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OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

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SENATE
P.S.R No. 731

RECEIVED BY: j

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE REPORTED LACK OF LAWYERS IN THE PUBLIC
ATTORNEY'S OFFICE IN DAVAO CITY HANDLING CASES OF POOR AND NON-
PAYING CLIENTS

WHEREAS, the Constitution, Section 11, Article 3 provides: "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, Administrative Code of 1987, Section 14-A provides: "The PAO shall independently discharge its mandate to render, free of charge, legal representation, assistance, and counselling to indigent persons in criminal, civil, labor, administrative and other quasi-judicial cases. In the exigency of the service, the PAO may be called upon by proper government authorities to render such service to other persons, subject to existing laws, rules and regulations";

WHEREAS, the *Sunstar Davao* website, in its 31 May 2014 issue, reported that only 18 public attorneys in the Public Attorney's Office (PAO)-Davao handle 300 cases of poor and non-paying clients;

WHEREAS, it was reported that an official of the PAO-Davao claim they will have to work with the available personnel it has, despite averaging 300 handled cases per lawyer;

WHEREAS, PAO-Davao assistant director lawyer Rudy Alonzo reportedly said that their office currently has 18 lawyers including himself and the director with each lawyer handling around 300 cases that are mostly for the defendants or plaintiffs;

WHEREAS, Alonzo reportedly said that although the rule is one PAO lawyer per court, they have 10 Regional Trial Court (RTC) branches in their region, while there are seven branches in the Municipal Trial Court in Cities (MTCC) in the Regional Trial Court (RTC), equating to a lack of lawyers, also considering that part of the 18 lawyers are officials;

WHEREAS, Alonzo claimed that 60 to 70 percent of the cases in court are handled by PAO;

WHEREAS, Alonzo also claimed that the plantilla positions available are at the central office of PAO in Manila, and the regional office are reliant on the vacancies posted by the national office;

WHEREAS, apart from handling court cases, Alonzo also reportedly said that they are also handling cases before the City Internal Affairs Service, Regional Internal Affairs Service and the National Labor Relations Commission;

WHEREAS, although it was said that PAO could alleviate the bulk of cases that they handle, Alonzo claimed there is nothing that they could do as most of the clients they have are poor and non-paying clients;

WHEREAS, through meaningful and appropriate legislation, Congress should aid the Public Attorney's Office to carry out its mandate of providing the indigent litigants, the oppressed, marginalized and underprivileged members of the society free access to courts, judicial and quasi-judicial agencies, by rendering legal services, counseling, and assistance;

WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the reported lack of lawyers in the Public Attorney's Office in Davao City handling cases of poor and non-paying clients.

Adopted,

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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