



Misamis University Participates in 2nd National Congress for Law Students

by Neslie Marie Acain and Beauty Serino

The clamor for justice has never been louder in years, and the unmistakable need for the people to be reminded of the essence of the 'Rule of Law' is clear as day. History dictates that a country that does not put any stock into the 'Rule of Law' is a country plagued with greed, tyranny, war and disorder. Now more than ever is it important to remember how incorporating such mantra into the lives of every individual and especially the various government entities create a humane and just society. However, in the present day, it seems as if the peace and order in the country is falling at a fast-paced rate of disarray. The people look and rely on our laws to protect those who are of minorities, those whose rights have been wronged and those who can not protect themselves. These laws that provide for such, stems from the Constitution itself to act as the defense system to protect such rights and to restore order in communities.

In answer to this call of action, during the month of August and September, The Asia Foundation with support from Philippine Association of Law Schools (PALS) and Association of Law Students of the Philippines (ALSP) held its 2nd National Congress for Law Students.

This 2nd National Congress for Law Students aimed to continue its endeavor towards reminding aspiring law-practitioners the value of the 'Rule of Law' and the working democracy enshrined in the Preamble of the Constitution. The 1st National Law Congress was held in 2017 wherein law students from different parts of the country convened to discuss among each other the different 'Rule of Law' issues. This year, the Congress focused on Mindanao and split the Congress into 3 legs namely: Davao-Soccskargen, Zamboanga and Northern Mindanao - Caraga - BARMM. This more focused approach on Mindanao allowed the participants to be properly heard regarding each and every aspect on the culture, history and issues that contribute to the Rule of Law based on their specific communities in Mindanao.

The last leg or the Northern Mindanao - Caraga - BARMM leg for the 2nd National Rule of Law Congress was held in Xavier University, Cagayan de Oro City on the 31st of August to the 1st of September. It was attended by various law students all over the Northern Mindanao, Caraga and BARMM, all grounded with a thirst for discourse of various legal issues plaguing their communities and a drive for constant learning. Among the participating schools was Misamis University (MU) - College of Law. Delegates for the Congress, however, were not open to all but only to a select few who passed the qualifications set forth by the heads of the Congress. Luckily, all seven (7) students from MU - College of Law who applied were approved and were sent to represent the school, namely: Steffi Dawn Ilagan, Beauty Serino, Patrick Edward Canseco, Nemar Capitanía, Martyn Fernandez-Wee, Vel Justin Inot, and Neslie Marie Acain.

The Congress kicked off with a welcome dinner on the night of August 30, 2019 at the New Dawn Hotel where the participants were housed during the entire 2-day Congress.

MU College of Law: A New Phase

by Angelic Tesio

The Misamis University, College of Law held its orientation and general assembly at the university's Instructional Media Center (IMC) last July 13, 2019 to strengthen the connections among students and to welcome the new students as well as the transferees. This activity aimed not only to welcome them to the community but also to get them acquainted with the College of Law's Vision and Mission, objectives, services, rules, and policies in light as a member of the Purple Hood Society, which is the official student body organization of the MU- College of Law.

The dean of the college, Atty. Lhem J. Naval who was present at the orientation, expressed optimism in his welcome address. He had also expressed his intentions of boosting the college's efforts in working to develop the student's talents and prowess to enhance the student participation in order to achieve extraordinary accomplishments. Additionally, more fundamental changes will take effect which in turn, would eventually yield even greater heights in the quality of legal education such as being participative in forums like the "National Rule of Law Congress for Law Students", headed by the Asia Foundation and establishing law student programmes like the "Bar Ops" during the month of November, among other things.

The different speakers present at the assembly stressed the importance for the college to provide a formidable array of promising ways of engaging students actively, identifying difficulties in learning the course and adjusting the teaching methods accordingly. Additionally, the speakers also touched on the current gaps in the preparation most graduate students encounter as well as possible ways to minimize the complexity of the process. The orientation also served as an avenue to present the important elements of the school's programmes and services.

Gracing the orientation were the University Registrar, COL-Librarian and University Accounting Department representative as well as the ALSP Convention Representative, Ms. Martyn Fernandez-Wee. It was attended by an estimate of 280 students. From this population, 90 came from the continuing students, 94 freshmen students and 10 from the transferees. The orientation received a rating of 3.28 or satisfactory scale from 385 or 67% the attendees.

The 3rd leg also boasted an incredible roster of legal luminaries as mentors and speakers to the event. Among them were former Senate President, Koko Pimentel who was also the former Mayor of Cagayan de Oro as the opening keynote speaker of the Congress, who highlighted the issue on Rule of Law by enunciating the constitutional provisions, particularly the Bill of Rights, and the Governor of the Province of Dinagat Islands and Alternative lawyer and human rights' advocate, Governor Kaka Bag-ao as the closing keynote speaker, who imparted to the participants the importance of being there to represent those who need it the most.

With its goal to initiate projects that aim to establish strong public advocacy for rule of law, the Congress had also sought out the mentorship of very notable lawyers known for their strong advocacies for the rule of law. These six (6) mentors each had a specific session based on their expertise; Atty. Marjorie Montero-Llano on the talk for Protection of Indigenous People's Rights, Atty. Alpha Carole Pontanal on Conflict, Rehabilitation, Recovery, and Social Protection, Atty. Francesca Lois Sarenas on Access to Justice Issues, Atty. Junefe Payot on Local Governance and Autonomy, Dean Antonio La Vina on Resource Rights and Environmental Protection and Atty. Mohammad Al Amin Julkipli on The Bangsamoro Organic Law. The first day was intended as a day of mentorship where each student signed up for a mentor based on the topic they desired to be taught, with the intention to work toward an inspiration for a project with the end objective of incorporating the rule of law into the community.

On the second day, under the guidance and coaching of renowned lawyer and educator, Atty. Ernesto Neri, the students were separated into groups based on their geographic locations and were tasked to use the knowledge from yesterday's sessions to contemplate a program for their respective communities that integrates the advocacy for the rule of law. The whole day was dedicated to hard-work and brainstorming that culminated in the creation of various projects for each group that intended to contribute a positive change in their communities. With their knowledge of the legal aspects and appreciation of the law, the different projects were all indeed a significant success indicator of the Congress.

The Congress capped off with a fellowship night designed for the participants from the different schools to bond over all they have learned and to share in the joy of forming new friendships that would endeavor to ripen into partnership.

All in all, the 2nd National Rule of Law Congress had engraved into the mindsets of these aspiring practitioners the importance between a government that values the rule of law versus the rule by law. As law students, it should not only be a desire to live in a just and humane community but should be something we all work towards. By upholding the majesty of the rule of law in all aspects, the drive toward a prosperous and progressive tomorrow continues. In the light of ongoing conflicts and disruption, it is vital to always remain proactive in protecting the advocacy for the rule of law.



MU PHS Commences Law Week with Thanksgiving Mass, Motorcade

by Nikka Doria

As a payoff to the never-ending struggle of the law students in continuously balancing student, family and work life, the annual law week was celebrated. The celebration upheld unity amidst diversity and resiliency amidst difficulties.

The week long celebration commenced on the 14th day of September 2019. It was formally opened and blessed with a Holy Mass which was attended by the College of Law students, faculty and staff. The gospel of the mass, emphasized God's Love and our role as Christians in firmly building and living our faith. The celebration which was for the purpose of thanksgiving, recognized and humbly sought the presence and guidance of the Almighty Father. After the Holy Mass, students, as well as the faculty and staff prepared for the motorcade.

Despite the heavy rain, the Purple Hood Society still had the enthusiasm to pursue the motorcade. The faculty and staff's vehicle led the way, followed by the energy-boosting melody of Misamis University Band, and participating students from the 1st year to the 5th year levels, respectively. Every vehicle with its participants signified involvement and gratitude towards the activity. The opening celebration ended with a festive meal shared among the participants.

The law week celebration was unveiled with a blessing showered from up above and excitement instilled in the hearts of the participants. The Purple Hood Society was set and ready for the continuity of the celebration of knowledge, wisdom and solidarity.



Purple Hood Society Spreads Love, Feeds 50 Kids

by Angelic Tesio

In celebration of the Philippine National Law Week which is observed every third week of September, the M.U.-College of Law had conducted series of activities which enabled the public to recognize the importance of raising awareness about their rights and the law itself, envisioned on improving the administration of and access to justice as well as enhancing respect for the rule of law.

In connection to that, the JD III students headed by the M.U.-College of Law Purple Hood Society President Ms. Marilyn Wee conducted a feeding program to help the children-beneficiaries enhance their well-being through right nutrition support, alleviate their hunger and appreciate the kind of life they have. It nevertheless boosted camaraderie among the children-beneficiaries and student-volunteers, as the spirit of volunteerism ignited said event.

The feeding program was made possible with the support of Baybay Triunfo, Ozamis City officials. Fifty (50) -children-residents of said barangay- with ages 4-6 years old were benefitted during the feeding program. Various games and activities were also prepared by the student-volunteers aimed at leaving a memorable experience among the children.

Truly, it is the act that comes from the heart, no matter how big or small it may be, that binds communities together.

"With such experience, the feeding program was much deeper, much more fulfilling and much more important in contributing to a healthy and vibrant community than money can ever measure"- as quoted with one of the volunteers.



MU College of Law Celebrates Annual Testimonial Dinner and Acquaintance Party

by Jihan Banding

Many would agree that law school can be exhausting but those people would also agree when it is said that behind the stressful facade is a room for fun-filled nights and happiness. Law students, every now and then, also need to get out and refresh themselves from the loads of books that demand to be read as well as the abundant cases in need of digesting. What better way to blow off steam than an annual night where new and old friends are celebrated and just for a little while, worries are forgotten.

On September 14, 2019, a night of recognition, induction and a festive acquaintance party was held at Royal Garden, Ozamis City. The venue was filled with gorgeous ladies and handsome gentlemen with their respective theme costumes all dressed up and ready to slay the red carpet in hopes to be awarded the "best themed class". The testimonial dinner started off with an invocation and the singing of the national anthem followed by the "Himno ng Pamantasan." Of course, the celebration would not be complete without the "Lady of the Night", Atty. Shirley L. Mondido, who gave her speech recounting the days when she was still a law student up to the time she took the bar exam. One thing the students gleaned from her experience was that as a law student, much more as a bar examinee, one cannot expect to have a favorable result, aside from the hardwork one would put into the examination, a certain percentage of luck and fate would take part. She had also shared how it can be disappointing at times and questioning one's abilities and knowledge is all part of the journey that almost every law student in existence can relate to.

All one can hope for is to remain courageous and tuck that shred of doubt in the back of the mind. On a positive note, she stressed that if you are destined to the path you take, no matter how grueling it could get, no matter how time consumes you, do not lose trust in yourself because in due time, you'll succeed.

The College of Law also gave awards and recognition to the reputable law professors who had been very dedicated in teaching law students over the years and have moulded many brilliant lawyers and yet, still continuously share insights and ideas of law to this day.

The awarding ceremony was followed by the most awaited fashion showcase of each class to determine whose team stood out throughout the night. Some of the themes were 'Gods and Goddesses', 'Men in Black', 'Gangster', 'Kings and Queens', among others. However, the one class who got the most attention and loud cheers from the audience with their distinctive and fulgent red gowns and black suits was the 2nd year weekend class. With their elegant, never-before-seen costume, and whimsical trolleys as props, they were able to catch the attention of the judges and won as the "Best Themed Class".

Undeniably, the night would have been imperfect without a party and the rave commenced with a game segment composed of "Paint Me a Picture" and "Bring Me". Participants were mostly first year law students and the games couldn't have been more exciting and fun with the participant's never waning enthusiasm and healthy dose of competitiveness. Prizes were also given to the winners afterwards. The party was boisterous and everyone went home with tons of new memories and new friends. Not only were the students acquainted with each other, but the party also paved way for the students to engage in friendly conversations with the professors and danced the night away.

Overall, the night was capped off with dancing and singing that gave the students a beautiful memory to cherish before going back to the energy-draining reality of being a law student.

Misamis University Partners with CDAAsia to Provide the Best Online Legal Database

by Jann Peter Rocas

On October 19, 2019, CDAAsia introduced its online repository for law-related resources to the law students of Misamis University.

The orientation aimed to introduce the navigation of its legal database to the law students and how to get access to and use the resources, highlighting their "internal search engine with comprehensive filtering options to enable users to find documents with unparalleled accuracy". The repository also boasts cross-referencing, automatic citation, notes, and email options among others. This feature allows the students to utilize their products with ease and avail of the thousands of references they offer for convenience when it comes to researching cases and other legal resources.

The MU College of law library has purchased five (5) access accounts for student use. Given that this is MU's first time partnering with CDAAsia Online for legal resources, the orientation had provided crucial information particularly on its use and had become extremely informative. The account has access to all the libraries CDAAsia offers including categories for CDAAsia Online Law library, Jurisprudence, Taxation and Labor as well as issuances from the Department of Justice, SEC and for Elections. Access to these accounts are limited only inside MU Law Library.

Law students now have access to one of the latest and most complete law resources available from the CDAAsia Online repository. Indeed, CDAAsia stays true to be one of the highly used online database for law students and lawyers alike.

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MU College of Law Awards Hundreds of JDs During Conferment Ceremony

by Genevieve Jore

On August 3, 2019, the Misamis University - College of Law, under the guidance of the OIC Dean, Atty. Lhem J. Naval and with the support of its student organization, the Purple Hood Society, held the conferment ceremony attended by graduates of Bachelor of Law (LLB) and their family members. Hundreds of graduates were awarded with the Juris Doctor certificates which was in consonance with the Legal Education Board memorandum mandating law schools to discontinue using Bachelor of Law (LLB) as the standard basic law course degree in the Philippines and to adopt Juris Doctor (JD).

The change of LLB to JD opens the door for greater opportunities, especially to those who are serving the government and aim to step into a higher position. This brought excitement to the LLB degree holders, and to the entire law school community. Many had travelled all the way to Ozamiz City for the ceremony, hailing from different parts of the country where most are now living in, to attend and accept their JD certificates.

By noon, conferees had started to arrive and were welcomed by the Purple Hood Society officers for the registration and distribution of their kits. Bright smiles were seen painted on their faces as they greeted old friends and former classmates in law school. To some, the event was a way for them to be reunited after so many years of not seeing each other and to join in such a joyous occasion.

Afterwards, they were ushered to their respective seats where they settled in and waited for the ceremony to begin. The President of Misamis University Dr. Karen Belina F. De Leon, and MU- College of Law OIC Dean Atty. Lhem J. Naval, along with selected school officials, gave their respective words of inspiration. Thereafter, in alphabetical order, the conferees started to march.

The Conferment Ceremony had been important to many. It was evident in their auras that the conferees were delighted to receive their JD certificates and be able to add it to their respective portfolios. The excitement never left their faces as they left the venue. They brought with them the name of excellence and the opportunity to be called "Doctors of Jurisprudence".



LEB and UP to Initiate Reforms in Philippine Legal Education

by Mark Mira

Waves of reforms in the academic structure of Legal Education in the Philippines are to be expected by all law students and those who aspire to become lawyers of this country for the coming years as the Legal Education Board (LEB) and UP Law Center have embarked on an empirical-based research study on the state of Philippine Legal Education throughout the month of September.

The said study aims to: (1) assess the current state of Philippine legal education, (2) identify the legal needs of various social groups, and (3) recommend the appropriate reforms and interventions to make the Philippine model law curriculum more responsive to such needs. Thus, in line with the research objectives aforementioned, LEB and UP have created focus group discussions (FGD) in various parts of the country. Members of the FGDs came from multi-sectoral groups, entrepreneurs, educators, law students and other stakeholders that affect or are reflective of the current state of legal education. The members of the group discussed among themselves some salient points as to the present status of the legal education of the Philippines and suggested some ways as to how it could be improved for the better. The result of the FGDs are expected to eventually help formulate succeeding activities including workshops, modular instructions, and recommendations for improvement and restructure.

On this fortunate occasion, law students coming from three universities in Region 10 namely Iligan Institute of Technology and Marawi campuses of the MSU System, as well as the Misamis University respectively gathered and convened together at Fontina Café, Iligan City on September 26, 2019 to form the FGD. On that particular privileged moment, the students discussed among themselves about the present status of the Legal study of this country as they have observed being law students and at the same time also suggested practicable ways to improve the course for the better. Atty. Katrina Tanya Lat of LEB and Atty. Renee Fopalan of UP Law Center facilitated the sharing of thoughts complaisantly and thus aided in making the occasion a very fruitful and productive one.

Indeed, it was an auspicious opportunity for Misamis University- College of Law which was represented by Marlyn F. Wee, Steffi Dawn Ilagan, Neslie Marie Acain, Patrick Edward Canseco and Mark Mira. The college hopes to be part of the coming epic reforms of the Philippine Legal Education which somehow does not only benefit the law students of this country but the other sectors as it will become a perfect mechanism in strengthening the legal and justice system of the country.



No More Catcalling: R.A. 11313 or “The Safe Streets and Public Spaces Act” by Nehemiah P. Montecillo

In celebration of the Philippine National Law Week, Misamis University – College of Law conducted a Symposium on the “Bawal Bastos Law” (R.A.11313) and Moral Recovery in the Academic Community, held at the university’s – Instructional Media Center (IMC) last September 19,2019. Among the participants were the Basic Ed Teachers, college instructors/ professors, deans, student teaching practitioners, and law students. The said symposium addressed the “Gender Based-Sexual Harassment” with the speakers: Atty. Lhem J. Naval and Atty. Cleo Marjo C. Cabanilla who are both professors of the MU- College of Law.

But what is R.A. 11313 all about? On April 17, 2019, the Safe Spaces Act, or previously the “Bawal Bastos” bill, was signed into law. With the aim of ensuring an individual’s sense of personal space and public safety, the Safe Spaces Act addresses gender-based sexual harassment in public areas such as streets, privately-owned places open to the public, and public utility vehicles, among others. It also extends the protection even to cyberspace and provides for prohibited acts and their corresponding penalties.

Atty. Cleo Marjo C. Cabanilla talked about what the law intended to address, knowing that, “it is the policy of the state to value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy of the state to recognize the role of women in nation-building and ensure the fundamental equality before the law of women and men,” stated the new law. The State also recognizes that both men and women must have equality, security, and safety not only in private, but also on the streets, public spaces, online, workplaces, and educational and training institutions.

According to the Safe Spaces Act, actions or deeds considered as gender-based street and public spaces sexual harassment are committed through unwanted and uninvited sexual actions or remarks against any person, regardless of the motive. These acts include catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic, homophobic and sexist slurs, persistent uninvited comments or gestures on a person’s appearance; relentless requests for personal details, statement of sexual comments and suggestions; public masturbation or flashing of private parts, groping, or any unwanted advances. It also enumerated that gender-based online sexual harassment includes acts that use the information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic,

homophobic and sexist remarks and comments online.

Likewise deemed as sexual harassment under the new law are the invasion of privacy through cyberstalking and incessant messaging, uploading and sharing without consent of any unauthorized photos, videos or information, impersonating identities of victims online or posting lies to harm their reputation, or filing false abuse on online platforms to silence victims. Gender-based sexual harassment in the workplace includes unwanted sexual advances, requests or demands for sexual nature, whether done verbally, physically or with the use technology, it noted. The summary of the acts punished under the Safe Spaces Act and their corresponding penalties were also discussed. The Dean of the MU- College of Law, Atty. Lhem J. Naval also expounded on the gender-based sexual harassment in educational and training Institutions that schools are likewise mandated to adopt grievance procedures to facilitate the filing of complaints by students and faculty members who might violate this new law.

The said symposium had really been informative and provided the participants additional knowledge on the details of the newly enacted law. Before the symposium ended, an open forum was conducted where the floor was opened to questions directed at the speakers. This provided the participants the opportunity to clarify any questions regarding the new law and procedures in filing as well as to share some experiences in relation to the “Bawal Bastos Law”.

Thus “ignorantia legis neminem excusat” or “ignorance of law excuses no one”, a legal principle holding that a person who is unaware of a law may not escape liability for violating that law merely because one was unaware of its content is not an excuse. The rationale of the doctrine is that if ignorance were an excuse, a person charged with criminal offenses or a subject of a civil lawsuit would merely claim that one was unaware of the law in question to avoid liability, even if that person really does know what the law in question is. Therefore, the law imputes knowledge of all laws to all persons within the jurisdiction. Even though it would be impossible, even for someone with substantial legal training, to be aware of every law in operation in every aspect of a state’s activities, this is the price paid to ensure that willful blindness cannot become the basis of exculpation. Thus, it is well settled that persons engaged in any undertakings outside what is common for a normal person will make themselves aware of the laws necessary to engage in that undertaking. If they do not, they cannot complain if they incur liability.

Familiar Scenes: *Bar Boys* Inspires MU Aspirant Lawyers

by Steffi Dawn Ilagan

Well-settled it is that lawyering is not for the faint of heart. For many law students, nothing comes easy from “first day” experiences up to the “to graduate or not to graduate” stages in law school. With that goes some questions for every law student: What are you willing to do in order to reach you dream of becoming a lawyer? How far will your patience take you when you’re faced with circumstances which may or may not define who you are as a law student? Is going to law school really worth it? With these questions, it is noteworthy to take into consideration the pervasive role of the law school itself, particularly the professors in molding its students to become the kind of lawyers they want to be.

In culmination of the Philippine National Law Week Celebration, the Misamis University-College of Law initiated a film-showing for a cause through a 2017 movie entitled *Bar Boys*, last September 20, 2019 at Gegee Mall Cinemas. Law students, professors, and other guests were invited to watch said comedy-drama film.

Minutes before the title sequence and introduction of the film on screen, a welcome address was given by the OIC Dean of M.U. College of Law, Atty. Lhem Naval. Then followed was a brief message from Integrated Bar of the Philippines –Misamis Occidental Chapter President Atty. Ivy Manago. In her short talk, she recalled and shared some of her hilarious, grueling, and make or break moments in law school when she herself was still a struggling law student. Summing it all up, she clearly pointed out that when one prepares for the Bar Exams, aside from believing in one’s self, prayer and guidance from the Almighty Father is the greatest weapon one could ever have.

The film, directed by Kip Oebanda, showcased stories of various law students in their own phases of happiness, struggles, contentment, sacrificing, and dream-chasing. *Bar Boys* follows the story a group of friends who passed the entrance exam of a law school, with one of them failing it. With the beautiful, pungent portrayal of their respective roles, every character in the story effectively hit the screen. Chris Carlson (portrayed by Enzo Pineda) is the rich “amboy” with a distant yet demanding father, who was also a lawyer and keeps the highest expectation for his son at all times. Chris, trying to tell his father about his girlfriend who works as a direct seller for various products, eventually ends up denying her several times, leading to their break-up as lovers. Torran Garcia (played by Rocco Nacino) is the cool, brotherhood (frat) member, possessing a sharp tongue and photographic memory, whose family is so supportive and overly proud of him.

Erik Vicencio (Carlo Aquino) is the son of an elderly security guard who works very

hard to see his son become a lawyer someday. Erik, as well as his parents, will do whatever it takes to achieve that biggest dream. Josh Zuniga (Kean Cipriano) who would rather be a model/actor than being a lawyer, eventually misses the entire gang and teases the other three characters in the story that they are getting too serious and obsessed with the idea of “lawyering”.

The film effectively summarizes the time when a law student takes qualifying exams to enter into the law school of his/her choice, envisioning how once a first year student he/she was and eventually prepares for the Bar Exams. *Bar Boys* actually tells every viewer what to and what not to expect in law school. That in reality, not everything that you want to achieve would go your way and what actually matters is how you build up resilience and persistence in order to finally claim the title of an “Atty.”

Bar Boys offered a number of lessons in law and in life, particularly on how one is a student of law school and a student of life at the same time. For aspiring lawyers, this movie may be tagged as a must-watch and would most probably leave every watcher hanging in chains, and come to think more than twice whether to pursue law school or not. Along with that thought are the following considerations: readings in bulk which must be retained aside from merely understanding what the law says, countless times of heart-stopping class recitations, series of mind-boggling examinations, and keeping the balance between law school and adulthood.

Viewers of the movie, particularly the M.U. College of Law students found most, if not all of the scenes deeply relatable.

Then and there, the viewers were given the chance to personally meet-and-greet and ask some questions to Emmanuel dela Cruz, a screenwriter/ producer in real life and who likewise played as a “terror” law school professor in the movie. When asked about the possible sequel of *Bar Boys*, he simply answered in the affirmative on the reason that a single movie could not encapsulate all other important and equally relevant experiences in a four or five-year law school journey.

Sealing the night with such a truly feel-good movie was a photo op session of all the viewers together with Mr. Emmanuel dela Cruz. Memorabilia from said movie were also merchandized during said event.

Proceeds of the film-showing for a cause shall be allocated for the M.U. College of Law’s Bar Operations (Bar Ops) this year.



51 Punong Barangays of Ozamiz City Accomplished Law-Sponsored Barangay Training

by Marlyn Fernandez-Wee



Misamis Univeristy's College of Law conducted a specially designed training program to the different Punong Barangays of Ozamiz City as one of the highlight activities during the College's celebration of the Philippine National Law Week. The training program likewise constituted as one of the Purple Hood Society's outreach programs for this year.

This was a collaborative effort led by the Integrated Bar of the Philippines (IBP) Misamis Occidental Chapter under the staunch leadership of Atty. Ivy Manago, the Public Attorney's Office (PAO), the City Prosecutor's Office and the Local Government of Ozamiz City, as this was also their offices' and agencies' activity for the National Law Week.

The observance of the Law Week by the judiciary, law associations, law practitioners and law students in the Philippines is a mandate under Proclamation No. 649 s 1995 and Proclamation No. 1477 series of 1975, which has declared September 19, as Law Day and also under the Legal Education Board (LEB) Memorandum Circular No. 19 dated September 5, 2017.

In compliance with this directive, the university's Purple Hood Society geared up for the week- long celebration on September 14-20, 2019, with the theme: "Justice Bilis, not Justice Tiis". The Society had also adapted the subtheme: "Remodelling: Legal Education in the Philippines" – as a response to the challenge set by the Supreme Court and the Legal Education Board (LEB) to law institutions to re-examine the standards in law administration, practise, instruction and curriculum to be able to produce adept lawyers who are also imbued with leadership skills and responsive to the needs of the community.

Among the activities lined up for the week, was this training which was timely scheduled on September 19, 2019 in Ozamiz City . It covered special topics on Arbitration and Mediation principles as applied to Barangay Conciliation Procedures, the laws governing the issuance of Barangay Protection Order (BPO) and VAWC. District Public Attorney Marleaf C. Villa – Mandin of the Public Attorney's Office (PAO) provided the lawyer speakers. She graced the event to show her support and to personally accompany her PAO Attorneys. At the same time, she shared some experts or legal advice on the basis or laws governing the issues and the limitations of the barangay intervention. The gathering of the different barangay leaders was made possible with the assistance and coordination from the Local Government of Ozamiz City through the Hon. Mayor Fernando Sancho Oaminal who enjoined all of the city's 51 Punong Barangays to attend.

One of the invited speakers, Atty. May Sheene Tapay gave a comprehensive inputs on the substantive aspect of Katarungang Pambarangay Law and its three components: the Lupon Tagapamayapa, the Pangkat Tagapagkasundo and the significant participation of Local Legal Advisers in settling disputes among the residents of the barangay, along with the composition and how the council is formed as well as their roles and functions. She gave emphasis to the vital role of the Katarungang Pambarangay under Sec. 412 of the RA 7160, "that no complaint, petition, action or proceeding involving matter within the authority of the Lupon shall be filed directly in court or any other government office for adjudication, unless there has been confrontation between the

parties before the Lupon Chairman or the Pangkat, and that no settlement has been reached as certified by the lupon/pangkat secretary attested by lupon/pangkat chairman, or the settlement has been repudiated by the parties thereto."

She also emphasized what issues could not be settled in the barangay and some cases that need to be directed to the courts.

Equally young and sharp-witted resource persons were PAO Lawyers Atty. Paul James T. Jamoner and Atty. Lily Jean P. Deniega. Atty. Jamoner gave an in depth explanation on the laws governing the issuance of Barangay Protection Order making use of a question and answer approach. He emphasized that a Punong Barangay who receives the application for BPO shall issue the protection order to the applicant on the date of filing after ex parte determination of the basis on the application. Also, in the event that the Punong Brgy. is not around, the Brgy. Kagawad may issue the BPO but he must attest that the Punong Barangay was not available at the time for the issuance of such. Immediately after the issuance of the BPO, the Punong Barangay or Brgy. Kagawad shall personally serve a copy of the said BPO to the respondent.

Atty. Lily Jean P. Deniega presented a thorough lecture on the topic VAWC. After her talk, Atty. Deniega left a challenge to women who have become willing victims of these abusive acts, saying that "Martyrdom is not a virtue especially if you have children who see violent acts taking place. Violence should have no room in any family and it is not to be tolerated. If you find yourself in this situation, or know of someone who is, speak up for yourself or speak out for your loved one because that is what it means to be an empowered woman."

The training received positive reception from the participants who have expressed gratitude and good thoughts about having attended the training because it was relevant especially for those Punong Barangays who are new to the positions. The panel discussions were indeed very enriching and enlightening. Aside from clarifying some issues and cases, it had also afforded the Punong Barangays the platform to share their best practices and experiences in handling these types of issues in the barangay. They claimed to have been immensely clarified on certain provisions of the law, corrected some of their notions on how to handle issues related to VAWC which are common in the barangay and the issuance of the Barangay Protection Order as well . It has aided them to become more confident with their skills and behaviour toward the conduct of Mediation and Arbitration in settling related disputes in the barangay.

Atty. Lhem J. Naval, OIC-Dean of Misamis University College of Law, culminated the event with his closing remarks and lauded the agencies who supported this activity. He was at the same time very optimistic that this will be the start of collaborative works among stakeholders. The success of the training had inspired the organizers to have a similar activity in the future and as a means to help improve the government service in the community.

Purple Hood Society Participates in Misamis University's Intramurals 2019

by Led Caliao

We all know how the famous quote goes, "All work and no play makes Jack a dull boy" Given the unrelenting amount of provisions and endless cases law students have to face, you'd think that they'd have no time for fun and games? Well, that is not the case for the aspiring lawyers of Misamis University.

The College of Law participated in the Intramurals Games held during the month of September. Unbeknownst to many, these lawyer aspirants have a lot of games up their sleeves and really made time in their hectic schedule between work and school to join in on the friendly competition among colleges. Among the events participated by the students were basketball, chess and table tennis.

In basketball, the law students had played a total of six (6) games starting off against the College of Nursing which ended with a victory. However, such luck was not in store for their second game against the Senior High School students. During the 3rd game with the Med Tech students the wheel had once again turned in their favor but unfortunately, what followed was a losing streak against the College of Arts and Sciences and College of Dentistry respectively, and a forfeiture for their last game against the College of Engineering.

The same could be said for the game of chess, which had also lasted for a total of six (6) games. The game throughout had alternated between winning, losing and eventually ending in two forfeitures. Additionally, in table tennis only one game was played and had lost to the opponents. The rest of the games were forfeited.

The results, although not all favorable, let the law students go out of their cages and gave all of their best. Even though competition is the very nature of the intramurals, the law students had definitely taken more out of the experience rather than just the sheer joy of winning and also basking in the camaraderie between law students alike and being afforded that small window of enjoyment before stalking back to the awaiting reading assignments.

The participating students from the College of Law were Win Marc Cabilan, Nehemiah Montecillo, Led Caliao, Jordine Concepcion, Jarold Sevilla, Lloyd Gravino, Roland Cuevas, Eujenn Galea, Rey Ann Malalis, Carl Arpon, and Bryan Manreal for basketball. A group of equivalently good players also represented College of Law for chess composed of Charmyne Tumala, Farris Mae Jornales, and Jiona Cavales and for table tennis were Juna Rosal, Felma Brigoli, and Marlyn Wee.



SANA ALL DOCTRINE

Project Jurisprudence

Atty. Racma Fernandez-Garcia, in one of her law school lectures for her fourth year (review) students, mentioned that the equal protection clause is the "sana all" doctrine under the Constitution. Section 1 of Article III (Bill of Rights) says: "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws."

All persons or things similarly situated should be treated alike, both as to rights conferred and responsibilities imposed. Natural and juridical persons are entitled to this guarantee; but with respect to artificial persons, they enjoy the protection only insofar as their property is concerned. (Nachura)

The equal protection of the laws is embraced in the concept of due process, as every unfair discrimination offends the requirements of justice and fair play. It has nonetheless been embodied in a separate clause in Article III, Section 1 of the Constitution to provide for a more, specific guaranty against any form of undue favoritism or hostility from the government. Arbitrariness in general may be challenged on the basis of the due process clause. But if the particular act assailed partakes of an unwarranted partiality or prejudice, the sharper weapon to cut it down is the equal protection clause.

According to a long line of decisions, equal protection simply requires that all persons or things similarly situated should be treated alike, both as to rights conferred and responsibilities imposed. Similar subjects, in other words, should not be treated differently, so as to give undue favor to some and unjustly discriminate against others.

The equal protection clause does not require the universal application of the laws on all persons or things without distinction. This might in fact sometimes result in unequal protection, as where, for example, a law prohibiting mature books to all persons, regardless of age, would benefit the morals of the youth but violate the liberty of adults. What the clause requires is equality among equals as determined according to a valid classification. By classification is meant the grouping of persons or things similar to each other in certain particulars and different from all others in these same particulars. (G.R. No. 105371. November 11, 1993)

Indeed, the equal protection clause permits classification. Such classification, however, to be valid must pass the test of reasonableness. The test has four requisites: (1) The classification rests on substantial distinctions; (2) It is germane to the purpose of the law; (3) It is not limited to existing conditions only; and (4) It applies equally to all members of the same class. "Superficial differences do not make for a valid classification." (G.R. No. 192531. November 12, 2014)

The meaning of the Equal Protection Clause has been the subject of much debate, and inspired the well-known phrase "Equal Justice Under Law." This clause was the basis for *Brown v. Board of Education* (1954), the Supreme Court decision that helped to dismantle racial segregation, and also the basis for many other decisions rejecting discrimination against, and bigotry towards, people belonging to various groups. While the Equal Protection Clause itself applies only to state and local governments, the Supreme Court held in *Bolling v. Sharpe* (1954) that the Due Process Clause of the Fifth Amendment nonetheless imposes various equal protection requirements on the federal government via reverse incorporation. (https://en.wikipedia.org/wiki/Equal_Protection_Clause)

Here is Pericles discussing "equal justice" according to the English translation by Richard Crawley in 1874: https://en.wikipedia.org/wiki/Equal_justice_under_law

Our constitution does not copy the laws of neighbouring states; we are rather a pattern to others than imitators ourselves. Its administration favours the many instead of the few; this is why it is called a democracy. If we look to the laws, they afford equal justice to all in their private differences; if no social standing, advancement in public life falls to reputation for capacity, class considerations not being allowed to interfere with merit; nor again does poverty bar the way, if a man is able to serve the state, he is not hindered by the obscurity of his condition.

TECHNIQUES IN ANSWERING BAR QUESTIONS

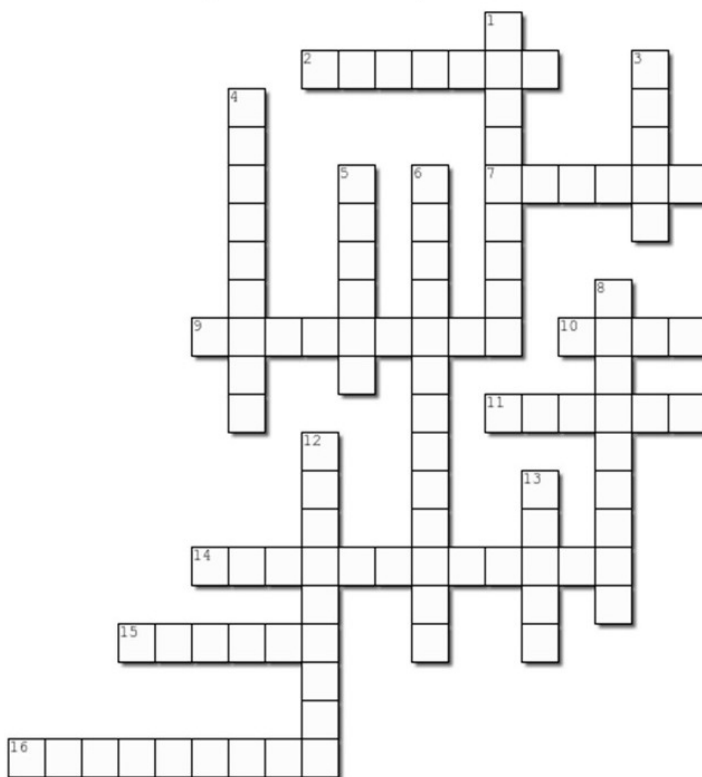
Atty Rey Tatad Jr.

When quoting the Supreme Court, citing a piece of jurisprudence or mentioning a principle, doctrine or theory during the bar examination or during law school examinations, remember the following tips by Atty. Rey Tatad, Jr. (Rephrased to fit the flow of discussion.)

- [1] The Supreme Court in one case, had the occasion to rule that xxx.
- [2] In a long-line of cases decided by the Supreme Court, it has always been (consistently) held that xxx.
- [3] In a litany of cases decided by the Supreme Court, it has been decreed that xxx.
- [4] In a long string of cases decided by the highest court of the land, xxx.
- [5] According to several cases decided by the Supreme Court, xxx.
- [6] In a series of cases decided by the Supreme Court, xxx.
- NOTE: Do not use the words series, litany or long-line if there is only one decision/piece of jurisprudence for that topic. (Atty. Rey Tatad, Jr.)
- [7] In one case decided by the highest court of the land, it was held that xxx.
- [8] In one case, the Supreme Court ruled that xxx.
- [9] It has been said that xxx.
- [10] In a recent case, the Supreme Court has laid to rest the issue of whether or not xxx.
- [11] It is well settled in this jurisdiction that xxx.
- [12] It is well settled in this country that xxx.
- [13] The Supreme Court has steadfastly adhered to the doctrine which states that xxx.
- [14] In a case with similar facts, the Supreme Court ruled that xxx,
- [15] In several notable Supreme Court decisions, the highest court declared that xxx.
- [16] The Supreme Court has often stressed that xxx.
- [17] In the landmark case of AAA vs. BBB, the Supreme Court laid down the doctrine which substantially provides that xxx.
- NOTE: Better cite very famous cases only. (Atty. Rey Tatad, Jr.)
- [18] In the leading case of AAA vs. BBB, xxx.
- [19] As enunciated by the Supreme Court in one case, xxx.
- [20] The court has repeatedly ruled that xxx.

- [21] A case in point is AAA vs. BBB where the Supreme Court held that xxx.
- NOTE: The phrase "already decided by no other than the highest court of the land" takes up too much space and sounds corny. (Project Jurisprudence)
- [22] There is likewise an array of cases in this jurisdiction where the Supreme Court has consistently declared that xxx.
- [23] Deeply rooted is the jurisprudence which provides that xxx.
- [24] In one case, the Supreme Court was emphatic when it ruled that xxx.
- [25] It is hornbook doctrine in (e.g. civil law) that xxx.
- NOTE: Do not confuse i.e. with e.g. the first means "id est" or "that is." The second means "exempli gratia" or "example given." Some professors say "i.e." means "in example." This is totally bullshit. Also, "e.g." does not mean "example given." (Project Jurisprudence)
- [26] Immortal is the rule that xxx.
- [27] Well settled is the rule that xxx.
- [28] Well entrenched is the principle that xxx.
- [29] Elementary is the rule that xxx.
- [30] The cardinal rule in (e.g. Labor law) is that xxx.
- [31] It is a familiar canon in (e.g. political law) that xxx.
- [32] In Labor law, it is well-settled that xxx.
- [33] Basic is the rule in (e.g. criminal law) that xxx.
- [34] It is an elementary principle in xxx.
- [35] It is a fundamental doctrine in xxx.
- [36] Well accepted is the rule that xxx.
- [37] It is axiomatic in (e.g. civil law) that xxx.
- [38] Enshrined in the 1987 Constitution is the rule that xxx.
- [39] In consonance with the rule that xxx (or the rule in civil law that xxx).
- [40] It is a recognized doctrine in (e.g. civil law) that xxx.
- [41] It is a basic tenet in (e.g. commercial law) that xxx.
- [42] Consistent with current jurisprudence, xxx.
- [43] It is a legal presumption, born of wisdom and experience, that (e.g. official duty has been regularly performed, etc.)
- [44] It is an oft-repeated rule that xxx.
- [45] The Philippines adheres to the principle of xxx.

Complete the crossword puzzle below



Created using the Crossword Maker on TheTeachersCorner.net

Across

- 2. Fair treatment
- 7. Responsible for ratifying treaties
- 9. Government of all the people, by all the people, for all the people?
- 10. Power of the president to reject legislation
- 11. A written summary
- 14. Legal power
- 15. Take it to a higher court
- 16. Enforcing and enacting laws

Down

- 1. Partner in crime
- 3. Minimum age for presidential candidates
- 4. Commander-in-chief of the armed forces
- 5. System of moral principles
- 6. Beyond the usual course of legal proceedings
- 8. Person accused
- 12. Make laws
- 13. Court hearing