and Municipal Circuit Trial Courts (MCTCs), created in each circuit comprising such cities and/or municipalities as grouped by law.

At the same level are the Shari’a Circuit Courts (SCC). Shari’a Courts have been established in Islamic regions and provinces to interpret and apply the Code of Muslim Personal Laws (Presidential Decree No. 1083). Their decisions are appealable to the Shari’a Appellate Court, which, however, is yet to be organized.

Second Level

The second tier consists of the Regional Trial Courts (RTCs) established in each of the 13 regions in the Philippines. Each RTC is composed of several branches. RTCs act as trial courts and may receive evidence from the parties of the case. They also exercise appellate jurisdiction over decisions of the MeTCs, MTCCs, MTCs, and MCTCs in their respective territorial jurisdictions.

Also at the same level are the Shari’a District Courts (SDC). Their decisions are appealable to the Shari’a Appellate Court.

Third Level

Court of Appeals

At the third level is the Court of Appeals (CA), which exercises its powers, functions, and duties through 23 Divisions of three members each. The CA’s 18th, 19th, and 20th Divisions comprise the CA Visayas, located in Cebu City; while the 21st, 22nd, and 23rd Divisions make up CA Mindanao, situated in Cagayan de Oro City. The CA is assigned to review cases elevated to it from the RTCs as well as quasi-judicial agencies such as the Civil Service Commission, Securities and Exchange Commission, National Labor Relations Commission, and the Land Registration Authority.

The CA also reviews death penalty cases as well as decisions of the Office of the Ombudsman in administrative disciplinary cases. The CA is a collegiate court and may sit en banc only for the purpose of exercising administrative, ceremonial, or other non-adjudicatory functions. Being essentially an appellate court, it generally resolves cases only on the basis of records, but in certain instances, it may also try cases, conduct hearings, and receive evidence.
The Philippine Judicial System also includes two special courts: the Sandiganbayan and the Court of Tax Appeals.

Sandiganbayan

The Sandiganbayan is an anti-graft court that tries public officers – including their co-accused private persons – charged with criminal cases involving graft and corrupt practices as well as corresponding civil cases for the recovery of civil liability. The Sandiganbayan is composed of a Presiding Justice and 14 Associate Justices who sit in five divisions of three Justices each. Like the CA, its decisions are directly appealable to the Supreme Court.

Court of Tax Appeals

The CTA is composed of a Presiding Justice and five Associate Justices, and may sit en banc or in two divisions of three justices each. Republic Act 9282, which took effect on March 30, 2004, has elevated the status of the CTA to that of the CA. It has exclusive jurisdiction to review on appeal decisions in cases involving disputed assessments, refunds of internal revenue taxes, fees, or other charges, penalties in relation thereto, or other matters arising under the National Internal Revenue Code or Tariff and Customs Code. It also exercises original jurisdiction over all criminal offenses arising from violations of the Tax or Tariff Codes and other laws administered by the Bureau of Internal Revenue or the Bureau of Customs.

Fourth Level

Supreme Court

At the apex of the judicial hierarchy is the Supreme Court. It is composed of a Chief Justice and 14 Associate Justices who sit en banc or in three divisions of five members each. It has the power to settle actual controversies involving rights that are legally demandable and enforceable, and to determine whether or not there has been grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the government.

The Supreme Court is considered “the court of last resort” since no more appeals can be made from a judgment or decision on the merits rendered by this court. A decision of a Supreme