

## THE DEAN'S REPORT

July 29, 1968

The President  
University of the Philippines  
Campus

Sir:

I am submitting this report on the activities of the College of Law for the period from July 1, 1967 to June 30, 1968.

### INTRODUCTION

If the academic years previous to the one under review had been devoted, among other things, to the arduous and delicate task of revising the law curriculum, the academic year 1967-1968 will be remembered as the first bold but cautious step forward at implementing the revised standards.

Admittedly, the true worth of the revision cannot be realized and evaluated until its beneficiaries have graduated, passed the bar examinations, and made something worthwhile of themselves. It will indeed be a long wait.

The past year, therefore, was a period of adjustment — the initial shift towards well-intended goals. The freshman class in the evening department was transferred to Diliman without much difficulty and the graduate program for the regional summer classes at Davao has been geared towards the phasing-out process as previously contemplated. Coupled with these changes, new appointments were made to bolster the faculty strength and in line with the faculty upgrading policy of the College, an Associate Professor was sent on a special detail to the University of Michigan Law School for graduate studies. The law library collections continued to expand through purchases, donations and transfers, to meet the growing demands of the faculty, the students, as well as the researchers.

The students who are the intended beneficiaries of all these activities have, during the school year under consideration, amply cooperated and the year went by under an undisturbed atmosphere, affording them the much-needed time for their studies.

It is sad to note, however, that given the privilege and encouragement to exercise their own initiative and resourcefulness in the conduct of extra-curricular activities, student leadership during the past year fell short of its expected goals. The traditional "Night-Meets-Day" Debate failed to materialize and the chance of hosting an all Asian law student conference was missed. The dearth of student contributions to the *Philippine Law Journal* is also something to be deplored and obviously calls for a re-evaluation of existing policies.

The College continued during the year under review to extend its services outside of its halls as faculty members were tapped to serve in international as well as local conferences and seminars, which, undeniably, is rewarding not only to the participants of the affairs but also to the faculty concerned and the College as well. The facilities of the College, especially its library, were opened to local as well as foreign scholars when it hosted the Third Session of the Asian Institute of International Studies.

The Law Center, through its various divisions, pursued its objective with added enthusiasm and vigor. Indifferent to the restrictions of its inadequate facilities, it forged ahead with its prestigious institutes, its publications and research projects. The invaluable help it has extended Congress in the consideration of the Revised Administrative Code, is also something worthy of note.

Upon the eventual completion of the Law Center Building, which was dedicated on April 27, 1968, in honor of the late Dean Jorge C. Bocobo, the vexing problem of inadequate facilities will have been solved.

## SECTION ONE THE LAW SCHOOL

### I

## THE STUDENTS

### A. Enrollment

#### 1. *Diliman and Manila*

The comparative enrollment figures for the academic years 1966-1967 and 1967-1968 and for the summer terms of 1967 and 1968, are as follows:

TABLE I

	First Semester		Second Semester	
	1966-67	1967-68	1966-67	1967-68
Undergraduate students:				
First Year	163	132	128	108
Second Year	87	119	85	119
Third Year	72	66	74	69
Fourth Year	65	65	62	65
Graduate Students	8	2	3	5
Female Students	81	81	74	79

TABLE II

	Summer Term 1967	Summer Term 1968
Undergraduates	97	103

## 2. *The LL.M. Summer Regional Project in Davao City*

This past year's offerings were Comparative Constitutional Law and Legal Philosophy, both of which were handled by Professor Hugo E. Gutierrez. A total of 20 students enrolled.

The phasing-out of this summer program has been started by offering courses which will enable former students to complete the 18 units of course work required for the Master of Laws degree by the Summer of 1970. New students were admitted but they have to complete their work elsewhere after 1970.

## B. *Scholarship and Delinquency*

The comparative scholarship and delinquency figures for the school year 1966-67 and 1967-68 are summarized in the table below:

TABLE III

	First Semester		Second Semester	
	1966-67	1967-68	1966-67	1967-68
University Scholars	3	1	1	1
College Scholars	8	8	9	7
Students Dropped	19	9	29	13

**C. Graduates**

Of the 58 who were conferred LL.B. degrees, two were graduated with honors. Their names, weighted averages, and specific honors received, are given in the following table:

TABLE IV

Name	Gen. Ave.	Honors
1. Cagampang, Soledad (Miss)	1.59	<i>Cum Laude</i> and Class Valedictorian
2. Mosqueda, Roman P.	1.60	<i>Cum Laude</i> and Class Salutatorian

**D. Summer Class, Summer Term 1968**

Listed below are the courses offered during the summer term 1968, opposite which are the names of the faculty members who handled them:

Sales .....	Prof. Araceli Baviera
Negotiable Instruments .....	Prof. Arturo Balbastro
Administrative Law .....	Prof. C. T. Macaraig, Jr.
Evidence .....	Prof. D. T. Reyes

**E. Bar Examination Results of 1967**

Of 47 candidates who were duly certified to take the 1967 bar examinations, 44 passed, representing therefore a passing percentage of 93.36%. Only two made the "top ten" list, namely:

1. Sanidad, Pablito V. .... 8th place
2. Factoran, Fulgencio, Jr. .... 9th place

**II****FACULTY****A. New appointments**

During the year under review, the following new appointments were made:

TABLE V

Name	Rank	Date of Appointment
<i>Regular:</i>		
Gutierrez, Hugo E.	Asst. Professor	July 1, 1967
Dadufalza, Arturo D.	Instructor	Dec. 1, 1967
<i>Lecturers:</i>		
Balbastro, Arturo E.		July 1, 1967
Elma, Magdangal B.		July 1, 1967
Gadioma, Demosthenes B.		July 1, 1967
Presbitero, Julia V.		July 1, 1967
Bacungan, Froilan N.		Dec. 1, 1967
Carreon, Francisco		Dec. 1, 1967
Espinosa, Jose F.		Dec. 1, 1967
Fernandez, Bartolome C.		Dec. 1, 1967
Gancayco, Emilio A.		Dec. 1, 1967
Mendoza, Vicente V.		Dec. 1, 1967

**B. Change of status with promotion in rank and salary**

Effective July 3, 1967, the status and rank of Professor Sixto T. de Guzman, Jr. was changed from temporary to permanent, and from Assistant Professor to Associate Professor.

**C. Promotion in salary**

During the period under review, the following promotions in salary were approved:

TABLE VI

Name	Rank	Date of Effectivity
Jacinto, Genoroso V.	Professorial Lecturer	July 1, 1967
Mendoza, Estelito P.	Professorial Lecturer	July 1, 1967
Quiazon, Troadio T.	Professorial Lecturer	July 1, 1967
Reyes, Deogracias T.	Professorial Lecturer	July 1, 1967
Rivera, Juan F.	Professorial Lecturer	July 1, 1967
San Diego, Lourdes P.	Professorial Lecturer	July 1, 1967

**D. Special detail and other faculty leaves**

1. In line with the faculty development program, the University sent Professor Bartolome S. Carale, who had been granted a Clyde A. DeWitt fellowship, to the University of Michigan Law School.

2. Professors Roberto Regala and Estelito P. Mendoza served as Chairman and Member, respectively, of the Philippine delegation to the United Nations Conference on the Law of Treaties held at Vienna, Austria, on March 26 to May 24, 1968.

3. Professors Crisolito Pascual, Sixto T. J. de Guzman, Jr. and Ramon T. Jimenez were given special details, affording them the opportunity to participate in the Seminar and Conference sponsored by the Law Association for Asia and the Western Pacific (LAWASIA) held at Kuala Lumpur on July 1-12, 1968.

**E. Extension service**

1. Professor Bienvenido C. Ambion was invited to give a talk on the "Development of Commercial Arbitration: Towards Standard Practices and Uniform Laws" during the last plenary meeting of the 16th session of the Commission on Asian and Far Eastern Affairs of the International Chamber of Commerce, held last May 4, 1968, at the Philamlife Auditorium, Manila.

2. Professor Bienvenido C. Ambion also acted as a member of the Thesis Panel of Examiners at the request of the National Defense College of the Armed Forces of the Philippines to consider a dissertation on the "Philippine Continental Shelf."

3. My work with the Board of Pardons and Parole continued during the year under review.

**F. Other activities of the faculty**

1. Professor Crisolito Pascual continued to serve as the Dean of Student Affairs of the University.

2. Professor Teodorico C. Taguinod served as the Assistant Dean of Student Affairs, Men's Division, Office of Student Affairs but resigned the position on May 15, 1968.

3. Professors Luis J. Gonzaga, Araceli Baviera and Sixto T.J. de Guzman, Jr. represented the University during the preliminary investigation of the Alpha Phi Omega case at the Fiscal's Office in Pasig, Rizal.

4. Professor Sulpicio Guevara continued his service as the Chairman of the Business Law Department of the College of Business Administration of the University.

5. I was invited to give a lecture at the University of the Philippines in Baguio regarding the "Functions of the Law" on October 23, 1967 and delivered a talk on "The Law Curriculum" at the University of Santo Tomas in connection with the First Convention of the Philippine Association of Law Schools on May 16, 1968.

**G. Professor Carlos A. Barrios**

The previous school year saw the passing away of Professor Carlos A. Barrios, who left behind an impressive record of public service — 25 years, 17 of which were rendered in the University of the Philippines and 8 in other agencies of the government. He died on December 5, 1967.

Professor Barrios, a native of Roxas City, after completing his primary and secondary education in Capiz, came to the University of the Philippines and earned his Bachelor of Laws degree in 1932. Passing the 1932 bar examinations, with an average of 87.7%, he became a full-fledged member of the bar. He then practiced his profession at Bacolod and Iloilo Cities and during the war, he became an Investigator and Trial Judge Advocate, General Court-Martial, 6th Military District (Guerrilla), and in 1945 was assigned Intelligence Officer and Trial Judge Advocate, Special Court-Martial, Military Police Command (PA), in the province of Capiz. During the years immediately after the war, he also underwent training at the MP Training Camp (PA) at Zarraga, Iloilo, and was also a graduate of the Counter-Intelligence School (PA). From 1947 up to 1950, he served as examiner in the Philippine War Damage Commission.

His service in the U.P. College of Law began in 1950, when he joined as a faculty member and from then on, held various positions. He was the Secretary of the College from 1952-1959, became the Chairman of the Committee of Student Extra-Curricular Activities, 1958-60; Director of the University Union, 1959-1963; Director of the Placement Bureau, U.P., 1963-66; Faculty Adviser of the Philippinensian, 1960, 1961, 1962; Rapporteur and Researcher, Committee III (The Judiciary) Presidential Administrative Code Revision Project, 1966. He was also the President of the U.P. Cooperative Credit Union, Inc. in 1959-61; President of the U.P. Village, Inc., 1957-61, and former President of the Pi Gamma Mu, the National Social Science Honor Society.

His was a life of dedicated service because in fact, at the time of his death, he was a Professor of Law and at the same time, the

Assistant Head, Division of Publications, U.P. Law Center; Business Manager of the *Philippine Law Journal* and the Treasurer and General Manager of the U.P. Cooperative Credit Union, Inc.

He was the recipient of the following awards: The Philippine Defense, Philippine Liberation, Philippine Independence, Anti-Dissident Campaign, Asiatic-Pacific Theatre, and World War II Victory awards. He also received a Philippine Representative Presidential Unit Citation Badge, and a Plaque of Appreciation from the U.P. Community Chest.

Professor Carlos A. Barrios will be remembered as a man of dedication and drive. His demise has deprived the U.P. especially the College of Law, of his valuable services. His students and his colleagues will feel the loss for a long time.

### III CURRICULUM

The law curriculum as revised and adjusted was implemented during the year under review. However, further adjustments may have to be made to encourage and qualify students to engage more in legal research and come up with scholarly papers for the *Philippine Law Journal*.

### IV EXTRA-CURRICULAR ACTIVITIES 1967-1968

#### *First Semester*

1. General Elections (Diliman and Manila) . . . . August 4, 1967
2. Induction of Portia Sorority  
Judge Corazon Juliano-Agrava,  
Guest Speaker . . . . . September 15, 1967  
Malcolm Hall
3. Organizational Meeting  
Order of the Purple Feather  
and Law Student Government . . . . . September 16, 1967
4. Convocation and Induction of Officers  
of Law Student Government  
Former Senator Raul S. Manglapus  
Guest Speaker . . . . . September 27, 1967  
Malcolm Hall Theatre



*Second Semester*

1. Honors Convocation and Presentation of  
Special Citation to Judge Lourdes P.  
San Diego by the Board of Regents  
(Law Student Government)  
Justice Enrique M. Fernando  
Guest Speaker ..... January 10, 1968
2. Memorial Service in honor of  
Professor Carlos A. Barrios  
Orators:  
Dean Vicente Abad Santos  
Judge Hilarion N. Jarencio  
Mr. Franklin Drilon, ..... February 12, 1968  
Rizal Room
3. Lecture-Forum (Senior & Junior Class Organizations)  
THE VIETNAM CRISIS  
Professor Harrop Freeman,  
Cornell University Law School ... February 22, 1968
4. Mini-Fair (Law Student Government) .... February 23, 1968  
U.P. Campus
5. Annual Symposium:  
"PROPOSED CONSTITUTIONAL  
AMENDMENTS IN THE  
LEGISLATURE AND  
JUDICIARY"  
(Order of the Purple Feather)  
Hon. Arturo M. Tolentino,  
Senate Majority Floor Leader and  
Hon. Enrique M. Fernando,  
Associate Justice of the Supreme Court,  
Guest Speakers ..... March 15, 1968

## V

## PUBLICATIONS

During the year under consideration the publication of the *Philippine Law Journal* and the *Law Register* continued. The former came out with five issues and the latter, with four. The survey articles in the *Philippine Law Journal* were prepared by members of the faculty and research assistants of the Law Center.

## VI

## THE LAW LIBRARY

The Law Librarian reported marked progress in her department during the period under consideration.

Her report includes the following:

**A. Growth of the Collection**

As of June 30, 1968, the Library has accessioned 27,198 volumes. During the fiscal year just completed 1,157 volumes have been added to the book collection; 611 were purchased, 226 were received as gifts, 121 were acquired by transfer, 149 were continuations added by binding and 50 were deposited in accordance with the provisions of Republic Act No. 3870, the Law Center. The pamphlet file was enhanced by the addition of 52 titles making it a total of 588 titles.

The continued improvement of the collection is largely due to the active participation of the Faculty Library Committee and to the regular ₱25,000 granted by the Law Center to supplement our regular book fund.

Important acquisitions for this year include an almost complete set of the U.S. Naval War College *Blue Books* which was donated by Rear Admiral J.C. Wylie, Jr. through the efforts of Prof. Richard R. Baxter; the 35-volume set of Marten's *Nouveau Recueil Général de Traités*, 2 me. serie and Malloy's *Treaties, Conventions, International Acts, Protocols and Agreements*, which were donated by the Ford Foundation; the *Uniform Laws Annotated*, Halsbury's *Laws of England*, Moore's *History and Digest of International Arbitrations*; and some Filipiniana titles which were purchased by the "Class of 1941" fund.

This year's serial collection has reached 624 titles as against last year's 582. Three periodical titles have been completed, bringing to a total of 36 to date.

**B. Services**

Statistics on the use of library resources this year show a total of 141,489 volumes, which is an increase over last year's 87,650. The figures below give an indication of the use of the library.

Filipiniana Books and Pamphlets .....	52,012
Reference Books and Pamphlets .....	17,707
Reserve Books and Pamphlets .....	38,840

Circulation .....	7,961
Periodicals .....	10,678
Newspapers .....	7,019
Other Materials .....	6,854
Reference Questions .....	182
Inter-Library Loans .....	125
Intra-Library Loans .....	111
TOTAL: .....	141,489

### C. Staff

Last February 1, Miss Linda L. Kintanar, assistant law librarian, arrived from a two-year stay in the United States where she received her Master of Science in Library Science degree from Simmons College and served as an intern in the Widener Library of Harvard University. At present, she is on part-time detail in the University Main Library as Assistant-in-Charge of Reader's Advisory Service.

Aside from her regular duties as Law Librarian, the undersigned has: (a) taught Library Science 128, a course in Government publications and non-book materials; (b) handled two of the library orientation lectures for university freshmen with Miss Fe Y. Paggao, the assistant librarian; (c) given a lecture on "The Techniques of Legal Research and Bibliography" to the Social Security Commissioner's Legal Staff on July 11 & 18, 1967.

### PROBLEMS AND RECOMMENDATIONS:

1. In addition to the regular personal contacts with library patrons, the Library devotes a great deal of time in the preparation of short lists and extensive bibliographies on special topics to members of the Law Center Staff and our alumni. Also, there are several publications which the Library hopes to put out in order to provide more access to its collection as well as to gain stature in the eyes of the legal profession. With the impending transfer to the new library quarters, it becomes evident that there is a need for trained, full-time personnel not only to satisfy the above needs but also to man the different service areas.

2. The increase in the cost of law books is estimated to be 42 per cent in the last ten years. The demands of our students, faculty and researchers have doubled since then. Unfortunately, the law library book budget has not kept pace with this increased demand.

3. This year, we have noticed the increased use of the library by the members of the bar. In several instances, they needed the

quick photo duplication services of cases and materials. Although the University Library has a Xerox machine available for photocopying purposes, which is often inconvenient for our clientele, it is suggested that the Law Center rent a similar machine for such purposes.

#### LIST OF DONORS

Abad Santos, Vicente  
Affiliated Publishers, Inc.  
American Assembly  
American Society of International Law  
Arnaldo, Gregorio Cruz  
Asia Foundation  
Atlantic Institute  
Avins, Alfred  
A. W. Sijthoff  
Baizas, Crispin  
Baxter, Richard R.  
Borgeson, Earl  
Brocher, A.  
Charles C. Thomas Publishers  
Chuo University, Institute Japonais de Droit Comparé  
Class of 1941, College of Law  
Clover, Vernon T.  
Cortes, Irene R.  
Council of Europe. Committee on Crime Problems  
Filamor, Alberto  
Ford Foundation  
Hayward, John T.  
Herman, Robert S.  
Hines, N. W.  
Hoover, Lawrence H., Jr.  
International Monetary Fund  
Kiryu, Takumi  
Lardizabal, Ricardo J.  
Llave, Gerarda S.  
Laureta, Jose C.  
National Council of Juvenile Court Judges  
Ohio State Legal Services Association  
Pascual, Crisolito  
Phi Lambda Theta, Cornell University

Princeton University  
 Rosenberg, James N.  
 University of Manila, College of Law  
 University of Texas Press  
 U.S. Naval War College  
 Wechsler, Herbert  
 Wylie, J. C.  
 Yale University Press  
 Yugoslav Institute of Comparative Law.

## VII RESEARCH 1966-1967

### I. PUBLISHED WORKS

#### A. Books

Guevara, Sulpicio. *Essentials of Philippine Business Law*. 2d ed., rev. Quezon City, Bookwealth Pub., 1967.  
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#### A. Articles and Others

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 Campos, Jose C., Jr. and Campos, Ma. Clara Lopez. Commercial Law, 1966 *Survey of Philippine Law & Jurisprudence* 88-124.  
 Cortes, Irene R. *Academic preparation and practical training for a profession*, 8p. Mimeographed. (Paper read before the 1968 Faculty Conference U.P., June 20-22, 1968).  
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- \_\_\_\_\_. Methods of research (Including preparation of pleadings and writing opinions), in *Institute for Legal Officers of Government Corporations, Proceedings of 1967*, 79-128 (Q.C., U.P. Law Center, 1967).
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- \_\_\_\_\_. Taxation, 1966 *Survey of Philippine Law & Jurisprudence* 179-205.
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- \_\_\_\_\_. Trial by publicity, 1 *Heritage* 49-51 (July, 1967).
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- \_\_\_\_\_. May parity rights be enjoyed beyond July 3, 1974? 2 *Weekly Nation* 8 (June 5, 1967).
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- \_\_\_\_\_. 'On the method of electing our President: a second look,' 1 *The Defender* 7 (Oct., 1967).
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- \_\_\_\_\_. On the Presidential tenure, 1 *The Defender* 5 (Sept., 1967).
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- \_\_\_\_\_. Reflections on the 33rd anniversary of our Constitution. 1 *The Defender*. 22 (June, 1986).

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## VIII PHYSICAL PLANT

The year under review also witnessed the concern of the students about improving the physical facilities of the College. A drive was launched by the University Student Council, aided by the Law Student Government, to raise funds for the construction of a covered walk from the East Wing of the Malcolm Hall to F. Ma. Guerrero Street. The College administration also extended its help by appealing to affluent alumni and by tapping the Malcolm Trust Fund II.

The covered walk, which is almost through, will cost ₱4,300. The College would like to acknowledge with gratitude the generous contributions of the following to the realization of the project.

The U.P. Student Council  
The Law Student Government  
The Malcolm Trust Fund II  
The Ipil Residence Hall Association  
Mr. Emilio Abello  
Mr. Angel C. Cruz  
Mr. Eugenio Lopez  
Mrs. Teresita C. Sison

Other improvements accomplished during the year are the installation of vinyl tiles in four (4) classrooms, thus all classrooms in the Malcolm Hall are now tiled; installation of air-conditioners in the rooms of Professors Bienvenido C. Ambion and Luis J. Gonzaga; and the acquisition and installation of a Program Bell for the College. Room 315 of the Malcolm Hall, used as the Office of Publications of the U.P. Law Center, was also renovated with the financial assistance of The Asia Foundation.

## SECTION TWO

### ASIAN INSTITUTE OF INTERNATIONAL STUDIES

The Third Session of the Asian Institute of International Studies was held at the Malcolm Hall of the University from June 3 to 22 of the year under review.



The theme, "Regional Economic Cooperation in Asia," was, for purposes of discussion, divided into three main topics and competently handled by a select and knowledgeable panel of lecturers.

The first week was devoted to the discussion of "Regional Economic Cooperation — Financial and Technological," handled by Messrs. Wilfrid Kenneth Wardroper, a Director of the Asian Development Bank (ADB); Buu-Hoan, Alternate Director, ADB; Douglas C. Gunsekera, Secretary, ADB; and Dr. Sixto K. Roxas, President of Bancom Development Corporation. Each lecturer handled a specific sub-topic.

"Regional Economic Cooperation and Integration" was scheduled for the second week and discussed extensively by Dr. Hiroshi Kitamura, Director of Research and Planning, ECAFE, and Dr. Sam-Chung Hsieh, Director, Economic and Technical Assistance Department, ADB.

The third week shifted to a more specialized subject: the "Legal Aspects of the Operations of the Asian Development Bank" and the following members of the legal staff of the ADB lectured one after the other, developing particular sub-topics: Messrs. Timothy Atkeson, Gabriel Singson, Chung Pyo Jhong, Graeme Rea, and Mirza Rafi M. Raza.

Participation during this particular session was not as wide as it was in the previous sessions — due not only to the theme, which, although useful, was not as appealing as the previous ones, but also to other factors as well, e.g., fiscal retrenchment in some Asia Foundation offices and foreign exchange controls in some Asian countries.

Eventually, however, there were 20 participants (17 local and 3 overseas). Local participation came from different government offices and educational institutions, namely: the Central Bank, the National Economic Council, the Executive Office, the U.P. College of Agriculture, the U.P. Law Center, the National Defense College, the Palawan National Agricultural Colleges, the General Staff of the Philippine Army, the Mabini Colleges, the Ateneo de Naga, and the Philippine National Bank. There were also two law practitioners, and a graduate student in economics from the Ateneo de Manila University. The overseas participants consisted of an Indian, who is a Visiting Research Associate at the Institute of Asian Studies, U.P., and two Koreans, who represented the Korean Association of International Law.

The success of the affair is due to the combined efforts of so many who are too numerous to name here, although special mention should

be made of the efforts of Mr. Esteban B. Bautista and Miss Myrna S. Feliciano, who helped a lot in the administration of the Institute. And surely, gratitude is also due the U.P. Law Center and The Asia Foundation for their financial assistance. The helpful advice of Major Luis Alfonso, the Program Advisor of The Asia Foundation, also deserves acknowledgment.

### SECTION THREE

#### THE LAW CENTER

The Law Center has again completed another fruitful year as evidenced by the various activities it undertook to accomplish its goals.

The substantial part of the comprehensive report of Professor Crisolito Pascual, its Director, is as follows:

##### I. DIVISION OF CONTINUING LEGAL EDUCATION\*

Developments in the national scene the past year have offered the Division of Continuing Legal Education an opportunity to translate its goals in terms of the urgent needs of the times and in areas where the impact could have tremendous multiplier effect. "Compartmentalized Justice" and undue delay in the adjudication of cases, issues aired in the halls of Congress and taken up by the responsible sectors of the press, have undoubtedly placed the judiciary in a dubious light. Bearing in mind that a prime goal of the U.P. Law Center is to seek ways of improving the administration of justice, the Division of Continuing Legal Education decided to pursue more vigorously the phase of its educative efforts aimed at the judiciary in the light of this mounting criticism being hurled against its members. Aside from servicing the judges of the municipal and city courts as it did the preceding year, during the year in review, it likewise involved the district judges.

While the two judicial conferences may be said to have climaxed the activities of the Division of Continuing Legal Education, especially coming as they did towards the close of the year, the task of conducting the usual fare of legal education programs continued unabated. The annual institutes on Tax Law, Labor Relations Law and Corporate Practice, given again this year as in the past, drew sizeable audiences; the Division ventured into the unexplored fields of administrative practice and procedure and the legal aspects of business; the neophyte practitioners were the beneficiaries of a special course; and the well-received Institute on Trial Techniques and Procedures had to

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\* From here to the penultimate paragraph is an excerpt from the Law Center report.

be taken to different cities to accommodate the numerous practitioners in those areas.

#### A. Activities

The 1967-1968 offerings of the Division of Continuing Legal Education of the U.P. Law Center have been as extensive as they have been intensive.

The Institute on *Trial Techniques and Procedures*, first offered in Quezon City in February, 1967, had to be conducted in Davao City, Cebu City and Cagayan de Oro City upon insistent demand of the practitioners in those areas. For the first time, programs on administrative practice and procedures, legal aspects of business and a specialized course for lawyers who have had less than 4 years' law practice were given. In the wake of the unfavorable publicity on the judiciary, this Division which conducted jointly with the Department of Justice the past year a *Judicial Conference for Municipal and City Court Judges* now gave an *Advanced Course for Municipal Court Judges* and likewise held a *Judicial Conference for Judges of Courts of First Instance*. Aside from these programs, there were also the regular institutes held annually in the fields of labor relations law, tax law, and corporate practice. Efforts were likewise initiated for the holding of a legal education conference to be participated in by the various law schools. Further details of each of the above-mentioned programs are presented below.

##### 1. *The Regional Institutes on Trial Techniques and Procedures*

Over a span of a year's time, from February 1967 to February 1968, the *Institute on Trial Techniques and Procedures* which was initially intended merely as one of the annual programs of the Division of Continuing Legal Education, expanded into several regional seminars which had to be taken to three cities in the South to accommodate those members of the bench and the bar who failed to attend the Quezon City program due to distance, expense and pressure of duties. A total of 891 judges and lawyers attended these regional institutes as shown in the following breakdown:

<i>Date</i>	<i>Place</i>	<i>Number of Participants</i>
February 9-11, 1967	Quezon City	633
October 19-21, 1967	Davao City	46
January 11-13, 1968	Cebu City	132
February 1- 3, 1968	Cagayan de Oro City	80
		<hr/> 891

The unprecedented turnout, especially in Quezon City, may be attributed to the general interest in the subject matter by all practitioners regardless of their field of specialization as well as the high calibre of lecturers invited to speak. Equally responsible for the measure of success achieved by these programs in the course of the provincial swing were the full cooperation extended by the local chapters of the U.P. Alumni or U.P. Law Alumni Associations and bar associations as well as the generosity of several persons in furnishing complimentary plane tickets for the trips of the lecturers and the U.P. Law Center Staff. Among them were Congressman Roque Ablan, Col. Federico Ablan of the Civil Aeronautics Administration, Mr. F. Reyes, president of Air Manila and Dean Crispin D. Baizas and Mr. Benigno Toda, Jr. of the Philippine Air Lines. The program presented throughout the provinces was as follows:

- Discovery: Scope, Techniques — Solicitor General Antonio P. Barredo  
and Procedures
- Preparation for Trial: — Atty. Fidel Manalo  
Strategy and Tactics Sycip, Salazar, Luna, Manalo &  
Feliciano Law Offices
- Evidence for the Prosecution — Atty. Norberto Quisumbing  
in Quezon City  
Lawyers' Inn  
Ex-Sen. Estanislao A. Fernandez  
in the other cities  
Estanislao A. Fernandez Law Office
- Evidence for a Successful — Ex-Sen. Estanislao A. Fernandez  
Defense Estanislao A. Fernandez Law Office
- Presentation of Documentary — Hon. Leopoldo M. Abellera  
Evidence Office of the Government  
Corporate Counsel
- Presentation of Oral Testimony — Dr. E. Voltaire Garcia  
E. Voltaire Garcia Law Office

## 2. *First Advanced Course for Junior Lawyers*

As a result of the enthusiastic reception to the *Institute on Trial Techniques and Procedures*, it was decided to offer separate courses for junior and senior lawyers, the classification being based on a four-year law practice. This device sought to achieve two objectives, namely, to trim the potential participants in the next institute on procedural law and to suit the course to the peculiar problems and needs of the particular target group being serviced.

As soon as the results of the 1967 bar examinations were released, a three-day *Advanced Course for Junior Lawyers* was offered by the Division of Continuing Legal Education. As the following program will show, the course content was "Tailor-Made" to meet the needs of the neophyte practitioners:

- |                                |                                                                          |
|--------------------------------|--------------------------------------------------------------------------|
| Establishing a Law Practice    | — Dr. E. Voltaire Garcia                                                 |
| for the New Lawyer             | E. Voltaire Garcia Law Office                                            |
| Problems of Legal Ethics for   | — Atty. Fidel Manalo                                                     |
| the New Practitioner           | SyCip, Salazar, Luna, Manalo,<br>& Feliciano Law Offices                 |
| The Conduct of Preliminary     | — Senator Jose W. Diokno                                                 |
| Investigations                 | Senate of the Philippines                                                |
| Some Provisional Remedies      | — Solicitor General Antonio P. Barredo                                   |
| and Executions                 | Department of Justice                                                    |
| Practical Problems of Practice | — Prof. Estelito P. Mendoza                                              |
| in Civil and Criminal          | Mendoza and Hernandez Law Office                                         |
| Cases                          |                                                                          |
| The Intervention of Lawyers    | — Major Pedro F. de la Paz                                               |
| in Police Investigations       | Chief of Staff and Administrative<br>Officer<br>Manila Police Department |

### 3. *Institute on the Legal Aspects of Business*

Another "first" was the *Institute on the Legal Aspects of Business* which counted with 118 participants. As with the other pioneer courses, this program was in response to suggestions from various quarters for a program of the type shown below:

- |                               |                                                                                                        |
|-------------------------------|--------------------------------------------------------------------------------------------------------|
| The Lawyer as a Business      | — Atty. Alexander SyCip                                                                                |
| Counselor                     | SyCip, Salazar, Luna, Manalo<br>& Feliciano Law Offices                                                |
| Legal Requirements for        | — Atty. Juan G. Collas, Jr.                                                                            |
| Commencing Business           | Collas and Ma. Guerrero Law Office                                                                     |
| Regulation of Business:       | — Atty. Medina Lacson de Leon                                                                          |
| Manufacturing, Merchan-       | Former Undersecretary of Commerce                                                                      |
| dising and Public Service     | and Industry                                                                                           |
| Enterprises                   |                                                                                                        |
| Financial Aspects of Starting | — Mr. Adriano C. Dy                                                                                    |
| a New Business                | Supervising Consultant<br>Management Services Division<br>SyCip, Gorres, Velayo & Associates,<br>CPA's |

- The Legal Aspect of Credit — Atty. Pastor S. del Rosario  
 Transactions of Public Utilities — Vice-President for Legal Affairs  
 Meralco
- The Legal Aspects of Importation and Exportation — Atty. Ruben E. Karunungan  
 Head, Dept. of Taxation & Tariff  
 University of the East

#### 4. *Institute on Administrative Practice and Procedure*

Initially planned with reservations, the large attendance at the *Institute on Administrative Practice and Procedure* proved such apprehensions groundless. The various administrative bodies, performing as they do, quasi-judicial functions, have not been noted for a strict adherence to technical rules and procedures. It was mainly for the purpose of acquainting themselves with the procedures in these agencies that 260 lawyers and government employees enrolled. To meet this objective, the focal point of discussions and lectures as shown in the program below, was the procedure prevailing in major agencies of the government:

- Administrative Law: Concept and Problem Areas — Dr. Irene R. Cortes  
 Professor, College of Law  
 U.P.
- Administrative Rule-Making: Problems and Perspectives — Atty. Gregorio R. Puruganan  
 Laurel Law Office
- Procedure in Administrative Adjudication at the
- (1) Public Service Commission — Commissioner Enrique Medina
  - (2) Securities & Exchange Commission — Deputy Commissioner Arcadio E. Yabyabin
  - (3) Workmen's Compensation Commission — Atty. Vicente Leogardo, Jr.  
 Chief, Finance and Registration Division
  - (4) Court of Industrial Relation — Atty. Mariano B. Tuason  
 Chief Hearing Examiner
  - (5) Bureau of Immigration — Atty. Benjamin D. Quineri  
 Legal Officer
  - (6) Commission on Elections — Commissioner Cesar Mirafior
- Administrative Appeals and Judicial Review — Atty. Juan Luces Luna  
 Sycip, Salazar, Luna, Manalo  
 & Feliciano Law Offices

Significant Decisions of the Supreme — Atty. Merlin M. Magallona  
 Court in Administrative Law      Senior Researcher  
                                                          U.P. Law Center

### 5. *Annual Institutes*

Where a particular program is given year in and year out, one almost expects to find the attendance dwindling possibly because of waning interest on the part of the group which regularly enrolls in it. It was gratifying, therefore, to find that the registration this year in the annual institutes on Tax Law and Labor Relations Law exceeded that of previous years.

#### (a) *Fourth Annual Institute on Tax Law*

The past year's program on Tax Law which was the fourth in a series had the following topics and speakers:

Common Conflicting Problems on Income Tax	— Hon. Ambrosio M. Lina Deputy Commissioner Bureau of Internal Revenue
Transfer Taxes (a) Estate and Inheri- tance Taxes (b) Gift Taxes	— Judge Estanislao R. Alvarez Court of Tax Appeals
Major Problems on Manufacturer's Sales Tax, Advance Sales and Compensating Tax	— Mr. Lauro Abraham Chief, Management and Planning Department Bureau of Internal Revenue
Application and Problems of Major Tax Exemption Law	— Atty. Simeon Prudencio Chief, Law Division Bureau of Internal Revenue
Survey of 1967 Tax Decisions and New Legislations	— Judge Jose P. Alejandro Court of First Instance Cavite City
Major Problems in Tariff and Customs Duties	— Hon. Rolando Geotina Deputy Commissioner Bureau of Customs

As the figures below show, the year 1967 set a record insofar as attendance was concerned:

		<i>Attendance</i>
First Annual Institute on Tax Law	(1964)	— 120
Second Annual Institute on Tax Law	(1965)	— 95
Third Annual Institute on Tax Law	(1966)	— 84
Fourth Annual Institute on Tax Law	(1967)	— 161

(b) *Fifth Annual Institute on Labor Relations Law*

Similarly, the recently-concluded *Fifth Annual Institute on Labor Relations Law* registered a marked increase in enrollment as the following statistics shows:

	<i>Attendance</i>
First Annual Institute on Labor Relations Law (1964)	144
Second Annual Institute on Labor Relations Law (1965)	106
Third Annual Institute on Labor Relations Law (1966)	94
Fourth Annual Institute on Labor Relations Law (1967)	139
Fifth Annual Institute on Labor Relations Law (1968)	226

This increase in attendance is indicative of the growing interest in these comparatively new fields of law and the understandable desire of the confused practitioners to anchor their learning on more solid grounds. In these programs on Labor Relations Law, the comprehensive yearly surveys undertaken by the Director of the U.P. Law Center satisfactorily answers this "longing for certainty and repose" in a field little noted for stability in jurisprudence. Below is the program as presented:

Developments in the Law on Dismissal	— Dean Marcos Herras College of Law Adamson University
Remedies and Procedures in the Department of Labor in Relation to Labor Relations Law	— Hon. Raoul M. Inocentes Undersecretary of Labor
Role Conflicts in the Supervisor Status — Rights as "Employee" versus Obligations to Management	— Prof. Perfecto Fernandez Chief Legal Counsel, U.P.
Arbitration as a Means of Solving Labor Disputes	— Atty. Ignacio P. Lacsina President, National Association of Trade Unions
A Survey of the 1967 Decisions of the Supreme Court in Labor Relations Law	— Dean Crisólito Pascual Director, U.P. Law Center

(c) *Third Annual Institute on Corporate Practice*

The *Third Annual Institute on Corporate Practice* may well be the last in the series of such programs as the areas remaining untouched are highly specialized and therefore of interest only to an increasingly smaller group of practitioners. A total of 139 participants



from private law and business firms as well as government employees attended the following program:

- |                                                                                      |                                                                                            |
|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| The Effect of Failure to Organize and Commence Transaction of Business               | — Dean Ramon T. Oben<br>Oben and Oben Law Office                                           |
| The Legal Problems Connected with Corporate Financing                                | — Atty. Gregorio R. Castillo<br>SyCip, Salazar, Luna,<br>Manalo & Feliciano<br>Law Offices |
| Parent-Subsidiary Relationship                                                       | — Atty. Camilo D. Quiason<br>Meralco                                                       |
| Some Rulings and Regulations of the Securities & Exchange Commission                 | — Prof. Sulpicio Guevara<br>College of Law, U.P.                                           |
| Some Specific Corporate Problems and Their Solutions                                 | — Judge Simeon Gopengco<br>Court of First Instance<br>Branch No. XXV, Manila               |
| The Effect of Existing Nationalization Laws on Corporate Share Ownership and Control | — Atty. Alfonso R. Agcaoili<br>Lichauco, Picazo and<br>Agcaoili Law Offices                |

#### 6. *Judicial conference for Judges of Courts of First Instance*

At a time when the entire judicial hierarchy as well as the executive department were being severely pillorized in Congress and metropolitan papers for their alleged ineptness in facing up to the crisis produced by the peace and order situation, the U.P. Law Center, through its educational arm, the Division of Continuing Legal Education, opportunely held two conferences within a month's time, the first for district judges and the second, for municipal court judges. More specifically, the dispensation of "compartmentalized justice" and the delay in the adjudication of the approximately 82,000 pending cases were the burning issues of the day. Cognizant of the pressing need for the further training of the members of the bench, the Department of Justice closely cooperated with the Division of Continuing Legal Education in conducting these conferences particularly in the granting of official time to all participant judges.

Wide and favorable publicity in the major metropolitan newspapers drummed up interest in these Judicial Conferences particularly that for Court of First Instance Judges which was attended by 136 of the 222 district judges in the country. Aware of the clamor for speedy and impartial justice, the judges devoted two days to the exploration of possible ways of expediting the decision of civil and

criminal cases. So fruitful did the participants find the meetings that they unanimously suggested that it be held annually. As the program below will show, the Conference speakers were drawn from the appellate courts and the ranks of the solons whose brilliant law practice are matters of public record.

Problems in the Trial of Civil — Justice Magno S. Gatmaitan  
Cases Court of Appeals

How to Expedite Civil Cases — Judge Conrado Vasquez  
(Consultant)  
Court of First Instance  
Branch No. V, Manila

Problems in the Trial of — Justice Hermogenes Concepcion, Jr.  
Criminal Cases Court of Appeals

How to Expedite Criminal — Atty. Manuel O. Chan  
Cases (Consultant)

Pre-Trial Senator Jose W. Diokno  
Senate of the Philippines  
Judge Guillermo Santos  
(Consultant)  
Court of First Instance  
Branch No. XI, Manila  
Atty. Alejandro de Santos  
(Consultant)

Evidence De Santos & Delfino Law Office  
Senator Jovito Salonga  
Senate of the Philippines  
Solicitor General Antonio P. Barredo  
(Consultant)  
Department of Justice  
Prof. Generoso V. Jacinto  
(Consultant)  
Professorial Lecturer  
College of Law, U.P.

#### 7. *Advanced Course for Municipal Court Judges*

Barely had the *Judicial Conference for Judges of Courts of First Instance* wound up than the U.P. Law Center and the Department of Justice joined hands again to offer an educational program aimed, this time, at judges of inferior courts. Unlike last year's Conference

which included city judges, it was decided this time to confine the program solely to municipal court judges so as to be able to concentrate on their needs and problems. Added inducements to enroll were the permission given by the Secretary of Justice for interested judges to attend on official time as well as the Annual Convention of the Municipal Judges League which had been scheduled a few days before the *Advanced Course*. This decision of the organization to hold their Convention ahead of the continuing legal education program proved advantageous to the latter inasmuch as the business and administrative matters taken up beforehand left the judges free to concentrate their time and energies on the *Advanced Course* immediately following. This observation assumed relevance in view of the criticisms aired in the newspapers on the political atmosphere that prevailed during the three-day convention held at the same time by fiscals and state prosecutors. One reporter incidentally complimented the U.P. Law Center when he stated: "The League of Prosecutors could have made a more meaningful and educational convention by teaming up with the U.P. Law Center for resource speakers who usually are authorities in their respective legal fields."

In order to accommodate out-of-town judges, arrangements were made for them to stay in campus dormitories. Fifty of the 452 judges who registered availed themselves of the dormitory facilities on the campus. The official program shown below as well as the "extra-curricular" activities took into consideration their current and special problems and recognized their need to relax from the daily grind of adjudication:

Jurisdiction and Venue	— Judge Conrado Vasquez Court of First Instance Branch No. V, Manila
Admissibility and Exclusions of Evidence	— Judge Felix Q. Antonio Court of First Instance Branch No. III, Manila
Damages Under the Civil Code	— Judge Ricardo Puno Court of First Instance Branch No. XXIV, Manila
Special Civil Actions	— Atty. Alejandro de Santos De Santos & Delfino Law Office

- Applications of Penalties and the Indeterminate Sentence Law — Prof. Antonio L. Gregorio  
College of Law, U.S.T.
- Free Time — (Excursion to Lido Beach  
under the auspices of the League)
- Trial of Cadastral Cases — Prof. Francisco L. Ventura  
Professorial Lecturer  
College of Law, U.P.
- Administrative and Non-Judicial Functions — Judge Mario F. Clutario  
Senior Judicial Supervisor  
Department of Justice  
Atty. Crispina L. Ang  
Executive Officer  
Board of Pardons & Parole

A farewell offering given the judges at their closing program was a medley of folk dances presented by the U.P. Filipiniana Folk Dance Troupe.

#### 8. *Conference on Legal Education*

Inasmuch as the last conference on Legal Education sponsored by the U.P. College of Law was in 1961, it was deemed opportune to plan another gathering which could serve as a forum wherein the different law schools through their respective deans could review the basic philosophy and concept behind the establishment of such institutions and explore anew the expanded dimensions of legal education and law teaching. The U.P. College of Law particularly, had much to offer for study as it had introduced such innovations as a revised curriculum for all years, restoration of the review classes in the senior year and abolition of the pre-bar review classes.

Two abortive meetings were held preliminarily to plan the projected conference but unfortunately the College of Law made no headway in view of the announcement of Dean Feliciano Jover Ledesma, president of the Philippine Association of Law Schools (PALS), that their organization, composed exclusively of law deans, had finalized a program on the same theme. Their group extended an invitation to the U.P. College of Law to assume the responsibility of evaluating the discussions which would take place at a regular three-day convention at which Dean Vicente Abad Santos was to be one of the speakers.

## 9. *Faculty Lecture*

The annual faculty lecture intended for the year 1967-68 had to be given ahead of schedule due to the departure of the speaker, Dr. Ricardo Pascual, for the States. His lecture, "The Nature of Legal Reasoning," which was a rejoinder to the preceding one, was delivered a few days before the start of the year in review.

### B. *Lecturers*

At this juncture, a word on the Institute faculty of the various programs is in order. As will be noted from the programs presented in the preceding pages, the panel of speakers was drawn mainly from the bench, prominent members of the bar, key government officials and law professors. It has been the policy to invite lecturers on the basis of their knowledgeability and competence in effective communication, regardless of the school they graduated from. It has turned out invariably that the majority were alumni of the U.P. College of Law.

### C. *Planning Committees*

The members of the different *ad hoc* planning committees whose responsibility it is to draw up the course content and corresponding speakers, likewise represent a cross-section of judges, lawyers, government officials and members of various law faculties.

### D. *Promotional Operations*

Publicity, so vital to insure the accomplishment of the objectives, long-range and immediate, of the Division of Continuing Legal Education, is an aspect of the operations which cannot be neglected. While the newspaper publishers can be generous in those instances, where the subject is timely or the lecturers, newsworthy, more often than not, the attempt to project the activities of the Division of Continuing Legal Education has been ineffectual. A paid advertisement appearing during the week of the Institute concerned coupled with advance announcements to the 5,000 odd practitioners who form the bulk of the Division of Continuing Legal Education's clientele are the mainstays of the Division's promotional operations.

Specific projects in which the Division of Continuing Legal Education has participated, have in some measure, helped focus the eyes of the public on continuing legal education. Among these were the issue of *The U.P. Today* for the second quarter of 1967, which featured in its entirety the U.P. Law Center, and included an article

on the operations of the Division of Continuing Legal Education entitled "Legal Education Beyond the Bar"; the *Six of the Sixty Exhibits* presented as part of the commencement activities of the University which highlighted the accomplishments and operations of the different units of the University, including the U.P. Law Center's Division of Continuing Legal Education.

## II. DIVISION OF RESEARCH AND LAW REFORM

### A. Organization

There had been some changes in the organization of the Division this year. While it is still headed by Dr. Melquiades J. Gamboa, Mr. Merlin M. Magallona is now the Assistant Head of the Division vice Prof. Jose C. Laureta, who went on leave. The staff of full-time researchers has also been expanded with the appointment of Mrs. Grace Peña Blaszkowski. Mr. Ruben Torres is scheduled to join the research staff sometime in August of this year. During the year, the Division also included Mr. James L. Magavern, a visiting research associate from the State University of New York in Buffalo who conducted research on Urban Planning in the Philippines. To assist in the work and also to encourage legal research among law students, four student research assistants were appointed, namely, Miriam Defensor, Rolando M. Abes, Franklin Drilon and Abelardo Tolentino, Jr.

### B. The Philippine Treaty Series

The first volume of the four-volume Philippine Treaty Series was finished in January of this year. The second volume is expected to be off the press by August 15. Work on the third and fourth volumes has been intensified so that the four volumes will be completed by 1969. The foreign distribution of this series has been awarded to Oceana Publications. This series will constitute the most comprehensive collection of treaties to which the Philippines is a party or a signatory with up-to-date annotation of relevant data. It is being edited by Miss Haydee B. Yorac.

### C. The Administrative Code Revision Project

After the 28-volume Draft Administrative Code was submitted to the President of the Philippines, it was subjected to intensive review by members of the research staff for the purpose of further improving it and also to harmonize inconsistencies which might have existed. The books were divided among the researchers whose individual find-

ings were subjected to detailed consideration at staff meetings. The result of the review, together with the recommendations of the private sector represented by the Management Association of the Philippines as well as those submitted by the various government offices, was embodied in one volume of recommendations for the further improvement of the Code. This volume was submitted to different officials of the Philippine government as well as private persons who exhibited interest in the proposed amendments.

Senate President Gil J. Puyat then suggested the formation of a joint technical staff to assist the Congress in the consideration of the Code. Since the Draft Code had already been introduced as a House Bill, a special House Committee was created by Speaker Jose B. Laurel to supervise the final review of the draft. The committee is headed by Congressman Rogaciano Mercado.

The technical staff was composed of technical assistants from the Senate and the House of Representatives, the research staff of the Division of Research and Law Reform and representatives of the College of Public Administration. It was divided into six sub-committees under the supervision and control of three congressmen each. The work of the technical staff has been completed and it has been submitted to the Congress for consideration. The editing experience of the members of the research staff was very helpful in the correction of the printed bill.

#### **D. International Encyclopedia of Comparative Law**

This year, the Division was commissioned to write the National Report on the Philippines to be included in the International Encyclopedia of Comparative Law which is being published under the auspices of the UNESCO. The research staff produced a 31-page capsule summary of the history and content of Philippine Law. It was submitted to the editor-in-charge of the encyclopedia. It includes the following subjects: Constitutional System; Sources of Law; Historical Evolution of Private Law and State Direction of Trade; Private Law; Commercial Law; State Direction of Trade, Industrial Property Rights and Copyrights; Judicial Procedure in Civil and Criminal Cases; and Private International Law and International Law of Procedure.

### **E. Draft Penal Code**

The Draft Penal Code prepared under the auspices of the Division is now pending before both Houses of Congress. A special congressional committee headed by Congressman Joaquin Roces decided to push through the draft of the Law Center. In this connection, Mr. Esteban Bautista prepared a memorandum in answer to Judge Guillermo Guevarra's memorandum opposing the Center's draft code. This was submitted to the Office of the President of the Philippines which requested a comment on Judge Guevarra's memorandum.

### **F. Legal Opinions**

The Division also prepared a number of opinions during the year upon request from offices in and outside of the University. They included opinions on whether a priest may be appointed lecturer with compensation in the University, whether a University employee can run for elections as a barrio officer without forfeiting his seat, whether appointment to the University as Lecturer requires the reimbursement of terminal leave and retirement benefits, whether the University can compel students to participate in a group insurance scheme, whether the payment of honoraria to academic and non-academic personnel of the University rendering additional administrative duties is allowed under the law, whether the President of the University can remit liquidated penalty imposed upon a contractor for failure to deliver the object of the contract within the stipulated period, whether the University authorities can compel students and members of the faculty to attend the flag ceremony, and whether the confiscation or forfeiture of the proceeds of a crime in violation of the provisions of the National Internal Revenue Code, or the tools or instruments with which it was committed, is constitutional.

### **G. Other Draft Bills**

The Division likewise prepared the draft proposal to amend the Civil Service Law so as to include the Secretaries of Colleges and other members of the academic staff of the University of the Philippines in the non-competitive or unclassified service; and upon request of Congressman Aguedo Agbayani, who sits as ex-officio member of the Board of Regents, a bill to increase the penalty of crimes committed on the occasion of initiation rites of student fraternities and sororities.



#### H. Other Activities

The Division prepared two memoranda submitted to the Civil Service Commission, one on the status of the members of the Research Staff of the Law Center and another on the status of the research staffs of the various units of the University. The second memorandum was adopted by the Board of Regents as a reply to the communication of the Commissioner of the Civil Service. Mr. Carmelo Sison was principally responsible for the preparation of both memoranda.

Members of the Division participated in the Annual Survey of Philippine Law and Jurisprudence published by the Law Center. Mr. Merlin M. Magallona prepared the article on Administrative Law, Law of Public Officers and Election Law; Mr. Esteban Bautista, the Survey of Criminal Law and Mr. Carmelo Sison, the Survey of Legal and Judicial Ethics.

Some members also edited proceedings of the institutes sponsored by the Division of Continuing Legal Education. Specifically, Mr. Esteban Bautista prepared the proceedings on the Institute for Government Legal Officers and Mr. Carmelo Sison, the Institute on Naturalization and Immigration Law. Mr. Merlin Magallona was a lecturer in the Institute on Administrative Practice and Procedure held under the auspices of the Division of Continuing Legal Education.

Members of the staff also held various administrative positions in connection with projects in which the College of Law participated. Dr. Melquiades J. Gamboa was Project Director and Mrs. Grace P. Blaszkowski was Administrative Officer of the Final Revision of the Administrative Code during its consideration by the Congress. Mr. Esteban Bautista was Acting Executive Secretary of the Asian Institute of International Studies and the Philippine Society of International Law. As such, he participated in the planning and preparation of the Third Session of the Asian Institute of International Studies and assisted in all activities of the Institute during the session from June 3 to 20, 1968.

#### I. Pending Projects

In anticipation of the constitutional convention to be held in 1971, the Division has started work on the Constitutional Revision Project. It has made a survey of world constitutions and has mapped out plans for the project.

The Division is presently making a survey of national treatment and most-favoured-nation treatment clauses in treaties of amity, commerce, and navigation upon request of the Board of Investments. A study of proposed revision of the Copyright Law is also being made upon request of the Director of National Library.

### III. DIVISION OF PUBLICATIONS

As the other divisions intensified their qualitative and quantitative efforts, the Division of Publications has tried its best to match their strides even as it was being organized and set up in its present structure and program.

#### A. Objectives

The Division of Publications has embarked into a new phase of its responsibility — to achieve a standard of quality and excellence as a condition *sine qua non* before any work is published and disseminated. Only through a standard of quality and excellence can the Division maintain its status as an integral component of the Law Center. Only thus can it be of maximum service to the greater interest of the Center — the advancement of legal scholarship.

Another objective has to do with the proper scheduling and completion of the fast expanding quantity of publishing work which the Division is handling. To effect better coordination of all aspects of the publication program of the Law Center, I issued a memorandum on March 19, 1968 transferring to the Division of Publications all the responsibilities of the Chief of the Administrative Division in regard to transcription, annotation and editorial work. This was also dictated by the fact that the number of publications handled by the Law Center is ever increasing.

While the current work of the Division of Publications is largely concentrated on maximizing and making more effective the continuing legal education and research programs of the Law Center, steps are being taken to gear the objectives and procedures of this Division to new programs and new projects which the Law Center and this Division may eventually undertake.

#### B. Programs of the Division

##### 1. Administration

The Division is now, more or less, fully organized.

On August 15, 1967, Professor Hugo E. Gutierrez, Jr. was appointed to the position of Head of the Division of Publications. Until

then, I discharged the duties of the position in addition to my directorial responsibilities.

On February 23, 1968 Atty. Ambrosio R. Blanco, a research associate, was appointed Assistant Head of the Division. Together with the clerical staff, these two appointments completed the organizational set-up, with only the matter of acquiring additional assistants or clerks as the need therefore arises.

In prior years, an editor was appointed for each publication. Problems came up whenever the editor happened to be burdened with other duties, thus hampering the production schedule of the Division. The problem of editorial supervision and delays in the printing establishments became well-nigh irremediable. The publication's editor was either a faculty member or a researcher fully occupied with regular or additional assignments. Not knowing the priority schedules of the Division, they tended to regard editing as among their less pressing obligations. With the assumption of the duties of editor by the Assistant Head, this bottleneck was eliminated and enabled the Division Head to properly coordinate and implement editorial policies, thus, not only meeting press deadlines but also raising the quality of publications.

Consistent editorial policy has become possible. The Head, who is also the Business Manager of the *Philippine Law Journal* and *Law Register*, supervises the clerical staff in the transcription of proceedings, typing and proofreading of manuscripts before printing. The Assistant Head concentrates on editorial work and assists the Head in administrative matters.

Lately, the Assistant Head and Editor have implemented a stricter review of proofreading quality. Errata in publications already printed have been examined with the end in view of minimizing these typographical mistakes in the future. He has also continued to review, edit, and revise all lectures and open forums of continuing legal education programs before publication is ever attempted in order to update, enrich, and elevate them to Law Center standards.

Since the clerical staff is still under the administrative supervision of the Chief, Administrative Division, he rates and evaluates their performance, thus also playing a role in the Division's administrative program.

An internal arrangement was worked out where one stenographer, Mrs. Felicidad R. Lapuz functions as administrative assistant; one

clerk-typist, Mr. Silverio G. Sabio, Jr. acts as liaison with printing establishments and performs various tasks of an editorial assistant such as lay-outing, preparation of dummies, canvassing of printers, and the like; and the other employees proofread, transcribe, type, take dictation, file and perform various other assignments. The two latest additional employees have, so far, performed purely transcription work.

The staff of this Division cooperated in other functions of the Center, such as continuing legal education institutes, judicial conferences, and the like. They performed assignments relative to the *Philippine Law Journal* and *Law Register* and complied with the occasional assignments given by the Administrative Division.

## 2. *Publication of Continuing Legal Education Materials*

As in the past, the present efforts of the Division have been largely directed to the publication of continuing legal education programs and materials. This phase of the Division's publications program is an essential complement of continuing legal education. Thus, the law institutes or study programs undertaken by the Division of Continuing Legal Education for the period, were published as follows:

<i>Publication</i>	<i>Title of CLE Program</i>	<i>Date of Publication</i>
a. Third Annual Institute on Tax Law Proceedings of 1966	Third Annual Institute on Tax Law December 8-10, 1966	Aug. 25, 1967
b. Institute on Trial Techniques & Procedures Proceedings of 1967	Institute on Trial Techniques & Procedures Feb. 9-11, 1967	Sept. 13, 1967
c. Naturalization and Immigration Laws Proceedings of 1967	Institute on Naturalization and Immigration Laws March 10-11, 1967	Oct. 2, 1967
d. Aspects of Philippine Corporate Practice Proceedings of 1967	Second Annual Institute on Corporate Practice April 13-15, 1967	Oct. 20, 1967
e. Aspects of Philippine Labor Relations Law Proceedings of 1967	Fourth Annual Institute on Labor Relations Law May 31-June 2, 1967	Oct. 30, 1967
f. Institute for Legal Officers of Government Corporations Proceedings of 1967	Institute for Legal Officers of Government Corporations April 3-7, 1967	Nov. 6, 1967

g. Procedure in City & Municipal Courts	Second Annual Judicial Conference for City and Municipal Court Judges	Dec. 14, 1967
Proceedings of 1966-1967	Oct. 21-22, 1966 for Luzon; May 12-13, 1967 for Visayas; and Nov. 25-26, 1966 for Mindanao	
h. Administrative Investigations	Institute on Administrative Investigations	March 11, 1968
Proceedings of 1966-1967	June 6-8, 1967	
i. Administrative Practice and Procedure	Institute on Administrative Practice and Procedure	May 30, 1968
Proceedings of 1967	Nov. 9-11, 1967	

The favorable reception of the reading bar caused the Division to order a reprint of the following publications:

<i>Publication</i>	<i>Title of CLE Program</i>	<i>Date of Reprinting</i>
a. Application and Graduation of Penalties Under the Revised Penal Code and the Indeterminate Sentence Law	First Judicial Conference Nov. 19-20, 1965	March 11, 1968
b. Administrative Investigations	Institute on Administrative Investigations	June 27, 1968
Proceedings of 1967	June 6-8, 1967	

### 3. *Publication of Research Projects*

Of the many research projects already undertaken by the Division of Research and Law Reform, only the treaty series project has as yet been singled out for publication. This publication includes the texts of all treaties and other international agreements to which the Philippines is a party with notes of relevant information.

After the publication on July 5, 1966 of the LIST OF TREATIES AND OTHER INTERNATIONAL AGREEMENTS OF THE REPUBLIC OF THE PHILIPPINES, the publication of the main texts of the treaties was next undertaken. In April, 1968, Volume One of the publication entitled PHILIPPINE TREATY SERIES was released as the first research project turned over to this Division for Publication. This was originally a full time assignment of Miss Haydee B. Yorac, Senior Researcher, who, while annotating and preparing the materials for publication, continued to cooperate in the purely publications aspect of the

job up to its completion. They continue to work together on the remaining volumes.

#### 4. *Other Publications*

In line with the present efforts of improving and increasing publications for professional competence, the Law Center has decided to publish the current surveys of Supreme Court decisions prepared by faculty members of the College of Law and research lawyers of the U.P. Law Center. This publication, styled as *SURVEY OF PHILIPPINE LAW AND JURISPRUDENCE*, was published on September 29, 1967. The desirability of affording lawyers a ready access to recent decisions of the Supreme Court has given the Division the pleasant task of maintaining the publication on an annual basis for distribution to lawyers at cost.

#### 5. *Summary of Publications Production*

In a nutshell, the Division published during the reporting period a total of thirteen (13) books, or more than one book a month. These books have been listed in previous pages.

#### 6. *Inclusion of Current Legislation, Decided Cases and Editor's Notes*

In order to update, enrich, and elevate the standard of publications, the editor is including notes to clarify or distinguish or provide cross-references to cases or laws cited or discussed in the lectures or open forums. Furthermore, important legislations especially those of recent enactment are now being included as appendices.

Thus, the forthcoming book *ADVANCED COURSE FOR JUNIOR LAWYERS* will carry as appendix the new law on the conduct of preliminary investigations. We should also consider the feasibility of including recent Supreme Court decisions which may substantially alter or amplify a lecture given before the decision became available.

#### 7. *Other Events*

The Division participated in the "Six of the Sixty" exhibit on April 25-27, 1967, using as main theme the maxim, *Ignorantia legis neminem excusat* to stress the necessity of publishing notable legal materials for the continuing information and education of the bar. The several steps in the creation of Law Center publications were captured in pictorial illustrations done by an artist. The publications of the Division were displayed to enable the public to see, feel and browse on them.

### C. An Expanding Publications Program

While the Division continues to perform its present role in the improvement and increase of current literature on professional competence, research, and law reform, I have encouraged it to plan ahead and develop a publication's program, over and beyond publishing proceedings of continuing legal education seminars and conferences or putting in book form and disseminating the output of research and law reform. As financial and other limiting factors permit, a gradually expanding publications program will be implemented.

Along this proposed line of activity, the Division may supervise the preparation by experts of modest pamphlets on trial techniques or other areas of the law. Thus, such authoritative publications as Dr. Irene Cortés definitive study of the Philippine Presidency will be encouraged and may be expected on a continuing basis. Scholars may participate as co-authors or co-editors on the more difficult or voluminous materials. The paying public for such publications may be small but no other institution in the country may be willing to assume this necessary responsibility. These monographs may be patterned after the pamphlets put out by the American Bar Association. One such 70-page pamphlet is entitled "Preparation of a Negligence Case," another monograph reads "Opportunities in a Law Career". The approach will be practical and not academic. The publications shall follow the "How to Do It" approach. The Division may even publish a monthly or quarterly magazine for the general practitioner, more serious than a newsletter but not as scholarly as a law journal. Columns on continuing legal education seminars and research and law reform programs plus other activities of the Law Center can be included. We are thinking of something like *The Practical Lawyer* published by the American Law Institute and the American Bar Association.

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Respectfully yours,

VICENTE ABAD SANTOS

*Dean*