

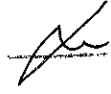
FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

9 JUN -2 P 4 50

SENATE

P. S. Res. No. 1118

RECEIVED BY



INTRODUCED BY THE HONORABLE MAR ROXAS AND FRANCIS G. ESCUDERO

A RESOLUTION
EXPRESSING THE SENSE OF THE SENATE
THAT VICTIMS OF FAILED PRE-NEED COMPANIES AND INVESTMENT SCAMS
SHOULD BE CONSIDERED AS "INDIGENT LITIGANTS" AND THEREFORE, EXEMPT
FROM PAYING LEGAL AND FILING FEES CHARGED BY THE DEPARTMENT OF
JUSTICE AND SUPREME COURT OF THE PHILIPPINES

WHEREAS, Section 11, Article III of the 1987 Constitution states that "*Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty;*"

WHEREAS, victims of failed pre-need companies and investment scams already have experienced loss of hard earned money used to pay for a pre-need plan or an investment scheme;

WHEREAS, in order to seek recourse and redress, victims would have to pay DOJ filing fees to pursue a criminal action and court legal fees should they institute a civil action to recover their lost savings or should the criminal action that they initiated be eventually filed in court;

WHEREAS, it is bad enough that these victims have already lost so much financially, it would be even worse if they would be denied access to justice simply because they cannot afford the filing and/or legal fees;

WHEREAS, the importance of alleviating the burden of said victims from filing fees cannot be overstated as such exemption will definitely provide real and genuine financial relief considering what they are already going through financially and emotionally;

WHEREAS, one such way of capturing the spirit of the constitutional right to free access to courts is their designation as "indigent litigants" and therefore, exempt from the payment of filing and/or legal fees for victims of failed pre-need companies and investment scams;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate expresses its sense that victims of failed pre-need companies and investment scams should be considered as "indigent litigants" and thus, exempt from paying legal and filing fees charged by the Department of Justice and Supreme Court of the Philippines.

Adopted,



MAR ROXAS
Senator



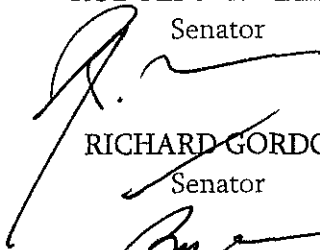
FRANCIS G. ESCUDERO
Senator

PANFILO M. LACSON
Senator

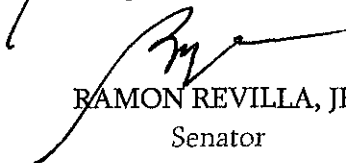
EDGARDO J. ANGARA
Senator

MIRIAM DEFENSOR SANTIAGO
Senator

RODOLFO G. BIAZON
Senator

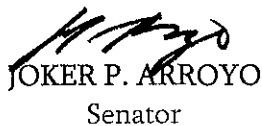


RICHARD GORDON
Senator



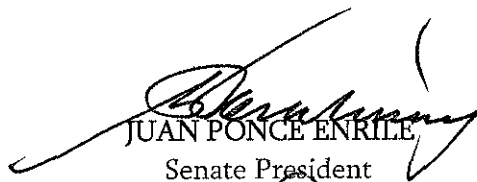
RAMON REVILLA, JR.
Senator

ALAN PETER S. CAYETANO
Senator

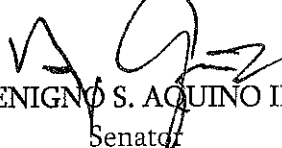


JOKER P. ARROYO
Senator

MANUEL B. VILLAR, JR.
Senator



JUAN PONCE ENRILE
Senate President

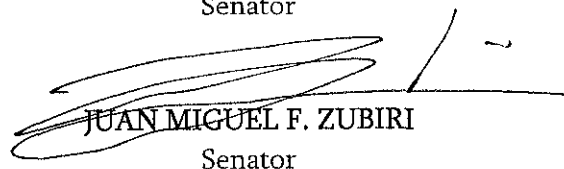


BENIGNO S. AQUINO III
Senator

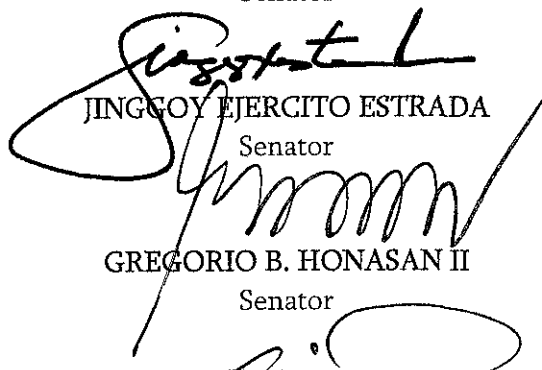


LOREN B. LEGARDA
Senator

M.A. MADRIGAL
Senator

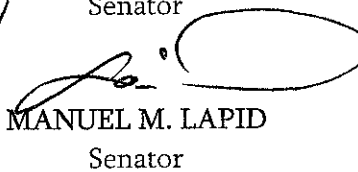


JUAN MIGUEL F. ZUBIRI
Senator



JINGGOY EJERCITO ESTRADA
Senator

GREGORIO B. HONASAN II
Senator



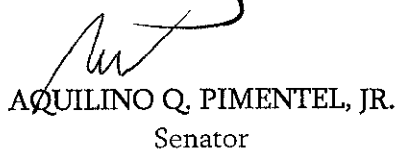
MANUEL M. LAPID
Senator



ALAN PETER S. CAYETANO
Senator



FRANCIS N. PANGILINAN
Senator



AQUILINO Q. PIMENTEL, JR.
Senator

ANTONIO F. TRILLANES IV
Senator