


SENATE
P.S. RES. NO. 162

RECEIVED BY 

Introduced by Senator Manny B. Villar

RESOLUTION
URGING THE COMMITTEE ON FINANCE AND THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO REVIEW THE 2011 APPROPRIATION FOR THE FREE LEGAL AID PROGRAM OF THE GOVERNMENT WITH THE END IN VIEW OF FINDING WAYS TO STRENGTHEN THE PROGRAM INCLUDING THE FEASIBILITY OF INCREASING ITS APPROPRIATION

Whereas, under Article VIII Section 1 of the 1987 Constitution, the Judiciary is given the daunting task of interpreting the laws of the land as it provides that “[t]he judicial power shall be vested in one Supreme Court and in such lower courts as may be established by law. Judicial power includes the duty of the courts of justice to settle actual controversies involving rights which are legally demandable and enforceable, and to determine whether or not there has been a grave abuse of discretion amounting to lack or excess of jurisdiction on the part of any branch or instrumentality of the Government;”

Whereas, this provision in the Constitution recognizes that the third power of the State is lodged in the Judiciary as the country follows the doctrine of separation of powers of the State;

Whereas, despite the Judiciary holding the third power of the State, apparently it is not given the significance it deserves as seen in the trend of budget appropriated to it;

Whereas, under the Republic Act 9970 otherwise known as the “General Appropriations Act of Fiscal Year 2010,” the Judiciary was given a total of 11,158,172,000 pesos which accounts to only 0.855% of the total 2010 General Appropriation of 1,304,406,400,00;

Whereas, this trend of the Judiciary receiving less than 1% of the total General Appropriation can be traced as far back as 2007, where the Judiciary only received 0.76% and for the years 2008 and 2009 it only received 0.88% and 0.94% of the total appropriation respectively;

Whereas, there have been reports that the 2011 Judiciary budget will only be 14.3 Billion, a far cry from its requested budget of 27.1 Billion pesos, and the said 14.3 billion to only account for 0.86% of the entire appropriation;

Whereas, although it may be true that the government needs to tighten its belt to achieve fiscal sustainability, there must also be a balance of expenditures given to the Judiciary as key government services are also serviced by it;

Whereas, there are programs of the Judiciary that needs to be supported by the government particularly the free legal aid to indigent litigants;

Whereas, considering that the Judiciary is a co-equal branch of the government, and its call for a bigger budget has long been unheard, it is high time that it be granted a bigger budget if only to support its free legal aid programs as this will ultimately redound to the benefit of ordinary Filipino people;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to urge the Committee on Finance and the Committee on Justice and Human Rights to review the 2011 appropriation for the Free Legal Aid Program of the government with the end in view of finding ways to strengthen the program including the feasibility of increasing its appropriation.

Adopted,


MANNY VILLAR