

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 DEC 14 P3:25

SENATE
S.B. No. 1871

RECEIVED BY:

Introduced by Senator Francis N. Pangilinan

EXPLANATORY NOTE

The vacancy in the Judiciary now soars at a high of 34 % in lower courts with few qualified applicants applying for a judgeship position in the Judiciary. One can readily point to the measly compensation of judges as the responsible culprit. The increase in the compensation of judges and justices by virtue of Republic Act No. 9279 notwithstanding, the Judiciary continues to lose qualified applicants to big law firms. While the salary of judges and justices was increased to a hundred percent (100%), the same falls short of what a lawyer of comparable competence and experience receives in a law office.

Thus, despite the looming financial crisis, it is imperative to address the alarming condition of justices, especially judges of lower courts. While the budget of the government cannot provide for more increase in the compensation of justices and judges, other forms of assistance, which would not require much appropriation, can supplement the financial requirements of judges. If the State recognizes the rationale for providing educational benefits to children of Barangay officials under the Local Government Code, with equal reason should the State extend the same benefits to children of judges of the first and second level courts.

The urgent call for judicial reform is deafening. With the vacancy in the Judiciary increasing considerably, owing not only to retirement and death, but also to lack of qualified applicants to the Judiciary, grant of educational benefits to the children of judges will immensely alleviate their financial predicament, and ultimately lead to judicial reform. Thus, the passage of this bill is earnestly sought.


FRANCIS N. PANGILINAN

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AN ACT
GRANTING EDUCATIONAL BENEFITS TO LEGITIMATE CHILDREN OF JUDGES OF
THE FIRST AND SECOND LEVEL COURTS IN STATE COLLEGES AND UNIVERSITIES

Section 1. Short Title. This Act shall be known as the "Educational Assistance to Children of Judges in the First and Second Level Courts."

Section 2. Declaration of Policy. It is hereby declared a policy of the State to adopt measures to ensure an independent, responsive and efficient judicial system worthy of public trust and confidence. Pursuant thereto, there is a paramount need to have a competent Judiciary manned by qualified members. Towards this end, this Act aims to upgrade the compensation benefits of judges in the Judiciary by assisting them in a basic need in order to attract the best and the brightest in the Judiciary.

Section 3. Educational Benefits to Children of Judges. A maximum of two (2) legitimate children, as defined in the Civil Code of the Philippines, of judges of Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, Shari'a District Courts, Shari'a Circuit Courts and such other courts as may thereafter be created, shall be exempted from paying tuition and matriculation fees attending State Colleges or Universities, during the incumbency of said judges.

Section 4. Repealing Clause. – All laws and decrees inconsistent with this Act are hereby repealed or modified accordingly.

Section 5. Separability Clause. – If any provision of this Act is considered unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 6. Effectivity Clause. This Act shall take effect immediately upon its publication in newspaper of general circulations.

Approved,