

Republic of the Philippines  
Congress of the Philippines  
**Senate**  
Pasay City

Fourteenth Congress

First Regular Session



RESOLUTION NO. 41

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT THE REPRESENTATIVES FROM BOTH HOUSES OF CONGRESS IN THE JUDICIAL AND BAR COUNCIL SHOULD BE MAINTAINED AND THE CURRENT MANNER OF VOTING WHICH ENTITLES EACH OF THE REPRESENTATIVES OF CONGRESS TO A FULL VOTE SHOULD BE UPHELD

WHEREAS, Section 8 (1) of Article VIII of the Constitution provides that "A Judicial and Bar Council is hereby created under the supervision of the Supreme Court composed of the Chief Justice as *ex officio* Chairman, the Secretary of Justice, and a representative of the Congress as *ex officio* Members, a representative of the Integrated Bar, a professor of law, a

retired Member of the Supreme Court, and a representative of the private sector;

WHEREAS, Section 1 of Article VI of the Constitution provides for a Congress composed of a Senate and a House of Representatives and, accordingly, the two Chambers have elected its respective members to represent Congress in the Judicial and Bar Council;


WHEREAS, each representative from both Houses of Congress has traditionally voted individually, since 2002 until the present, in the Judicial and Bar Council under Rule 10 of its Rules;

WHEREAS, allowing each representative of both Chambers of Congress a full vote in the Judicial and Bar Council would be consistent with the bicameral nature of the Legislative Department. However, the language of Section 8 (1) of Article VIII in relation to Section 1 of Article VI of the Constitution has raised doubts on the correct manner of voting insofar as the representatives of Congress are concerned;


WHEREAS, reducing the voting privilege of the respective representatives of both Chambers of Congress to a half vote each would diminish the independence of a co-equal and coordinate body and depart from the principle of checks and balances enshrined in the Constitution: Now, therefore, be it

*Resolved*, To express, as it hereby expresses, the sense of the Senate that the representatives from the House of Representatives and the Senate in the Judicial and Bar Council should be maintained and the current manner of voting which entitles each of the representatives of Congress to a full vote should be upheld.

Adopted,

  
MANNY VILLAR  
President of the Senate

This Resolution was adopted by the Senate on  
December 11, 2007.

  
EMMA LIRIO-REYES  
Secretary of the Senate  
